

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

**FINAL
Meeting Minutes – October 5, 2001
Jade Street Community Center
4400 Jade Street
Capitola**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, October 5, 2001, at the Jade Street Community Center, Capitola, California. Public categories and government agencies were present as indicated:

Agriculture: Richard Nutter
AMBAG: Stephanie Harlan
At Large: Ron Massengill
At Large: Pat Conroy
At Large: Deborah Streeter
Business & Industry: Dave Ebert

CA Coastal Commission: Tami Grove
CA Dept. of Fish and Game: *awaiting appointment*
CA EPA: Craig J. Wilson
CA Resources Agency: Brian Baird

CA State Parks: Bill Berry - ABSENT
Conservation: Vicki Nichols
Diving: David Clayton – ABSENT
Education: Pat Clark-Gray
Fishing: Thomas Canale
Ports & Harbors: Linda Horning/Peter Grenell
Recreation: Dan Haifley
Research: Chris Harrold
Tourism: Ted Balestreri
U.S. Coast Guard: LT Tom Stuhldreier – ABSENT

The following non-voting members were present as indicated:

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

Alternates present:

Ruth Vreeland, AMBAG
Harriet Mitteldorf, At Large
Dave Danbom, Fishing
Kaitilin Gaffney, Conservation
Rachel Saunders, Education

**I. CALL TO ORDER, ROLL CALL, APPROVAL OF THE AUGUST 3, 2001
DRAFT MEETING MINUTES**

Dan Haifley introduced John Laird, candidate for State Assembly for the 27th district. Mr. Laird spoke regarding redistricting, and gave some background on the designation process and how Option 5 (the largest size option for the Sanctuary) was selected. He was active in anti offshore oil drilling in the 1980s, and he had worked with Save Our Shores to adopt ordinances – 33 – in cities and municipalities. He reminded the Council members that the ordinances are still in place.

MOTION: (Passed)

The SAC adopts the minutes from the August 3, 2001 Sanctuary Advisory Council meeting, with the following changes.

- Names – Ken Topping, Bob Harmson, are correct names.

Chris Harrold requested that we focus the meeting minutes on actions and concerns, and not reference names for people, and not try to capture the discussions as conversations.

Stephanie Harlan suggested that we could tape records the meetings, and provide summary meeting notes.

After a short discussion, the following motion was passed.

MOTION: (Passed)

The SAC asks staff to purchase a taping system to record future SAC meetings, and to reduce minutes to a short summary.

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

II. COUNCIL MEMBER & STAFF ANNOUNCEMENTS, & OUTREACH EFFORTS

The Sanctuary Scenic Trail was officially launched. The MBNMS announced a commitment of \$100,000 to kick off the capital campaign to build the signs and exhibitry. Congressman Sam Farr participated.

State Parks coordinated a clean up effort, and offered award patches for participating scouts.

Save Our Shores (SOS) and the Ocean Conservancy are providing public workshops on the MBNMS management plan review process.

SOS in cooperation with Moss Landing Marine Lab is providing public education using seal lions. They have so far provided fifty classes. Vicki Nichols would like to provide more information at a future meeting.

State Resources Agency has announced for final comment, the Coastal Impact Assistance Program grantees – SAC members can send an email to help move this process forward. Final approval occurs at the Governor's office.

Update on NMSS Leadership Team meeting – the budget allocation not yet determined. We are told that the SIMoN program will receive funding for the necessary staff and program management.

Sanctuary Shark Fest and Celebration had a good turnout from the public.

Tami Grove – the California Coastal Commission is now accepting license plate grants

III PUBLIC COMMENT AND DISCUSSION & PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Monterey Dive Clean Up successfully removed about three tons of waste from the MBNMS.

An emerging situation is occurring with brown pelicans and gear entanglement. A recorded 200 birds in six weeks have been observed entangled in fishing line.

Beach Combers are also monitoring for pelican mortality.

