



**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. – 4:30 p.m.

Friday, February 15, 2008

The Advisory Councils for the Gulf of the Farallones (GFNMS) and Monterey Bay (MBNMS) National Marine Sanctuaries met jointly, on Friday, February 15, 2008, in Half Moon Bay, California.

I. CALL TO ORDER, ROLL CALL

Advisory Council Chairs Richard Charter and Deborah Streeter called the meeting to order at 9:06 am.

Roll Call:

MBNMS public categories and government agencies were presented as indicated:

Agriculture Alternate	Tim Frahm
AMBAG	Emily Reilly
At-Large	Margaret Webb
At-Large	Mike Dawson
At-Large	Deborah Streeter
Business and Industry	Samuel Hale
CA Resources Agency Alternate	Amy Boone
CA EPA	Russ Jeffries
CA Dept. of Fish and Game	Susan Ashcraft
Commercial Fishing	Kathy Fosmark
Conservation Alternate	Kaitilin Gaffney
Diving	Randy Herz
Education	Shauna Potocky
Ports and Harbors	Linda McIntyre
Recreation	Gary Pezzi
Research	Dr. Chris Harrold

The following non-voting members were present as indicated:

US Coast Guard	Capt. David J. Swatland
Channel Islands NMS	Chris Mobley
Cordell Bank NMS	Dan Howard
Gulf of the Farallones NMS	Brian Johnson
Monterey Bay NMS	Paul Michel

Alternates present:



At-Large	Robert Frischmuth
Diving	Randy Herz
Gulf of the Farallones NMS	Brian Johnson

GFNMS public categories and government agencies were presented as indicated:

At-Large Marin/Sonoma	Dominique Richard
At-Large SF/San Mateo	Brenda Donald
At-Large SF/San Mateo Alt	Pat Conroy
Conservation	Bob Wilson
Conservation	Richard Charter
Conservation Alt	Bruce Bowser
Education Alt	Dorris Welch
Maritime Activities/Commercial	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

The following non-voting members were present as indicated:

Monterey Bay NMS	Paul Michel
Gulf of the Farallones NMS	Maria Brown
Cordell Bank NMS	Dan Howard
Monterey Bay Liason	Robert Frischmuth

Copies to/Absent GFNMS:

California Resources Agency Alt	Amy Boone
California Resources Agency	Brian Baird
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 SPCP Coordinator
Irina Kogan	Ecosystem Protection Specialist
Karen Reyna	Ecosystem Protection Specialist
Carol Preston	Education Coordinator
Jan Roletto	Conservation Science Coordinator
Sarah Ratzesberger	SCPP Outreach Specialist and Administrative Support

Agenda Review (GFNMS):



The following changes for the agenda were approved:

- April GFNMS meeting will be held on 4/18/08.

II. Separate Meetings of the GFNMS and MBNMS Advisory Councils

A. GFNMS Marine Life Protection Act Update and Discussion

The second iteration of the Regional Stakeholder Group proposals are further along than in the Central Coast process at this time and are geographically converging with only subtle differences in shape and in the types of take allowed in marine conservation areas. There will be one last chance to modify the proposals, which will be finalized on March 18th or 19th, after which the Blue Ribbon Task Force will pick a preferred alternative. There has been discussion on the use of special closures. These were not used on the central coast, and exist at the Farallon Islands and Channel Islands, with the intent of protecting with the intent to protect seabirds and marine mammals.

Staff has been attending Blue Ribbon Task Force (BRTF) and Science Advisory Team (SAT) meetings and has given public comment and provided information on disturbances to provide to the BRTF. Staff has also hosted a sub-committee to discuss special closures. They hosted two conference calls, one with NOAA and the other with the Department of Interior and continue to respond to information requests on sanctuary resources.

Discussion

- Barbara Emley stated there are just as many vessels from Pillar Point as San Francisco (referring to the Duxbury reef area). She asked why crab was given a low level of protection rating by the Science Advisory Team (SAT)?
- Irina Kogan replied that the SAT determined that the salmon fishery results in low bycatch, and there are not big ecological impacts to the actual MPA. Crab pots impact habitat, and crabs do not move as much so there is more impact to a particular area.
- Barbara stated that crabbers move their pots all the time.
- Irina Kogan stated there were discussions for each fishery that can be referenced. Also, the SAT said there needed to be more sandy bottom habitat. It is getting less attention than other habitats.
- Mick Menigoz asked if Cal Fish and Game weighed in on whether or not they can issue permits? He was told there was no provision for a permit.
- Irina Kogan replied that the agencies will get together to figure this out.
- Mick Menigoz stated that we can't accept that.
- Richard Charter stated that special closures may take longer, they are not on the same time table.
- Irina Kogan asked the members what they thought about GFNMS staff voting on packages.
- Barbara Emley stated we discussed this at the last meeting and decided GFNMS would not vote.
- Richard Charter stated that since then there has been a new request. MLPA staff feel GFNMS should have voting rights.



