

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

Meeting Minutes

Friday, April 4, 1997
Monterey City Council Chambers
Pacific and Madison Streets
Monterey, CA

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, April 4, 1997 in the Monterey City Council Chambers in Monterey. Public categories and government agencies present were as indicated:

Agriculture: Not Represented	Diving: Ed Cooper
AMBAG: Katherine Beiers	Education: Dorris Welch
At Large: Karin Strasser Kauffman, Chair	Enforcement: Not Represented
At Large: Not Represented	Fishing: Not Represented
At Large: David Iverson, Secretary	Ports & Harbors: Joe Townsend
Business & Industry: Steve Abbott	Recreation: Not Represented
CA EPA: Not Represented	Research: Greg Cailliet
CA Coastal Commission: Tami Grove	Tourism: Ed Brown
CA Resources Agency: Not Represented	U.S. Coast Guard: Dean Lee
Conservation: Not Represented	

The following non-voting members were present as indicated:

Monterey Bay NMS: Terry Jackson
Gulf of the Farallones NMS and Cordell Bank NMS: Ed Ueber
Channel Islands NMS: Not Represented
Elkhorn Slough NERR: Steve Kimple

I. CALL TO ORDER, ROLL CALL, APPROVAL OF JANUARY 17, 1997 MEETING MINUTES

A) Call to Order

The meeting was called to order by the Chair, Karin Strasser Kauffman, at 9:30 AM.

The Chair expressed concern about the quorum and requested that a letter, on behalf of the Council and with the concurrence of Sanctuary Manager, be sent to the supervisors of the Council's Enforcement Representatives. Karin stressed that Sanctuary enforcement issues were an integral part of Council business and that attendance from the Enforcement Representatives should be more consistent. By concurrence, the Council directed that such a letter be sent by the Chair.

B) Approval of Previous Meeting Minutes

The February 21, 1997 meeting minutes were approved as amended.

C) Special Announcements

1) The Chair informed Council members that the California Fish and Game Commission was considering relocating its office from Sacramento to Monterey. She had spoken with Senator McPherson's office which indicated that a letter of support from the Council would be helpful. Ed Brown moved to send a letter and the motion was approved unanimously by the Council.

2) During the Council's review of the SAC Correspondence provided in the meeting materials package, some discussion ensued regarding the letter dated March 14, 1997 from Elbert W. Friday, Jr., Assistant Administrator for Weather Services, NOAA. The letter was sent in response to the Council's December 12, 1996 inquiry about the proposed dis-establishment of several weather buoys located within the Sanctuary. Many Council members commented that the response was not satisfactory.

II. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

1) Bruce Keiser, expressed concern for Santa Cruz dredging practices and requested that the Council take the following action: a) exercise authority of the port commission to ensure that recommended steps are taken; b) that the long-term solution is addressed by the MBNMS; and, c) that this item is placed on the next meeting agenda so that the Council may review the process in more detail.

2) Bill Denton, seconded the comments made by Mr. Keiser, adding that the dredge spoils were a health risk to residents and visitors in the area.

3) Richard Gribbor, expressed concern over the dredging in Santa Cruz and the potential health risks. Mr. Gribbor extended his compliments to Joe Townsend and the Ports and Harbors Commission for their willingness to address the issue.

Action taken:

... The Advisory Council supported the placement of this topic on the next meeting agenda, and Joe Townsend notified the Council that the Port Commission will be prepared to make a presentation on this subject at that time. Tami Grove was also asked to prepare a statement for the next meeting, as the California Coastal Commission (CCC) is involved;

... The Chair asked Katherine Beiers to inform the Santa Cruz City Council of the Sanctuary Advisory Council's decision to place this topic on the next meeting agenda.

... Joe Townsend assured the Advisory Council and members of the public audience that the Port Commission will conduct a thorough investigation before the next scheduled dredge in October.

4) David Zaches, read a prepared statement supporting the proposed Edward F. Ricketts Underwater Park.

