

**MONTEREY BAY NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL**

**FINAL Meeting Minutes  
December 12, 2013  
Moss Landing Marine Labs  
Moss Landing, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Thursday, December 12, 2013, in Moss Landing, California. Public categories and government agencies were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Nick Franco
AMBAG: Lynn Robinson	Conservation: Geoff Shester
At Large: Margaret “PJ” Webb	Diving: Phil Sammet
At Large: Cynthia Mathews	Education: Simona Bartl
At Large: James Panetta	Commercial Fishing: Kathy Fosmark
Business & Industry: Jessica Grigsby	Harbors: Steve Scheiblaue
CA Coastal Commission: Dan Carl – Absent	Recreation: Gary Pezzi
CA Dept. of Fish & Wildlife: Paul Reilly	Recreational Fishing: Rich Hughett
CA EPA: Maria de la Paz Carpio-Obeso	Research: James Lindholm
CA Resources Agency: Valerie Termini	Tourism: Bob Massaro

The following non-voting members were present as indicated:

Monterey Bay NMS – Paul Michel  
Elkhorn Slough NERR – Dave Feliz  
National Marine Fisheries Service – Steve Lindley  
US Coast Guard – LT Cody Dunagan

Alternates present in audience:

Jim Moser – Commercial fishing  
Brian Nelson – Diving  
Barton Selby – Recreation  
Gary Hoffman – At Large  
Kortney Opshaug – At Large  
Dan Haifley – At Large  
Robert Chatham – Recreational Fishing  
John Hunt – Research

**I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES**

Faculty Chair Jonathan Geller welcomed the sanctuary advisory council (SAC) to Moss Landing Marine Labs, and gave a brief presentation on the institution and its graduate program, faculty, and partnerships with MBNMS. Dr. Geller’s presentation is available on the website: [http://montereybay.noaa.gov/sac/2013/131212/131212mlml\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212mlml_ppt.pdf).

**APPROVAL OF MEETING MINUTES**

Approval of August 21, 2013 DRAFT Joint Meeting Minutes  
The advisory council approved the August 21, 2013 DRAFT Joint Meeting Minutes with one edit:

Under Kathy Fosmark's member report, add the words "that applies to the drift gillnet fishery" after "rule".

**MOTION: Passed**

PJ Webb introduced a motion for approval of the minutes.

Seconded by Rich Hughett.

(Vote: 16 in favor, 0 opposed, 3 abstention)

Approval of the August 21, 2013 DRAFT MB-only Meeting Minutes

The advisory council approved the August 21, 2013 DRAFT MB-only Meeting Minutes

**MOTION: Passed**

Gary Hoffman introduced a motion for approval of the minutes.

Seconded by Lynn Robinson.

(Vote: 16 in favor, 0 opposed, 3 abstention)

The council approved the proposed 2014 meeting schedule with one change: the location of the October meeting was changed from Watsonville to Cambria. The final schedule is available on the website: <http://montereybay.noaa.gov/sac/2013/131212/2014sacschedule.pdf>.

## **II. STANDING ITEM: Superintendent Report**

Paul Michel, Monterey Bay National Marine Sanctuary (MBNMS) Superintendent, gave two brief Advisory Council announcements regarding open recruitment through December 31<sup>st</sup> for 5 seats on the Council (Education, Tourism, Diving, At-large, and Conservation alternate), and the one-on-one "Coffee Talks" that the Council Coordinator, Sara Hutto, is scheduling with each seat over the coming months.

Paul then provided updates and announcements regarding Office of National Marine Sanctuary (ONMS) and MBNMS activity, including the summary of ONMS shutdown impacts that was provided by ONMS Director Dan Basta, the new ONMS Memorial Garden, and the latest MBNMS Permit Report provided by Deirdre Whalen. He also reminded the Council of the successful Sanctuary Classic Fishing and Photo Tournament. An entry from Monterey won one of the four scholarships.

Paul presented images from the cruise aboard the R/V Western Flyer to investigate a lost shipping container and noted that anyone can follow the cruise on the MBNMS website, or through Twitter and Facebook. He gave brief announcements regarding a seaplane found in the sanctuary that may be salvaged and an upcoming conference on water quality in Watsonville on February 5<sup>th</sup>.

