

MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL MEETING

Friday, March 1, 1996
Monterey City Council Chambers
Monterey, CA

AGENDA

8:30 Coffee and Sign In

9:00 Call to Order, Roll Call, Approval of January Meeting Minutes

9:15 Public Comments on Items Not on the Agenda

9:30 Presentation: Perspectives on Elephant Seals at Piedras Blancas by
- CALTRANS
- California Coastal Commission
- National Marine Fisheries Service

10:15 Discussion: Management Questions Concerning the Northern MBNMS

10:45 Discussion: Replacing the US EPA Vacancy

11:00 Approve the 1996 Meeting Schedule

11:15 Update: Advisory Council PR Workshop Results

11:30 Sanctuary Manager's Report:
- Status of the Sanctuary Foundation
- Issues: Jade Cove; Shark Chumming; Enforcement
- Update: State Mussel Watch Program

12:00 Working Group Reports: - Education, Research, Conservation

12:45 Announcements from Council Members

1:00 Adjourn

LUNCH BREAK

2:00 Public Meeting: Cruise Lines in Monterey Bay

MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL

Meeting Minutes

Friday, March 1, 1996

Monterey City Council Chambers
Monterey, CA

The Monterey Bay National Marine Sanctuary Advisory Council met on Friday, March 1, 1996 in the Monterey City Council Chambers located on the corners of Pacific and Madison Streets in Monterey, CA. Members present and representing a quorum were as indicated:

AMBAG: Katherine Beiers and Ruth Vreeland	Diving: Ed Cooper
Agriculture: Richard Nutter	Education: Dorris Welch
At-Large: Karin Strasser Kauffman	Fishing: Dave Danbom
At-Large: Steve Webster	Harbors: Joe Townsend
At-Large: Vacant	Recreation: Not represented
Business & Industry: Steve Abbott	Tourism: Ed Brown
CA Resources: Melissa Miller-Hensen	U.S. Coast Guard: Dean Lee
CA EPA: Marc Del Piero (afternoon only)	US EPA: Vacant
CA Coastal Commission: Tami Grove	Conservation: Rachel Saunders
NOAA/NMFS Enforcement: Roy Torres	Research: Andrew De Vogelaere (for Greg Cailliet)

The following non-voting members were present as indicated:

MBNMS: Terry Jackson
Channel Islands NMS: Not represented
GF/CB NMS: Not represented
Elkhorn Slough NERR: Steve Kimple

I. Call To Order, Roll Call, Approval Of Previous Meeting Minutes

... The meeting was called to order by the Chair at 9:00 a.m.

... Approval of the previous meeting minutes was postponed until the April 26 meeting.

II. Public Comments on Items not on the Agenda

1) Michelle Knight, Owner, Adventures by the Sea, expressed concern for kelp harvesting in the Sanctuary, particularly in front of the Monterey Plaza Hotel. Her concerns were based on the recently observed absence of sea otters from the kelp beds located immediately in front of the Hotel.

2) Richard Hunter -- voiced concern for the language in the proposed rule on chumming for white shark. He requested that the definition of "chum" be very specific so that divers, surfers, kayakers, and other recreational users of Sanctuary resources are not mis-construed as "chum" in future interpretations of the regulation.

3) Dave Clayton -- supported the comments made by Richard Hunter.

4) Jim Hughes -- supported the previous comments about the language in the proposed rule on shark chumming. He also suggested that the rules in all four California National Marine Sanctuaries be consistent.

5) Kevin McDonald -- commented about the impacts of kelp harvesting in Monterey Bay. He observed that most of the harvesting is being done in areas that are largely used for recreational purposes. Mr. McDonald added his support for the comments of the previous speakers about the proposed rule on chumming for white shark.

As a point of clarification on the issue of kelp harvesting in the Sanctuary, MBNMS Research Coordinator, Andrew DeVogelaere, commented that the Research Activity Panel addressed this issue at their most recent meeting. The working group concluded that the regulations and harvest practices were adequate to support the kelp.

