



**GULF OF THE FARALLONES & MONTEREY BAY NATIONAL MARINE  
SANCTUARY JOINT ADVISORY COUNCIL MEETING**

**Our Lady of the Pillar Church**

Half Moon Bay, CA

9:00 a.m. – 4:00 p.m.

Thursday, February 15, 2007

Note: The following meeting notes are an account of discussions at the Sanctuary Advisory Council meeting and do not necessarily reflect the opinion or position of the Gulf of the Farallones and Monterey Bay National Marine Sanctuaries or the National Oceanic and Atmospheric Administration.

**CALL TO ORDER, ROLL CALL, REVIEW AGENDA**

Advisory Council Chairs, Barbara Emley and Deborah Streeter, called the meeting to order at 9:06 am.

**Roll Call:**

**Gulf of the Farallones Advisory Council:**

At-Large Marin/Sonoma	Dominique Richard
At-Large Marin/Sonoma Alt	Web Otis
At-Large SF/San Mateo	Brenda Donald
At-Large SF/San Mateo Alt	Pat Conroy
California Resources Agency Alt	Amy Boone
Conservation Alt	Bruce Bowser
Conservation Alt	Erin Montgomery
Education Alt	Dorris Welch
Maritime Activities/Commercial/Chair	Barbara Emley
Maritime Activities/Commercial Alt	Peter Grenell
Maritime Activities/Recreational	Mick Menigoz
National Park Service Alt	Chris Powell
United States Coast Guard	Captain David Swatland

**Monterey Bay Advisory Council:**

Agriculture Alternate	Tim Frahm
AMBAG	Libby Downey
At-Large	Margaret Webb
At-Large	Mike Laffen
At-Large	Deborah Streeter
Business and Industry	Anjanette Adams
CA Coastal Commission	Tami Grove
CA Resources Agency Alternate	Amy Boone



CA State Parks	Dave Vincent
CA Dept. of Fish and Game	Paul Reilly
Commercial Fishing	Thomas Canale
Conservation Alternate	Steve Shimek
Diving	Frank Degnan
Ports and Harbors	Steve Scheiblauber
Recreation	Dan Haifley
Recreational Fishing	Howard Egan
Research	Dr. Chris Harrold
Tourism	Michael Bekker

Non-Voting MBNMS Members

US Coast Guard	Capt. David J. Swatland
Gulf of the Farallones NMS	Maria Brown
Gulf of the Farallones Liaison	Bob Wilson
Monterey Bay NMS	Karen Grimmer

Non-Voting GFNMS Members

Monterey Bay NMS	Karen Grimmer
Gulf of the Farallones NMS	Maria Brown
Cordell Bank NMS Alternate	Rowena Forest
Monterey Bay Liason	Robert Frischmuth

MBNMS Alternates present in audience:

At-Large	Robert Frischmuth
Diving	Randy Herz
Gulf of the Farallones NMS	Brian Johnson
CA Dept. of Fish and Game	Susan Ashcraft

Copies to/Absent GFNMS:

CA Resources Agency	Brian Baird
Conservation	Bob Wilson
Conservation	Richard Charter
Education	Bob Breen
National Park Service	Brian O'Neill
Research	John Largier

Gulf of the Farallones National Marine Sanctuary Staff

Maria Brown	Sanctuary Superintendent
Brian Johnson	Deputy Superintendent
Kelley Higgason	Sanctuary Advisory Council and SSCP Coordinator
Irina Kogan	Ecosystem Protection Specialist
Karen Reyna	Ecosystem Protection Specialist



### **Review Agenda:**

GFNMS Recruitment update added.

Agenda approved.

### **MBNMS Recruitment**

MBNMS At-Large Primary/ Advisory Council Chair Deborah Streeter handed out the recruitment schedule and explained the process: On Jan 31<sup>st</sup> letters were sent to 142 organizations regarding the recruitment process, recommendation process, inviting members of the public to come and recommend candidates they would like to nominate. New members will be sworn on April 20<sup>th</sup>. Once applications are in and as soon as recruitment closes, packets will go out to Advisory Council members for review.