III. PRESENTATION OF FINAL SAC CHARTER AND PROTOCOLS

Following a detailed discussion concerning amendments proposed by the Sanctuaries and Reserves Division (SRD), the Council approved its new Charter and Protocols; although, with some reservations. Three Council members -- Gregor Cailliet, Dorris Welch, and Ed Cooper -- voted against approval of the documents. Because of the serious nature of the concerns raised about the changes, Council members directed that a letter be addressed to SRD Chief Stephanie Thornton, explaining the Council's reservations as follows:

1) Council members were concerned about the suggested representation for the Research, Education, and Conservation working groups. Unlike the other non-governmental seats on the Council, these three groups in particular represent organized entities which regularly meet and

whose agendas always contain Sanctuary related topics. The Chairs and Vice-Chairs are accountable to the groups and more consistently participate in the group's meetings and activities, making them able to more accurately represent the positions of their constituents on the Advisory Council than other, even general group, members would be able.

On the other hand, the Council felt that selecting alternates for all non-governmental seats could lessen the efficiency of the Council. Not only do alternates double the size of the body, but they also increase the chances for inconsistent representation and treatment of issues.

2) Council members were frustrated with the effect of the proposed changes in the language found on page 7, Conduct of the Council. The new language suggested by SRD changes the original intent of the clause from encouraging Council members to take responsibility for adjusting how they approach their work, in terms of promoting and implementing interagency cooperation, to simply reporting to SRD.

3) Some Council members expressed disappointment that the final edit proposed by SRD took the ability to jointly determine the effectiveness of the Charter away from the Council.

4) Several members expressed dissatisfaction with the overall process followed by SRD in developing and revising the Charter and Protocols. Of particular concern was the limited opportunity to discuss the reasoning behind different sections and proposed changes. Fearing that this may be a symptom of a larger problem of general lack of communication between the Council and SRD, the Council has asked for a meeting with the SRD Chief to discuss the Charter, Protocols, and other issues.

Tami Grove urged a face to face meeting with SRD to discuss continued concerns about the relationship and treatment of the Advisory Council. The Council concurred with the suggestion and directed the Chair to communicate this request in writing to SRD.

IV. PROPOSED COASTAL LEGISLATION AND APPOINTMENT OF TASK FORCE

Gary Shallcross from Assemblyman Fred Keely's office briefed the Council on legislation being introduced in the State Assembly and pertaining to California's coastal resources.

The Chair, emphasized that there was a new recognition at various levels of government of the need to protect ocean resources. Ultimately, the Council should try to speak with one voice on the legislation in the most powerful way possible. In light of the numerous pieces of coastal legislation and the need to assure that proper channels are being followed by Council members when speaking to the issue publicly, the Chair established a Legislative Task Force and appointed several Council members to serve on it. The purpose of the Task Force will be to review legislation, educate the Council, and make recommendations to the Advisory Council with regard to pros and cons of proposed bills.

Council members appointed to the Task Force were:

Steve Webster	Dave Danbom
Brian Baird	Rachel Saunders
Tami Grove	

Non-Council members appointed to the Task Force included:

... Caroline Pomeroy, Research Activity Panel Member; a Professor at University of California, Santa Cruz; and a Professor at the University of California, Monterey Bay.

... Ann Notthoff, Senior Planner for the National Resources Defense Council in San Francisco.

**V. PRESENTATION: TREE-FISHING PRACTICES IN THE MBNMS --
SPECIAL GUEST, BOB HARDY, CALIFORNIA DEPARTMENT OF
FISH AND GAME (CDFG)**

Bob Hardy briefed Council members on the type of fishing commonly referred as ³tree-fishing,² or ³Portuguese long-line fishing² and the CDFG's efforts to determine the impacts on local fish populations. The practice targets the live fish market which is more lucrative and allows fishermen to fish in very shallow waters reducing the risk of lost gear or fish.

CDFG studies reflect that more than half of the number of Cabazon landed at the markets from this style of fishing are immature. Although the statistics were better for rock fish populations, the size of the fish remains a concern.

Council members asked how they could be most effective in helping to protect the fish stocks. All agreed that a more pro-active approach needs to be taken on the issue so that it doesn't reach the crisis stage. One suggestion was to include the issue in some of the coastal legislation currently being considered; in particular, the Sea Life Recovery Act authored by Assemblyman Keeley.

The Chair concluded the discussion by requesting that the CDFG bring back to the Council specific and practical recommendations for measures which the Advisory Council could request be incorporated in legislation.

