

**MONTEREY BAY NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL**

**DRAFT  
Meeting Minutes – August 3, 2001  
Cambria Pines Lodge  
2905 Burton Drive  
Cambria**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, August 3<sup>rd</sup>, 2001, at the Cambria Pines Lodge, Cambria, California. Public categories and government agencies were present as indicated:

Agriculture: Richard Nutter	CA State Parks: Bill Berry
AMBAG: Stephanie Harlan	Conservation: Vicki Nichols
At Large: Ron Massengill	Diving: David Clayton
At Large: Pat Conroy	Education: Pat Clark-Gray
At Large: Deborah Streeter	Fishing: Thomas Canale
Business & Industry: Dave Ebert	Ports & Harbors: James Stilwell
CA Coastal Commission: Tami Grove	Recreation: Dan Haifley
CA Dept. of Fish and Game: <i>awaiting appointment</i>	Research: Chris Harrold
CA EPA: Craig J. Wilson - ABSENT	Tourism: Vacant
CA Resources Agency: Brian Baird	U.S. Coast Guard: LT Tom Stuhldreier - ABSENT

The following non-voting members were present as indicated:

Channel Islands NMS: LCDR Matt Pickett - ABSENT  
Gulf of the Farallones NMS and Cordell Bank NMS: Ed Ueber - ABSENT  
Elkhorn Slough NERR: Becky Christensen  
Monterey Bay NMS: William J. Douros

Alternates present:

Ruth Vreeland, AMBAG  
Lynn Rhodes, CA State Parks  
Harriet Mitteldorf, At Large  
Dave Danbom, Fishing  
Kaitilin Gaffney, Conservation

**I. CALL TO ORDER, ROLL CALL, APPROVAL OF THE JUNE 1<sup>ST</sup>, 2001 DRAFT MEETING MINUTES**

A) Call to Order and Roll Call

The meeting was called to order by Chair, Stephanie Harlan, at 8:40 a.m. Dan Haifley conducted the roll call, a quorum was present.

B) Approval of June Meeting Minutes

**MOTION: (Passed)**

**The SAC unanimously adopted the minutes from the June 1<sup>st</sup>, 2001 Sanctuary Advisory Council meeting, with the following changes.**

- Page 3, 2<sup>nd</sup> line – revise to - “how to utilize sediments for beach nourishment”

Motion introduced by Dan Haifley, seconded by Deborah Streeter  
(Vote: 16 in favor, 0 opposed (unanimous))

C) Approval of SAC Annual Report

**Stephanie Harlan** – asked Dave Clayton if he wanted to lead this discussion, as he had revisions to discuss.

**Dave Clayton** – he agreed and referred to Stephanie’s copies of his notes. Item #1: Duke Energy Moss Landing Power Plant Expansion: I think it is important to note that the SAC took no action on this issue. The text states "Various SAC members were instrumental in helping ensure the mitigation package was comprehensive and well funded." This sentence could be interpreted that these SAC members were representing the SAC on this issue. As you know, there is considerable negative publicity concerning this mitigation package, and I think the fact that the SAC had taken no action on this issue should be made clear.

**Chris Harrold** – Is this considered a SAC activity? Or, is this an activity that SAC members participated in on their own.

**Dave Clayton** – reiterated his issue.

**Bill Douros** – Dave is right, that the SAC took no action. We could remove the section.

**Kaitilin Gaffney** – concurs with Bill and Dave.

**Bill Berry** – we need to stick with the technical actions that the body of the SAC is involved with.

**Tami Grove** -can we be more precise, and say SAC members in their individual activities, were involved in this project.

**Deborah Streeter** – how about rewording the section, “A number of individual SAC members in their various capacities participated in the issue. The SAC took no action on this item.”

**MOTION (Passed)**

**The SAC agreed to reword the section pertaining to Duke Energy to “A number of individual SAC members in their various capacities participated in the issue. The SAC took no action on this item.”**

Introduced by Deborah Streeter, seconded by Dave Clayton  
(Vote:16 in favor, 0 opposed (unanimous))

**Jim Stilwell** – Page 6, Legislative Working Group Report states: In late September, Jim Stilwell, on behalf of the subcommittee, ...Should state: In late September, chairperson Jim Stilwell, on behalf of the Legislative Working Group....”

**Stephanie Harlan** – I understood that the group is a subcommittee, not an official working group.

This issue was discussed and it was decided that that the group is a working group of the SAC, and so the sentence should include “chairperson.”

**MOTION (Passed)**

**The SAC unanimously agreed to include the title “chairperson” in the annual report section describing the legislative working group.**

Introduced by Dave Clayton, seconded by Jim Stillwell.  
(Vote: 16 in favor, 0 opposed (unanimous))

**Dave Clayton** – 3<sup>rd</sup> item is the Diver Partnership Program – The period covered by this SAC Annual Report is from October 1, 1999 - September 30, 2000. As of September 30, 2000 the diving community still considered the Diver Partnership Program as being dissolved. Therefore the second paragraph should stop after the following sentence. - "After consulting with their constituents... ...gave notice that the diving community was withdrawing from the Sanctuary's Diver Partnership Program."

