

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

**FINAL
April 18, 2008
Elks Lodge-Townsend Room
Salinas, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, April 18, 2008, in Salinas, California. Public categories and government agencies were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Mat Fuzie
AMBAG: Libby Downey	Conservation: Kaitilin Gaffney
At Large: Margaret Webb	Diving: Frank Degnan
At Large: Kortney Leabourne	Education: Steve Clark
At Large: Deborah Streeter	Commercial Fishing: Kathy Fosmark
Business & Industry: Cindy Walter	Ports & Harbors: Linda McIntyre
CA Coastal Commission: Charles Lester	Recreation: Gary Pezzi
CA Dept. of Fish & Game: Paul Reilly	Recreational Fishing: Howard Egan-Absent
CA EPA: Russ Jeffries	Research: Chris Harrold
CA Resources Agency: Brian Baird-Absent	Tourism: Michael Bekker-Absent

The following non-voting members were present as indicated:
Monterey Bay NMS: Paul Michel

Alternates present in audience:
Robert Frischmuth – At-Large
Steve Shimek – Conservation
Randy Herz – Diving
Rexford Keyes – Recreation
Karen Grimmer – Monterey Bay NMS

I. CALL TO ORDER, ROLL CALL, WELCOME, ELECTION OF NEW OFFICERS, APPROVAL OF MINUTES

Mayor Dennis Donohue welcomed the Advisory Council to the City of Salinas.

ELECTION OF NEW OFFICERS

Russ Jeffries, CA EPA primary, nominated Chris Harrold, Research primary, as Chair.

Motion introduced by Russ Jeffries, seconded by PJ Webb
(Vote: 17 in favor, 0 opposed, 0 abstentions)

Paul Michel, Superintendent, recognized Deborah Streeter for her service as chair. Paul presented her with a plaque to commemorate for service.

Kaitilin Gaffney, Conservation primary, nominated Kirk Schmidt, Agriculture primary, as Vice Chair.

Motion introduced by Kaitilin Gaffney, seconded by Russ Jeffries
(Vote: 17 in favor, 0 opposed, 0 abstentions)

Deborah Streeter, At-large primary, nominated Kaitilin Gaffney as Secretary.

Motion introduced by Deborah Streeter, seconded Steve Clark
(Vote: 17 in favor, 0 opposed, 0 abstentions)

APPROVAL OF 12/13/07 DRAFT MEETING NOTES

MOTION: (Passed)

After some discussion the council decided to not approve the December meeting minutes until the June meeting. Members are to look at their comments and provide the gist of their comments to Nicole Capps, Advisory Council Coordinator. The Executive Committee will come up with a strategy for future meeting minutes. They will bring their recommendations back to the Advisory Council for a vote. Paul Reilly is willing to proofread the minutes for grammatical errors and clarity prior to sending them out to the Advisory Council.

No motion was taken.

New Staff Introductions

Paul Michel introduced two new staff members, Sacha Lozano, MERITO Coordinator, and Lisa Wooninck, Regional Environmental Policy Advisor.

Paul also announced the MBNMS has filled the Resource Protection Coordinator position: Mike Eng will be starting towards end of June, beginning of July.

II. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Jackie Dragon, SeaFlow, explained SeaFlow is an educational environmental non-profit in the Marin Headlands. They are working on noise pollution in the ocean. SeaFlow is particularly interested in educating communities on the effects of shipping noise. They will be launching vessel watch project next month.

Robert Frischmuth, At-large alternate, spoke on behalf of Citizens for a Sustainable Community. A local action group, Sustainable Pacific Grove, started a campaign with Surfrider to ban styrofoam containers in Pacific Grove. Restaurants and food places may no longer use styrofoam items in that city. A draft ordinance has gone to all cities in Monterey County. Soon

there will be a local action group in all cities in the county. Similar ordinances have been passed in Santa Cruz, Capitola and other cities in Santa Cruz County.

III. RESOLUTIONS

Deborah Streeter went over the two joint resolutions, Oil Spill and Greening, from the February 15, 2008 meeting with the Gulf of the Farallones National Marine Sanctuary Advisory Council. She explained that both resolutions were sent to Dan Basta for his information, not necessarily for a response.

