

**MONTEREY BAY NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL**

**FINAL Meeting Minutes  
April 18, 2013  
Central Coast Builders Association  
Salinas, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Thursday, April 18, 2013, in Salinas, California. Public categories and government agencies were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Mat Fuzie – Absent
AMBAG: Steve McShane	Conservation: Geoff Shester
At Large: Margaret “PJ” Webb	Diving: Brian Nelson
At Large: Cynthia Mathews	Education: Simona Bartl
At Large: James Panetta	Commercial Fishing: Kathy Fosmark
Business & Industry: Jessica Grigsby	Ports & Harbors: Steve Scheiblauer
CA Coastal Commission: Dan Carl – Absent	Recreation: Gary Pezzi
CA Dept. of Fish & Wildlife: Paul Reilly	Recreational Fishing: Rich Huggett
CA EPA: Russ Jeffries	Research: James Lindholm
CA Resources Agency: Valerie Termini	Tourism: Mike Bekker

The following non-voting members were present as indicated:

Monterey Bay NMS – Paul Michel  
Gulf of the Farallones NMS – Max Delaney  
Channel Islands NMS – Chris Mobley – Absent  
National Marine Fisheries Service – Steve Lindley  
US Coast Guard – LCDR Brad Soule – Absent

Alternates present in audience:

Jiri Nozicka – Commercial fishing  
Barton Selby – Recreation  
Gary Hoffman – At Large  
Kortney Opshaug – At Large  
Dan Haifley – At Large  
Susan Ashcraft – CA Department of Fish and Wildlife  
Robert Chatham – Recreational Fishing

**I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES**

Steve McShane, Salinas City Councilmember, welcomed the advisory council to the City of Salinas.

## **APPROVAL OF 2/7/13 DRAFT MEETING NOTES**

The advisory council moved approval of the February 7, 2013 meeting minutes to the August 2013 meeting to allow Paul Michel to rewrite the Superintendent's Report section of the minutes.

## **SWEAR-IN OF NEW SANCTUARY ADVISORY COUNCIL MEMBERS**

The following members were sworn in and provided a brief description of themselves and why they are interested in serving on the advisory council:

James Lindholm – Research  
Gary Hoffman – At Large  
Jessica Grigsby – Business/Industry  
James Panetta – At Large  
Steve McShane – AMBAG  
Dan Haifley – At Large  
Barton Selby – Recreation  
Valerie Termini – CA Resources Agency  
Robert Chatham – Recreational Fishing

Paul Michel imparted what is expected of advisory council members, how they can work together, reach out to their constituency, and better serve the Monterey Bay National Marine Sanctuary.

Paul Michel provided an update on the current recruitment for the commercial fishing seat and announced that later this year recruitment will begin for the Diving, Education, and Tourism seats.

Paul Michel announced Jackie Sommers will be leaving the sanctuary and a replacement is being actively recruited.

## **II. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

(per comment card)

Bonnie Van Hise, Congressman Farr's office, announced the National Ocean Policy Implementation Plan rolled out this week.

Don Heigel, Commercial fisherman, spoke about habitat destruction and pollution.

## **III. INFORMATION ITEM: SANCTUARY CLASSIC**

Tom Raftican, The Sportfishing Conservancy, provided a verbal presentation on the Sanctuary Classic photo contest. He is working with Office of National Marine Sanctuaries to put on the Sanctuary Classic photo contest in all sanctuaries, in particular Monterey Bay. This photo contest will run from World Oceans Day, June 8<sup>th</sup>, through Labor Day.

This is not a fishing tournament. Participants are asked to enjoy the sanctuary, but follow all sanctuary regulations and to follow NOAA's code of ethical angling and best fishing practices. This tournament simply asks for a picture of your catch, which promotes fishing sustainably in the sanctuary. Catch and release is encouraged, but not mandatory. There are prizes for the photos. In 12 weeks they will give away ten \$100 West Marine gift certificates. Voting will occur online and is not based on the size of the fish.