Rachel Saunders, Chair of the Conservation Working Group, suggested that the Advisory Council host a public forum to discuss the questions surrounding kelp harvesting in the Sanctuary. The purpose of the forum would be to help facilitate discussion and arrive at solutions that do not involve instituting a Federal regulation.

- III. Presentation: Perspectives on Elephant Seals at Piedras Blancas by:
- CALTRANS
 - California Coastal Commission

Aileen Loe, from the Environmental Planning Department for CALTRANS, presented the agency's proposal for realignment of Highway One in the Piedras Blancas area. CALTRANS is proposing the changes to eliminate the non-standard curves that occur at the site and pose unnecessary traffic risks. Ms. Loe emphasized that the Highway realignment project is intended to improve traffic safety and was not originally intended to consider the elephant seal population at Piedras Blancas, or public access to the beaches. However, she added that CALTRANS is willing to cooperate with other agencies in the creation and implementation of a long-term management plan that would account for local concerns.

The CALTRANS realignment proposal is currently being reviewed by the California Coastal Commission (CCC).

Tami Grove, CCC Representative on the Advisory Council, briefed Council members on the agency's plans to develop a long-term management plan designed to deal with present issues and still move forward with the project. The CCC is trying to provide for interim access to the area's public beaches during the construction period, as well as to develop an interagency commitment to deal with the other issues on a long-term basis. With respect to the question of permanent public access to the area's recreational beaches, the CCC has requested that CALTRANS provide for, identify, and design infrastructure for two traffic turn-out sites in the realignment plan.

Tami applauded CALTRANS, the Department of Parks and Recreation, and the efforts of private property owners in the area who have cooperated to find viable solutions to the multi-leveled problem. A report detailing progress of the cooperative efforts should be available by December 1996. The final management plan is expected to be complete in September 1997.

Advisory Council members questioned the applicability of this issue to the Sanctuary. In particular, concerns were raised about impacts to the marine mammal population in the Piedras Blancas area and potential future conflicts along the coast. In response to the queries, Tami suggested that Council members help develop the management plan and implement strategies when the time comes. She emphasized that this is a multi-agency problem, reiterating the need for a comprehensive cooperation effort.

Comments from Council members included: concern about the precedent being set and the cost involved; concern about diving interests and access to the beach; recognition of the conflicts that have the potential for increasing over time if a mechanism to deal with the issues is not instituted; and, using this situation as a chance to implement resource protection, education, and multiple use management.

Following discussion, the Chair suggested that the Advisory Council coordinate with its working groups, CALTRANS, the Sanctuary Manager, the CCC, and interested citizens from the Cambria area, on endorsing a management plan that effectively addresses all of the pertinent issues.

The CCC will be releasing its Staff report shortly, and copies can be forwarded to Advisory Council members. The Commission's hearing on this issue will be on March 14.

IV. Replacing the USEPA Vacancy

Due to limited resources, the U.S. Environmental Protection Agency requested to be removed as a full voting member of the Advisory Council. However, the agency re-stated its commitment to the Sanctuary and water quality control and will cooperate with the Advisory Council should a situation arise requiring an EPA presence. Written correspondence from the agency states that the Sanctuary Advisory Council should fill the EPA vacancy with another organization that "... could serve more fully".

The Advisory Council By-laws stipulate that the vacancy be filled by an agency involved with dredging and other water quality issues. With respect for this requirement, Terry Jackson suggested that the EPA vacancy be filled by the U.S. Army Corps of Engineers. Following a brief discussion, Advisory Council members agreed on the appropriateness of the suggestion and directed that a letter of invitation be extended to the agency as quickly as possible.

V. Approve the 1996 Meeting calendar

The 1996 calendar of meeting dates and locations was approved as presented. The calendar was developed in response to the Advisory Council's request to have fewer meetings per year and to meet throughout the 360-mile coastal area bordering the Sanctuary.

The 1996 calendar of meeting dates and locations is as follows:

... April 26, 1996 -- San Francisco

(EDITOR'S NOTE: the meeting location for the April 26 meeting has been changed to Half Moon Bay.)