- Barbara Emley asked on what basis would they vote? We have management plan in areas where we want marine reserves, these are not them. Staff would be making independent decisions outside of work we did in the management plan.
- Bob Wilson stated that all the other agencies participate.
- Karen Reyna stated we have participated a lot, providing information that no one else has. This information has helped the process make key decisions. We can continue to talk about each package and issues that we care about and want to see go forward, and what we need to do to help make packages as good as they can be. Choosing a package may not be the best course of action. One benefit we've had is talking about the needs of all the packages.
- Barbara Emley and Peter Grenell concur with Karen.
- Richard Charter stated that the other possibility is that between the next Regional Stakeholder Group (RSG) meeting on 3/4 and the 3/19 RSG meeting we could have an Advisory Council evaluation of the maps, we could look at them and give guidance.
- Both Bob Wilson and Barbara Emley do not want to do this.
- Irina Kogan stated we are not saying at this time we would vote, we want to make sure our resources are considered, i.e. seabirds, so everyone has the benefit of that information.
- Brenda Donald asked if the sanctuary is asking for the authority to make a recommendation?
- Karen Reyna replied currently we speak on each package, not saying one is the best. We have internal staff discussions to evaluate them.
- Irina Kogan stated we would comment verbally.
- Peter Grenell stated the approach is similar to the SAT.
- Richard Charter stated it makes sense that GFNMS would vote, but it won't make or break the packages. Some of the most important resource complexes are the Farallon Islands, Point Reyes, Point Arena, etc. He asked the members if there are there any strong objectives to the role the sanctuary has had so far.
- Barbara Emley stated the sanctuary's role has been good thus far.
- Bob Wilson stated the sanctuary needs to participate more, and not just in discussions. That's what Ken Wiseman wants.
- Barbara Emley stated there is a level of contention just in this small group, and can foresee what will happen. She does not want the fishing community to blame the sanctuary.
- Karen stated there is a difference between the way we participated before and the way we are participating now. We need to look at the packages and provide feedback, that would still be discussion but with some opinions and evaluation.
- Peter stated it would be reasonable for the sanctuary to say here's the information and explain what it means to the sanctuary.
- Richard stated the fisherman wouldn't blame the sanctuary. They are in the room. We should not silence some of our best information sources.
- Barbara stated that it works better when the sanctuary is not pushing their weight around. The fishing community is happy with how it has been.
- Irina Kogan stated she is comfortable with this guidance. The sanctuary will provide evaluation, and discussion how each package fits with respect to sanctuary resources.



- Barbara Emley stated she wants to know more about crabbing not being ranked higher, is it too late to discuss this?
- Richard Charter stated that the SAT meeting notes are archived on the web and they can be referenced. There was a lot of discussion and dispute among the scientists regarding these rankings.

B. MBNMS Marine Protected Areas Update and Discussion

Michael Weiss, Deputy Director for the Office of National Marine Sanctuaries, was present and provided the following opening comments. Marine Protected Areas (MPAs) are important for future management investment of this place. They tier off what the state had the foresight to do and builds a foundation for the uses for our children and their children.

There is a robust stakeholder process with commitment from both the regional and national levels. We are committed and accountable to make those resources available. If at the end of the process we do set up areas, we need to make sure there is monitoring and enforcement and that we are upholding the efficacy of these areas.

Paul Michel, MBNMS Superintendent, addressed several items in a question and answer session. Among topics discussed, he addressed that for a separate public science panel, members would be drawn from science members on the working groups and would also look for suggestions. The working group process and timeframe should be nailed down during the April Advisory Council meeting. It was expressed that the member selection should be a public process, though there was some concern that the process will be difficult due to the Marine Life Protection Act (MLPA).

Though there was some dissent with the progress, most were happy with the decisions and that the process was moving forward and many pledged future support. However, some felt that the timeline was a bit too ambitious and that a full 18 months would be needed instead of the projected 6 months so that socioeconomic impacts, particularly on commercial fishermen, could be more fully investigated.

