

**MONTEREY BAY NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL**

**Final Meeting Minutes  
October 21, 2016  
Coast Unified School District, Cambria CA**

**VOTING MEMBERS**

- |  |                                    |
|--|------------------------------------|
| Agriculture: absent                      | CA State Parks: Dan Falat          |
| AMBAG: absent                            | Conservation: Katherine O’Dea      |
| At Large: Gary Hoffmann                  | Diving: Brian Nelson               |
| At Large: Dan Haifley                    | Education: Tucker Hirsch           |
| At Large: PJ Webb                        | Commercial Fishing: Jim Moser      |
| Business & Industry: Al Budris           | Harbors: Steve Scheiblauer         |
| CA Coastal Commission: Tami Grove        | Recreation: Gary Pezzi             |
| CA Dept. of Fish & Wildlife: Paul Reilly | Recreational Fishing: Rich Hughett |
| CA EPA: Maria de la Paz Carpio-Obeso     | Research: Dr. John Hunt            |
| CA Resources Agency: absent              | Tourism: Mike Bekker               |

**NON-VOTING MEMBERS**

- Channel Islands NMS: absent
- College: Clifton Herrmann
- Cordell Banks NMS: absent
- Elkhorn Slough NERR: absent
- Greater Farallones NMS: absent
- Monterey Bay NMS: Paul Michel
- National Marine Fisheries Service: Dr. Steven Lindley
- U.S. Coast Guard: LT Kip Hutchinson

- Alternates present in audience:
- Christina McGinnis – At-Large
- Megan Rodenbeck – College
- Dawn Hayes – Monterey Bay NMS

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

Chair PJ Webb called the meeting to order and Secretary Brian Nelson attended to roll call.

District Two Supervisor for San Luis Obispo County, Bruce Gibson made a brief welcome statement to the Advisory Council (AC) to start the meeting. He thanked everyone for attending the meeting and commented on how well constituencies were represented on the AC.

**APPROVAL OF MEETING MINUTES**

Approval of August 19, 2016 DRAFT Meeting Minutes

**MOTION: Paul Reilly, Rich Hughett seconded.**

(Vote: 14 in favor, 1 opposed, 0 abstentions)

## II. STANDING ITEM: Superintendent Report

John Armor was named Director for ONMS. He is committed to taking a fresh look at sanctuaries. Also the new Executive Director for National Marine Sanctuary Foundation (NMSF) was named, Kris Sarri. Paul Michel met with the NMSF Board and Kris earlier in the week. It was recognized there is a need for a fundraising group at the national level, similar to what National Parks Service has.

Paul is pleased with the amount of work being put in by the Management Plan Review (MPR) working groups. Next MPR steps for MBNMS staff include beginning simple editing on the current management plan. The next MPR outside workshop will be focused on agriculture water quality. It will be held on November 9<sup>th</sup> from 9:00 AM to 12:30 PM venue pending. MBNMS staff is looking for possible future changes to the Agriculture Water Quality plan.

The Resource Protection team is working heavily on desalination. MBNMS is the lead on two desalination projects: CalAm and Deepwater Desal. The Draft Environmental Impact Report is slated for public release this December. Other draft desalination documents will be released late summer or early fall next year.

There is currently an *Akashiwo* plankton bloom in Monterey Bay. This marine algal bloom is a natural occurrence and creates foamy water when the algae is broken down. The foam is a surfactant and can coat seabird feathers.

The *Montebello* shipwreck has been added to the National Register of Historic Places, the Nation's official list of cultural places considered worth preserving. The shipwreck is located adjacent to the southern boundary of MBNMS.

### Advisory Council Member Discussion

Brian Nelson requested to have a presentation on artificial reefs at a future AC meeting. He felt the AC had not yet had a chance to comment on the topic. Paul Reilly said he would ask CDFW to provide a speaker if possible.

## III. SOUTHERN REGION UPDATE

Carolyn Skinder gave a presentation on the southern region of MBNMS. The Coastal Discovery Center (CDC) in San Simeon offers many services including education programming, wildlife protection activities, park safety and enhancement and citizen science monitoring. Education programming includes self-guided activities, Discovery Saturdays and stick fence stewards. The CDC is overseen by Carolyn with the assistance of a half-time program assistant, 25 docents and three park aides. CDC reaches over 18,000 visitors annually including over 1,500 students. The center assists organizations with birds and mammals on local beaches and teaches the public about Marine Mammal Protection Act regulations. CDC also is involved with BeachCOMBERS, LiMPETS and beach cleanups. Future goals include enhancing the pier oceanography program, increasing the number of bi-lingual docents and instructors, continuing partnerships with state and federal agencies and non-governmental organizations to address wildlife management issues and celebrating the 10<sup>th</sup> anniversary of the CDC.