Barbara Grave representing the Soquel Creek steelhead restoration project commented that we need to promote and create greater interagency cooperation. Please protect all our resources including fish.

Lydia Bergen introduced herself as the policy coordinator for the PISCO project with UCSC. Her role is to outreach to California on the results of the PISCO project, funded by Packard Foundation. Project goal is long term and interdisciplinary research; trying to understand recruitment in diverse ecosystems. She expressed that this project will benefit managers and councils across the state.

Dave Danbom representing the fishing industry (and is SAC alternate for fishing seat) commented that the public needs more education on the positive contributions that are made by the industry.

Alec Arago summarized last weeks Sanctuary Trail meeting as focused on mobilizing efforts to complete the trail. They identified current and proposed trail sites. Congressman Farr is looking for funding sources for the trail.

IV UPDATE: ALLIANCE OF COMMUNITIES FOR SUSTAINABLE FISHERIES

Erica Burton - At the Sept 10 meeting with the Alliance Reserve Group, Craig Fusaro, representing the Science Panel of the CINMS reserve process, gave a detailed overview of the scientific literature regarding the effects of reserves.

Following the meeting, the Alliance executive committee met with Bill and Holly for discussion on the Sanctuary's role in fisheries, reactions to the past letter on MLPA, and establishing a more collaborative relationship. A variety of positive recommendations were floated and we will be jointly considering which of those should be pursued.

Alliance member, Tom Canale, commented that the presentation had useful information. Reserves can increase biodiversity and can create a controlled area; the group talked about the "spill over" effect. No studies exist for that effect on the Pacific coast to date. He still has more questions than answers. He is not as enthusiastic as some. He feels the consequences to establishing marine reserves are that fishing will be blocked in one area, and we will potentially see double the effort someplace else. Also, socioeconomic issues need to be addressed. Current management is not doing well, and we are not correcting the problem by proper use of the management tool. Quotas are being lowered, and a buy back program will get industry more in line with what the resource can provide.

Julie Novy Hildesley representing the World Wildlife Fund commented that NRDC has commissioned an independent panel of scientists for a general review by region of the State's proposal for marine reserves (through the Marine Life Protection Act). Available studies on marine reserves are now posted on the WWF website.

Steve Schieblauer commented that he is forming a listserv, and has information that can be passed on regarding the Alliance group. He summarized the collaborations that could occur with the Alliance.

Tom Canale commented that we (the fishing industry) need more positive press.

Kaitilin Gaffney commented that NRDC has a website, that is in the initial stages. They have agreed to post some key studies on that website.

Matt Pickett commented that when the discussions move toward fisheries management strategies, all parties should remember that ecosystem protection is another goal that is accomplished by marine reserves.

V DISCUSSION: AFFIRM SAC PRIORITY(S) FROM AUGUST RETREAT

Stephanie Harlan gave background on the SAC's discussion at the August SAC/Staff retreat to adopt the Joint Management Plan Review (JMPR) as their priority. Other SAC members commented that this was the right choice and support the decision.

MOTION: (Passed)

The SAC adopts the management plan review as its top priority for the next two years.

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

VI DISCUSSION: ESTABLISH LISTSERV PROTOCOLS

SAC members discussed the internal issue of the SAC 1 and 2 listservs both being used to air issues. They reviewed the agreed-upon protocol that was discussed at the August retreat in Cambria and the need to formalize that policy. After further discussion, SAC members agreed upon the following motion.

MOTION: (Passed)

At the August SAC retreat in Cambria, the SAC unanimously agreed to a protocol of behavior. The recent email transmissions from David Clayton did not agree with said protocol. The SAC directs the Executive Committee to meet with David Clayton to discuss options. The SAC agreed to include a protocol for use of listservs with the pending memo Bill Douros and Stephanie Harlan will send to the SAC regarding the results of the August 2nd retreat.

