

**SUMMARY AND MEETING ACTIONS
MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

**DRAFT
October 19, 2006
Santa Cruz Civic Auditorium
Santa Cruz, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Thursday, October 19, 2006, in Santa Cruz, California. Public categories and government agencies were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Dave Vincent ABSENT
AMBAG: Stephanie Harlan	Conservation: Kaitilin Gaffney
At Large: Robert Frischmuth (Alternate)	Diving: Frank Degnan
At Large: Mike Laffen	Education: Tracy Weiss
At Large: Deborah Streeter	Commercial Fishing: Thomas Canale
Business & Industry: Nancy Black	Ports & Harbors: Steve Scheiblaue
CA Coastal Commission: Charles Lester	Recreation: Dan Haifley
CA Dept. of Fish & Game: Paul Reilly ABSENT	Recreational Fishing: Howard Egan
CA EPA: Russ Jeffries	Research: Chris Harrold
CA Resources Agency: Brian Baird ABSENT	Tourism: Michael Bekker

The following non-voting members were present as indicated:
Monterey Bay NMS: Holly Price (Acting Superintendent)
Coast Guard: Kelly Vandenberg

Alternates present in audience:
Randy Herz – Diving
Cindy Walter – At-Large
Steve Shimek – Conservation
Steve Clark - Education
Anjanette Adams – Business & Industry
Harriet Mitteldorf – At-Large
Tim Frahm – Agriculture
Gary Pezzy - Recreation

I. CALL TO ORDER, ROLL CALL, APPROVAL OF MINUTES, WELCOME

APPROVAL OF 6/2/06 DRAFT MEETING NOTES

MOTION: (Passed)

The Advisory Council adopted the minutes from the June 2, 2006 Sanctuary Advisory Council meeting with the following changes from Paul Reilly:

Top page 4: (delete apostrophe in designers)
Center page 5: (deleted apostrophe in Chairs)
Top page 6: (added comma)
Center page 6: (deleted comma)

Motion introduced by Stephanie Harlan, seconded by Russ Jeffries
(Vote: 19 in favor, 0 opposed)

II. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Prepare calendars for discussion of future meetings.

III. DRAFT MANAGEMENT PLAN (DMP), DRAFT ENVIRONMENTAL IMPACT ASSESSMENT (DEIS), AND PROPOSED RULE RELEASED

Holly Price presenting.

The new Draft contains regulations, proposed rule and modifications on existing cultural resources regulation.

The 90-day comment period ends on January 5th. Tonight is the first of 6 information workshops. Not a hearing but more of an opportunity to discuss and learn more about draft management plan. Following in later November and December will be hearings in a more formal setting where public will be given time to speak / comment.

Outreach to date includes a press release, news paper and radio interviews, major news articles in reference to the workshops, 7,000 post cards with meeting information were mailed, listserves were emailed, and the JMPR website has been updated.

Additions to the MP since 2003 include: background description, costs funding scenarios, implementation timelines, performance measures, and exact regulatory language and changes to the designation document. After close of comment in January, NOAA will categorize and analyze comments. We will prepare draft responses, get approval and draft final document for release in summer of 2007. The Sanctuary is unaware of any provision for late comments.

Questions and comments by Advisory Council:

Who prepared DEIS?

Tetrattech was contracted and did information gathering and analysis. Most of the impacts were determined to be beneficial.

The Advisory Council agreed to prepare written comments using a format instituted by Channel Islands National Marine Sanctuary which identifies consensus comments of the group and its additional non-consensus comments from members.

Is the public commenting administratively to the process or to the Advisory Council?
At the hearings the public is commenting directly to NOAA. If they wish to speak to the Advisory Council they can do so at the December meeting.

Given state of affairs on budget cuts, how are the monetary costs of implementation of the Management Plan (MP) considered?

Implementation is not done all at once, but various plans will be phased in as staff times and funding becomes available. The Management Plan is a valid compendium of where the Sanctuary wants to be in the next 5 years. Some of the issues are currently being worked on, some are upcoming, and some are in the future.

What happens if there is a suggested a change to the document?

Comments (MP, regulations, and DEIS are all open to comment) will be categorized and weighed to determine a need for any change.

Comments from members:

The hard work that the SAC has put into the process was the main effort. At this point, it's our job to deliver the draft to our communities and the idea is not to reanalyze each action plan/ start over.

The efforts that went into the plan were largely the result of the multi-stakeholder working groups. Time to step back and allow the public to react.

California EPA will not be present during the December meeting. There will be a formal correspondence from the CA Coastal Commission. Other regulatory agencies will be submitting detailed comments

IV. FUTURE ADVISORY COUNCIL MEETINGS

We will not be having a joint meeting with GFNMS on December 15, but will reschedule that for February. There was discussion of this meeting needing possibly more than one day.