**Bill Douros** – explained that he recollected that the issue was resolved in the Summer 2000, and thus was completed prior to September 30, 2000.

SAC members discussed this item, and resolved that in order to not include any negative connotations, the addition "As of the date of this report,....." should be inserted in the annual report's diver partnership program section.

**MOTION (Passed)**

**The SAC unanimously agreed to insert the "As of the date of this report,....." in the annual report's diver partnership program section.**

Introduced by Tami Grove, seconded by Chris Harrold  
Vote: 16 in favor, 0 opposed (unanimous)

**Chris Harrold** - is the annual report going to get editorial reviews? I noticed some grammar and spelling errors.

**Stephanie Harlan** – we can definitely have some additional revisions made to catch grammar errors and typos. Can we move to adopt the annual report with the editorial revisions?

**MOTION (Passed)**

**The SAC unanimously adopted the SAC Annual Report, with additional editorial changes.**

Introduced by Vicki Nichols, seconded by Ron Massengill.  
Vote: 16 in favor, 0 opposed (unanimous)

D) Welcoming Comments by a Local Representative

**Ron Massengill** – introduced Richard Maceto, who thanks us on behalf of San Luis Obispo County Supervisor, Shirley Bianchi and District 2. Also introduced were Ken Topping and Bill Bianchi, Shirley's husband.

**II. COUNCIL MEMBER & STAFF ANNOUNCEMENTS, & OUTREACH EFFORTS**

**Stephanie Harlan** - passed out the newly revised *50 Ways to Get Your Feet Wet in the MBNMS*.

**Pat Clark Gray** - announced the Sanctuary Education Panel meeting on August 15 at the Monterey Sanctuary office, and the SEP's September 20<sup>th</sup> meeting at ESNERR.

**Brian Baird** - announced that the State Resource Agency grants will be distributed soon. Stay tuned.

**Dave Clayton** - announced the September 15th, Monterey wharf clean up dive. The Santa Cruz region is also planning on participating in Monterey this year to learn about conducting such an event.

**Stephanie Harlan** – regarding the Santa Cruz wharf, we will be assessing what kinds of items are under the wharf, and then look at how to organize the clean up effort. We are very impressed with what occurs in Monterey, and are looking forward to your (Dave's) help.

**Kaitilin Gaffney** - Clean Water Day is August 25<sup>th</sup>, 11-2pm at Cowells Beach.

**Chris Harrold** - Kirsten Wassen, Research Coordinator at Elkhorn Slough National Estuarine Research Reserve has produced a pamphlet "Least Wanted Invasive Species List" that identifies 20 or so invasive species to look out for

**Dave Clayton** – there is a dead Humpback whale on the beach at Jade Cove.

**Bill Berry** – we are just finishing a pilot program that consists of a partnership between inner city youth from Oakland with the O'Neill Sea Odyssey program in Santa Cruz. The 2<sup>nd</sup> day, students visited Mount Diablo – and were able to see the connection between the land and sea. Bill spent both days with the kids, and feels this a good opportunity with the partners to expand on these kind of activities.

**Dan Haifley** - 236 youth participated, and we are really excited about the State Parks program.

**Ron Massengill** - has focused lately on talking with water quality monitoring agencies, and speaking to potential business for the BTAP.

**Dan Haifley** – is busy doing outreach to recreation constituents. He handed out summary of the groups he has been making contact with.

**Deborah Streeter** - September 22<sup>nd</sup> is the blessing of the Carmel River, at 3pm. Many religious organizations are participating, and all are welcome to join us.

**Rachel Saunders** – gave an update on SEA Lab Monterey Bay, a new residential science camp for schools and teachers. They conducted a pilot program last summer. It is the space camp of the oceans. They are currently finishing their business planning. They will run nine week long sessions next Summer in 2002. She would like to present to the SAC at a future meeting.

**Heidi Tiura** – Stephanie requested she plug Sanctuary Cruises, and Heidi also gave update on whales that they are seeing in Monterey Bay.

**Jim Stilwell** – recounted his interaction with people coming off Heidi's boat to harbor office, and how they loved the cruise. He commended the skipper for picking up trash while cruising.

**Karen Grimmer** - announced the resignation of Burke Pease from the SAC's tourism seat, and that Pat Conroy will be attending more meetings as alternate for one of the at-large seats .

### **III PUBLIC COMMENT AND DISCUSSION: SOUTHERN SANCTUARY ISSUES & OPPORTUNITIES**

**Ron Massengill** – gave an overview of southern region meetings. There is almost 300 miles of coastline, yet harbors, agriculture, fishermen, and research institutions are all based in the Monterey

region. The southern region has all of the above, but on a smaller scale. The biggest difference is now we have more agriculture products, several million visitors, and an increase in visitation based on Hearst Castle tours last year. We are custodians of the Sanctuary. The payback for enjoying the resources is that we need to get involved. Briefly, issues to touch on are fisheries, MPA's, and the MLPA is in process.