Public Comment

Citizens of Help expressed concerns on light brown apple moth spraying and would like to consider it as a future agenda item. They are concerned about potential ecology hazards. The dead birds may be related to apple moth sprays as 750 dead birds have been counted so far, and 2300 were also reported the day after the spray. Additionally, yellow foam has been found on decks and kayaks in addition to normal ocean foam. They would like to present formally their data some time in the future.

Brian Overfelt and Darren Bingham both mentioned serious beach erosion problem in their communities in El Granada. The beaches are eroding at a rate of 2 ft. per year, so some kind of beach nourishment is needed.

Save Our Shores announced a creek clean up in March and asked for anyone interested to please volunteer.



III. Oil Spill Response GFNMS, MBNMS, and CBNMS staff involvement and Safe Seas

Lessons/Recommendations

A presentation was given by Irina Kogan, GFNMS Resource Protection Specialist, and Scott Kathey, MBNMS Regulatory/Emergency Response Coordinator and is available at <http://farallones.noaa.gov/manage/sac.html> and <http://montereybay.noaa.gov/sac/2008/021508/agenda.html>

Beach watch monitoring will be used to help out with responses, though surveys need to be held off for the time being as the potential for an impact on harbor seal pupping is too great.

Discussion

- Capt. Swatland stated that the recent oiling was determined to be a natural seep off San Mateo within 42 hours. They are working on how to identify the origin of oil as soon as possible
- Tim Frahm asked what do you do when you see oil? He stated we need better public outreach regarding the process.
- Brenda Donald asked if clean ups were performed for natural seeps?
- Capt. Swatland stated that normally the Oil Spill Trust Fund will be opened to help clean up.
- Bob Wilson asked if it was from the *Lukenbach*?
- Irina Kogan answered no, a command post was set up in Pacifica for the recent event. A number of samples taken all came back as the Monterey Formation.
- Shauna Potocky stated we need to figure out ways to acknowledge all the volunteers. They will be holding an oil spill response appreciation day at the Seymour Center in Santa Cruz. She has flyers and can also email the information. She also encouraged everyone to get trained as oil spill response volunteers. You can do this can through the Oiled Wildlife Care Network and others.
- Mike Dawson stated this was a small spill, what happens when a super tanker dumps? It takes everyone plus 50 more. There are a whole different set of problems with large spills and we must think of that.
- Bob Wilson stated that one lesson learned was the staff cannot respond to these spills alone. They need more volunteers to help, and we need repetitive training for the volunteers.
- Margaret Webb stated we have the Beach Comber program in place but Hazmat has not been added to the training. She would like MBNMS to add this onto the Beach Comber training.
- Scott Kathey stated there is a longer list of lessons learned. Monterey Bay will look at that. The Beach Comber volunteers volunteered with certain expectations. This requires a commitment to be called out on a moments notice. We will look at whether we build on this or have a separate program.
- Chris Mobley stated that in Santa Barbara the fishing industry gets trained and is paid in the event of a spill. They have a lot of expertise. We should take a look at how the maritime industry is being engaged and invest in it appropriately.



- Barbara Emley stated that 20 boats were used in San Francisco Bay. The fishermen worked for four days. We were available in Half Moon Bay and Bodega, and we could have gone out but we were not deployed. The clean up company put a HAZWOPER trained person on board so the captain could make decisions as well. There was no way in the chain of command to get fishermen out to the ocean.
- Capt. Swatland stated the fishermen were not part of the area contingency plan. We will be reviewing and rewriting the plan and it will include more volunteer training. We will also work to include local level government (county, etc.). The plan needs to include local communities as USCG and contractors can't be everywhere at once. Local communities will have to take some responsibility for coasts though such as buying gear, and maintaining it and trainings at the local level. USCG has to have a prioritized list. The Unified Command cooperation was wonderful from all stakeholders. Unified Command has developed an outreach program. Local governments, organizations, etc. can get this presented to a group.
- Richard Charter stated the amount of work that staff contributed is understated. You can't accurately communicate this to the public. This is a wake up call. This was the fourth spill in San Francisco Bay. We are getting better at some things (wildlife) but we are not getting better in prevention. This part that falls on the sanctuary and the councils to be better prepared. In Monterey Bay a spill would just keep circulating around.
- Capt. Swatland stated the USCG run committee meetings where the Area Contingency Plan is being drafted are open to the public and happen quarterly. He also stated that spills like this become a risk issue. There is not enough funding to have enough equipment to handle a million gallon spill in every port. Everyone must keep a minimum amount, and the other stuff has to come in from elsewhere. Changing regulations to require more than this minimum still won't be nearly enough. The key is prevention.
- Margaret Webb stated that industry should be more responsible for prevention and developing cleanup techniques for sensitive areas.
- Irina Kogan explained what agencies have what roles: USCG is the federal lead on response, we were involved in the environmental unit, wildlife rescue, and NRDA.
- Shauna Potocky asked if the advisory councils can help bring awareness to the need for more funding?
- Capt. Swatland answered we cannot make recommendations on making legislation.