SURPRISE PRESENTATION:

Ruth Vreeland presented the Council with a Proclamation Recognizing the Monterey Bay National Marine Sanctuary Advisory Council on Celebrating Its Third Anniversary from the Mayor and City Council Members of Monterey. A copy of the proclamation is attached. (See Attachment A).

**VI. PROGRESS REPORT: VESSEL TRAFFIC STUDY -- WORKSHOP
OUTLINE AND TIMELINE**

Terry Jackson provided a report on the status of Vessel Traffic workshops. To date, there have been three meetings with the Coast Guard in preparation for the workshops. Terry explained that the plan was to bring together all of the stakeholders to consider the options presented in the VTS studies currently available. The workgroup will prepare a set of options to present at public workshops as well as serve as a panel of experts during the sessions. Once the workshops are completed the workgroup will re-convene to incorporate the public input.

The first workgroup meeting is scheduled for Wednesday, April 28, at the Executive Inn in Alameda. The public workshops should take place later in the year. The Chair clarified that the Advisory Council is on record for having requested that action be taken and that they receive and be involved in regular progress reports on the process.

VII. REVIEW AND APPROVAL: 1996/97 SAC ANNUAL REPORT

The 1996/97 Sanctuary Advisory Council Annual Report was approved as amended. Copies will be forwarded to SRD with cover letters from the Sanctuary Manager and the Advisory Council Chair.

VIII. REPORT: CALIFORNIA AND WORLD OCEANS CONFERENCE

The Chair reported on the California and the Worlds Ocean OE97 Conference. A noteworthy outcome of the event was a publicly stated commitment to start giving ocean issues long overdue attention. The MBNMS was referred to several times as an example of successful coastal zone management. Karin remarked that the conference was well organized, interesting, and informative. A number of Advisory Council members, Sanctuary staff, and working group members presented papers.

At the recommendation of the Chair, Advisory Council members agreed to send a letter of congratulations to Brian Baird and Melissa Miller-Henson for their outstanding work organizing the conference.

IX. SANCTUARY MANAGERS¹ REPORT

Terry Jackson provided a written and verbal report on Sanctuary activities. Please see attached report. (Attachment B). Terry added that the MBNMS Water Quality Protection Program (WQPP) may be receiving some additional funding from Stan Wilson, Director of the National Ocean Service of the National Oceanic and Atmospheric Administration (NOAA).

Ed Ueber, Manager of the Gulf of the Farallones National Marine Sanctuary (GFNMS) and the Cordell Bank National Marine Sanctuary (CBNMS), provided a verbal report on Sanctuary activities in the northern part of the MBNMS. Highlights of the report are as follows:

... Terry and MBNMS staff met with the GFNMS staff to discuss programs and issues related to the northern boundary. Preliminary work has begun on the Memorandum of Understanding between the two Sanctuaries. Office space at Francis Beach was also considered and there were positive discussions with the State Parks representatives. As per direction from SRD, the MBNMS needs a visitors area and an office in Half Moon Bay. The office will be jointly staffed by both Sanctuaries.

With respect to office space for the MBNMS, Council members commented that Santa Cruz still needs to be considered as a site for a MBNMS office as there are strong public sentiments to this effect and, because Santa Cruz contains major educational, tourist, business, and research constituents. The Advisory Council directed that the topic of satellite offices for the MBNMS be an agenda item for the next meeting.

... The Gulf of the Farallones National Association plans to start renovating space for a GFNMS visitors site in Pacifica.

... Ed Ueber and Terry Jackson will be attending the Sanctuary Managers Coastal Zone Meeting, April 14-18, 1997 in Washington, DC.

... The Gulf of the Farallones Assc. and Save Our Shores beach walk and clean-up is scheduled for Saturday, April 5, 1997 in Half Moon Bay.

... There will be an Sanctuary Education Panel meeting on May 8 at the Marine Mammal Center, the Marin Headlands Center, and GFNMS.