July 16<sup>th</sup> meeting in Morro Bay, 15% turn out from this town. Just like the kelp management meetings, we had great turnout. San Simeon is our local harbor, and is a safe harbor, recreation boats, fishing boats, commercial sport boats, surf perch and rock fishing, skiff fishing is popular, kayaking by sport fishers also, spearfishing is common. Salmon are present, and guides are distributing information about protecting the habitats. Last 2 years, we have had good populations. He hopes we can make some improvements. Water Quality – Bianchi is concerned about erosion, agricultural practices, streams are silting out, and affecting salmon habitat. Compared to urban areas, little pollution exists. He sited report that was MTBE focused. Caltrans is proposing a Highway 1 realignment. Tidepools need to be considered, and Elephant Seal programs needs to be considered too. With the Sanctuary emergency response plan, he worked with Pat Cotter, who used to be the lead and has moved on from the Sanctuary. What are the resources and issues in this area? Ron has met with the fire captain, Bob Putney. The North Coast Ocean Rescue team are going to be the first to respond in a local emergency. Coast Guard are 30 miles away. We need to finish the plan, and outline how this area will respond locally. He introduced the Cambria Fire Chief.

**Bob Putney** – he is the Fire Chief for the Cambria area. He gave the SAC a brief background on OSPR, and his past experience with emergency response. He explained that the Clean Seas operation is now defunct, and that no more resources are available. Coast Guard has large ships, and sometimes a long response time. He requested that the SAC give him some direction on finding available funds for HAZMAT materials. He would like to keep the materials here on a trailer as a first response band aid measure, to delay oil getting to sensitive areas. The trailer would then be available to other local area agencies to use if needed. Bob explained that Cal Fish and Game are willing to donate large trash and garbage drums to hold HAZMAT materials.

**Dan Haifley** – asked if he is writing grants to obtain funding for the purchase of the needed materials.

**Bob Putney** - he wants to know what is available, in regards to existing resources. They are looking for 55 gal drums to store for a first response type spill. Small responses have been ongoing. Coast Guard typically has a 45 minute to 6-8 hour response time.

**Vicki Nichols** - are you involved in the area committee?

**Bob Putney** – no he is not connected with that committee. How would he get involved?

**Jim Stilwell** – the agency in charge of that committee would be the Coast Guard, and should be the first stop.

**Ron Massengill** – he was in touch with Scott Kathey of the Sanctuary, about getting information about the system, and applying it to extend down here. Next he introduced Michele Roest, MBNMS education and outreach specialist.

**Michele Roest** - . As an update for SAC members, Green Space, a water-quality monitoring non profit organization would like to expand their program, and is similar to the Monterey program. BeachCOMBERS South – six beaches are now covered. State Parks is our partner for the September Coastal Cleanup effort. We are also hoping to expand next year to an underwater clean up. In fact, September 16<sup>th</sup>, we are conducting a Kayak cleanup. Lastly, local public lands are

managed by State Parks and the US Forest Service. Preliminary discussions about joint signage projects are beginning. This is a natural cooperative collaboration.

**Bill Warren** – a Cambria resident, would like the same level of protection south of Cambria afforded to people and resources living within the Sanctuary’s boundary, and we need your leadership and protection. We need your help!

**Bill Allen** - urges the SAC to take action to extend the boundary down, or the Channel Islands boundary up, or designate a new sanctuary. I’m here to nag, nag, and nag. Fishing industry is hurting more and more.

**Bob Hanson** – father of a fisherman in Morro Bay. This discussion on MPA’s is affecting his son’s life. New rules and regulations are putting people out of business. He recounted the historical background on how tuna boats were forced to move out of the area, and now people in California are losing that money. He reminded the SAC that they are dealing with people as well as the environment. Fishermen in Morro Bay feel they are not being listened to, and they are wasting their time going these types of meetings.

**William Bosworth** – there are water quality problems up at Sea Cliff beach, and we are advised not to swim in the water. Water quality is the biggest issue, and should be focused on by the Sanctuary, not fishing.

**Stephanie Harlan** – Capitola creek flush, high coliform was found, and closed. We have to continue to remain vigilant.

**Dave Clayton** - WQ should be kept as a primary focus.

**Bill Douros** - MBNMS spends a lot of time on this priority. It is quite likely beach closures are going to be a focus in the Management Plan Review. Urban runoff and ag. runoff are collaborative projects and we are going to deal with it.

**Tom Hafer** – he is a member of the Live Fish Trap (Trap Association). He has developed a trap ring that keeps sea otters out of the traps, as well as big fish. The rings really work to catch smaller fish. He agrees with some of the potential MPA areas, but not Big Sur or Piedras Blancas.

**Clyde Warren** – he is involved with a Steelhead spawning project. He handed out a letter, and gave the SAC background on the project.

**Bill Bianchi** – he helped Clyde on the Steelhead program. Shirley has been looking at watersheds, and understands the connection to the ocean. Multiple jurisdictions are involved, meetings and resolutions are needed. A watershed appraisal is needed. Update county watershed management plan. This needs to be done, and a follow through is needed.

