

MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL

Meeting Minutes

August 1, 1997

Cambria Pines Lodge

Cambria, CA

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, August 1, 1997 at the Cambria Pine Lodge in Cambria, California. Public categories and government agencies were present as indicated:

Agriculture: Richard Nutter

Diving: VACANT

AMBAG: Katherine Beiers - NOT PRESENT

Education: Dorris Welch

At Large: Karin Strasser Kauffman, Chair

Enforcement: Tom Pedersen

At Large: Steve Webster - NOT PRESENT

Fishing: Dave Danbom

At Large: David Iverson, Secretary

Ports & Harbors: Joe Townsend

Business & Industry: Steve Abbott

Recreation: Tom La Hue - NOT PRESENT

CA EPA: Marc Del Piero

Research: Greg Cailliet

CA Coastal Commission: Tami Grove

Tourism: Ed Brown

CA Resources Agency: Brian Baird

U.S. Coast Guard: Lt. Phyllis Blanton -

Conservation: Rachel Saunders

NOT PRESENT

The following non-voting members were present as indicated:

Monterey Bay NMS: Joanne Flanders

Gulf of the Farallones NMS and Cordell Bank NMS: Ed Ueber - NOT PRESENT

Channel Islands NMS: Ed Cassano

Elkhorn Slough NERR: Becky Christensen - NOT PRESENT

- I. CALL TO ORDER, ROLL CALL, WELCOME FROM SAN LUIS OBISPO SUPERVISOR BUD LAURENT, APPROVAL OF JUNE 6, 1997 MEETING MINUTES, REVIEW OF CORRESPONDENCE

A) Call to Order

The meeting was called to order by the Chair, Karin Strasser Kauffman, at 9:10 AM.

B) Welcome and Roll Call

The Chair thanked Joanne Flanders, Lisa Ziobro and the Council for their time in preparation for the Council Retreat and Meeting in Cambria.

The Chair announced that Ed Cooper has resigned as the Diving Representative due to health. She commended Ed for serving as an ideal Council representative, who always championed dive interests and worked hard to promote marine resource protection. He will be greatly missed by the Council and by MBNMS.

C) Welcome from San Luis Obispo Supervisor Bud Laurent

Supervisor Bud Laurent welcomed the Council to the southernmost border of the Sanctuary and thanked them for making the trip. He believes the Council's annual meetings in Cambria are beneficial to local residents as well as the National Marine Sanctuary Program.

Supervisor Laurent also thanked the Sanctuary and the Council for the Elephant Seal Docent Program and expressed his hopes that it will expand to include a monitoring program. In an effort to increase public awareness of the Sanctuary, Supervisor Laurent suggested erecting a "southernmost monument" where people stop along the coastline. He is interested in contributing to this effort.

Finally, Supervisor Laurent requested input from the Council regarding the possibility of options for other marine protected designations for coastal locations adjacent to the southern Sanctuary boundary.

D) Approval of Previous Meeting Minutes

The minutes from the June 6, 1997 meeting were approved as presented.

E) Review of Correspondence

The Chair announced a new approach to distributing Council correspondence, keeping in mind the recent Council directive to save paper. From this meeting forth, one copy of Council correspondence will be passed among members during Council meetings, with a sign-up sheet for those who would like to request personal copies. The Chair reviewed the correspondence written since the last Council meeting.

The Chair reported on the Jade Rule Hearing in Big Sur, where she testified on behalf of the Council. The Chair expressed her desire that the Jade Rule move forward quickly. She expressed her interest that the Council be involved in the writing of the permit process for the Jade Rule.

The Chair presented the former MBNMS manager, Terry Jackson, with a plaque from the Council, and praised his service in getting the Monterey site off the ground.