IV. Update on response and Natural Resource Damage Assessment (NRDA)

A presentation was given by Jan Roletto, GFNMS Research Coordinator, on the Natural Resource Damage Assessment looking specifically at short-term and long-term damage, and is available at <http://farallones.noaa.gov/manage/sac.html> and <http://montereybay.noaa.gov/sac/2008/021508/agenda.html>. Posters around the room were published in the past month from 3 different meetings on damage assessment.

Discussion:

- Robert Frischmuth stated that preventative measures must be taken. There should be higher standards of design for ships traversing into San Francisco and a higher level of competence for crews and their training. We need research data on resources for cleanliness. This should be put in a format that can go to Congress and insurance companies to show the consequences of a spill.



- Laura Kasa asked what is the level of preparedness in Monterey? What can Save Our Shores do to help with preparedness?
- Scott Kathey answered that there is an oil spill response plan for Monterey. This spill has given us food for thought. Safe Seas was a good preparation and opportunity for staff training. The training must be continued. We have limited resources and people. We will not do it by ourselves and we are prepared, yet you can never be totally prepared for this type as well as a larger spill. Volunteers need to be trained and know how to plug in. Untrained volunteers may get in the way – so in any response, volunteers need to be trained.
- Irina Kogan stated community efforts to clean areas can sometimes hamper the shoreline assessment crew efforts, as well as future funding.
- Capt. Swatland stated that the advisory council can help identify issues with volunteers. They could be doing more harm than good. Let them know the organized approach.
- Bob Wilson stated communities are going to turn out. The sanctuary had to shut down for two months, and that is not good. We need to find ways to train the community and work them into the plan.
- Barbara Emley asked how can you assess for the future? For example with crabs present during the spill, they may end up being harvested?
- Jan Roletto stated we've sampled a lot of different habitats, although this is very challenging. If you find oil, let us know and we can work it into assessment.
- Kaitilin Gaffney stated that state legislation has been introduced, for improved technology for example. She can circulate this language. On issue of volunteers, MBNMS or Save Our Shores could train a volunteer base.
- Richard Charter stated a wildlife response bill has been introduced at the state level (this is one out of five total). This bill preserves the chain of custody to move animals through more effectively. There are two bills in Congress as well. We can promote the seven bills individually.
- Dorris Welch stated that hair and fungi can also be used to clean up oil.

Draft Resolution

The council's were presented with a Draft Resolution commending all GFNMS, CBNMS, and MBNMS personnel and volunteers who worked as a unit for many hours throughout the *Cosco Busan* oil spill.

Kathy Fosmark would like to add further language from the sanctuary designation document. Kelley Higgason will add this to the draft resolution and the advisory councils will review after lunch.

V. Seabird Colony Protection Program

A presentation was given by Karen Reyna, Resource Protection Specialist/GFNMS, and is available at <http://farallones.noaa.gov/manage/sac.html> and <http://montereybay.noaa.gov/sac/2008/021508/agenda.html>. The goal for the Seabird Colony Protection Program is a 20-year campaign to build stewardship ethics to ocean users and pilots about seabird disturbance.



Metrics for success is measured through incident reporting and outreach numbers. Karen Reyna stated we expect incident reporting to increase with more outreach. The program also counts how many people are reached through outreach.

Draft Resolution

The councils reviewed the Draft Resolution with the amendments offered by Kathy Fosmark and Henry Leinen. MBNMS Chair, Deborah Streeter, suggested that the councils defer the amendments until their next meetings and consider approving the original resolution. GFNMS Chair, Richard Charter, agreed with this.

Move to approve the original Resolution:

Motion– Chris Harrold

Second- Russ Jeffries

Motion carried unanimously

VI. West Coast Regional Update

A presentation was given by Bill Douros, West Coast Regional Director, and is available at <http://farallones.noaa.gov/manage/sac.html> and <http://montereybay.noaa.gov/sac/2008/021508/agenda.html>.