## **III. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Thom Akeman, a Bay Net volunteer, commented on the importance of the Bay Net program to public interaction and engagement.

Don Heichel commented on artificial reefs and urged the Advisory Council to learn more about them and act.

## **IV. ACTION ITEM: Proposed Seismic Survey Resolution**

Lauren Dockendorf presented to the SAC on seismic airgun testing, its impacts and characteristics, and the Conservation Working Group (CWG)'s main concerns with potential future surveying in MBNMS. Geoff Shester presented the specifics of a proposed resolution.

Their presentation is available on the website:

[http://montereybay.noaa.gov/sac/2013/131212/131212seismic\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212seismic_ppt.pdf).

**Public Comment:**

Nicholas Naccari, a CWG member, presented articles and related information, and provided information packets for the SAC members.

Sam Johnson with USGS spoke to the importance of seismic airguns.

Gary Greene with Moss Landing Marine Laboratories commented that the ban should be science based and that more investigation into the propagation of sound in marine environments needs to be done before an action is made.

William Godwin with Fugro Consultants, Inc. asked the SAC to consider the public benefit of seismic surveys to characterize geologic conditions exclusive of oil and gas exploration when taking action on the resolution.

**Discussion:**

The SAC discussed generally the benefits and effects of seismic surveying. Many members expressed concern with a blanket ban on this kind of activity, and requested additional information and further consideration of specific thresholds and further scientific analysis. Some also expressed preference for permitting of these activities on a case-by-case basis. Many also expressed concern with impacts of seismic surveying on sanctuary resources, including sedentary species. All agreed to continue this discussion, especially in light of the soon-to-be-released NOAA guidance on acoustic impacts through National Marine Fisheries Service. Geoff Shester asked that the Research Activities Panel (RAP) help the Conservation Working Group further develop this resolution by: 1) reviewing the science, 2) discussing the potential impacts to research if a ban is passed, and 3) providing guidance on what those thresholds might be for airgun activity (decibel level, etc.). Valerie Termini reported the results of a study the Ocean Protection Council (OPC) developed on low-level airgun activities will be available soon, and added that the OPC can help provide additional science.

Paul Michel clarified the difference between a ban and a regulation. Some activities are banned, such as gas and oil exploration, but the Sanctuary also regulates certain activities through permitting. Paul recommended more time to better understand the issues and consult with the RAP. He will also try to get an early draft of the NOAA guidance. Paul added this discussion of potential regulation is relevant with upcoming management plan review. The SAC agreed the resolution would not be considered at this time, but the RAP should assist in this issue analysis.

**V. INFORMATION ITEM: Alliance of Communities for Sustainable Fisheries (ACSF)**

Kathy Fosmark, Frank Emerson and Steve Scheiblaue presented to the SAC the role the ACSF plays in local communities and some of the projects the organization is participating in, including the Carmel River Steelhead Association. Their presentation is available on the website: [http://montereybay.noaa.gov/sac/2013/131212/131212alliance\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212alliance_ppt.pdf).

**Public comment:**

Jiri Nozicka commented on the difficulty of establishing a fishing working group.

**Discussion:**

Paul Michel opened the discussion by emphasizing effective engagement is a priority for the sanctuary, and his hopes that the Alliance serves as a mechanism for engagement with the fishing community in place of his original desire for a working group. Steve Scheiblaue and Kathy Fosmark both agreed the Alliance is in a position to serve as an ad-hoc working group to provide the crucial engagement link to the sanctuary (and at the very least, identify the correct people for the sanctuary to engage). The SAC in general expressed great desire for increased engagement and effective communication from and with the fishing community, regardless of the form this