Chris Harrold asked Advisory Council members to come to next meeting with ideas as to how these meetings could be more green.

IV. MEMBER ANNOUNCEMENTS

Paul Reilly, CA Department of Fish and Game primary, provided an update on the Marine Life Protection Act (MLPA) process in north central California. The Blue Ribbon Task Force will develop a preferred recommendation for marine protected areas (MPAs) in that region and will forward that to the Fish and Game Commission. The recommendations will be discussed at a joint meeting of the Blue Ribbon Task Force and the Fish and Game Commission. The third region of the state to go through the MLPA process will be southern California. A south coast regional stakeholder group will be appointed in August. Monitoring is occurring for the central coast MPAs. Go to the Department's MLPA website for more information.
<http://www.dfg.ca.gov/mlpa/>

Paul also commented that the ocean commercial and recreational salmon season would be nonexistent this year. Recreational salmon fishing in rivers will still be allowed. The ocean closure will cause a huge impact to fishermen and the economy. The reasons for Chinook salmon numbers being low are not yet determined.

Paul also announced there is a new director for CA Department of Fish and Game, Don Koch (pronounced "cook").

Deborah Streeter announced Point Lobos State Reserve would be celebrating its 75th anniversary as a state park in May. They will be having five different Saturday events.

Kathy Fosmark, Commercial Fishing primary, asked what do we do if a highly migratory species is overfished? She predicts that the United States would shut down the fishery, but other countries would continue to fish. Kathy commented that fishermen are up against some really difficult times now. Economies along the coast here are going to be hit hard.

Kaitilin Gaffney asked if someone could come and talk to us more about the salmon issue and the delta issue. Kaitilin announced there was an event on April 2 for Oceans Day. A couple dozen conservation groups went to Sacramento to discuss potential legislation. They discussed plastic bags, and encouraged funding for MLPA for monitoring and enforcement to keep MPAs effective for the long run. She commented there was a film on the MLPA that was shown called

“Sheltered Seas”. It is 20 minutes long and could be shown at a future meeting. Kaitilin could probably get copies for everyone on the Advisory Council.

Kaitilin also announced there are various pieces of legislation regarding the San Francisco Bay oil spill. Nine different bills have been introduced on various aspects of oil spill response over the last month. If folks are interested in specifics of these bills, go to www.senate.ca.gov, and type in oil spill to view all the bills.

Cindy Walter, Business and Industry primary, announced that Passionfish has been invited to take part in an event Fortune magazine is putting together in the coming week. It is called Fortune Brainstorm Green. They will be hosting groups to address green issues. Passionfish will be cooking for them. Cindy announced that the chef of Passionfish is only one of six chefs across the nation invited to cook. All have been asked to bring food from their home area. Passionfish will be using Monterey Bay spot prawns.

Randy Herz, Diving alternate, announced a harbor cleanup at Wharf 2 for scuba divers and surface support as well. There will be a drawing and food for participants.

PJ Webb announced the Currents Symposium this year was on global climate change. The student poster projects were impressive. She thanked sanctuary staff and the Advisory Council. PJ also announced that the Coastal Discovery Center (CDC) has had an amazing collaborative project between state parks, Hearst Castle and the sanctuary to work on getting additional exhibits up and streamlining procedures. This park is on the list to be closed. She encouraged individuals to support that beach to keep the CDC open. Mat Fuzie, CA State Parks primary, clarified that the state park budget has been cut year after year. What State Parks budget personnel instructed staff to do was to look across the state and look at parks that don't make money or don't sustain themselves. Mat suggested that anyone who is interested should educate themselves on the proposals; they are complex and not straight-forward. Deborah Streeter commented she is troubled that the CDC would be closed if this proposal goes forward. She will follow-up on this as a private citizen. She proposed that the Advisory Council express their concerns about our CDC and the commitment we have made to the community and their education about our sanctuary. Chris Harrold suggested the item be taken up as another item on the agenda.