X. DISCUSSION: SAC MEETING FORMAT

A detailed discussion was held regarding the most productive meeting format and future schedule. The Chair indicated that the current six-week schedule was confusing to the public and had created difficulty in achieving a quorum. She suggested either more frequent monthly meetings -- as in the past, but with shorter hours -- or - alternatively, full day Council sessions on a quarterly basis. After some debate, the Council concurred to meet the first Friday of every other month beginning in February and that the new schedule be effective immediately. The next meeting of the Council will be Friday, June 6, 1997 in the Hudson House

at Pt. Lobos State Reserve.

Advisory Council members requested that the agenda be carefully prepared and tailored to assure more effective meetings and management of Council members¹ time. Moreover, the Council requested that the most important topic items be placed first on the agenda and that speakers have a clear understanding of what they are to be presenting and how much time has been allotted to them. The Council requested that whenever possible, meeting materials be sent at least 30-days in advance.

The Chair emphasized the need for all Council members to commit to attend the entire meeting.

Given the decision on a meeting schedule, Tami Grove suggested that the Strategic Planning Subcommittee meet in the near future to draft an issues calendar to aid the Council plan for timely discussions and action items. Topics such as the MBNMS budget, research issues, education, and conservation issues could be addressed in a more pro-active manner.

XI. WORKING GROUP REPORTS:

Written reports from the working groups -- the Research Activity Panel (RAP), the Conservation Working Group (CWG), and the Business and Tourism Activity Panel (BTAP) - - were provided at the meeting and can be obtained from the Sanctuary office by contacting Ms. Jane DeLay at (831) 647-4246. The Sanctuary Education Panel (SEP) written summary was provided immediately after the verbal report and is attached (Attachment C).

XII. WATER QUALITY PROTECTION PROGRAM (WQPP)

A written and verbal report was presented. The written report is available from the MBNMS office at the number given above.

XIII. NEW BUSINESS

... The CWG addressed a letter to the attention of the Advisory Council Chair requesting that the RAP be directed to prepare a summary of existing data on the impacts to marine wildlife from underwater sound. The RAP Chair agreed to include the request at the working group's next meeting.

... Council members requested that an update on the status of the kelp harvesting cooperative be added to the next meeting's agenda and that a letter informing the cooperative of the Council's request for an update be sent in advance of the meeting.

XIV. ANNOUNCEMENTS FROM COUNCIL MEMBERS

1. Steve Kimple -- There will be a Mother's Day public event at the Elkhorn Slough National Estuarine Research Reserve from 10:00 AM - 3:00 PM;

2. Ed Cooper -- encouraged all Council members to write in support of the proposed underwater park;

3. Dean Lee -- informed Council members that several boats had washed ashore but none had broken up or posed any threat to Sanctuary resources;

4. Joe Townsend -- A water taxi will soon begin business in Santa Cruz. The twelve-person boat will shuttle passengers to popular areas in the Santa Cruz vicinity at a cost of about

\$8.00 per person;

5. Tami Grove -- The CCC has hired a new District Manager -- Mr. Charles Lester. He is expected to begin working in early June. Mr. Lester has significant experience with the coast;

... The CCC is working with California State University, Monterey Bay in creating a Sea Camp modeled after NASA's Space Camp. A number of recent opportunities have made it possible to pursue this idea in more detail. Sea Grant will sponsor a workshop later this year to more seriously consider the possibilities;

... The Santa Cruz County Fair wants to introduce an ocean theme into their county fair and they need ideas for this. Council members are encouraged to contact Tami Grove if they have suggestions;

6. Terry Jackson -- briefed the Council on the status of the COLREG lines in the MBNMS -- the lines delineate Sanctuary jurisdiction at the harbors. The City of Santa Cruz voluntarily adopted Sanctuary regulations for the nearshore area between the harbor entrance and Pt. Santa Cruz until MBNMS regulations can be amended to include the area in the Sanctuary. Moss Landing has adopted to maintain the Sanctuary/harbor boundary as currently defined. MBNMS jurisdiction then for Moss Landing Harbor ends at the line extending from the harbor entrance (seaward end of the north jetty) to the tip of the Moss Landing Marine Laboratories Pier.

The meeting adjourned at 3:30 PM

Respectfully submitted,

Jane M. DeLay
MBNMS Advisory Council Coordinator

enc.: Proclamation from the City of Monterey (Attachment A)
Sanctuary Manager's Report (Attachment B)
Sanctuary Education Panel Written Report (Attachment C)