### **GFNMS Recruitment**

GFNMS Superintendent Maria Brown reported that the Advisory Council now has three new members:

- Community-at-Large SF/San Mateo, Alternate- Pat Conroy
- Education Alternate- Dorris Welch from the Oakland Museum
- Research- John Largier from U.C. Davis, Bodega Marine Laboratory
- For the Maritime Activities/Recreational Alternate, the sanctuary had chosen someone but they were a government employee so they could not serve, we will readvertise

### **A Vision for the GFNMS and MBNMS Advisory Councils**

GFNMS Chair Barbara Emley, expressed hopes of developing agenda items for future meetings and to get to know each other better.

Maria Brown, GFNMS Superintendent, wanted to know what our vision is for next year, 5 yrs, 10 yrs, what do we hope to achieve from these meetings?

Karen Grimmer, MBNMS Acting Superintendent, discussed the tremendous amount of knowledge and expertise at this table, and that we can tackle many issues together, come up with ideas and recommendations, but need a spokesperson to report our findings.

Council members were broken into groups to do a team-building exercise to come up with possible topics of discussion for future meetings.

### **Group 1- Lead: Paul Reilly**

4 issues:

- Mavericks
- Water quality- MBNMS staff have good relationship with the agriculture community in the Salinas area, has been discussion of transferring water quality issues in Northern Management Area (NMA) to GFNMS SAC, work on developing new relations with MBNMS SAC, query that could have impact on Esteros
- How to exchange info, liaisons, annual meetings, what about in the meantime? ad hoc committees and sub committees, how do we coordinated sub committees to exchange info?
- MLPA- moving north



**Group 2- Lead: Peter Grenell**

- Assessment of NMA administration, is new arrangement effective, what are constituency views, is the NMA getting the resource that were identified as needed
- Joint MPA, what are the next steps, both state and federal process
- How to reach the public more effectively
- Visitors center in this area, is there something that could be done to make this a reality
- A review of oil spill response capability, is there a need and feasibility of something closer on the coastside than San Francisco
- More responsive to problems of fisherman and the fishing industry, take a different tack in working toward identifying solutions to problems that the fishermen face, try to reduce the perceptions of conflict
- One-year moratorium on anything on Mavericks Surf Contest

**Group 3- Lead: Erin Montgomery**

- Hear more about how staff works together on various issues
- More clarification on how to coordinate the NMA
- Talk more about issues we have in common other than the NMA, i.e. water quality in general
- Strengthen communication between SACs year round, reinforce importance of liaison, more communication between seats that are the same on each SAC, discussion at next meeting on seats they have that the other does not
- More productive joint meetings, get briefings prior to meetings and then discussing

**Group 4- Lead: Brenda Donald**

Focused on goals

- SACs to learn from each other, good example is water quality working groups for both SACs, do as a cross cutting issue
- Take advantage of expertise on SAC to present to constituents and policy people
- Go after real policy issues or better understand local issues
- Understand how NMA actually works
- More outreach, publicity, input to the SAC, come together on critical issues, come up with a plan or model
- Coordinate small NGOs, become clearing house
- What does staff want from SACs?

**Group 5- Lead: Margaret Webb**

- Is there a value? Maybe there is a more efficient way to exchange info, seats and working groups exchanging information, would like to know methodology in each councils decision making process
- What is role of the SAC? MBNMS management plan is a million issues, some SACs focus on a single issue for a year, maybe we focus on one or two cross-cutting issues
- What is consensus and is that important, understanding how we come to a decision as a group, functional vs. non-functional groups

**Comments:**



Bacteria contamination on beaches could be considered an epidemic on the San Mateo coast. It is good to work on this issue with both Advisory Councils having so much expertise and diversity. Local groups could learn a lot from us and we could learn from them. There is a need to be more aware of local initiatives, a more specific focus than simply a generic water quality approach.

