




**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE

**Monterey Bay National Marine Sanctuary**  
299 Foam Street  
Monterey, California 93940

May 28, 2001

TO: MBNMS Advisory Council Members

FROM: William J. Douros, Superintendent 

SUBJECT: Management Plan Review Process

This memo outlines various issues and topics related to the management plan review process we would like the Sanctuary Advisory Council to consider and where relevant, act upon, at the June 1, 2001 SAC meeting. We have tried to organize the topics in a manner that will provide for an effective discussion; each topic, to some degree, builds upon the others.

In the past few days, our office received direction that affects the previously proposed schedule for the management plan review process. Because the joint management plan review for Cordell Bank, Gulf of the Farallones and Monterey Bay National Marine Sanctuaries contains significant policy issues, the Office of National Marine Sanctuaries must wait until new leadership within the National Oceanic and Atmospheric Administration (NOAA) is in place and fully briefed on the subject prior to holding scoping meetings. We expect to hold these scoping meetings several months after new political leadership is appointed and briefed. Since new leadership is not expected to be in place until late summer or early fall, we have delayed the plans for scoping meetings in October. Accordingly, we have shifted items, which we had tentatively scheduled with the SAC. This memo suggests how continued involvement by the SAC can occur within the general schedule change. On a positive note, the delay could allow the Advisory Council and working groups to better prepare for the issues that may be raised in the review process.

**General Schedule of Management Plan Review Activities at Future SAC Meetings**

Tami Grove, and several others at the last Advisory Council meeting asked that we provide a summary of suggested future SAC involvement in the Management Plan Review (MPR). The list below describes possible roles for the Advisory Council at its meetings and in the intervening months.

**June SAC Meeting**

**Theme: Receive/Give Input on Various MPR Planning Topics**

- Provide guidance as offered in this memo

**August SAC Meeting**

**Theme: Frame Sanctuary Accomplishments on Existing Management Plan**

- Public presentation by MBNMS staff on program accomplishments, status of natural resources
- Draft list/criteria for narrowing issues
- Preview Power Point presentation for outreach



October SAC Meeting

**Theme: Open – possible ideas include:**

- Presentation by Channel Islands NMS Staff on Draft MP/EIS
- Receive briefing information on specific topics; **Examples are:**

Topic 1: Seafloor Impacts

- Fiber Optic Cables
- Trawling
- Desalination Outfall

Topic 2: Marine Mammal Impacts

- LFA
- Nonpoint Source Impacts
- Gillnets

Topic 3 - ?

October – November: Outreach by SAC Members to constituent groups regarding MPR process, getting involved; help distribute “State of the Sanctuary Report”

December SAC Meeting

**Theme: Scoping Meeting for the SAC (Tentative)**

- Receive input from SAC on management plan issues.

February SAC Meeting

**Theme: Review, Narrow Issues for Consideration**

- Receive summary from MBNMS staff of issues from scoping process
- Recommend priorities for MPR
- Establish subcommittees or delegate issues to existing working groups

The SAC should determine if this level of involvement is acceptable, reasonable and do-able for the next 6-8 months. Also we have not recommended at this time that the SAC establish any subcommittees until February 2001. It is quite likely that the SAC may want to establish subcommittees other than existing working groups to work on and prioritize issues once identified through the scoping process.

**Action Requested on June 1st:**

- *Endorse suggested schedule and/ or add or delete items for SAC involvement.*
- *Identify items/issues, if any, the SAC requests hearing at October SAC meeting from MBNMS staff or other sanctuaries.*

**Public Outreach**

The Management Plan Review process will require extensive outreach to groups and individuals interested in the Sanctuary and MPR process. Sanctuary staff will be conducting much of the outreach but would also enjoy support from SAC members who may want to conduct outreach as well. To ensure a consistent message to public and groups, Sanctuary staff have prepared, or will prepare, the following products:

- Power Point Presentation (to be previewed with SAC at August meeting)
- Informational Brochure (to be prepared)

- Booklets with 1992 Sanctuary Management Plan, Regulations, and Designation Document (to be distributed on June 1st)

Staff would like input from the Advisory Council on the types of informational material council members would like in making public presentations. We would also like feedback on who is interested in making public presentations on the process.

