

MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL

DRAFT Meeting Minutes
December 5, 1997
The Presidio
San Francisco

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, December 5, 1997 at the Presidio's Visitor Center Conference Room in San Francisco, California. Public categories and government agencies were present as indicated:

Agriculture: Richard Nutter
Diving: VACANT

AMBAG: Katherine Beiers - NOT PRESENT
Education: Dorris Welch - NOT PRESENT

At Large: Karin Strasser Kauffman, Chair -
NOT PRESENT
Enforcement: Tom Pedersen

At Large: Steve Webster
Fishing: Dave Danbom

At Large: David Iverson
Ports & Harbors: Joe Townsend - NOT
PRESENT

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 - NOT

Conservation: Rachel Saunders
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
Channel Islands NMS: Ed Cassano - NOT PRESENT
Elkhorn Slough NERR: Becky Christensen - NOT PRESENT

I. CALL TO ORDER, ROLL CALL, INTRODUCTION OF NEW SANCTUARY SUPERINTENDENT, APPROVAL OF AUGUST 1, 1997 DRAFT MEETING MINUTES, REVIEW OF CORRESPONDENCE

A) Call to Order

The meeting was called to order by the Rachel Saunders (Vice Chair, filling in for the Chair), at 9:50 a.m.

B) Welcome and Roll Call

The Chair welcomed the new Sanctuary Superintendent, Bill Douros, Council members, and the public to the Presidio. Dave Iverson conducted the roll call.

C) Introduction of New Sanctuary Superintendent

Bill Douros, recently named the new MBNMS Superintendent, provided the Council with a brief background about himself. See Attachment A. He expressed his excitement about the MBNMS Program, and in taking on his new position. He is officially starting on January 20, 1998.

D) Approval of Previous Meeting Minutes

The minutes from the October 3, 1997 meeting were approved as presented.

E) Review of Correspondence

The Chair reviewed Council correspondence written since the last Council meeting, including Dave Iverson's resignation letter. Dave explained the difficulty he had in making his decision to leave the Council, but he has decided to focus his time on Half Moon Bay interests. He stated his admiration of the Council's accomplishments, and plans to continue as an ³ambassador² of the Sanctuary.

II. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Zeke Grader - Pacific Coast Federation of Fishermen's Associations expressed his concern regarding the recent articles in the Monterey County Herald. See Attachment B. He fears this type of publicity threatens the Sanctuary and its programs and believes corrective actions need to be taken. He stated that fishermen supported the establishment of the Sanctuary based on the belief that it would never regulate fisheries, but rather would serve to bring fishing issues to the appropriate management authority. He is also concerned about the new ³hot² topic of no-take zones. In order to maintain Sanctuary support, Mr. Grader believes Sanctuary management needs to clarify to the public that a ³reserve² is defined differently than a ³sanctuary², and that the two are separate.

Brian Baird agreed that there is a need to clarify definitions of marine protected areas versus marine managed areas.

Dave Danbom explained his reasons for responding to the article: his constituency came to him very concerned about the threat of fishing regulations.

Discussion ensued among Council members regarding the lack of control over the press.

The Council agreed that it should jointly sign a editorial response with the Sanctuary on the recent articles. Joanne Flanders stated that she will be circulating a draft response to Council members.

Dave Zaches - Save Our Shores stated that the Sanctuary needs to avoid negative messages, such as enforcement messages. Tom Pedersen replied by explaining that the goal is voluntary compliance, however, there are cases where people ignore regulations, and in these cases publishing the fact that enforcement does exist serves to turn away possible offenders.

III. SANCTUARY MANAGERS' REPORTS

Joanne Flanders provided a verbal and written report on MBNMS activities. See Attachment C.

Ed Ueber provided a verbal report on GFNMS/CBNMS activities. Highlights included:

- ... Ed was selected to review the Elkhorn Slough NERR manager candidates;
- ... GFNMS has been responding to mystery oil spills that began on November 16, 1997. No one has been able to identify the source of the oil, which has been typed as an unknown crude formation (not Monterey crude). Five hundred dead oiled birds have been recovered, 140 live. The majority of the birds are murre and grebes. The second spill occurred on November 21, 1997 of identical type. Beach Watch is still recovering live birds from this spill. Beach Watch will be conducting eighteen beach surveys this weekend. It appears that a third spill has occurred. OSPR does not believe these spills are a result of a natural seep, and believes it is highly unlikely that the spills are a result of vessel discharges;
- ... Ed will be getting back to work on the Cooperative Management MOU in January;
- ... Ed welcomed everyone to visit the GFNMS offices;
- ... Ed thanked the San Mateo Harbor Commission and AMBAG for their recommendations for the award he received from NOAA.