There was interest in discussing details on communication within the NMA. When the NMA was formed, Advisory Councils were not given a choice about having this meeting, as headquarters required it.

Water quality as a subject is too broad. We need to gather info and present it to the public, if we picked a specific issue we would have better public participation, This can be aided by the public gaining a better understanding of the role of the Advisory Council.

Its a timeframe issue, people get tired, only involved when they see it as a crisis, if we don't have a product they are not satisfied.

The Advisory Council has 2 roles: 1) To advise sanctuary management 2) To inform and listen to the public. We need to pick an area and focus in on things to do that can lead to recommendations and actions.

Local OSPR staff could present at next joint meetings to increase the CDFG role.

The NMA may involve a different way of discussing up and down the coast issues, blending all into one: we need to pick an issue- look at San Mateo county specific and big cross-cutting issues that involve both sites such as off-shore oil drilling, confusion on NMA, improved communication between Advisory Councils.

We need to decide if it is feasible for us to work together throughout the year. There needs to be more about what we can accomplish in one day.

Maria Brown. GFNMS Superintendent expressed her vision that the Advisory Councils can come together for a day and make a significant accomplishment, it doesn't have to be a huge document, it can be resolutions. For example, the seismic testing joint resolution ended up getting national attention at the Advisory Council Chairs and Coordinators meeting. The resolution was stronger because we came together instead of acting separately. On big issues we want to have a common voice. It is important to facilitate clear communication between Advisory Council's. MBNMS has trust that we are doing the right thing and our staffs are working very well together.

Have Sanctuary staff provide updates in written form to Advisory Councils, and allow time at meetings to discuss the updates. The public would be interested in these updates, dedicate at least one hour to them.

**\*\*Action Item for next joint meeting\*\***

- Begin with a one-hour update on NMS issues and projects.
- Focus on one to two issues for discussion.



- Provide background information ahead of time.

### **Public comment**

Bonny Van Heiss (representative for Sam Farr) gave Washington DC updates:

- The Library of Congress has a new site: Thomas.loc.gov where you can enter a bill number, word or phrase.
- Regarding the budget for FY08, the office deadline to submit requests is March 1<sup>st</sup>. FY07, the Continuing Resolution has not come out of the Senate and is extended through September 2008 with level funding only.
- Sanctuaries HR1712 will be reintroduced. The bill involves the expansion of Gulf of Farallones and Cordell Bank sanctuaries, prevents aquaculture, oil and gas drilling, and cruise ship dumping.
- Congressman Farr also helped to establish a disaster relief fund, has a bill in process for a longer term solution, and has worked several other ocean related bills.

### **Maverick's Surf Contest Presentation**

(Given by Irina Kogan, GFNMS Ecosystem Protection Specialist – see presentation at <http://farallones.noaa.gov/manage/sac.html>)

#### **\*\*Action Item\*\***

Margaret Webb proposed that the MBNMS SAC write a letter to NOAA requesting NOAA Law Enforcement be present at these events. Seconded by Mike Bekker. All in favor. Margaret will draft the letter over lunch and we will revisit it after lunch. This should be faxed as the contest could begin tomorrow.

#### **Comments on Maverick's:**

The Sanctuary needs to be quick to address unacceptable behavior during this event where there are repeated cases of wildlife disturbance. A slap on the hand letter after the fact is not good enough. Last year a helicopter did disturb wildlife. GFNMS reported this to NOAA law enforcement. A warning was issued and fines will be imposed if there is a second violation. NOAA office of law enforcement said they will not have an officer present during this year's contest.

Is it possible to film the event using a blimp instead of a helicopter? It worked well for an AT&T event and didn't seem to disturb wildlife.

How do you close tidepools without law enforcement?

Two options: 1) voluntary closure 2) regulatory closure. Voluntary closure is simply asking public to not go out on tidepools. This will be implemented this year and based on how well this works, GFNMS will determine what to do next year.

The Coast Guard will also have an increased presence at this year's contest to help the Sanctuary to help the public follow guidelines.