### Advisory Council Member Discussion

It was asked if there has been an increased demand for school groups. Recent increased funding is allowing school groups to take field trips to CDC and other local landmarks.

#### IV. STANDING ITEM: MEMBER ANNOUNCEMENTS

Tucker Hirsch, Education primary: Upcoming Climate Summit on October 27<sup>th</sup> from 11-5 at CSUMB Alumni & Visitor Center. Many leaders and great opportunities for discussion. Seemingly most relevant is the Panel on Climate Leadership in Oceans and Adaptation in the afternoon. More info & agenda: <http://climateactioncompact.org/>

Al Budris, Business/Industry primary:

1. Monterey Peninsula Chamber of Commerce.
  - a. Is conducting its 12<sup>th</sup> annual business walk on November 10<sup>th</sup>. The walk entails board and senior members of the Chamber walking 7 business districts in Monterey and going door-to-door and surveying businesses as to the state of their business and their opinions on critical issues that impact doing business in Monterey.
2. Monterey Bay Economic Partnership.
  - a. Continues to work on their housing initiative—Monterey Bay Housing Trust to fund affordable rental and ownership projects that require flexible and unique lending models
  - b. Continues to work on their Workforce Development Initiative, Monterey Bay Internships (MBI)--a new resource that consolidates internship opportunities from multiple resources to serve students and employers throughout the Monterey Bay region, irrespective of location, educational institution or discipline.
3. Monterey County Business Council.
  - a. Presenting a Higher Education and Research Summit on Thursday, October 27<sup>th</sup> at the Marriott hotel.
  - b. Is working with the Central Coast Broadband Consortium to help bring broadband to South County.
  - c. Is working with the Central Coast Career Readiness Consortium and local agencies to create a work-skills certification program thorough the National Career Readiness Certificate Association.
4. Monterey Old Business Association. No updates.
5. Shea Homes.
  - a. One of the largest developers in America is planning on investing \$1bil in commercial and residential development in Marina and Seaside over the next 12-15 years.

Dan Falat, CA State Parks: Is glad to see CA State Parks is still involved in MBNMS's Advisory Council. He sees very positive and beneficial partnerships with MBNMS.

Clifton Herrmann, College primary: Attended Ocean Candidates Forum on October 20<sup>th</sup>. The forum gave attendees a chance to see how candidates seeking to represent them in Washington DC handle questions regarding marine science and policy. Candidates included Casey Lucius, Jimmy Panetta, Bill Monning, Palmer Kain, Mark Stone and Sierra Roberts.

Katherine O'Dea, Conservation primary: Continuing to work on plastic bag ban efforts. The annual coastal clean-up received help from almost 3,000 volunteers. They collected 10.5 tons of trash.

Mike Bekker, Tourism primary: Tourism has slowed down in Monterey. In a one-week period the number of tourists was reduced from 94,000 to 54,000 people on Cannery Row.

Brian Nelson, Diving primary: The Dive Newsletter is published and available. The current email list reaches 2,407 people with an average 32% open rate. Working on upcoming Big Sur Half Marathon and traffic coordination with the City of Monterey and beach use on Sunday November 13<sup>th</sup>. On September 8<sup>th</sup> there will be a California Dive Club meeting at Dive N Trips in Pleasanton. This is a fun group of motivated divers that ask great questions. Dive Equipment and Marketing Association show (DEMA) will take place from November 16<sup>th</sup> to 19<sup>th</sup> in Las Vegas.

PJ Webb, At-Large primary: no new announcements

Gary Pezzi, Recreation primary: Surfrider Foundation Monterey Chapter is continuing its effort on supporting the plastic bag ban. The Surfrider Foundation Santa Cruz Chapter held an event to thank Couch Distributors for their \$200,000 in donations over the years. They also will be hosting Pelagic Shark Research Foundation's Sean Van Sommeran at their October 25<sup>th</sup> meeting. Sean will be presenting conservation efforts for white sharks and answering questions. There will be a beach cleanup on November 12<sup>th</sup> at Seabright Beach with Save the Waves.