**Dave Clayton** - Asked for more information about the live trap fishery, or stick fishery. The PVC pipes are washing up in the surf zone. He’d like to see DF&G push people away from use of the sticks. Tom Hafer concurred that is a problem.

**Chet Forrest** – thanked Ron Massengill for his opening remarks. He addressed the SAC - “Look around. All of these people are concerned about the ocean, and they cooperate. It tells you that you need to pump more resources down south. These people want to work with the Sanctuary.”

**Jim Stilwell** - asked Dave Clayton for clarification on his prior remark. Are you a proponent of the SAC pushing for fishing regulations?

**Dave Clayton** - No, my concern is with stick fishing, and that is a DFG issue, not a Sanctuary issue. He would like to see DFG push toward trap fishing.

**Tom Canale** -What keeps the rest of the fisherman from getting into trap gear?

**Tom Hafer** – responded that most fishers have small boats, or kayaks, and cannot carry the traps.

**Tom Canale** – he would like people to note that fishers are being proactive and working to solve a problem.

**Chris Harrold** - concurred with Tom Canale, and then asked Chet to clarify which resources are needed.

**Chet Forrest** – responded with - signage on the new walkway on Moonstone Drive; oil clean up resources. Provide Bob Putney with more direction such as names and contact information for the area committee.

**Bob Putney** - it would help to identify the southern end of the sanctuary. Where is it?

**Michele Roest** - responded that the east-west property is not public land, and we could maybe move the Shamel park monument to that ranch.

#### **IV PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

**Ruth Vreeland** - thanks for allowing the alternates to join the Staff/SAC retreat. She brought out some signs that were used during the Sanctuary’s original designation in the early 1990’s. Ruth commented that we need to listen to our different perceptions carefully. And make it open to everyone. We need to stay together and work together.

#### **V PRESENTATION & DISCUSSION: SAC PRIORITY -DESALINATION PLANTS**

**Holly Price** - introduced Brad Damitz and gave a brief overview of the presentation. Following is a summary of Brad’s presentation.

This presentation covered existing and potential desalination plants in the MBNMS; environmental impacts; mitigation measures, and what the Sanctuary is doing to address it now.

Three Sanctuary regulations relate directly to desalination. The first involves discharging or depositing any material from within Sanctuary boundaries, since the brine effluent, and in some cases other materials, are usually disposed of in ocean waters, this activity requires Sanctuary authorization of regional water quality control board permits. The second regulation pertains to discharging materials outside of the boundaries, which subsequently end up in Sanctuary waters. As with the previous reg, this requires Sanctuary approval. The third relevant regulation involves activities, which cause alteration of the seabed. Thus installation of an intake/outfall structure on or beneath the ocean floor will also require Sanctuary authorization.

There are currently 3 existing plants, and 7 or 8 proposed or potential plants in the Sanctuary; The existing plants are the Duke power plant, Marina Coast Water District, and the Monterey Bay Aquarium. Other potential plants include the Santa Cruz County Sanitation Department and Soquel Creek Water Management District, Fort Ord; Monterey Bay Shores, Sand City, Monterey Peninsula Water Management District—Carmel River, Ocean View Plaza, and the Cambria Community Services District.

The environmental impacts of desalination include impacts from construction, brine discharge, desalination plant intake, and growth inducing impacts.

Potential mitigation measures include proper siting of the intake/outfall pipeline, and the use of appropriate technology and engineering. Avoiding sensitive habitats is also crucial; generally discharge to rocky substrate is more damaging than to sandy seafloor. The impacts can be greatly reduced if discharges are combined with sewage treatment plant discharges (which are not saline and are less dense than seawater discouraging settling), or by combining with power plant cooling water discharges. Piggybacking the discharge has the added advantage of eliminating the need for construction of a new pipeline structure; which as I mentioned previously can have severe impacts.

The Sanctuary is currently involved in a joint effort with the CCC evaluating the emerging issue of desalination, and developing a series of regional guidelines and recommendations, so we can deal with it more comprehensively. Additionally we are updating and expanding a report that was put out by the commission in 1993, titled Seawater Desalination in California, and developing a regional version of that for the sanctuary. We hope to have this completed between 6 months and a year from now.

**Steve Scheiblauber** -. Can we get a copy of this presentation? How will this fit in the Management Plan Review process?

**Holly Price** – Yes. We wanted to be proactive and not wait for 2 years, and the MPR process to be complete.

**Bill Berry** -. Are you aware of any alternate uses for the brine?

**Brad Damitz** – So far, I haven't come across any.

**Chris Harrold** - In your regional planning – any thought on cumulative impacts? Projected use and what is the combined affects should be looked at.

**Holly Price** – we are looking at that issue and are private plants better than bigger commercial plants. We are looking at this with the California Coastal Commission.

**Dave Clayton** – regarding the Ocean View Plaza - do they have a permit in review now?

**Holly Price** - responded they are rewriting the proposal and the EIS portion.

**Michele Roest** - can we clarify who authorizes the permits?

**Holly Price** – we authorize permits to other agencies.

**Vicki Nichols** – is there currently an arbitration process in place?

**Holly Price** -we have an MOU with the Regional Water Quality Control Board – there is an appeal process in place in that MOU.