What happens if other groups have already made plans to tidepool with students and the contest overlaps or it is determined that there would be a tidepool closure as a result of the contest?



The kind of barricades that Mavericks Surf Ventures (MSV) use and where will be determined at the time based largely on what works best where.

As a for-profit entity, these companies should offset any costs for the sanctuary in terms of staff time, materials, resources, etc. The reason this isn't happening is that the GFNMS recommended actions are voluntary. If the management plan is approved and there is a permit process, financial compensation can then be levied. The surf contest does not need a permit from the sanctuary to conduct the contest.

Crowd control was a big problem last year and the dog problem in particular was not addressed. Perhaps we can request better dog control in the MSV email blast and a reminder regarding the laws of use of the Mavericks area.

## LUNCH

### **\*\*Action Item\*\***

Finish Mavericks Draft Letter to NOAA Law Enforcement. (See attachment)  
Vote to accept draft and send – unanimous

### **Report on November 2006 Pacific Fisheries Management Council Meeting (PFMC)** (Deborah Streeter, MBNMS Advisory Council Chair, and Irina Kogan, GFNMS Ecosystem Protection Specialist)

The meeting was a round table discussion between PFMC and West Coast Regional Sanctuaries staff and representatives. Summary issued by the PFMC of this meeting is the report (see attached PFMC letter to NMSP). Main messages were to reinforce proactive communication; general discussion of enhanced communication by hosting these types of meetings. This was a big meeting, a lot of interest, and many participants showing that this was a meaningful gathering of two councils bringing important topics to the table for discussion.

### **2007 Sanctuary Advisory Council Chairs and Coordinators Meeting - Regional Case Study**

Different regions have been asked to present a case study. Suggested that the regional case study focus on the relationship between PFMC and NMSP (West Coast Region). The west coast sanctuaries met by conference call and agreed (with each Superintendent) to make this the case study. Olympic Coast agreed to present at the annual conference.

There seems to be a split in how this relationship should work. So even though we agree to have these meetings, the true feeling is not one of complete trust. Where its ultimately going is that there is a need for both groups to communicate better and this affords such an opportunity. This was also an educational opportunity for PFMC to understand how Sanctuaries and Sanctuary Advisory Councils are run.

As an advisory council we are not a board or management council – that is we offer our opinions and advice.





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### **Seabird Colony Protection Program Update**

(Given by Karen Reyna, GFNMS Ecosystem Protection Specialist – see presentation at <http://farallones.noaa.gov/manage/sac.html>)

### **Marine Life Protection Act Update**

(Update by Susan Ashcraft)

Duties have shifted and MLPA process person (Susan Ashcraft) will now give updates. Will have another hearing March 2nd for alternatives to the regulatory package. The final adoption decision will be in Bodega Bay. Just finished a two-page fact sheet that will help to clarify the situation during this interim process. The plan for monitoring this network on the central coast involves a peer-review program that will feed into a master program and will be available to the public eventually. The Ocean Protection Council and Sea Grant are working on funding proposals.

New study region includes north central coast (north of Point Arena to north of Pigeon Point). New regional stakeholder group has yet to be formed. Regional workshops to facilitate broader public input will also be planned upon group formation. Solicitation of nominations begins tomorrow and runs for one month. Regional Stakeholder group and Science Advisory Team hope to be formed thereafter. Regional profile should be ready by March.

### **Comments:**

This should have more time on the agenda as this process is extremely difficult. This is a good summary, but there is much more happening. It was ruled that there were offline meetings or those improperly noticed or without public notification. Puts into question science guidelines, evaluation criteria, etc. This will cause uproar in that process and is beginning to unfold.

### **Sanctuary Boundary Expansion Update**

(Update by Erin Montgomery, GFNMS Advisory Council Member and Maria Brown, GFNMS Superintendent)

Last year a bill proposed by Representative Woolsey to extend the GFNMS boundaries didn't receive a hearing. It is being reintroduced with a new extension to the 39<sup>th</sup> Parallel, just north of Point Arena. The GFNMS SAC requested the MBNMS SAC to support the boundary expansion bill. The GFNMS SAC sent a letter of support to have Davidson Seamount designated.