Introduced by Brian Baird, seconded by Dan Haifley
(Vote: 16 in favor, 0 opposed (unanimous))

VII DISCUSSION: FIBER OPTIC CABLE PERMITS IN MARINE SANCTUARIES

Vicki Nichols led the discussion as she and Kaitilin had worked on the draft letter. Vicki went through the main bullet points of the letter. A number of SAC members offered comments such as adding language that better defined the estimated % fair market value "at a level that clearly reflects the value of the use of the special resources protected by the Sanctuary". They also discussed where that FMV money would go, if not to National Marine Sanctuary Program (NMSP). Bill responded that the monies could be allocated to other agencies above the NMSP, such as NOS or NOAA.

MOTION: (Passed)

The SAC approved the fair market value comment letter, with several revisions as discussed, to be forwarded on to the appropriate NOAA contacts.

Introduced by Dan Haifley, seconded by Vicki Nichols
(Vote: 16 in favor, 0 opposed (unanimous))

VIII UPDATE: NAPA REPORT RECOMMENDATIONS

Stephanie Harlan introduced the document, and gave some background as to its development. SAC members commented on some of the details of the text, and offered some revisions. Stephanie explained that the audience for this document was the SAC members, and she recommended linking it to the JMPR process.

ACTION: By consensus, the SAC accepts the report from the Legislative Working Group on the priorities for the NAPA Report, and referred them to the management plan review process.

IX PRESENTATION & DISCUSSION: CHANNEL ISLANDS NATIONAL MARINE SANCTUARY MANAGEMENT PROGRAM REVIEW PROCESS

Matt Pickett, Manager of CINMS gave a power point presentation. (It is available on line with the [October 5, 2001 SAC meeting agenda](#))

Matt briefly touched on the CINMS management plan review process as it relates to their Advisory Council. He discussed how the SAC gave input, what strategies worked well, and described some of the challenges and lessons learned. Here's a brief summary of those points:

What's Worked Well:

- SAC has been fully engaged in the process
- Community is very aware and involved
- Attendance at meetings (has been as high as 50-75+)
- High levels of media coverage
- Extensive public comment (thousands of letters, e-mails, petitions)
- Major issues scoped out thoroughly with SAC; especially boundary expansion
- Important assistance with data collection/review
- Partnerships and working relationships strengthened through SAC
- Informal Advice from SAC worked best

Challenges/Lessons Learned:

- SAC's decision making role in the management plan review process not clearly defined in the beginning - no prior framework as it was a brand new SAC
- SAC decided to not create management plan review subcommittee(s)
- Many of the decisions/recommendations the SAC were asked to make were too complex & divisive for such a large group of diverse backgrounds
- SAC voting on items less helpful; split votes were hard to interpret
- Information overload: exceeded SACs time or ability to read and absorb necessary information to make informed decisions
- Significant division of "camps" on SAC over key issues (i.e., boundary expansion)
- SAC not speaking with one voice on key issues
- Distrust in NOAA/CINMS -- suspect pre-determined agenda
- Process taking too long -- public and SAC frustrated

Matt gave several recommendations to the SAC, including they should consider forming a separate management plan review working group to research issues and bring back information to the SAC.

SAC members gave the following comments:

- It would be helpful for them to understand what issues are controversial, and consider identifying those as ones the SAC as a body won't focus on because they are too controversial to reach consensus.
- Headquarters will weigh the SAC opinion, and see the divergent votes.

- Some topics may be too divisive, and split votes are hard to evaluate.
- We need to find the greatest amount of common ground.
- Many diverse groups identified what they agreed upon. Some points could be discussed, some were known to be divisive.
- Go with vote for consensus as oppose to number of overall votes.
- Think about the philosophy – if we can reach agreement, that is advise too. Maybe we don't need to pursue the topic, because it may become a wedge.
- What was most effective way to get information out to public? (Notices to the mailing list before every meeting, listservs, newspapers and community calendars. Plus, SAC mechanisms.)
- Consensus could be the acclamation of the group, with no vote. Let's look at decision-making approaches for our SAC.