**Kathy Fosmark** – what degree or percentage of impacts are you citing? Is there a way to measure?

**Brad Damitz** – generally - no. Individual plants could be studied.

**Dave Clayton** – any data on existing plants like Monterey Bay Aquarium?

**Chris Harrold** – we can't detect a significant brine, so we have not measured the impacts.

**Brad Damitz** – we can use modeling methods to measure at the outfall.

**Dave Clayton** - over time, some impact must occur.

**Bill Berry** - is the brine going to the ocean? Or is there enough pressure to push the brine up into freshwater sources? Is there enough information to know?

**Brad Damitz** - yes there is information. There is a well under Marina State Beach that they inject the brine effluent into, and pressure takes over and the water seeps into the ocean and is diluted through the surf action.

**Wade Weimer** – we have been following this process with you. He handed out a letter.

**Holly Price** – we will work closely with the Cambria district in studying this issue.

**Peter Shuldrott** – Cambria – we are looking at returning salt water back to the ocean with lower salinity

**Bill Bianchi** – my suggestion is to search out brackish water for use. This will reduce the amount of energy to desalinate.

**Pat Conroy** - use of reclaimed waste water might be another alternative to look at for irrigation, etc.

**Holly Price** – Marina plant is using their water for artichoke fields. We want to ask the SAC if there might be interest in having another presentation later down the road?

**Peter Topping** – please make sure you are using the scientific approach. We appreciate Holly meeting with us yesterday. Please look at using a regional approach. We are using a local approach because we are somewhat isolated.

## **VI PRESENTATION & DISCUSSION: CALIFORNIA MARINE LIFE PROTECTION ACT**

**Bill Douros** – John Ugoretz at the Department of Fish & Game had to cancel last week. In lieu of that presentation, our staff member Erica Burton is going to give an overview of the state MLPA process, and then Tom Canale our SAC fishing representative will lead the discussion.

**Erica Burton** – she began by defining the Marine Life Protection Act. She introduced the DFG initial draft concepts by passing out an MPA handout that illustrates the proposed MPAs within our Sanctuary boundaries. She defined the three different types of MPA's being proposed (State Marine Reserve, State Marine Park, State Marine Conservation Area). The MBNMS staff had written an initial comment letter to the DFG in response to their proposal and request for comments. Erica summarized the letter. (For a copy of the MBNMS letter, please visit the SAC website:

<http://www.mbnms.nos.noaa.gov/Intro/advisory/080301.SACfiles/MBNMStoCalifDeptFG071701.pdf>) The letter requested that the State seek input from stakeholder groups, and specifically suggests the Alliance of Communities for Sustainable Fisheries, and its co-chairs as a place to start. The letter requested that the State consider the socioeconomic data, as we are currently getting funding from Sea Grant and the MPA Center to engage those studies. Regarding the proposed MPA's, there is little or no proposed protection for pelagic species areas. So the letter suggested

the addition of two areas up by Ano Nuevo and Point Sur. Also, we requested ongoing monitoring of the MPA areas.

**Brian Baird** – the Department of Fish and Game is working hard to have rounds of public hearings. They wanted a reaction and they got it. They are listening. And they are aware of the socioeconomic areas. They are getting constructive comments and are looking at funding possibilities. They are taking this seriously. There was a lot of emotion and good discussion.

**Tom Canale** - DFG missed a good opportunity to not have the kinds of conflicts that are now occurring at the meetings. There are general problems like employment elimination. That could have been avoided. The Sanctuary comment letter was explained to us at the Alliance meeting last Monday, and at yesterday's Staff/SAC Retreat. There have been concerns about the letter, and I'd like to give our Sanctuary Superintendent the opportunity to first address those concerns.

**Bill Douros** - I said that our agenda is not to put the fishing community out of business. It bothers me that conception is out there. Tom will hopefully help me to dispel that idea. There is so much frustration about why and what we said in the letter. I'd like to explain. First – some believe the Sanctuary could not comment at all – and that relates to the “promise” many people thought was made related to fishing during Sanctuary designation. I'd like to clarify - we are not going to be promulgating regulations. We are simply giving advice, and that is consistent with “the promise”.

Why was the letter sent now? DF&G is looking for comments now. Offering comments in the form of a letter is routine for us to do. The Alliance group had set some initial ground rules - all members are free to give comments individually outside of the working group. Monday's Alliance meeting discussion clarified to me – there were different expectations for the Sanctuary. It became clear there is a different expectation of the Sanctuary. We probably would not have sent the letter if that was understood.

3rdly – why not take the letter to the SAC? DF&G needs comments now. They are preliminary comments. The Alliance collaboration will probably lead to different recommendations. The SAC has said in the past we need to give more time in SAC meetings when we consider difficult and complicated topics. The SAC endorsed a regional collaboration – and the Alliance would come back to the SAC to get its input as a regional group, not just the staff. Our comments on MLPA are preliminary, and we thought the SAC would not want or need to comment. There are too many things going on for us to bring everything to the SAC. Bill cites the Hunter Liggett bombing issue, and Caltrans issues as examples of comments made without SAC input, and there was not concern then, when it appears all SAC members agreed with what we said.