### **\*\*Action Item\*\***

Richard Charter, GFNMS Advisory Council Member, will forward the new expansion bill to the MBNMS Advisory Council for review.

### **MBNMS and GFNMS Superintendents' Update:**

(Update by Karen Grimmer, MBNMS Acting Superintendent and Maria Brown, GFNMS Superintendent)

Both Sanctuaries are currently in a final push to address the comments received from the public and to respond. This should take place in the next two months. We will send the revised management plans, response to comments, and any revised regulatory changes to headquarters





for review and then NOAA general council, for a final signing off by September in order to get it to Congress by October (while still in session) for final approval.

Regarding the budget, FY07 is still not yet known. The President has announced the budget for FY08, which is \$44 million, with \$8 million earmarked for the Papahānaumokuākea Marine National Monument, leaving \$36 million for the rest of the program. This is still under the \$51 million received in 2004 and 2005.

The *Fulmar* will be seen a lot in the next few months. Staff passed out a hand out with information on the boat, which serves MB, GF and CBNMS. MBNMS took possession of the *Fulmar* in August and had a dedication in December. The boat has done a number of marine mammal and monitoring missions to the Gulf of the Farallones.

*Fulmar's* schedule is in development with most of her 180 days filled by staff projects (155). Another 25 days were offered via request for proposals. 90 days were requested in total with four projects approved thus far.

### **West Coast Region Update**

(Update given by Bill Douros, West Coast Region Director, NMSP)

Bill was the MBNMS Superintendent for eight and a half years, and is now West Coast Region (WCR) Director (officially appointed September 2006). The Regional office is in Monterey near the harbor, and is responsible for all west coast sanctuaries. The Regional office concentrates on the protection of these sanctuaries by building coordination within the sanctuaries as well as coordination with other agencies. When headquarters is looking for answers or volunteers he can deal with that instead of site superintendents, improving overall national program implementation.

There will be more communication and collaboration between the five west-coast sites, as we move away from five separate sites to five sites working together, meeting 1-3 times per year, and having monthly conference calls. The WCR has helped with completing JMPR documents, ensuring that comments are organized and collated, allowing three sites to focus on their comments. It played a similar role during the Channel Islands management plan, and is also involved in the Channel Islands marine reserves process.

The Macon project was organized by the WCR, which plans on doing a cultural mission every year.

The WCR has asked education coordinators for the five sites to come up with needs and an overall assessment of education in the region. It is also involved with regional ocean governance initiatives, identifying the need for more integration regionally on ocean issues and the need to consider ocean biodiversity, and with a tri-state working agreement, with representatives to bring together federal and state coastal managers in March.

### **Comments:**

The question was asked if there is a list of criteria used to assess 18,000 JMPR comments? How do you decide what gets modified in the plans?



The 18,000 comments have been taken and spilt into groups, which will now go out to the sites to evaluate and reply. The sites will then review every comment, and carefully consider the different perspectives and comments. Staff experts evaluate, and then decide if there will be a change or no change.

**Announcements:**

March 3<sup>rd</sup> Sanctuary Currents research symposium: This is a free event at California State University Monterey Bay and the theme is “Ocean Observing Systems.”

California Department of Fish and Game would like to request that GFNMS add a seat for a state representative for CDFG as they now have more staff and could serve on the council. Susan Ashcroft will now be the primary, and Paul will be the alternate for MBNMS.

**Upcoming Meetings- GFNMS**

- April 19, 2007                      San Francisco
- July 12, 2007                        Point Reyes
- October 11, 2007                  Fall Retreat
- December 14, 2007                Pacifica

**Upcoming Meetings- MBNMS**

- April 20, 2007
- June 15, 2007
- August 17, 2007
- December 21, 2007