

# MONTEREY BAY NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

## Conservation Working Group

### Meeting Minutes

Tuesday, April 15, 1997

Conservation Working Group (CWG) members in attendance were: Rachel Saunders, Chair (Center for Marine Conservation); Vicki Nichols (Save Our Shores); Daphne White (Board of Directors, Pacific Grove Natural History Museum); Jack Wickham (Sierra Club-Ventana Chapter); Ellen Farout-Daniels (Friends of the Sea Otter); Donna Meyers (Coastal Watershed Council); and Joanne Flanders, Scott Kathey, and Jane DeLay (Monterey Bay National Marine Sanctuary). Dr. Jennifer Neilson, Visiting Scientists for Hopkins Marine Station, attended as a special guest of the working group.

#### I. CWG Administration

- The DRAFT minutes for the March 18, 1997 meeting were approved as amended.
- Corrections on other meeting announcements: The Sanctuary Advisory Council has changed its meeting schedule; they will now meet the first Friday of every other month. The next meeting of the Advisory Council will be on Friday, June 6, 1997 in the Hudson House at Pt. Lobos State Reserve.

#### II. Monterey Bay National Marine Sanctuary Office Report

Joanne Flanders, MBNMS Assistant Manager, provided an update on Sanctuary office activities. Highlights are as follows:

- Carol Fairfield, a career marine biologist and federal fisheries analyst, has been selected as the new Sanctuary Superintendent. Ms. Fairfield is expected to take over responsibilities of the MBNMS sometime this summer. CWG members requested that she be invited to a CWG meeting once she gets settled in.
- The Sanctuary presented its position on the proposed Edward F. Ricketts Underwater Park at the public hearing before the City Councils of Monterey and Pacific Grove on April 9, 1997. A copy of the Sanctuary's letter explaining its position can be obtained from Kip Evans, MBNMS Outreach Coordinator, at (831) 647-4217.
- The MBNMS is coordinating with the U.S. Coast Guard to organize special workshops on vessel management issues. The first meeting of the Work Group, comprised of all the stakeholders affected by vessel management and responsible for finalizing public workshop agendas, will be on May 28 at the Executive Inn in Alameda. In addition, the Coast Guard has published a paragraph in its Notice to Mariners explaining the importance of Sanctuary resources and encouraging mariners to voluntarily steer clear of the MBNMS.
- The ATOC project has requested an extension of its permit date because of scheduling delays and troubles with funding. SRD has agreed to the request, extending the permit deadline to October 31, 1998, with the understanding that when the associated marine mammal work is completed all transmissions must be stop.
- Joanne Flanders met with Gulf of the Farallones National Marine Sanctuary Manager, Ed Ueber, to discuss opening a satellite office in Half Moon Bay. At present, the Sanctuaries are seriously considering sharing office space at Francis State Beach. A Memorandum of Agreement is being drafted and as soon as it is finalized and signed, the MBNMS will open up shop

- The MBNMS webpage is receiving a facelift -- the new and improved site will be completed in June. MBNMS staff is also working with the Elkhorn Slough National Estuarine Research Reserve to improve their homepage and is looking for interns to help work on that project.
- The MBNMS receives calls daily from students looking for internships. The office has reached its capacity and cannot accommodate anymore interns at this time. If CWG members know of organizations in need of interns, please call Liz Love, MBNMS Education Coordinator, at (831) 647-4255.
- MBNMS staff participated in a National Undersea Research Program (NURP) meeting in Moss Landing recently to discuss possibilities for combining agencies and encouraging cooperative management approaches. The Monterey area was held up as a model for how to link science with policy.
- The NOAA Research Vessel, the McArthur will be the platform for the annual MBNMS research cruise from August 25 - September 17, 1997.
- The MBNMS is working to establish an 800 phone number for the Sanctuary. The plan is to provide the public at large with a tool for reporting incidents and obtaining general information about the Sanctuary. Vicki Nichols from Save Our Shores (SOS) requested that the MBNMS coordinate with SOS on the 800 phone number so that efforts aren't being duplicated.
- For more complete information on the Sanctuary's research, education and Water Quality Protection Program (WQPP) projects, please refer to the attached MBNMS Monthly Activity Report.

### III. Priorities for Management and Research

1) CWG members reviewed the list of research and conservation priorities developed by the CWG at the March meeting. Ellen Farout-Daniels suggested consolidating some of the topics on the list as follows:

- Kelp harvesting/kelp management/regulations should be combined with the bullet point describing harvest and fisheries sustainability - resource utilization. CWG members suggested the following language: "Monitoring and evaluation of sustainable harvest."
- The bullet -- Role of environmental contaminants -- should be more specific. Contaminants need to be identified, quantified, and environmental impacts measured and considered.

2) CWG members decided to review their initial list of ideas for the MBNMS Science Plan to the Research Activity Panel (RAP) and modify and/or add it based on the new list generated. The revised list can be framed in a way that the conservation community has identified them as being important for research management decisions facing the MBNMS. CWG members also suggested trying to find a date when the three working groups could meet to discuss conservation and research priorities and try to reach a consensus on them.

3) CWG members requested that the working group be on record for having expressed concerns about the kelp harvesting practices. It was agreed that kelp harvesting was another issue where not enough information was available. Ellen informed CWG members that the Fish and Game Commission had agreed to place the issue of kelp harvesting on their next meeting agenda scheduled for May 5. Ellen offered to draft a letter on behalf of the CWG expressing the conservation community's concern about the current Fish and Game regulations governing kelp harvesting. In accordance with the new Charter and Protocols, the letter will have to go to the Advisory Council first before it can be forwarded

to the Fish and Game Commission. Given the time constraints and the fact that the Advisory Council will not be meeting prior to the May 5 Fish and Game Commission

meeting, CWG members agreed to send one letter to the Advisory Council and another identical letter to the Commission with the CWG members listed but not signed as official correspondence from the working group. Ellen will draft the letter and circulate it among CWG members for their comments and approval.