To get more information on Sanctuary Classic, visit [sanctuaryclassic.org](http://sanctuaryclassic.org). The website includes a video about the Sanctuary Classic. MBNMS Advisory Council Recreational Fishing representatives have agreed to help efforts in Monterey Bay. A kick-off kit will be sent to MBNMS staff to help get this information to the community.

Paul Michel thanked Tom Raftican and said MBNMS is happy to be participating in the Sanctuary Classic this year. He is committed to help launch the event and do the build up ahead of time. Paul Michel stated too often we hear the sanctuary is against fishing and that couldn't be more wrong.

Sanctuary advisory council member comments were in support of Sanctuary Classic and provided ideas on how to get the word out to the general public about the photo contest.

#### **IV. ACTION ITEM: UPDATE ON PROPOSED INTRODUCED SPECIES REGULATION AND CONSIDERATION OF DRAFT RESOLUTION OF SUPPORT**

Scott Kathey, Enforcement Coordinator, provided a verbal presentation on the history of the introduced species rule. Scott Kathey highlighted the advisory council's past actions supporting the rule back in 2006. The rule prohibits the introduction of introduced species into the sanctuary, with the exception of striped bass. In December 2008, the sanctuary received a letter from Governor Schwarzenegger to amend the introduced species rule for Gulf of the Farallones and Monterey Bay national marine sanctuaries. The governor's letter requested an exception for aquaculture in both sanctuaries and for research in MBNMS. Staff from the State of California and NOAA could not come to an accommodation on those issues, so the introduced species regulation would not apply in state waters. This meant there were three different things occurring in regards to state waters: there was one set of rules in Gulf of the Farallones National Marine Sanctuary, one in Channel Islands National Marine Sanctuary, and one in MBNMS. The State of California had no objection to the introduced species rule in Channel Islands National Marine Sanctuary. Meanwhile, in 2009, NOAA issued a notice of proposed rulemaking to reflect the State's wishes with regard to those exceptions. Governor Brown's administration looked at this rule and the State requested a straight across the board rule to introduce species to be consistent across the State of California, with exception to aquaculture Tomales Bay. There are currently two rules being put forward. The first rule is to remove Governor Schwarzenegger's exception and the second rule puts forward what NOAA proposed in 2008.

Sanctuary advisory council member comments and questions included how current aquaculture operations would be affected, further clarifications of the rule and the timeline, how mariculture would be affected, and a clarification that this refers to introduced species, not invasive species.

Richard Huggett, Recreational Fishing, presented a draft resolution for the advisory council's approval in support of the proposed introduced species rule.

Steve Scheiblauer, Harbors, made a motion to add the following "Whereas" statement. Kathy Fosmark, Commercial Fishing, seconded the motion.

"WHEREAS, National Marine Sanctuary Program and MBNMS regulations concerning the introduction or transportation of invasive species will not interfere with coastal transportation and normal recreational and commercial boating activities, including sailing and fishing,"

**MOTION: Passed**

(Vote: 14 in favor, 0 opposed, 3 abstentions)

Gary Pezzi, Recreation, proposed changing the word "normal" to "lawful and customary" in Steve Scheiblauer's addition. Brian Nelson, Diving, seconded the motion.

"WHEREAS, National Marine Sanctuary Program and MBNMS regulations concerning the introduction or transportation of invasive species will not interfere with coastal transportation and lawful and customary recreational and commercial boating activities, including sailing and fishing,"

**MOTION: Passed**

(Vote: 14 in favor, 0 opposed, 1 abstention)

Geoff Shester, Conservation, made a motion to add, "the SAC recommends that the" to the beginning of Steve Scheiblauer's addition. He also requested the addition of "with minimal disruption to" before the words "lawful and customary". Steve Scheiblauer seconded the motion.

"WHEREAS, the SAC recommends that the National Marine Sanctuary Program and MBNMS regulations concerning the introduction or transportation of invasive species will not interfere with coastal transportation and will minimize disruption to lawful and customary recreational and commercial boating activities, including sailing and fishing,"

**MOTION: Passed**

(Vote: 14 in favor, 0 opposed, 3 abstentions)

Kathy Fosmark made a motion to remove "the SAC recommends that the". Gary Pezzi seconded the motion. After some discussion, this motion was rescinded.