**Action Requested on June 1st:**

- *Provide input on materials needed for effective outreach PowerPoint presentation*
- *Provide input on who and what groups should receive presentations*
- *Volunteers to conduct outreach*

**Scoping Meeting / Process**

The formal scoping process to receive public input on the issues to be addressed in the MPR may not begin until November, December, or even January. Outreach to notify the public about the MPR process will likely begin in late summer and early fall culminating with the release of the State of the Sanctuary Report, likely in October or November. Our goal is to prepare the public to provide the best input at the scoping meetings and throughout the scoping process. While we had tentatively set the following schedule for scoping dates and locations, we have revised that to remove the proposed dates. Nonetheless, we would like input from the SAC regarding the schedule, the general locations for the meetings, and details like how many day and evening events.

**EXAMPLE CALENDAR ---Dates no longer valid  
Joint Management Plan Review Scoping Meetings**

<b>Date</b>	<b>Location</b>	<b>Day/Evening</b>
Oct. 2, 2001 (Tuesday)	Santa Cruz	Evening
Oct. 3, 2001 (Wednesday)	Salinas	Evening
Oct. 4, 2001 (Thursday)	Half Moon Bay	Evening
Oct. 5, 2001 (Friday)	SAC Meeting	Day
Oct. 9, 2001 (Tuesday)	Monterey	Day & Evening
Oct. 10, 2001 (Wednesday)	Cambria	Evening
Oct. 11, 2001 (Thursday)	San Luis Obispo	Evening
Oct. 12, 2001 (Friday)	Big Sur	Day
Late October—TBD	Sacramento	Day
Nov. 15, 2001 (Thursday)	Washington D.C.	Day

Because we are conducting a Joint Management Plan Review with Cordell Bank and Gulf of the Farallones NMS, additional scoping meetings will be held in the Sonoma, Marin and San Francisco areas. There will be a mechanism to submit comments via the Internet as well as in writing. Overall we anticipate holding the scoping period open for 60 days. As a national program, we need to host a scoping meeting in Washington D.C. Because these three sanctuaries protect a large area of California waters, we are also considering holding a scoping meeting in Sacramento

to facilitate state agency involvement in the scoping process. We would like the SAC's input on whether we should host a Sacramento scoping meeting.

The scoping meetings themselves will be public forums designed to share information about the Sanctuary and our current management plan and regulations, and most importantly, to receive input from the public. Accordingly, the design of the meetings may take slightly different shape depending on the number of attendees. Our program's past experience in other public scoping processes suggests that breaking larger groups into smaller work groups improves the overall dialogue and allows all participants a full and productive opportunity to participate. We also intend to have Spanish translation and Spanish-speaking facilitators at the Salinas meeting.

**Action Requested on June 1<sup>st</sup>:**

- *Endorse the proposed calendar for scoping meetings and locations*
- *Provide input on whether or not to schedule scoping meeting in Sacramento*
- *Provide input on specific venues to host these meetings*

**Approval and Appeal Process for Management Plan**

Burke Pease has asked what the approval process is for a revised management plan, and who, specifically, approves the revised plan. He has also asked what the appeal pathway is. When a Sanctuary revises its management plan, several levels of management within the Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), and NOAA approve the document. While we are still awaiting an Administrator for NOAA, the managing agency for all Sanctuaries, and that person's management preferences are thus unknown, past practice suggests that a revised Sanctuary Management Plan is approved by the NOAA Administrator after first being approved by the Director of NOS, the sub agency responsible for the ONMS. Presently, the Acting Director of the NOS is Margaret Davidson.

As we have stated, the process of reviewing and revising the Management Plan involves extensive public input and participation, perhaps to an unprecedented level in the Federal government. As was the case when the Monterey Bay National Marine Sanctuary was designated, revised regulations will be posted in the federal register and will not become final until 45 days of Congress have passed. This allows a review if there are congressional concerns about any proposed regulations. There are also several "signoffs" from the State of California. If any regulations are amended, new regulations added, or existing regulations deleted, or new areas of the Sanctuary added, the California Coastal Commission must review the regulatory changes to determine consistency with the California Coastal Management Program under the Coastal Zone Management Act. Also if the "terms of designation" of the Sanctuary from 1992, are modified, the Governor can review those portions in State waters. For instance, if a new portion of State waters were added to the Sanctuary, the Governor could review that and decide to accept or reject the new Sanctuary designation in State waters.

If you have any questions regarding this memo prior to the SAC meeting, please feel free to contact me or Sean Morton, MBNMS Management Plan Coordinator (831 647-4217).