IV. ANNUAL IN-DEPTH REPORT: WATER QUALITY PROTECTION PROGRAM

Holly Price, MBNMS staff, gave a presentation on the Water Quality Protection Program (WQPP) for the Sanctuary.

The goal of the WQPP is to enhance and protect the physical, chemical and biological conditions of the Sanctuary and its watersheds, and to establish collaborative efforts which can help integrate existing water quality programs and plans. Holly reviewed the WQPP's participating organizations and explained that the WQPP takes a stewardship approach, as opposed to traditional approaches, by involving stakeholders from the onset.

Holly presented an overview the WQPP's past year's work, indicating that the work is a team effort among Sanctuary's WQPP staff and committee participants in various agencies, nonprofit and stakeholder groups. See Attachment D. Highlights included:

- ... Education/outreach efforts, including brochures, citizen's guides, newsletters, presentations, watershed models and displays, videos, teacher training and establishment of Watershed Educators Panel to coordinate activities.
- ... Development of a model urban runoff program in collaboration with CCC and the

cities, with the Sanctuary responsible for the education component

... Development of oil disposal facilities at the harbors, in collaboration with the harbors and SOS

... Collaborative development of new grant funding to carry out the plans, including funding for education, urban runoff, monitoring efforts, marinas recycling facilities, and regulatory coordination/streamlining for agriculture

... Completion of a draft of 40 potential agricultural strategies, and sponsorship of 3 agricultural workshops to evaluate and prioritize strategies in Watsonville, Salinas and Half Moon Bay. The strategies focus on non-regulatory solutions, including education, technical assistance, development of economic incentives, and regulatory coordination/streamlining for growers wishing to adopt conservation practices.

... Completion of a draft document for a Water Quality Coordinating Council which will be an evolution/replacement of the WQPP's existing committees to ensure ongoing implementation of the plans.

Holly indicated that although the agricultural workshops in Watsonville and Half Moon Bay went fairly well, there was organized opposition from the Monterey County Farm Bureau at the workshop in Salinas. Concerns expressed from agriculture at the Salinas workshop included fears that the effort might become regulatory in the future, and concerns over the validity of the existing monitoring data. Dick Nutter indicated that specific problem areas should be identified before instituting changes, and the Sanctuary should not take a regulatory approach to these issues.

Eric Nigg gave a presentation on water quality issues related to agriculture based on data from existing monitoring programs conducted by various agencies. Water quality issues include:

... sedimentation - streambed smothering of anadromous fishery spawning grounds, transport of persistent pesticides, erosion of streambanks, decreased water clarity, changing temperature and oxygen concentration; increased dredging costs;

... Nutrients -high levels in Watsonville Sloughs, Salinas River and Elkhorn Sloughs

... Persistent pesticides present in coastal lagoons and wetlands which are being transported with sediment

Dick Nutter raised concerns re the validity of some of the data presented and the extent of the problems. It was agreed to discuss the data in more detail in a smaller group meeting with the Monterey County Farm Bureau.

Holly reviewed funding for the WQPP, outlining the leverage that NOAA is receiving from its financial contribution due to the contributions of other participants and the ability of the program to attract additional revenue to carry out the plans:

FY 1997

... 375K - Approved grants/other agencies allocations

... 118K - Agency and community contributions (time)

... 131K - MBNMS (updated number)

FY 1998

... 121K - MBNMS (updated number)

... 118K - Agency and community contributions (time)

... 362K - Grants - approved funding

... 500K - Grants submitted

Various Council members commended the work of the WQPP in conducting education and outreach, completing plans, attracting resources to carry out plans, and getting implementation underway.

V. REPORT: VESSEL TRAFFIC WORK GROUP MEETING

Holly Price, MBNMS staff, reported on the October meeting of the Vessel Traffic Work Group. The workshop focused on strategies for managing vessel traffic, and various minimum distance options are being considered for vessel traffic. Current practice among some large container vessels is to travel as close as two miles from shore.