James Panetta, At Large, made a motion to move the words "lawful and customary" before "coastal transportation". Jessica Grigsby, Business, seconded the motion.

**MOTION: Passed**

(Vote: 14 in favor, 0 opposed, 3 abstentions)

After the above motions, the final language added to the resolution was:

“WHEREAS, the SAC recommends that the National Marine Sanctuary Program and MBNMS regulations concerning the introduction or transportation of invasive species will minimize disruption to lawful and customary coastal transportation and recreational and commercial boating activities, including sailing and fishing.”

#### **V. ACTION ITEM: GULF OF THE FARALLONES AND CORDELL BANK EXPANSION RESOLUTION**

PJ Webb, At Large, presented reasons why the advisory council should support a resolution for expansion of the Gulf of the Farallones and Cordell Bank national marine sanctuaries. PJ Webb stated the Gulf of the Farallones National Marine Sanctuary Advisory Council passed a similar resolution expressing their support for expansion of the two sanctuaries. PJ Webb provided a draft resolution for the advisory council’s approval in support of boundary expansions for both Gulf of the Farallones and Cordell Bank national marine sanctuaries.

Cynthia Mathews, At Large, made a motion to adopt the resolution as presented by PJ Webb. Simona Bartl, Education, seconded the motion.

#### **MOTION: Passed**

(Vote: 12 in favor, 2 opposed, 4 abstentions)

#### **VI. LUNCH**

#### **VII. MLPA UPDATE: REPORT OUT AND INFORMATION FROM STATE OF CALIFORNIA CENTRAL COAST SYMPOSIUM**

Paul Reilly, California Department of Fish and Wildlife, provided a verbal report and his written notes of the State of California Central Coast Symposium. The symposium was attended by 380 people and there were 75 speakers. The symposium summarized the 14-year process of the Marine Life Protection Act process and the 5-year monitoring process.

Susan Ashcraft, California Department of Fish and Wildlife, announced that videos of the talks are online. She stated there is one video in particular on oceanography that this group might find interesting. She also provided booklets on state marine protected areas.

#### **VIII. INFORMATION ITEM: UPDATE ON SANCTUARY ECOLOGICALLY SIGNIFICANT AREAS**

Karen Grimmer, Resource Protection Coordinator, provided a powerpoint presentation on ecologically significant areas in MBNMS. Karen Grimmer’s powerpoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2013/130418/agenda.html>.

Sophie DeBeukelaer, GIS Program Specialist, provided a demonstration on how to use the maps to view ecologically significant areas in MBNMS. The BETA v 1.0 of the Sanctuary

Ecologically Significant Areas (SESA) Interactive Map is available at  
<http://sanctuarysimon.org/maps/sesa/>.

## **IX. WORKING GROUP UPDATES**

Conservation Working Group (CWG) – Geoff Shester provided an update on recent CWG meetings. Please see his submitted update at  
<http://montereybay.noaa.gov/sac/2013/130418/130412cwg.pdf>.

Sanctuary Education Panel (SEP) – Simona Bartl provided an update on the SEP. Please see her submitted update at <http://montereybay.noaa.gov/sac/2013/130418/130321sep.pdf>.

Simona Bartl announced that NOAA Administration is requesting to terminate all competitive education grants, including the Bay-Watershed Education and Training Grant, which is the funding that supports all of her constituents right now.

After some discussion, Kirk Schmidt made a motion for a letter to be drafted by Simona Bartl, the advisory council executive committee, and a MBNMS Education staff person, regarding the decline in education funding that will be sent to the Superintendent who will forward the letter to NOAA Administration. Rich Huggett seconded the motion.