II. ANNOUNCEMENTS FROM JEFF BENOIT, OCEAN AND COASTAL RESOURCES MANAGEMENT DIRECTOR, AND STEPHANIE

THORNTON, SANCTUARIES AND RESERVES DIVISION CHIEF:
NEXT STEPS FOR PROGRAM MANAGEMENT AND SANCTUARY
ADVISORY COUNCIL PARTICIPATION

Jeff Benoit, OCRM, expressed his pleasure in joining the Council in Cambria for their retreat and regularly scheduled meeting. He stated that SRD (Sanctuary and Reserves Division) needs to reiterate its commitment to MBNMS, which serves as a flagship in the National Marine Sanctuary Program. According to Benoit, the Department of Commerce feels strongly that the commitment to MBNMS needs to be strengthened.

Stephanie Thornton, SRD, stated that it was very beneficial for her to speak with Council members during the previous day's retreat. According to Thornton, SRD is fully committed to working on the management and leadership of MBNMS. Thornton explained that Carol Fairfield had been expected to sit as the MBNMS Superintendent. However, as of July 28, 1997, Joanne Flanders is serving as Acting Manager, and a search for a new Superintendent will begin immediately. Thornton explained that Fairfield's reassignment is a personnel matter which cannot be discussed in detail. Thornton also explained that she and Terry Jackson will be discussing long-term possibilities for his participation in the National Marine Sanctuary Program.

Thornton reviewed the next steps for the Superintendent recruitment process which will begin immediately. Thornton will be working with NOAA personnel to create opportunities for MBNMS staff and Council involvement in the process. Thornton expressed her confidence in the abilities of Joanne Flanders to lead the MBNMS site.

Thornton stated that an important ³missing piece² has been communication between SRD, MBNMS and the Council. She will be working with John Robinson and Justin Kenney to improve communication. Thornton will take a personal and direct role to ensure that objectives and goals are met. SRD will provide support for Joanne Flanders and Council Chair Karin Strasser Kauffman to develop the Council Strategic Planning process for this fiscal year and to integrate it further into the Monterey site plan and SRD plan. Finally, Thornton stated that she will be working closely with Joanne Flanders and Karin Strasser Kauffman on important issues such as vessel traffic.

III. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

1) Chet Forrest, Cambria resident, expressed concern regarding decreasing fish size and numbers and supported reductions of sportfishing bag limits. Forrest also expressed concern regarding the increasing activity of the live fish fishery and the taking of juvenile fish.

2) David Clayton, diver, agreed with Forrest in his concern over the live fish fishery and the tree lines the fishery leaves behind. According to Clayton, these abandoned tree lines continue to fish as after they are left behind.

Mr. Clayton's constituency asked him to thank the Council for their assistance in the jade collection issue.

3) Shirly Bianchi, San Luis Obispo County, expressed concern over land-use planning issues, such as grading which has increased the sedimentation flowing into the Sanctuary.

4) Suzy Ficker, Cambria Legal Defense Fund, expressed concern regarding:

... the take of small fish;
... the sport fishing industry, in particular sportfishing tournaments;
... Mobil;
... polluted runoff;
... the proposed boat center in Morro Bay.

5) Bill Bianchi, expressed concern regarding kelp harvesting within the Sanctuary and supported the establishment of marine reserves along the California Coast.

IV. SANCTUARY MANAGER'S REPORT

Joanne Flanders provided a verbal and written report on MBNMS activities. See attachment A.

V. DISCUSSION: PREVENTION OF INVASIVE SPECIES TRANSPORT: MECHANISMS TO REGULATE VESSEL DISCHARGE OF BALLAST WATER

Marc Del Piero strongly recommended that the proposed draft letter (Attachment B), with minor editorial changes, be sent immediately to the San Luis Obispo Regional Water Quality Control Board and the State Water Resource Control Board.

The Chair read a letter from the City of Monterey requesting that the issue be put on the agenda for the next Council meeting in the Monterey area. The Chair recommended that the Council send the letter and also schedule the item for discussion on the October agenda.

Ed Cassano, CINMS, explained that the mechanism to regulate the discharge of vessel ballast water already exists in the Sanctuary's regulation which prohibits discharges into Sanctuary waters. He added that the State can regulate these discharges using ³Port-State Control.²

The Chair requested Ed Cassano to prepare a summary to be presented as part of this topic at the next meeting.