Holly and Joanne Flanders traveled to Washington D.C. in early November to meet with officials from Sanctuary and Coast Guard headquarters to brief them on the Vessel Traffic Work Group's progress to date. The list of strategies were also presented to NOAA and Coast Guard lawyers familiar with the dynamics of the International Maritime Organization (IMO). The lawyers commented on which strategies would have a better chance of being approved by IMO. Recommended routes (minimum distance offshore for various classes of vessels) was considered a feasible strategy. The next meeting of the work group is scheduled for December 10, 1997.

Dave Iverson emphasized that this has been a slow process, but that the meeting in Washington D.C. generated encouraging results. He commended the work of the environmental groups with this issue.

VI. PRESENTATION: THE RULEMAKING PROCESS TO REGULATE KELP HARVESTING

Aaron King, MBNMS staff, provided a verbal and written report on the potential for Sanctuary regulation of kelp harvesting. He provided an overview of the user group conflict involving the kelp bed off Cannery Row. He emphasized that Sanctuary prefers the establishment of a voluntary cooperative, instead of beginning a rulemaking process. However, the regulation of kelp and aquaculture is in the Sanctuary's scope of regulations. See Attachment E.

Brian Baird suggested the addition of a cover page to the written report, clarifying that the report serves as an informational item, and that a rulemaking on kelp harvesting is not being considered at this time. Steve Webster confirmed this. Aaron agreed to write a cover memo.

VII. PRESENTATION: MONTEREY KELP HARVESTER'S COOPERATIVE

Joseph Cavanaugh, Monterey Abalone Company, announced that the kelp harvesters have not been able to produce a single signed cooperative and at this time two separate cooperatives have been produced and signed by the six harvesters. He explained that the City of Monterey's decision to name three Monterey harvesters who are permitted to harvest kelp in the Edward Ricketts Underwater Park has created the dilemma. Dave Ebert, US Abalone, agreed.

Tom Pedersen explained that the State preempts the City's decision and that the California Department of Fish and Game has not recognized any city ordinances in regard to public resources. He advised Mr. Cavanaugh and Dr. Ebert to go forward with forming a unified cooperative and to address themselves in the light of the current law.

Mr. Cavanaugh and Dr. Ebert agreed to keep the Council informed of their progress.

VII. REPORT: THE NON-PETROLEUM OIL MYSTERY SPILL

Patrick Cotter, MBNMS, gave a report on the Non-Petroleum Oil Mystery Spill which occurred on Friday, October 24, 1997 at Sunset Beach. The beach was quarantined and four local fire departments responded. Initial results indicated that the spill was sardine oil. Birds continued to wash ashore, with numbers reaching 400 during a week's time. Three hundred fifty volunteers cycled through the Oiled Wildlife Veterinary Care and Research Center in Santa Cruz. Two labs are disagreeing on whether the spill was sardine oil or vegetable oil. At this point, there is no responsible party. The Center took in a total of 500 birds. Approximately one third died and one third were euthanized. As of November 15, 1997, 214 birds have been released. The top three species brought in were western grebes, common loons, and surf scoters. Lessons learned from the spill include the need for improvement in the following areas:

- ... beach assessment process
- ... tracking time and expenses
- ... volunteer health and safety procedures
- ... preparation in the event of larger spills
- ... representation of volunteer response groups on the CWG
- ... volunteer numbers

VIII. CONSTITUENT REPORTS

Dick Nutter - Agriculture

Dick provided a report on the agriculture community. He explained that the community is made up of different commodity groups, not all of whom are aligned or agree on agricultural issues. Dick is in touch with all agricultural commissioners, as well as CAEPA, USDA, and the USEPA. Dick suggested that the Sanctuary be specific when working with the agricultural community, explaining that there is a system of how a commodity is marketed and sold, and that this needs to be considered. He indicated that the Sanctuary needed to understand the details of the agricultural community and to be more flexible and patient in dealing with their concerns.

Steve Webster - At-Large

Steve provided a report on his activities at the Monterey Bay Aquarium. According to Steve, the Aquarium has taken on a conservationist mission. Steve also has been involved with current legislation, such as the Keeley Bill, and has been working with the Cities of Monterey and Pacific Grove on the proposed underwater park. He stated that the Aquarium doesn't hear much about the Sanctuary from its public and that this is probably indicative of a problem.