4) With respect to underwater sound, Jack Wickham requested that more be done to educate the general public about the issue while we wait for the Research Activity Panel (RAP) to complete their literature survey. Vicki offered to work with Jack on publishing articles in local conservation organization newsletters. It was also suggested that an article be placed in the Sanctuary Newsletter. CWG members also suggested that it would be useful to involve the Sanctuary Education Panel (SEP) members and the MBNMS to increase the level of outreach on the topic.

CWG members suggested that Dr. Khasrow Lashkari's audio tapes of underwater sound be made available for distribution as an educational tool to accompany related literature. The working group also suggested that a couple of evening sessions on the topic would be helpful. Maybe basic information about how sound travels through the ocean could be a subject Monterey Bay Aquarium docents could incorporate into their lectures and displays.

#### IV. Enforcement Update

Scott Kathey, MBNMS Enforcement Coordinator and Program Specialist, briefed the CWG on the DRAFT Enforcement Plan (Plan) for the MBNMS. Basically, the Plan will be affected by two MOUs: 1) describes the mechanism for administering funds, namely the \$650k that has been offered by an anonymous donor (and yet to be accepted by NOAA); and, 2) allows state officers to be deputized to enforce federal regulations.

Scott informed the CWG that the MBNMS's enforcement approach would emphasize education first to encourage voluntary compliance. All enforcement officers will be trained as educators and interpreters for MBNMS resources. However, a fee penalty schedule is being drafted for those instances when more stringent measures are necessitated. The money from the penalties will probably be placed in the MBNMS general account. It is not expected to generate a lot of income.

When questioned about the timeline for completion of the MOU process and implementation of the Plan, Scott responded that he hoped to have everything in place before LCDR Dean Lee of the U.S. Coast Guard transfers out of Monterey this coming July.

Scott is also developing an incident database which he provided samples of to CWG members. The database is intended to document reported incidents in the MBNMS to give MBNMS staff an idea of what kind of incidents are being reported, how often, and where. The database will also provide information on how aware the general public is of Sanctuary resources and regulations. Scott agreed to coordinate with the SOS incident database.

CWG members questioned Scott on the status of the motorized personal watercraft zones and enforcement efforts. To date, four buoys marking the jet ski zones have drifted off station, have been removed from the water due to various reasons, and will need to be replaced. Informational brochures have been distributed and signs will soon be in place at all of the harbors.

Finally, Scott briefed the working group on the status of the COLREG lines in the MBNMS -- the lines delineating 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 opted 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.

## V. Marine Mammal/Fisheries Workshop Information

Dr. Jennifer Neilson, a Visiting Scientist at Hopkins Marine Station, briefed CWG members on the American Fisheries Society (AFS) Conference scheduled August 24-28, 1997, at the Monterey Conference Center and Marriott Hotel. The conference promises to be a large one with 13 Concurrent Sessions and 1141 abstracts accepted. The Conference will bring significant marine science components to the table and will attempt to integrate disciplines, agencies, and the dynamic structure that has to do with aquatic systems, conservation, and preservation. Special characteristics of the conference include a poster session with over 104 posters; a significant number of extra-curricular activities such as a tour of the Hopkins Marine Station tuna research project, a tour of the Monterey Bay Aquarium Research Institute (MBARI), and an evening reception at the Monterey Bay Aquarium.

A pinniped/fisheries interaction symposium will be held on Thursday, August 28 at the Steinbeck Forum of the Monterey Conference Center. This meeting has been organized as one of the highlights of the conference and there will be a single day registration offered for individuals interested in only attending the marine mammal session.

To allow the fishermen, conservationists, scientists, and others an opportunity to state their position on the issue, the Monterey Bay Aquarium, Save Our Shores, and Dr. Neilson have been meeting with local fishermen to organize an open public meeting at the end of the day, or early evening, where participants will question a panel of specialists in a ÓDonahueÓ type of meeting format. An objective moderator, (e.g. Steve Webster) will be in charge of the proceedings.

CWG Members offered general suggestions for potential speakers and topics. All are encouraged to contact Dr. Neilson directly at Hopkins Marine Station, Vicki Nichols, or Steve Webster who are helping to organize the event. A general outline of the Conference is available on the Sanctuary webpage.

## VI. Issue Updates

1) Coastal Ocean Legislation -- a ÓflotillaÓ of legislation has been introduced to committees and by the end of April there should be a clearer idea of which bills have survived long enough for focused attention. CWG members were informed that the conservation and fishing communities have been working as a coalition to aid the legislative process. The group is referred to as the California Coast and Ocean Coalition and includes members from conservation organizations, the fishing community and some agricultural interests.

There will be a fuller report on the status of coastal legislation at the next CWG meeting. In the meantime, SOS may organize an evening event in May or June to educate the interested public about the pending legislation. Vicki will be in touch if the event is actually planned.

The Sanctuary Advisory Council has appointed a special Legislative Task Force to track the legislation. CWG members commented that the Advisory Council should be encouraged to

coordinate with local representatives of the coalition.

2) Proposed Edward F. Ricketts Underwater Park -- there was a public hearing before the City Councils of Monterey and Pacific Grove on April 9. Close to 300 people attended, with over 70 testifying. Twice as many people supported the "no-take" park with some limited scientific and educational collection. However, opponents were very vocal and clearly carry a lot of weight. It is not yet clear how, or when, the City Councils will vote on this still controversial issue. CWG members are encouraged to write letters in support of the proposal.

The meeting adjourned at 12:35 PM

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DRAFT Minutes