Greg Cailliet requested that the Council get clarification on who can act on this issue.

Marc Del Piero added that another mechanism that can be used is the Federal Clean Water Act.

Jim Stilwell, Moss Landing Harbormaster, explained the potential for vessel ballast water exchange or the control of the water quality of vessel ballast discharges.

Discussion ensued on ways to ways to prohibit vessel discharge of ballast water.

Marc Del Piero made a motion to send the correspondence requesting both the San Luis Obispo Regional Water Quality Control Board and the State Water Resource Control Board to take action to prohibit the discharge of ballast water within the Sanctuary. The motion was seconded by Ed Brown and passed unanimously.

VI. PRESENTATION: HISTORY OF DREDGING REGULATIONS IN SANTA CRUZ HARBOR

Patrick Cotter, MBNMS, provided a verbal and written update on the issue of dredging

practices in Santa Cruz Harbor. See Attachment C. Mr. Cotter is working with Santa Cruz Harbor on ways to ³grandfather² the Harbor's original dredge disposal regulations. For those interested in more detailed information, Mr. Cotter has a five-page chronology of Santa Cruz dredging regulations available.

The Council commended Mr. Cotter for his timely efforts to work collaboratively with the public on this issue.

VII. PRESENTATION: MBNMS PERMIT PROCESS: WHAT IS THE PROCESS, WHAT INTERAGENCY COORDINATION EXISTS, WHAT IS THE COUNCIL'S ROLE?

Scott Kathey, MBNMS staff, provided a presentation on the Sanctuary permit process. Permits are required for those activities which are among the Sanctuary's prohibited activities. Mr. Kathey reviewed the Sanctuary's Approval Classifications:

- ... Certifications - activities certified at the time of designation;
- ... Authorizations - activities certified after designation;
- ... Special use permits - commercial activities to establish access or use of the Sanctuary or to promote use and understanding of the Sanctuary (the only permit where a fee can be charged);
- ... Permits - issued only for research, education, salvage or recovery operations and sanctuary management operations;
- ... NPDES/WDR review - the Sanctuary reviews and approves, possibly with conditions, or objects to NPDES permits and WDRs issued by the State for discharge operations.

Mr. Kathey reviewed the permit process and provided an overview of the new Sanctuary permitting system - SPITS (Sanctuary Permits Information Tracking System). SPITS is a central database that has been set up to standardize procedures and to provide data among sanctuary sites. Eventually, there will be the capability to link the SPITS data with GIS software. Researchers and the general public will be able to access some of the information stored in SPITS.

Mr. Kathey provided a computer demonstration of how one permit request is processed by SPITS. The greater the environmental impact of a project, the greater the involvement from Sanctuary Headquarters in the permit process. If SPITS classifies a request as an ³A² class (A being the least impact, C the highest impact), the permit can be issued by the local Monterey office.

Discussion ensued among Council members on ways to streamline the permitting process. Jeff Benoit expressed interest in working towards adding MBNMS to other sanctuaries whose managers have signatory authority.

VIII. PRESENTATION: ENFORCEMENT

Tom Pedersen, California Department of Fish and Game (CDFG), introduced Gary Wood and gave a presentation on enforcement within the Sanctuary. Mr. Pedersen acknowledged the local interest in Sanctuary involvement in fisheries regulations, however, he explained that this authority usually falls under the State.

CDFG is striving towards voluntary compliance with regulations and is also conducting meetings in an effort to find ways to coordinate enforcement capabilities. A private donor has supplied enforcement funds to the State which are allotted to enforce

Sanctuary regulations.

Mr. Pedersen reviewed typical enforcement cases:

- ... mainly fishery cases, for example, a boat taking rockfish inshore in a protected area at night;
- ... oil spills;
- ... visitors taking invertebrates from the intertidal;
- ... disposal issues;
- ... drug problems.

Mr. Pedersen extended an invitation to Council members to join CDFG officers on the Blue Fin for a patrol ride.