12:30 – 1:15PM LUNCH BREAK

X UPDATE & DISCUSSION: MANAGEMENT PLAN REVIEW

- **SAC ROLES; DECISION MAKING**
- **IDENTIFY CRITERIA FOR SELECTING MPR PRIORITIES IN FEBRUARY**

Sean Morton (MBNMS JMPR Coordinator) began by passing out new Joint Management Plan Review (JMPR) brochure. He announced the new JMPR website, and that the JMPR power point presentation will be available next week. Dates for scoping meetings will be online on the new joint website. He requested that SAC members who are interested in participating in our scoping meetings, please join the All Hands training on November 7th in Santa Cruz. He reiterated that we are very interested in SAC being involved in the JMPR public scoping meetings.

A question was asked that relative to crab season, there are fishermen who may have difficulty reaching a local scoping meeting. Will it matter where they go to give input? The reply was no, it shouldn't have a bearing on their ability to give input. The comment period will go until the end of January, and input can be given in person as public testimony at any of the 20 public scoping meetings, by letter, or email.

Sean explained that the "State of the Sanctuary Report" will be released early in November, kicking-off the comment period. Meetings will begin at the end of November through December. The February SAC meeting will be looking at what we've heard so far, and we'll need input from the SAC on those issues. We'll be narrowing down the issues, and deciding what we're not going to work on. At April's SAC meeting, we could look at frequency of meetings, getting more information, and steps needed to develop actions plans. That process takes place from April through December. In December, our schedule call for releasing a draft management plan and a draft EIS; that is a very tight schedule.

To recap the SAC's role, outreach will be very important over the next few months, as will assistance with scoping meetings, input in February on narrowing the issues, and in April, input on solving issues and developing action plans.

The SAC followed the presentation with a lengthy discussion and dialogue about how their own scoping meeting should be structured, and other management plan review topics such as:

- How SAC decision making/advice giving should happen
- Whether the SAC should do a programmatic review of the MBNMS programs, in addition to addressing issues.
- What is the best way to represent SAC member constituencies.

- How do we structure public input at SAC meetings; especially at the December 7 SAC meeting.
- Can the staff summarize issues that have been heard to date.

Public comment on this item addressed:

- The public should be here to address issues to the SAC.
- The SAC meeting is for the SAC to give input to NOAA, not the public.
- We should be encouraging people to go to the scoping meetings.
- The SAC is an important voice, and people are going to want to give input to the SAC.
- The SAC members need to reflect their constituency's perspective, a perspective that has been developed over time. Any input given a few minutes or days prior, should not change or adjust their constituency's priority issues.

Request by Stephanie Harlan – please send an email to me as to your choice of decision-making. Voting ; Consensus; or Melding both together

ACTION:

Stephanie Harlan will meet with staff and Executive Committee to identify how to structure the December 7, 2001 SAC meeting, and suggest specific roles of the SAC in advice-giving.

XI PRESENTATIONS BY SAC WORKING GROUPS RELATIVE TO THE MBNMS MANAGEMENT PLAN REVIEW

The following four working group presentations were given, led by each of the WG Chairs. Each of the presentations can be accessed online in pdf format at the [October 5, 2001 agenda](#). Additionally, MBNMS staff will provide a summary of these at the December 7, 2001 SAC meeting in Half Moon Bay.

Research Activity Panel Recommendations – presented by Chris Harrold

Conservation Working Group Recommendations – presented by Vicki Nichols

Sanctuary Education Panel Recommendations – presented by Pat Clark-Gray

Business & Tourism Activity Panel Recommendations – presented by David Ebert

XII ACTION: SET DECEMBER AGENDA

The meeting adjourned at 4:15 p.m.

Submitted by
Karen Grimmer
Monterey Bay National Marine Sanctuary Advisory Council Coordinator