### **MOTION: Passed**

(15 in favor, 0 opposed, 0 abstentions)

Research Activity Panel (RAP) – James Lindholm, Research, announced the Currents Symposium is April 27<sup>th</sup> at CSUMB. The theme of this year's symposium is “change.” The RAP met last month at the National Marine Fisheries Service lab in Santa Cruz and discussed procedures for interacting with the advisory council and staff based on how the forage fish item with the CWG went. They created a list of criteria with how the RAP will engage with the advisory council and staff, which will be posted on the RAP section of the MBNMS website. The next RAP meeting will be held May 10<sup>th</sup> at MIIS (auditorium) from 9 am-12 pm and an agenda is posted on RAP webpage.

## **X. STANDING ITEM: ADVISORY COUNCIL MEMBER ANNOUNCEMENTS/AGENDA TOPICS/COMMENTS**

Richard Huggett asked if MBNMS staff could put together a list of acronyms for members and Karen said staff could put that together. Richard Huggett also asked if there was a map available for fishermen as a gift from the sanctuary and Dawn Hayes, Deputy Superintendent, informed him there is a chart and she would work with Richard Huggett to determine if it would work for fishermen.

Paul Reilly announced the opening day of salmon season in Monterey Bay area. Santa Cruz anglers averaged a fish per rod. Moss Landing anglers averaged one fish per five rods and in Monterey Bay 221 anglers went out and found 18 keepers. Also, the Fish and Game Commission adopted Salmon regulations for the whole state to conform with federal regulations.

Michael Bekker, Tourism, asked about a permit to do a burial at sea that he had seen in the Permit Report. Paul Michel clarified that it has always been the procedure for individuals wanting to do a burial at sea to obtain a permit from the MBNMS. Michael Bekker also announced that Pacific Grove has the only hyperbaric chamber on the peninsula and it is looking at reduced funding. He asked if everyone could put the word out for some donations. He also stated that during the recent recruitment something came where an executive committee member's seat on the advisory council was up and in the future those individuals should get a hall pass.

Valerie Termini, California Resources Agency, announced the next California Coastal Commission meeting will be held on June 8<sup>th</sup>. The science advisory team has three nominations that need to be filled. Anyone can visit the Ocean Science Trust website to learn more.

Brian Nelson, Diving, also mentioned the reduction in funding for the Pacific Grove hyperbaric chamber. He stated the dive community has raised \$40,000 for repairs and NOAA will provide technicians to repair the chamber. The hope is that by the end of the second quarter the hyperbaric chamber will be back up and running. Brian Nelson also announced that the Dive and Travel Expo in Santa Clara is coming up the beginning of May and he will be manning a MBNMS booth with Deirdre Whalen, Community and Government Relations Coordinator. Dredge disposal operations in Monterey Harbor are complete. Brian Nelson also announced that diver cleanups in the harbor have been going well. Divers have pulled out almost three quarter ton of garbage each month.

PJ Webb announced that Carolyn Skinder, Education Specialist in San Simeon, was out of the office after foot surgery. The Coastal Discovery Center is currently closed for a remodel. New exhibits will include diving and underwater technology. National Marine Fisheries Service has declared an unusual mortality event of seals and sea lion pups and northern fur seals. Further south has been hit harder, but animals have been getting shuttled up; upwards of 75% mortality. The Coastal Discovery Center is hosting a speaker series in May with several exciting speakers. The BeachCOMBERS program exists and is alive, although not through the sanctuary. PJ would like to see seismic testing on a future agenda to learn more about the testing and the impacts are.

Geoff Shester, Conservation, announced that Oceana has been involved with state and federal petitions to list great white sharks as endangered species. On April 20<sup>th</sup>, Save Our Shores is organizing Earth Day beach cleanups. Anyone can contact Save Our Shores to participate. Geoff also made a request to have seismic testing on the August meeting agenda. The north central coast MPAs, north of Pigeon Point to Point Arena, were challenged and went to the state appellate court. He is concerned about the sea lion mortality event. He commented that sardine counts are low, the anchovy population is down and squid is declining.

Russ Jeffries, CA EPA, stated that the comment someone made earlier that the sanctuary is not doing anything with water quality and runoff is inaccurate; the sanctuary is working with the Regional Water Quality Control Board (RWQCB) regularly. The RWQCB is working with the agricultural community to control issues regarding the Ag waiver. All of the sewage treatment disposals are second, advanced secondary or tertiary plants.