... June 28, 1996 -- Cambria

... August 23, 1996 -- Santa Cruz

... October 25, 1996 -- Big Sur

... November 22, 1996 -- Half Moon Bay

(EDITOR'S NOTE: The meeting location for the November 22 meeting has been changed to San Francisco.)

VI. Update on the Public Relations Workshop

Rachel Saunders and Tami Grove provided a brief update on the February 9 workshop to improve public relations efforts for the Sanctuary Advisory Council. Special guests in attendance at the session included Lori Arguelles and Justin Kenney from NOAA's Public Affairs Office in Silver Spring, Maryland, and Warner Chabot, from the Center for Marine Conservation's San Francisco office.

Lori Arguelles took the opportunity to announce that NOAA would commit resources to hire a full-time public relations coordinator for the Sanctuary.

The workshop focused on tools, strategies, and approaches to effective public relations

efforts. A list of tools and strategies were generated and workshop participants were asked to rank them in order of priority. Council members were provided with the same list and were asked to return the completed form to Jane DeLay at the Sanctuary office no later than March 8, 1996. Both Rachel and Tami reminded Council members that Public Relations was identified as the Council's #1 priority, and they urged everyone to participate in this effort as much as possible. Once the prioritization sheets are returned to the Sanctuary office, implementation of the strategies can begin.

The workshop identified three themes that encompass the Sanctuary message:

The Sanctuary Helps You!
How You Can Help the Sanctuary!
The Sanctuary is Yours!

Other actions identified at the workshop included:

- 1) Sponsoring training sessions on Sanctuary issues and positions for Advisory Council members so that there is clarity and consistency about topics when addressing the public and media;
- 2) Developing sets of talking points on major issues concerning the Sanctuary to assure that correct information reaches the public; and,
- 3) Developing protocols for Advisory Council responsibilities and actions. Sanctuary Advisory Council members agreed to meet for a workshop on Protocols on Friday, May 31 from 9:00 a.m. - 2:00 p.m. at a place to be determined.

VII. Sanctuary Managers Report

Terry Jackson briefed the Advisory Council on Sanctuary activities. Please see attachment.

Discussion ensued over the following issues:

... Council members were told to contact Andrew DeVogelaere, MBNMS Research Coordinator, at (831) 647-4213 for more information about the NOAA R/V McArthur cruise scheduled for this Spring;

... The Cambria desalination plant may have some of its requirements loosened by the Regional Water Quality Control Board. This could be an issue of concern for the Sanctuary that the Council may wish to address at a later date;

... The Sanctuary needs the Council's help and ideas to improve sales of the license plates.

AMBAG representative, Katherine Beiers reported that the contract for the marketing company originally hired to promote the plates has been extended. Furthermore, the Board of Directors decided to let three more months go by and then assess the status of sales. Advisory Council members noted a regrettable loss of momentum in the sale of the plates. In the interest of time, they requested that AMBAG address the situation earlier than May. Katherine agreed to convey the Council's concerns to AMBAG.

... State Mussel Watch Update -- Assemblyman Bruce McPherson introduced Bill AB2130 concerning the State Mussel Watch Program. However, it does not have an appropriation in it as a source of funding has not been secured. The Assemblyman's staff is working to find sources of revenue for the Bill, but requested that if SAC members have any ideas on this to please forward them to Sacramento. In the meanwhile, Jennifer is speaking with her contacts on the Budget Committee as well as with contacts on the State Water Resources Control Board, the Department of Fish and Game, and others.

The Bill is expected to be sent to the Budget Committee in early April.

... Permit Report -- Ed Cooper (SAC Diving Representative), expressed concern about the Sanctuary permitting process becoming more difficult, using the upcoming Chocolate Abalone Dive as an example. Terry Jackson responded that the permitting process was not threatening the popular diving event and cautioned against allegations that it was. According to the organizers of the event, financial constraints would be the primary reason for discontinuing the contest. Terry continued, mentioning that the Sanctuary is supportive of local traditions such as the Chocolate Ab dive and agreed with Ed Cooper that the event brings positive attention to the Sanctuary.