Kathy Fosmark announced the Seafood Watch program is having a chef's cooperative on May 17th. Commercial fishermen are participating in that.

Kirk Schmidt announced the Elkhorn Slough National Estuarine Research Reserve will be having a cleanup this coming weekend. It will be 9 a.m.-12 p.m. at Kirby Park.

Chris Harrold commented that Congressman Sam Farr has had a bill in Congress related to sea otter conservation for years. It will be brought before a senate subcommittee. Four scientists will be going to Washington D.C. to testify.

Mat Fuzie commented that there are other parks on the list adjacent to the sanctuary boundary that is up for closure. This list of parks that potentially may be closed is available. Fuzie stated he could get the list for the Advisory Council.

Kaitilin Gaffney stated that timing is an issue on the topic of state park closures. She feels that the Advisory Council should schedule the item later in the day. Deborah Streeter and PJ Webb would work to draft language to give to Paul Michel.

V. UPDATE: MBNMS EMERGENCY RESPONSE PLAN

Scott Kathey, Emergency Response Coordinator, provided a presentation on the MBNMS Emergency Response Plan.

Scott's PowerPoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2008/041808/agenda.html>

Advisory Council members had the following comments and questions regarding the MBNMS Emergency Response Plan:

The sanctuary does not plan to have cleanup equipment. Wouldn't it be good for MBNMS to have equipment to deploy and allow fishermen to deploy equipment? Maybe the MBNMS could help get vessel operators retrained; If a vessel is abandoned out at sea, it is the Coast Guard's responsibility, in the surf zone it is the owner's responsibility, if it comes to shore on land, it is the landowner's responsibility to determine what to do with what is left. If it occurs on State Park beaches, State Parks can remove it and bill the insurance company or the owner for the removal; How is the MBNMS enforcing the controls on Motorized Personal Water Craft?

VI. UPDATE: MBNMS MARINE PROTECTED AREAS PROCESS

Paul Michel provided background on MBNMS involvement with MPAs in sanctuary waters. He noted that the MBNMS and the MPA working group have worked on this issue for five years and it is time to make a decision on this issue. The purpose of today's presentation is to review the MPA decision rationale document and solicit Advisory Council advice on how to move forward with this.

Lisa Wooninck continued the PowerPoint presentation on the rationale for the MPA decision.

Paul and Lisa's PowerPoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2008/041808/agenda.html>

Advisory Council members received the following comments and questions regarding the MBNMS MPA process:

You said there are no MPAs in the MBNMS, but there are; Would it be fair to state that the three objectives in the presentation are those interpreted by the MBNMS and are not directly in the National Marine Sanctuaries Act?; You said these closures are not necessarily fishing closures, but these types of closures are used all over the world and they are in effect restricting fishing; To leverage the existing protections and determine if an additional layer is warranted has always

been the focus of the MPA working group; How do the 12,000 comments from the Joint Management Plan balance with Congressman Farr's letter that represents thousands of people?; Language in the letter of April 15th is a broad justification of MPAs in the sanctuary. The role of the MBNMS is to promote human activities and this would close that; How do we narrow this in so people know what we are talking about and what we are not talking about?; The purpose of this decision may be to protect biodiversity in the MBNMS, but the result will be a regulation in fishing; The decision has been made to create MPAs, before you make the decision to do that you have to have justification.

VII. LUNCH

Paul continued with the MPA process presentation . He stated he was looking for the Advisory Council's input on this process and timeline.

Advisory Council members had the following comments and questions regarding the MBNMS MPA process and timeline:

It is great to have a set timeline: It puts a real burden on staff to pull together monthly meetings; I am curious to know if there is a definition of socioeconomic studies and what that means? I encourage MBNMS to have the broadest definition of socioeconomic; If the MBNMS does anything, make sure it is supported by science; How do you plan to select the members of this science review committee?; I have a concern for the capacity of the science community to be involved in the MLPA and in this effort. Maybe you should take advantage of what is going on in MLPA; Socioeconomic work focuses on the value of fisheries production, but we don't know how to value non-fishing responses; The fishing community views MPAs as a takeaway, so it is pitched as exclusive of benefits for fishing. I don't think that is the case. A win-win situation needs to be found. The fishing community would be more productive if they had something to gain; The question now going to the subcommittee is not should there be any, but where they should be. There is no understanding in advance as to what will be used to develop MPAs. What criteria will be used to select these sites? Put criteria together before June on your chart; I think the MBNMS should be prepared to be challenged on the science by the public and possibly legal challenges on these closures; Maybe we could contact the Channel Islands National Marine Sanctuary to see their timeline and charts to make it easier to go through this.