- CINMS gave a great presentation on MPAs last week. Bill urged the councils to request a presentation at a future Advisory Council meeting. CBNMS is working hard on tagging albatross to better understand this and other species. GFNMS has reported on all their hard work for the *Cosco Busan* oil spill. All three sites have worked on many exciting projects together.
- The California Coastal Commission asked for a consistency hearing on the vessel discharge issue. Bill had a brief update on the status of the JMPR, including the management plan edits, response to comments, EIS, and Final Rule. All documents will be shipped together to NOAA for final review and clearance process. Public review helped on clearing up any discrepancies between the plans and the documents.

Discussion

- Brenda Donald asked about Surf Rider's comments on the tow in zone at Mavericks that was proposed to the Coastal Commission. Will this go through public review again?
- Bill Douros replied that the plan is not to circulate the documents again. We have been dealing with zones to assess jet ski use, and recognized that Mavericks is a special zone, therefore we are not legally required to re-circulate and we don't feel we need to reopen it at this time.
- Barbara Emley asked what is the MPA Centers role?
- Bill Douros replied it's a NOAA office set up by an executive order to analyze the science for setting up a national network of MPAs. They have been focused on a west coast pilot project to look at six elements: ecological, maritime heritage, human use, etc. It is several years from being completed.
- Richard Charter stated the observation system numbers were one of the reasons the *Cosco Busan* trajectory was so accurate. Also, this week, a subcommittee of the House Natural Resources Committee marked up HR1187 (sanctuary boundary expansion bill).



VII. 2008 Sanctuary Advisory Council Chairs and Coordinators Meeting Update

The Advisory Council Chairs and Coordinators discussed oil spill response preparedness and wave energy as an alternative energy source as possible west coast regional topics.

Resource Protection

VIII. Maverick's Surf Contest

A presentation was given by Irina Kogan, Resource Protection Specialist/GFNMS, and is available at <http://farallones.noaa.gov/manage/sac.html> and <http://montereybay.noaa.gov/sac/2008/021508/agenda.html>.

The Maverick's Surf Contest was held January 12th this year, and discussion was raised to whether the presence of the event, including any personalized watercraft and boats, had any impact on the numbers of birds and marine mammals in the area. Though some dead animals were reported, there did not seem to be any direct correlation between them and the event.

IX. Conservation Science

SIMoN Expansion

A presentation was given by Brian Johnson and Andrew DeVogelaere and is available at <http://farallones.noaa.gov/manage/sac.html> and <http://montereybay.noaa.gov/sac/2008/021508/agenda.html>.

X. Sanctuary Exhibits

MBNMS

- Dawn Hayes, Education Coordinator, MBNMS provided an update on the Santa Cruz Visitors Center.
- 1st floor - classroom, restrooms, gift shop, small catering kitchen
- 2nd floor - sanctuary and ONMS introduction, water, geology, theater (some live, some pre-produced video, can do evening events as well), biodiversity, a tide pool area (all dry, will not be living organisms) will be interactive; kelp habitat, will use this area to talk about marine reserves as one tool in our toolbox, also sustainable fisheries; deep sea, two story exhibit.

GFNMS Exhibits

Carol Preston, Education Coordinator, GFNMS provided updates on the following exhibits:

- Pigeon Point Lighthouse
- California Academy of Sciences
- Aquarium of the Bay
- Fitzgerald Marine Reserve
- Visitors Center- Crissy Field
- Bodega Marine Lab- GFNMS and CBNMS

CBNMS Exhibits

Carol Preston, Education Coordinator, GFNMS and Dorris Welch provided the following exhibit updates:

- Oakland Museum



- Bear Valley Visitors Center

XI. Climate Change and the Sanctuaries

MBNMS Sanctuary Currents Symposium

Andrew DeVogeleare covered information in the flyer.

GFNMS Ocean Climate Summit

A presentation was given by Kelley Higgason, Council Coordinator/GFNMS and is available at <http://farallones.noaa.gov/manage/sac.html> and

<http://montereybay.noaa.gov/sac/2008/021508/agenda.html>. Topics on the Climate Solutions Initiative included mission, goals, initiative structure, outcomes, and the Ocean Climate Summit on April 29th to develop a framework for an action plan.

Blue Seas, Green Communities Initiative

Draft Resolution

The council's were presented with a Draft Resolution to express their collective support for the Blue Oceans, Green Communities Initiative, and commit to holding sustainable joint meetings from this point forward.

Move to approve the Resolution:

Motion– Bob Wilson

Second- Dorris Welch

Motion carried unanimously

XII. Announcements

May 20th – Sanctuary Advisory Council Fulmar Day

March 2-7th Immersion Presents

Karen Grimmer is now Assistant Superintendent for MBNMS.

Feb 21st MLPA meeting on draft proposals; March 18-19 conclusion of stakeholder activities