Lastly, please don't disagree with what was said, then say that was bad process. That's not fair, especially when we followed an agreed upon process. We are going to work as hard as we can with the fishing community...and we do many other things, such as work on water quality, Desal, etc. We have so much in common with fisherman.

**Tom Canale** – there is a difference in the weight of the Sanctuary vs. individuals.

**Dave Clayton** - at Alliance meetings, the Sanctuary's view (that was included in the comment letter to DFG) was never brought up at.

**Chris Harrold** – things were happening so fast, and positions were not developed. My understanding is that the Alliance requested input to help formulate their position to the DF&G regarding MPA's. We were there to support the Alliance. I had a conversation with Mike Ricketts about that topic. We all have our positions that we needed to maintain. I did not see Bill's action as betrayal.

**Dave Clayton** – consensus was supposed to be the goal for the Alliance.

**Chris Harrold** - consensus doesn't preclude individual positions.

**Dan Haifley** – after reading the comment letter, I presumed that the Alliance was involved.

**Michele Finn** - I was at an DFG workshop, and made a number of points that were not taken negatively, as a Sanctuary staff member. I'm not clear on the difference between testimony at a workshop and a letter.

**Kaitilin Gaffney** – Dave Clayton was not at the initial meetings - we were specific, the Sub committee was going to help the Alliance have a position. I needed to know that, because it was an initial concern to retain our individual perspectives. The SAC is a balanced stakeholder group, the Alliance was one avenue. The SAC did not agree to give power to the Alliance.

**Steve Scheiblauber** - The Alliance understood that the Sanctuary would be involved. The promise is a very charged issue. The Alliance was formed to be able to give informed advise to the SAC and Bill, so that fishermen would not feel betrayed. The Alliance understood that the Sanctuary would comment. There was ample time to give comments. We asked staff for review of comments. The answer was no. What was the role of the SAC? This is a huge issue for the SAC. If you had passed around that comment letter 10 years ago –would there have been a Sanctuary designated?

**Vicki Nichols** – I'm confused. There are various organizations, each with their own perspective. I don't recall having to review the Alliance's comments. Why was there an assumption that comment on letters was needed?

**Dan Haifley** - to respond to Steve's question – if you turned the clock back 10 years and showed this letter to fishermen, we would not have had a Sanctuary.

**Bill Douros** – well I think it's fair to say that if we turned the clock ahead ten years and were told we could not write such a letter, the "agreement" about the Sanctuary's role on fishing issues would have been written down differently also. There seems to be an unwritten contract here to many people, who perceived agreements different than what was written down. We need to get the rules straight. Our guiding document, the management plan, gives direction on this.

**Kathy Fosmark** – we would never have agreed to support the Sanctuary. Bill broke the trust. Language was taken out of context by Bill. He states in the letter very different views. Anger among fishermen suggests that the SAC has been bypassed. How will this letter affect fishermen? What is the SAC going to do about this? Chris Harrold was not at the last meeting. The SAC could help with public outreach. The whole process is taking place while fisherman are out of sea. I am here representing them.

**Holly Price** - this is very unusual situation. In my experience, you need to have a year or more to work through this type of proposal. It doesn't need to take away from the Alliance's ability to progress ahead. Consensus does not happen that quickly.

**Public Comment** – thanks for having the meeting here at Cambria. The City position will be addressed in August. I attended a hearing in Morro Bay. There isn't enough time. January is the deadline. We need more time, more than 4 months. Let's ask for extension of the deadline, and work together. We need to get more information – socioeconomic information. With the Alliance issue – the subject is the content. If the content is being defended, that demonstrates a remarkable tone to us.

**Dave Elliott** – I'm a two term council members, and have served on numerous boards, I have a lot of experience with these types of collaborations. You don't have an Alliance, or anything if one party withholds information. This letter signed and printed on letterhead, established the Sanctuary's official position. You are having two separate discussions here. You need to step back and look at why you are having these meetings. You are not solving problems. I hear excuses, and the right to our own position. I ask - what are you here for?

**Bill Pierce** - what I look for is data. What did we learn the first time. If we don't have enough data or evidence, that's a problem. I don't know how your organization functions – but a letter went out on letterhead, and it means their official position.

**Mike Ricketts** – most has been said. The process. We have to be open to it whether we are a fisherman and an environmentalist.

**Jim Stilwell** - the letter gets to the very essence of the SAC. This is an issue that crosses the whole cultural and social and multiple uses of the Sanctuary. Positions are being taken that relate to this industry as a whole. The SAC has a role in this type of issue. The first part of the process, should have been the advice of the Council.

**Dave Ebert** - the Sanctuary Business and Tourism Activity Panel (BTAP) has been talking about this. I have two ideas. One - the legislation is going through. We can ask for an extension. The impact to the fishermen is the other concern. Two -could the SAC send a letter to Paul Reilly to ask for an extension and write a letter of support. Time is needed on all sides to prepare, study and look at this.