engagement takes. Phil Sammet suggested directly surveying the community (similar to the diving newsletter and survey), and Valerie Termini offered her assistance as the fishing lead at the Ocean Protection Council. Rich Hughett added that he needs much more engagement from the fishing community for the Sanctuary Classic, and he would request a working group for this event next year. Kirk Schmidt would like to see updates at each meeting from the Alliance to incorporate into the working group updates. Paul added he would like to see milestones and regular updates from the group. PJ Webb emphasized whatever form this group takes; it must be open to anyone who wants to bring a voice to the table, and our goal as a Council is public participation. Simona Bartl emphasized this group needs a specific action to work around (not just communicating with each other) to be successful. Geoff Shester clarified the roles of a working group: to do work and to create better representation and engagement. Paul wrapped up the discussion by recommending the Alliance serve as an ad-hoc working group, and that there be two meetings in 2014 – one for sanctuary leadership to attend, and one as an open forum for other SAC members, all fishermen, and anyone interested.

## LUNCH

### VI. ACTION ITEM: Establishment of Recreation and Tourism Working Group

Deirdre Whalen and Brian Nelsen presented to the SAC on the value of tourism and recreation in the sanctuary, outreach to business owners, and the proposed Recreation and Tourism Working Group. Their presentation is available on the website:

[http://montereybay.noaa.gov/sac/2013/131212/131212recreation\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212recreation_ppt.pdf).

Discussion:

Brian asked the SAC to form the Recreation and Tourism Working Group for one year, and to reassess after the first year. Recommendations from Council members included: ensure outreach to businesses outside of the bay, build a private-public partnership through the exploration center to orient visitors to local businesses, create a whale tail stamp for sustainable businesses, increase the visibility of the sanctuary along the Highway 1 corridor, and measure how beneficial sanctuary marketing is for businesses.

A motion was made to establish a new Recreation and Tourism Working Group.

**Motion: (passed)**

Motion made by PJ Webb, seconded by Cynthia Mathews.

(Vote: 19 in favor, 0 opposed, 0 abstention)

### IX. INFORMATION ITEM: Desalination

Bridget Hoover presented on the sanctuary's role in desalination (available here:

[http://montereybay.noaa.gov/sac/2013/131212/131212desal01\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212desal01_ppt.pdf)), and Maria de la Paz

Carpio-Obeso presented on state regulation of desalination projects (available here:

[http://montereybay.noaa.gov/sac/2013/131212/131212desal02\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212desal02_ppt.pdf)). Tom Luster of the

Coastal Commission presented on currently proposed desal projects in the region (available here:

[http://montereybay.noaa.gov/sac/2013/131212/131212desal01\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212desal01_ppt.pdf)).

Public comment:

Nicholas Niccari, CWG member, commented on the possible effects of alternates to desalination, and of discharges from desalination.

Don Heichel commented on the need to emphasize work that Dan Hardin has done to identify how we pollute Monterey Bay with sewage, storm drain run-off and river run-off.

Carol Reeb of Hopkins Marine Station commented that the impacts of brine are poorly understood, and mitigation must include monitoring and precautionary approaches.

**Discussion:**

Many members expressed appreciation for the presentations and the attention paid to this issue, and request that we continue staying current and science-based. There were some questions for the presenters regarding brine discharge standards and impacts, entrainment, impacts on aquifers, water conservation in the long-term, and the SAC's role with the work that the state agencies are doing. Pete Raimondi spoke to some of the latest research and modeling regarding brine discharge.

**VIII. ACTION ITEM: Motion to approve outreach by council members using Sanctuary Advisory Council logo**

Dawn provided background and context for this item and that headquarters requested that the SAC approve of the diving members use of the SAC logo "or letterhead" for outreach to constituents.

A motion was made by Brian Nelson to approve of the use of the SAC logo for outreach to constituents.

**Motion: (passed)**

Motion introduced by Brian Nelson, seconded by Steve Scheiblaueer.  
(Vote: 15 in favor, 0 opposed, 0 abstention)

Steve Scheiblaueer made a motion to incorporate John Hunt's suggested edits to the language, including replacing "is approved in writing (via e-mail) by sanctuary leadership" to "is approved in writing (via e-mail) by the sanctuary superintendent, advisory council chair, vice-chair and secretary, or appointed designees".