There are several seats coming up for re-recruitment. Typically recruitment is now, but with the DMP release, workshops, and hearings, it was determined this would be too confusing to do a recruitment now. The recruitment will be initiated in January 2007. Seats up for recruitment are: Agriculture, At-Large (x3 Seats), Business & Industry, Commercial Fishing, Recreation, Recreational Fishing, Research, and Conservation.

Steve Shimek has asked to be replaced as GFNMS Liaison. Robert Frischmuth voiced an interest in filling the role as GFNMS Liaison and the Advisory Council agreed with this shift.

V. SUPERINTENDENT RECRUITMENT PROCESS

Bill Douros presenting

Update on the MBNMS Superintendent recruitment. Paperwork is underway to get clearance to move forward on the recruitment process, possibly in 2 weeks. Following, will be a 4-week period for application submission. Afterward, interview panel will select candidates (possibly in January). This will be an open recruitment despite the fact that we currently have two viable internal candidates: Holly Price and Karen Grimmer. We historically have invited a member of the SAC (usually the SAC Chair) to serve on the interview panel.

One earlier recruitment process involved the final candidates giving a presentation to the SAC. We are not yet certain if we will do this at this time.

VI. DRAFT MANAGEMENT PLAN CONTENTS

Orientation to contents

Coastal Development Action Plans:

Brad Damitz (see DMP PowerPoint)

Coastal Armoring/ Desalination/ Harbors and Dredge Disposal/ Submerged Cables

Questions/ comments:

How does the coastal armoring plan reflect past California Coastal Commission (CCC) comments?

The plan incorporates the intent of the CCC comments on developing a pilot project but broadens it to consider many alternatives.

The problem with the redefinition of SF-12 regulations is that agencies defined it differently. Science should play an important role in dredge disposal decision. Research results will certainly be taken into consideration among other factors regarding dredge disposal regulations.

The DMP addresses the difference between cables for research purposes vs cables for commercial purposes.

Regarding consideration for a separate fee-structure for commercial and research cables: There is currently no fee-structure for research cables as it is part of the MBNMS mandate to support research.

Ecosystem Protection Action Plans:

Huff McGonigal/ Steve Lonhart (see DMP PowerPoint)

Davidson Seamount/ Marine Protected Areas/ Bottom Trawling Impacts on Benthic Habitats/ Sanctuary Integrated Monitoring Network (SIMoN)/ Introduced Species/ Big Sur Coastal Ecosystem/ Emerging Issues

Questions/ comments:

There are many issues covered in this suite of action plans. There are also huge issues that are not covered – no fishing regulations, no krill harvesting regulations, etc as a result of the process. Other agencies (Pacific Fisheries Management Council - PFMC) addressed the need for krill regulations and the regulation of fishing below 3,000 feet at the Davidson Seamount.

Partnerships and Opportunities Action Plans:

Operations and Administration/ Fishing Related Research and Education/ Ocean Literacy Building/ Interpretive Facilities

Karen Grimmer/ Dawn Hayes (see DMP PowerPoint)

Water Quality Action Plans:

Beach Closures and Microbial Contamination/ Cruise Ship Discharges/ Water Quality Protection Program

Chris Coburn (see DMP PowerPoint)

Questions/ comments:

As a result of the recent spinach issue, we need to offer Advisory Council support in order to help out farmers who are impacted by the outcomes of new food safety policies which may conflict with water quality protection.

Wildlife Disturbance Action Plans:

Marine Mammal, Seabird, and Turtle Disturbance/ Motorized Personal Watercraft/ Tidepool Protection

Scott Kathey (see DMP PowerPoint)

Questions/ comments:

A one thousand foot no flyover zone is effective in reducing noise damage and establishing sufficient physical distance/proximity to animals.

FAA charts are changed/fixed several times a year, but their focus is on pilot and passenger safety.

MPWC redefinition deals more with appearance. However, the discussion has been more on maneuverability and speed. It is easier for enforcement to identify the vehicle by telltale characteristics instead of behaviors.

At present there is no consideration in the DMP for a tow-in season (November – December, the time that tow-in surfing is most practiced).

Cross-cutting Action Plans:

Administration & Operations/ Community Outreach/ Ecosystem Monitoring/ Maritime Heritage/ Northern Management Area Transition

Erica Burton (see DMP PowerPoint)

Advisory Council Comments on the December Meeting:

It would be useful for us to commit to a comment structure – a joint Advisory Council comment on things that there is consensus over and not argue at length about things that we do not agree on. Those items can be shown as individual comments in the letter. We must commit to a process that avoids a waste of this time.

Regarding public comment at this Advisory Council meeting: We always have public comment. But Advisory Council members should tell their constituents to use the NOAA public hearing forum to voice their thoughts instead of trying to solely use Advisory Council meeting time to do this.

VII. ADJOURN ADVISORY COUNCIL MEETING AND BREAK FOR DINNER (Onsite)

VIII. ADJOURN

NEXT MEETING: December 15, 2006, HMB

The meeting adjourned at 5:45 p.m.

Submitted by Paul Chetirkin