Paul Michel provided an announcement for Cynthia Mathews, At Large, that Santa Cruz and Soquel Creek Water Districts have proposed a desalination package plant and their draft Environmental Impact Report will be hitting the streets in May 2013.

Gary Hoffman, At Large, commented that he thought the Santa Cruz Water Department would be interested in providing a presentation to the advisory council on their proposed project.

Robert Chatham, Recreation, announced there was a charter salmon boat that came in with only one fish, but ended up with no fish when that fish jumped back in the water while they were cleaning it. We're looking for a good season and the counts from Sacramento River indicate that.

## **XI. STANDING ITEM: GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY UPDATE**

Max Delaney, Gulf of the Farallones National Marine Sanctuary Permit Coordinator, provided an update on happenings at the Gulf of the Farallones National Marine Sanctuary (GFNMS).

Max announced that America's Cup Race will be held in San Francisco bay July 4<sup>th</sup>- Sept 22<sup>nd</sup>. GFNMS has been involved in the America's Cup Help the Ocean advisory board. GFNMS staff have been providing content for monthly film and lecture series. America's Cup staff have also been organizing monthly beach cleanups. The advisory board is trying to promote three conservation themes: reducing marine trash, promoting marine protected areas, and promoting sustainable fisheries.

Max also announced that GFNMS has been heavily involved with the northern expansions of GFNMS and Cordell Bank National Marine Sanctuary. Scoping was completed March 1<sup>st</sup> with 300 online comments and many more oral comments at the three scoping meetings. In general, comments reflect support for the expansions. The main reason for expansion is banning offshore oil and gas. In addition, staff has been working on the proposed MBNMS expansion off San Francisco Bay, which would close the exclusion area off San Francisco. That process has stalled for a bit because staff are focusing on the northern expansion. They are about to begin writing the draft Environmental Impact Statement and a draft revised Management Plan will be ready this winter.

A group of graduate students at Bren School of Environmental Management has completed a thesis project which looks at original reasons for excluding the "doughnut hole" area from sanctuary designation and did an analysis to determine if those reasons were still valid and whether the area is suitable to include as part of a marine sanctuary under the different criteria identified in the National Marine Sanctuaries Act. We will be able to use this data to help draft the environmental impact statement. They will be bringing their findings to the upcoming GFNMS advisory council meeting.

GFNMS staff have been participating in the National Marine Fisheries Service Essential Fish Habitat update process. They have provided data from ROV cruises in 2011 and 2012, which has been incorporated in their report. A new bank has been mapped and two visual surveys have

found black coral that is estimated to be at least 100 years old. On the GFNMS website is cool video footage from those cruises.

## **XII. STANDING ITEM: SUPERINTENDENT'S REPORT**

Paul Michel highlighted the MBNMS Office Report and 2012 Accomplishments report. These documents are available on the MBNMS website. The *Your Sanctuary* television program is going well. We are currently filming a travel and tourism piece. We are moving ahead with plans to be the title sponsor for the Alliance of Community Media (umbrella organization for local cable access tv stations across the US) meeting in San Francisco. We'll probably expand from about 80-85 stations to about 200 stations by doing that. Paul traveled to Boulder, CO to connect with the Colorado Coastal Coalition, which is igniting ocean awareness in the Rockies. Boulder has a huge dive community and they do hundreds of dive certifications a year. Boulder is excited about a partnership with MBNMS. The City of Boulder has a parks improvement project which will include signage about the Rockies' connection to the sea and what they are doing in their city to address climate change. Paul stated he is trying to get them to come to Monterey for a visit. Lastly, Paul announced he has been asked to speak at a meeting on May 2<sup>nd</sup> called "Branding the Monterey Bay Region," to see how we can incorporate ocean science, policy and recreation into a better brand for the region.

Submitted by Nicole Capps, Sanctuary Advisory Council Coordinator  
Meeting adjourned at 4:57 pm