IX. REVIEW: DRAFT SAC INTERIM ANNUAL REPORT

The Chair presented the draft Council Interim Annual Report and requested that Council comments be sent to Lisa de Marignac. The Council should be ready to vote on the report at the February meeting.

X. PRESENTATION: SANCTUARY SPONSORSHIP PROGRAM

Aaron King, MBNMS staff, gave a presentation on the Sanctuary's new Sponsorship Program. A Sanctuary Sponsor would be a person or organization interested in making a financial donation to the Sanctuary. In return, they would be given a logo and would be able to call themselves an official sponsor. Aaron reviewed the criteria, review and acceptance process. See Attachment F.

Aaron explained that the Sanctuary Seal Program will reward ³clean businesses.² A sponsorship could result from a ³sealed² business.

Council members expressed concerns regarding the use of donations, the lack of an established percentage that would go through headquarters, and what exactly the money is supporting. They advised making the donation process as easy as possible, including the renewal of donations. Greg Cailliet disapproved of the ³donations amount² section.

Concerns were also raised about the number of programs relating to ³seals² and ³sponsorships², and how they interrelate. There was also concern there might be confusion that ³seal² is referring to the pinniped.

Steve Webster and Rachel Saunders suggested that the Business and Tourism Activity Panel become involved with these programs and that Sanctuary staff get some input from a professional fundraiser. Ed Brown suggested that the Sanctuary staff consider a comprehensive program.

XI. DISCUSSION: SAC RECOMMENDATIONS FOR MBNMS PUBLIC RELATIONS

The Chair reviewed the already proposed recommendations made by the Strategic Planning Task Force and the Council made additional suggestions:

- ... contact FKNMS Public Relations staff;
- ... soapbox pieces/ editorial pieces
- ... promote the side-scan sonar work done by Mary Yoklavich on the MacArthur;
- ... look at the guidelines set at the Public Relation workshop in 1996.

Discussion ensued regarding the recent articles in the Monterey County Herald. Steve Scheiblauser requested a rebuttal piece by the Sanctuary that he could place in his newsletter. Once again, Sanctuary staff agreed to draft one editorial, by the Sanctuary and the Council.

XII. DISCUSSION: SAC INVOLVEMENT IN CURRENTS CONFERENCE

The Chair encouraged participation by Council members in the Sanctuary Currents Conference scheduled for March 7, 1998.

XIII. REPORT: UPDATED ANNUAL SAC PRIORITIES

The Chair put this item on hold until the new Superintendent and Council members come on board at the February meeting. She emphasized that the overarching priority has always been public relations.

XIV. REPORT: RAP

Greg Cailliet provided verbal and written report on the activities of the RAP. The meetings have averaged an attendance of fifteen members and twelve guests. See

Attachment G.

XV. DISCUSSION: MAN-MADE SOUND BIBLIOGRAPHY

The Council commended Michele Jacobi for her work on the Man-Made Sound Bibliography. The Chair suggested that the Council consider next steps, keeping priorities in perspective.

XVI. ANNOUNCEMENTS FROM COUNCIL MEMBERS

Dave Danbom announced that there could be positive results from the Herald articles, such as bring the Council closer together. He also announced that the sardine fishery has developed incredibly efficient fishing methods with very little bycatch.

Brian Baird announced that the governor delivered an executive order governing ocean issues which adopts the goals from the Ocean Agenda. Fifteen out of twenty-one ocean and coastal related bills made it through the flotilla and were signed. He discussed the lecture given by Dr. Ballantine from New Zealand about marine reserves.

Steve Abbot announced that the Moss Landing Power Plant has been sold by PG&E to Duke Energy Power Services, who are scheduled to take over March 31, 1998.

Ed Brown announced that Stillwater Cove continues to be used for research.

Dave Iverson stated that San Mateo is still an outpost in the Sanctuary and needs increased outreach.

Rachel Saunders announced that BAY NET had a graduation in Cambria on November 23. Thirty people were trained and began work Thanksgiving weekend.

The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Lisa de Marignac
MBNMS Advisory Council Coordinator

ENC
William Douros Curriculum Vitae
Monterey County Herald Articles
MBNMS Manager Report
WQPP Report
Kelp Harvesting Report
MBNMS Sponsorship Program Report
RAP Report
SEP Report

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FINAL Minutes