#### **MOTION (Passed)**

**The SAC will write a letter to Flores Assembly Bill (AB1673), requesting that the section pertaining to the MLPA process be amended to support an extended deadline of at least one year. It will be sent to the Secretary of the California Resources Agency, and copied to the Director of DFG Robert Hight, Paul Reilly of DFG, Assemblymen Keeley & Maldonado, State Senators O'Connell & McPherson, & local county supervisors.**

Introduced by Dave Ebert, seconded by Jim Stilwell  
(Vote: 15 in favor, 0 opposed, 1 abstention, Brian Baird)

**Kaitilin Gaffney** – several organization have been sending letters to that affect.

**Tom Canale** - PCFFA is also supporting that extension request.

**Bill Douros** – in response to a question from the audience, Bill said the Sanctuary would send a letter too, asking for more time.

**Ruth Vreeland** - this letter could have waited, and had time for input. The Alliance, should have been asked. I would hope that in this letter from the SAC, the Sanctuary could do so also.

**Francesca Crow and William Bosworth** - we feel that we have been lied to, especially in regards to #4 and #5 in the Sanctuary's comment letter. Ms. Crow read an analogy of the process compared to a patch of earth. Bill is misquoting, and thrusting a big fist into a beehive. We feel our trust has been violated.

**Ray** - a trawler in Monterey. I don't trust anyone under 40. If you close Soquel Canyon, I will fish anyway.

**Steve Scheiblauber** - the content of the letter is the problem, nor the fact that it was submitted. What do we do from here? The Alliance still wants to continue working with the Sanctuary. How does the SAC feel?

**Dave Clayton** - the State does want to hear input from the Alliance. I think they want to make amendments.

**Dan Haifley** – requests that the staff please work more closely with the Alliance group.

**Tom Canale** - the SAC needs to be involved in this issue more, especially with the MPR coming up.

**Steve Scheiblauber** -the state scientists can get more detailed information from each site from the Alliance.

**Brian Baird** – I have two main questions. How is the Sanctuary going to work with the Alliance? How is the SAC involved? Could we request an update on the Alliance progress at the next meeting?

**Jim Stilwell** - do we need an action?

**MOTION (passed)**

**The SAC will receive an update on the progress with the Alliance at the next and future meetings.**

Introduced by Brian Baird, seconded by Jim Stilwell  
(Vote: 16 in favor, 0 opposed)

**12:25 – 1:15pm LUNCH BREAK**

## **VII UPDATE: NAPA REPORT RECOMMENDATIONS**

This item was continued to the October meeting.

## **VIII OVERVIEW OF MBNMS ACCOMPLISHMENTS RELATIVE TO THE MANAGEMENT PLAN REVIEW (MPR)**

### **INTRODUCTION**

Bill Douros – these presentations are meant to give you background and information on the past nine years to help set the stage for the MPR.

### **STATUS OF THE NATURAL RESOURCES - Erica Burton**

Erica’s presentation highlighted the recent advances in our knowledge of Sanctuary Resources and the current status of the:

- Environmental Conditions
- Water Quality
- Habitats
- Living Marine Resources
- Cultural and Historical Resources

Erica noted that the status of some of the resources is not necessarily a result of Sanctuary designation. She gave an overview of the above, followed by questions from the audience and SAC members. A citizen asked if the Sanctuary will be looking at Native American cultural resources. Bill responded that that will be focused on after completing the assessment on shipwrecks in the

Sanctuary, simply because that has been started and needs to be completed. Another question - are we going to be looking at how sand and sediments move along the coast? Erica responded that Moss Landing Marine Labs are currently looking at that issue. Andrew DeVogelaere added that we need to measure sources of pollutants being transported. Dan Haifley thanked Erica for the comprehensive nature of the presentation in looking at what has the Sanctuary done. Vicki Nichols asked about the inclusion of coastal armoring issues? Bill responded that the summary in the State of the Sanctuary report may identify some issues – that also may change. A question – can we include the increased Chinook salmon population as a topic in the report? Andrew responded that more detail will be forthcoming in the full report. Dave Clayton asked if the report will be available to everyone? Yes, was the response.

### **RESOURCE PROTECTION – Holly Price**

Holly gave a presentation on the activities that the Resource Protection team has focused on during the past few years. A few questions followed the presentation. Dick Nutter asked about the 1000 ft over flight limit. Holly responded that currently, the charts don't jive with the regulations. Michele Finn added that they are merely a recommendation – to protect the pilot. Becky Christensen asked if the regulation counts for remote control planes too? Is size an issue? No clear response was given, as more information was needed. Deborah Streeter commented if we could please include an Acronym list in the report, to promote understanding.

### **RESEARCH – Andrew DeVogelaere**

Andrew gave a presentation on the activities that the Research team has focused on during the past few years. He touched on numerous accomplishments and continuing issues that will be detailed in the State of the Sanctuary Report - due to be released sometime in October. No questions followed the presentation.