The discussion led to the question of foreign materials in the Sanctuary off of the Fort Ord former restricted zone. Council members were informed that the Army is not cleaning-up the area at this time, rather, the efforts to date have been to investigate what foreign materials are in the Sanctuary and if a clean-up effort is necessary. Joe Townsend stated that mis-information about the situation exists and requested that the Advisory Council be briefed on the status of research in the area and the Army's commitment in this regard.

Andrew DeVogelaere commented that the Army has been very supportive of the investigation process and promised to provide additional funding for sediment analysis.

Council members requested that Steve Eittrich from the U.S. Geological Survey be invited to the April 26 meeting to give a presentation on the status of the investigation.

... Jade Cove -- members of the audience expressed opinions about the NOAA proposed rules affecting the collection of jade in the Sanctuary. The Chair thanked the public for their comments about jade and reminded everyone that a public hearing on the subject will be scheduled for the near future.

VIII. Working Group Reports

Sanctuary Education Panel (SEP) -- Dorris Welch, SEP Chair, reported the following highlights of the group's activities:

... Sanctuary Currents -- Council members are urged to attend. Volunteers are needed to help set up and man the registration desk;

... The SEP adopted a list of public goals that are in alignment with the Public Relations goals of the Advisory Council, including more media utilization and tourist outreach.

The group decided to produce a newspaper about the Sanctuary targeted toward visitors. The publication will be in newspaper format which is easily and cheaply produced and will feature a map of the Sanctuary. Dorris commented that this project is an excellent opportunity for businesses to get involved through sponsorship;

... The SEP is focusing programs on area public schools, i.e. Sanctuary week is scheduled for April 1-5; the Sanctuary Science Curriculum for grades K-12 is currently being printed; there is a Middle School Outreach program for Santa Cruz County; and a local teacher may participate in the McArthur cruise through NOAA's Teacher At Sea program;

... The level of interest in Sanctuary interpretation is increasing. There is a serious interest in Santa Cruz to have some kind of an interpretive center either on the Wharf or at Long Marine Labs;

... The next meeting of the SEP will be on Thursday, March 14 from 2:00 p.m. - 5:00 p.m. at Long Marine Labs in Santa Cruz.

Research Activity Panel (RAP) -- Andrew DeVogelaere, MBNMS Research Coordinator, provided the following highlights of the group's activities:

... The RAP discussed the subject of cruise ships in the Sanctuary and generally agreed that it would be a good opportunity for the area, but identified three concerns: 1) threats to the Sanctuary from the potential introduction of exotic species; 2) potential damage to the sea floor from anchoring; and 3) possible illegal discharge;

... The Researcher database for Northern California can be found on the Sanctuary's web-

page;

... The American Association for the Advancement of Science is sponsoring a conference about the Sanctuary at San Jose State University in June 1996. The conference is titled, "Science in Support of Sanctuaries and Reserves";

... The National Undersea Research Program (NURP), is developing a special Monterey Bay initiative to develop priorities for deep sea research. The project would result in several hundreds of thousands of dollars that would be spent on research in the MBNMS. Terry and others working on a Memorandum of Understanding;

... The International Marine Biodiversity Initiative (IMBI), with the help of the Center for Marine Conservation and the Smithsonian Institution are in the preliminary stages of developing a special marine biodiversity site in the MBNMS. Don Potts from the University of California, Santa Cruz is leading a multi-institutional effort to designate this area as an International site for Marine Biodiversity research.

... George Boehlert, NOAA, has issued a west coast alert on a ship that went down with a cargo load of hockey gloves. The gloves are expected to be washing up on beaches in the Sanctuary and a lot can be learned about current patterns from where they turn up.

Advisory Council members are asked to keep an eye out for them and to call the Sanctuary office if any are spotted;

... The next meeting of the RAP is Friday, March 8 from 9:00 a.m. - 12:00 p.m. at the University of California, Santa Cruz.