IX. REPORT: WQPP

Tami Grove provided a verbal report on the recent activities of the Water Quality Protection Program (WQPP). A written report is attached. See attachment D.

X. REPORT: VESSEL TRAFFIC MANAGEMENT WORKSHOP

David Iverson provided a report on the Vessel Traffic Work Group's recent meeting on July 29 at Long Marine Lab (LML). Presentations included: adequacy of Sanctuary regulations to protect the Sanctuary from vessel traffic, vessel drift, costs of oil spills, biologic resources of the Central Coast, risks to economic resources.

Discussion ensued among Council members regarding the possibility of involving other sanctuaries as support for regulating vessel traffic.

XI. REPORT: SALMON/SEA LION RECOMMENDATIONS

Aaron King, MBNMS staff, provided a verbal and written report on the salmon/sea lion issue and the upcoming public forum on the issue at the American Fisheries Society (AFS) meetings in Monterey at the end of August. See Attachment E.

Mr. King announced a MBNMS/MBNMS Foundation Reception, prior to the forum, during the AFS meetings on August 28.

XII. DISCUSSION: SAC ANNUAL CALENDAR

Tami Grove announced that the Strategic Planning Task Force would like Council members to identify annual priorities at the October meeting.

Greg Cailliet suggested that sometime during the calendar year the each MBNMS staff member provide a report to the Council on their activities.

The Strategic Planning Task Force agreed to meet on Friday, August 29 from 2:00 PM - 4:00 PM at the Moss Landing Chamber of Commerce to work on the Council Annual Operating Plan.

Greg Cailliet made a motion to approve the proposed annual calendar with the addition of Sanctuary staff reports. The motion was seconded by Joe Townsend and passed unanimously.

XIII. ANNOUNCEMENTS FROM COUNCIL MEMBERS:

Tami Grove:

... There is a Coastal Commission Public Hearing on August 13. On August 12-14 the Commission is meeting regarding the LFA Project off St. Nicholas Island;
... Sea Camp, a national marine education camp, has received Sea Grant funding to sponsor a local workshop.

Ed Brown:

... The Business and Tourism Activity Panel meeting was canceled and will be rescheduled soon.

Karin Strasser Kauffman:

... The Sanctuary Birthday celebrations are set for September 14 in Monterey and September 20 in Santa Cruz;
... Requested a staff report on LFA at the October Council meeting.

David Iverson provided an update on Save Our Shores activities.

Ed Cassano:

... CINMS launched of a satellite to collect marine data?
... The aerial program at CINMS is fully functional;
... CINMS is co-sponsoring a squid symposia at the end of October;
... CINMS is looking at blue whales and El Nino.

Dorris Welch:

... Invited all Council members to the August 8 working groups barbecue and tour of the new Oiled Wildlife Center at LML;
... LML has received the land deal to start building an educational center;
... Announced the National Sciences Bowl for high school students;
... The topic has been chosen for the Sanctuary Symposia: ³Human Impacts on the Sanctuary² and will be scheduled for late March or early February.

Rachel Saunders:

... BAY NET Piedras Blancas Orientation is scheduled for September 10;
... BAY NET currently has 59 active docents;
... Would like to circulate a CWG management plan for marine mammals.

Greg Cailliet:

... Approval for the new MLML campus was passed by the Coastal Commission;
... ³Endless Summer² is scheduled for August 29.

Stephanie Thornton thanked Council members for allowing herself and Jeff Benoit to attend the meeting.

The meeting adjourned at 3:45 PM.

Respectfully submitted,

Lisa Ziobro
MBNMS Advisory Council Coordinator

enc.

MBNMS Manager's Report
MBNMS Staff Report on Dredging Practices in Santa Cruz Harbor
Draft Letters to the SWRCB and San Luis Obispo RWQCB
WQPP Report
MBNMS Staff Report on Salmon/Sea Lion Issue
Working Group Reports

Sanctuary Advisory Council Meeting 8/1/97 FINAL Minutes