VIII. EDUCATIONAL PRESENTATION: WATER QUALITY

AGRICULTURE WATER QUALITY ALLIANCE (AQWA)

Lisa Lurie, Agriculture Water Quality Coordinator, provided a presentation on the Agriculture Water Quality Alliance (AQWA).

Lisa's PowerPoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2008/041808/agenda.html>

Kirk Schmidt supplemented Lisa's presentation. Kirk handed out a newsletter that goes to farmers conducting monitoring.

Kirk's PowerPoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2008/041808/agenda.html>

Advisory Council members had the following comments and questions regarding the AQWA presentation:

Some farmers are required to monitor and not others. All irrigator farmers have to do this. How do you define an irrigator?

LIGHT BROWN APPLE MOTH SPRAYING

Bridget Hoover, Water Quality Protection Program Director, provided a presentation on the MBNMS' involvement in the light brown apple moth spraying.

Bridget's PowerPoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2008/041808/agenda.html>

Advisory Council members had the following comments and questions regarding the Light Brown Apple Moth spraying presentation:

Do you have any information on the aerial spraying they have used; is it working?; I think it is important to keep in mind some of the alternatives, like BT (organic insecticide *Bacillus thuringiensis*) has a broader spectrum than what they are using now. General public is embracing BT, but it could kill more things; Did MBNMS get calls and public input on this?

A member of the public, Roy Upton, provided some comments on the Light Brown Apple Moth spraying indicating significant environmental damage resulting directly from LBAM spraying. He passed out a packet of information. He would like to see other presentations on other aspects of this topic.

Isabelle Jenniches of Stopthespray.org provided some comment on the topic. She stated her organization has made every attempt to obtain factual information. Isabelle seconded Roy's request to be able to come back and present to the Advisory Council. There are experts that could speak to the issues. Farmers have come out in support of some legislation we have started.

IX. JMPR UPDATE: DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR VESSEL DISCHARGE

Karen Grimmer, Deputy Superintendent, provided an update on the Joint Management Plan Review. The draft environmental impact statement for vessel discharge has an open public comment period through May 9th. This proposed rule addresses some inconsistencies among other sites regarding vessel discharges. It prohibits sewage discharge from large vessels over 300 gross tons that have the capacity to go through the sanctuary. Grey water is also prohibited. Details are on our website under the "What's new" section. Comments need to go to Sean Morton at jointplancomments@noaa.gov.

Karen also announced that the MBNMS is still looking at the final JMPR to be released in the fall.

X. MBNMS ADVISORY COUNCIL UPDATES

Nicole Capps went over several housekeeping items with the Advisory Council, to include: Charter Renewal, Advisory Council Member Recruitment, Advisory Council *R/V Fulmar* Trip, the Site Atlas of the National Marine Sanctuaries, National Advisory Council Member Directory and the Advisory Council Workplan.

XI. LETTER TO GOVERNOR AND HEAD OF STATE PARKS REGARDING CDC

Deborah Streeter and PJ Webb submitted language for the letter to the Governor and the head of State Parks regarding the potential closure of the Hearst Castle Memorial State Beach.

After some discussion the Advisory Council voted for Paul Michel to send a letter expressing their concern over the potential closure of the MBNMS Coastal Discovery Center if the state beach is closed.

Motion introduced by Kirk Schmidt, seconded by Kaitilin Gaffney
(Vote: 10 in favor, 0 opposed, 2 abstentions)

XII. ADJOURN

NEXT MEETING: June 20, 2008, in Santa Cruz

The meeting adjourned at 3:40 p.m.
Submitted by Nicole Capps