Conservation Working Group (CWG) -- Rachel Saunders, CWG Chair, provided the following highlights of the group's activities:

... Dr. Holly Price, Director, MBNMS Water Quality Protection Program (WQPP), briefed the group on the recent activities of the WQPP and provided a list of ways in which the CWG can assist the WQPP in terms of implementing some of the identified strategies. The CWG will try to assign some priorities at its next meeting;

... The CWG has requested that there be a report from the Sanctuary office on the status of the MBNMS Enforcement plan. The group would like to see local volunteer programs involved so that the public can be better informed and the chances for voluntary compliance are improved. Rachel suggested the development of a "Citizen's Handbook for Becoming Involved with the Sanctuary." She also recommended regular enforcement training sessions and the creation of an enforcement database so that priorities can be developed;

... Shark Chumming -- CWG members organizations will be represented at the Shark Chumming hearing in Half Moon Bay;

... The CWG is hosting a panel discussion for the Sanctuary Currents. Several speakers are coming out from Washington, D.C. The topic of discussion will be the "Do's and Don'ts" for citizens dealing with congressional offices. CWG members plan to provide the audience with tools necessary for effective local involvement in environmental policy;

... BAY NET will start training its second class of 25 volunteers on Wednesday, March 6 at the Pacific Grove NOAA facility. The class will be 8 weeks long. Advisory Council members are welcome to visit the classes. BAY NET volunteers are on duty every Friday through Sunday along the recreational trail in Monterey and Pacific Grove. Organizers are talking with the Pebble Beach Company to expand the program into 17-mile dive;

... The Surfrider Foundation has relocated their lab to Soquel High School and will start involving students in their projects;

... The next meeting of the CWG will be on Tuesday, March 19 from 10:00 a.m. - 12:30 p.m. at the Moss Landing Harbor District Office.

IX. Announcements from Council Members

1) Dean Lee - finished the first draft of the Memorandum of Understanding between the Coast Guard, NOAA, and the State of California. The ultimate goal is to have it in draft form to present to Congressman Sam Farr and State Senator Henry Mello on March 15. Dean requested that the item be placed on the Advisory Council's agenda for the April 26 meeting.

2) Karin Strasser Kauffman -- is going to meet with the Manager of the Hawaiian Islands Humpback Whale National Marine Sanctuary to discuss Sanctuary Advisory Councils. They are in the process of establishing an Advisory Council and are looking to the MBNMS for ideas and assistance.

3) The California Biodiversity Council is on March 27-28 at the Monterey Marriott. Greg Cailliet will be providing the keynote address at the banquet on the evening of the 27th. One of the focuses of his speech will be the importance of marine biodiversity research and the appropriateness of the using the MBNMS and the ESNERR as vehicles for the programs. There will be an afternoon field trip on the 28th.

The meeting adjourned at 12:55 p.m.

The Sanctuary Advisory Council reconvened at 2:00 p.m. for an informal public discussion concerning the regular presence of cruise ships in the Sanctuary. Representatives of the City of Monterey, Seabourne Cruise Lines, and private citizens expressed their opinions about the possibilities. The overall benefits to the area in general, and the Sanctuary program's goals for public outreach, are numerous.

Four major concerns were raised and discussed: 1) possibilities of illegal discharge; 2) threats to the area from potential introduction of exotic species; and, 3) possible damage to the sea floor from anchoring. Advisory Council members were adamant that these concerns must be addressed and nullified before a regular cruise line presence would be welcomed.

With respect to the size of the ship, it will hold a maximum of 204 passengers, 90% of which are U.S. citizens. Seabourne Cruise Lines are the most expensive cruise operator charging up to \$1,000 per day per person. The vessel would be in Monterey Bay for one day before returning to San Francisco.

Karin Strasser Kauffman concluded the discussion by summarizing the comments as follows:

- ... The Cons are entirely manageable so long as we prepare for them;
- ... The presence of the cruise line will expose a larger group of people to the Sanctuary;
- ... The visit should result in an economic benefit to the area;
- ... It will provide the Sanctuary with a captive audience for education programs.

Respectfully submitted,

Jane M. DeLay
MBNMS Advisory Council Coordinator
SAC Meeting - 3/1/96
FINAL Minutes