**Motion: (passed)**

Motion introduced by Steve Scheiblaueer, seconded by John Hunt.  
(Vote: 15 in favor, 0 opposed, 0 abstention)

Jessica made a motion to remove the last sentence that refers specifically to the diving members' use of the SAC logo for constituent outreach.

**Motion: (passed)**

Motion introduced by Jessica Grigsby, seconded by Brian Nelson.  
(Vote: 13 in favor, 3 opposed, 0 abstention)

Geoff made a motion to replace "vice-chair and secretary" with "or their designees to ensure such communication is accurate, strictly informational or for the purpose of soliciting input."

**Motion: (passed)**

Motion introduced by Geoff Shester, seconded by Cynthia Mathews.  
(Vote: 15 in favor, 0 opposed, 0 abstention)

Jessica made a motion to remove Geoff's language "to ensure such communication is accurate, strictly informational or for the purpose of soliciting input."

**Motion: (passed)**

Motion introduced by Jessica Grigsby, seconded by unknown  
(Vote: 14 in favor, 1 opposed, 0 abstention)

The final motion, as read by Brian Nelson, states:

I move the Monterey Bay National Marine Sanctuary Advisory Council (council) vote to allow current council members (including primary and alternate members) to use the council's letterhead (also referred to as the council's logo) in communications and outreach to constituents, provided the communication or outreach product is approved in writing (via e-mail) by the

sanctuary superintendent and advisory council chair, or appointed designees.

#### **VII. INFORMATION ITEM: SAC Charter Revision and Term Limits**

Sara Hutto briefly presented to the SAC regarding the upcoming charter revision and the inclusion of the National Term Limits Policy. Sara's presentation is available on the website: [http://montereybay.noaa.gov/sac/2013/131212/131212charter\\_ppt.pdf](http://montereybay.noaa.gov/sac/2013/131212/131212charter_ppt.pdf).

Discussion: Members had questions regarding the subcommittee for charter revision and specifics of the term limits policy. Sara closed by stating she would be asking for volunteers soon to begin the process of compiling Charter edits.

#### **X. STANDING ITEM: Working Group Updates**

Sanctuary Education Panel (SEP): The SEP is undergoing restructuring, and is considering holding one major meeting a year to decide on the theme topic for the year, then operating in sub-groups. This year's topic of focus will be marine debris.

Research Activities Panel (RAP): The RAP did not meet in October because of the government shutdown. At the January 10<sup>th</sup> meeting, they will discuss the Condition Reports (criticism of relying too heavily on expert judgment) and a reformatted version produced by Steve Gittings.

Conservation Working Group (CWG): The CWG requested agenda time at the February 2014 meeting to provide a presentation of the Leatherback Summit that occurred in October 2013.

#### **XI. STANDING ITEM: Advisory Council member announcements**

Nick Franco: The Parks Forward Commission is discussing the operations and structure of State Parks. Interested members of the public can check out the website to provide comments on how public lands should be used.

Phil Sammet: Phil has been spending time diving Sur Banks – lots of hydrocoral, very amazing and sensitive dive site, but outside of state waters. He found through the surveys that many divers had not heard of the area, so he is now getting out information regarding some of these dive sites.

Kirk Schmidt: Farmers in Pajaro Valley are working towards a 10% reduction in agriculture water use over the next 10 years with the water management agency.

Jessica Grigsby: The Coastal Watershed Council and the City of Santa Cruz recently discussed opening up coastal watersheds for access, and the city council took action to provide staff to consider this.

PJ Webb: Would like to pass a resolution in support of Baynet, and she will draft a letter with Simona and bring it to the next meeting.

Geoff Shester: Whalefest is occurring the week of January 25<sup>th</sup> and there will be many outreach opportunities. There is currently a lot of interest in fracking (hydraulic fracturing) off of the California coast and the Coastal Commission is looking more closely at this. A new stock assessment for the Pacific Sardine stock shows a 70% decline over the past 7 years.

Maria de la Paz Carpio-Obeso: For this year the State Water Resources Control Board has four priorities: the Oceans Unit, updates to facilities, sediment quality objectives, and wetlands.

Submitted by Sara Hutto, Sanctuary Advisory Council Coordinator  
Meeting adjourned at 4:35 pm