### **EDUCATION & OUTREACH – Dawn Hayes**

Dawn gave a presentation on the activities that the Education team has focused on during the past few years. Chris Harrold asked if there were evaluations for the outcomes of these programs. Dawn responded that there is no baseline data right now. With the implementation of the regional plan, evaluation will be put in place. Chris commented that funding opportunities for such activities are available.

### **PREVIEW POWER POINT PRESENTATION – Sean Morton**

Sean highlighted the draft presentation for SAC comments. The presentation was designed as an outreach tool for SAC members to get the word out to their constituents about the MBNMS management plan review process. A number of comments were offered.

**Dan Haifley** – a lot of work went into the presentation, and is greatly appreciated. However, in my experience, ten slides are the maximum number. The presentation needs to be much shorter, with time at the end for questions and discussion.

**Stephanie Harlan** – please add visitor centers to the main goals.

**Chris Harrold** – if the purpose is to talk about the MPR, tune down the Sanctuary facts, and tune up the MPR aspect. Also, tune down the images, as they are distracting.

**Pat Clark-Gray** – the audience is the general public – they like graphics.

**Ron Massengill** – excellent format! Can you add a voice track, and air it on public access TV? Maybe you could have adapted versions (with or without graphics) for different audiences.

**Deborah Streeter** – you need an introduction slide detailing exactly what this presentation will cover. I was not sure until you got to the MPR slide.

**Heidi Tiura** – could the presentation be available in video formats, as I could see popping in a tape for people traveling under way on our vessel?

**Steve Scheiblauber** – could you add a box for what the program is doing for multiple uses?

**Karen Grimmer** – could the presentation also be made available as slides and overheads?

**Ron Massengill** – are there any mediums to reach out to national audiences?

**Deborah Streeter** – is there a form or format available to guide people who want to offer written comments?

**Michele Roest** – the website will allow us to receive comments from anyone, nationally or beyond.

**Chet Forrest** – this was impressive. This Sanctuary has really done something in nine years. SAC members are going to have to cut out the bickering and get to the task at hand. Think about how you're all gonna do that, and make the next ten years a success.

## **IX UPDATE: SAC SIGN PROGRAM**

**Liz Love** – she gave an overview on the SAC sign program.

Cambria – Former SAC Member At-Large, Chet Forrest, had started us off with some money from the County that was used for the southern boundary monument at Shamel Park. We also put some year end money toward a larger exhibit to be installed at Hearst Castle Visitor Center in partnership with State Parks.

Big Sur – a pullout site of Hwy One near Julia Pfeiffer State Park pull was selected. Former SAC Member At-Large, Karin Strasser-Kaufman was the initial contact, and didn't come up with any specific businesses interested in the project. Liz sent in a proposal to Caltrans, which was approved. Yet, the issue of ownership of that site needs to be addressed before the project can proceed.

Monterey Harbor - Former SAC Members Steve Webster and Steve Sheiblauber were both actively working on this project. To date, Monterey Bay Kayaks is very interested in funding a sign.

Moss Landing Harbor – SAC Member Jim Stilwell secured some funding that was going toward signs in Moss Landing. We are not sure at this time how that project is proceeding.

Santa Cruz – Marshall Miller, owner of Sun shops, is helping to fund a couple of custom signs at the wharf focusing on seal lions, and maybe recreate that for the Coast Guard wharf in Monterey.

**Stephanie Harlan** – could Leslie Stone help with design formats? Also, could we donate checks to the Monterey Bay Sanctuary Foundation, and then have the foundation cut a check to the design and fabrication.

**Liz Love** – Yes, depending on how much money we can raise.

**Chris Harrold** – could we help get funding for a prototype.

**Liz Love** – Yes. I believe in the past we had circulated a packet that contained some designs and approximate costs for signs. We could put something more specific together if needed.

**David Clayton** – if we had more specifics, divers could probably leverage more funds for a couple of signs.

**Stephanie Harlan**– if we could have some hard costs, and have an idea of what we are asking for, it would help.

**Chet Forrest** – a word of caution - make sure people understand what they are paying for. If they are donating funds for a sign or for a study.

**Dawn Hayes** – we have information from a workshop with State Parks for sign production and fabrication.

**Pat Conroy** – please keep in mind that Half Moon Bay and the northern region of the Sanctuary could use the same attention. Chet’s direction to continue focusing attention on the southern region holds true for the northern region as well.

**Liz Love** – she gave an overview of the past signs that we have worked on in the northern region, and commented that if there were interest, we could definitely do more. She will plan on getting more specific information for Monterey, Santa Cruz, and possibly Half Moon Bay ( Julie Barrow) organized.

**X ACTION: SET OCTOBER AGENDA**

10 best and 10 worst from CINMS –Matt Pickett

Presentation by the four SAC working groups relating to the MPR. 15 minutes, plus time for questions.

NAPA Report

The meeting adjourned at 4:15 p.m.

Submitted by

Karen Grimmer

Monterey Bay National Marine Sanctuary Advisory Council Coordinator