Paul Reilly, CA Department of Fish and Wildlife primary: Staff began a northern and southern California coast-wide effort to collect Dungeness crab for domoic acid testing in anticipation of the November 5 recreational crab opener, and later commercial openers, at the request of the CDPH. Test results thus far have been encouraging, with only a few crab at random locations testing above the action level of 30ppm. Additional samples will be collected prior to the season openers.

New MPA guides were shipped to CDFW offices, other government offices, sporting goods stores, non-profit businesses, commercial fishing enterprises, harbors, scuba/ecotourism groups, and individuals.

Thus far in 2016, CDFW's Ocean Salmon Project and California Recreational Fisheries Survey field staff collected roughly 5,900 heads from adipose fin-clipped salmon observed during ocean fisheries monitoring, most of which have been processed and entered into project databases. The clipped fin indicates the fish has a coded wire tag (CWT) in the head. Most CWTs are from fall- or spring-run Chinook released from Central Valley hatcheries. An estimated 35,700 Chinook have been harvested in 65,900 recreational angler-days in all management areas through September.

Dan Haifley, At-Large primary: Thanks to those who attended OSO's 20<sup>th</sup> anniversary. Also, thanks to Surfrider Foundation for outreach to inland corporate groups for beach cleanups. Lastly, the proposed expansion of the California Coastal National Monument was the subject of a September public meeting in Cambria and will be decided before January 20, 2017.

Steven Lindley, NMFS primary: The Western Association of Marine Laboratories (WAML) is putting together a proposal to NSF to create a west coast ocean acidification observing network. The grant would supply high quality OA instruments to institutions willing and able to maintain and operate them. Contact Steve Lindley for more info.

John Hunt, Research primary: no new announcements

Steve Scheiblauer, Harbors primary: City of Monterey passed the Clean Marina recertification which is good for 5 years. The Santa Cruz Harbor regained the salmon release project. Steve was reappointed to the Pacific Fishery Management Council Habitat Committee.

LT Kip Hutchinson, US Coast Guard alternate: no new announcements

Rich Hughett, Recreational Fishing primary: Cyndi Dawson got him involved with a team monitoring inside and outside MPAs (California Collaborative Fisheries Research Program based as Moss Landing Marine Laboratories). Volunteers get to fish inside and outside MPAs with the team to determine how well the MPAs are working. This program is open to anybody.

Jim Moser, Commercial Fishing alternate: Salmon fishing season was irregular this year due to opening and closing dates from Pacific Fishery Management Council. Most fishermen continued to fish for crab through June which made it difficult for salmon fishermen to fish with crab gear everywhere.

Gary Hoffmann, At-Large primary: He has observed increased drone activity along the coastline particularly at Bird Rock in Pebble Beach which is a hotspot for sea otters, sea lions, and seabirds.

Tami Grove, California Coastal Commission (CCC) alternate: CCC is under discussion with CEMEX. Over the next few months there will be several fact finding and potential resolutions happening. The CCC Enforcement Unit is continuing to move forward. In early 2017 the Enforcement Unit should be coming forward with some sort of action to CCC. The Public Education Unit recently released a CCC coastal access guide. More information can be found here: [www.coastal.ca.gov](http://www.coastal.ca.gov) There is also a CCC app called "Your Coast." This is a good resource to access the guide via mobile phone. Lastly, CCC will be holding a meeting in San Luis Obispo County in January and is looking for a venue that can hold 75-100 people.

Maria de la Paz Carpio-Obeso, CA EPA primary: Water Quality Control Policy on the use of Coastal and Estuarine Waters for Power Plant Cooling (Once Through Cooling Policy): Implementation Activities - The OTC policy adopted by the State Water Resources Control Board (SWRCB) in 2010 established compliance dates for fossil and nuclear power plants on a schedule compatible with orderly retirement and replacement of capacity using then current electricity planning and procurement processes. The closure of San Onofre Nuclear Generation Station (SONGS) in January 2012 and the decision by Southern California Edison (SCE) to retire it in June 2013 was not anticipated when the SWRCB set the compliance schedule for several thousand megawatts of OTC facilities to satisfy state and federal statutes. Consequently, the California Energy Commission (CEC), California Public Utility Commission (CPUC), and California Independent System Operator (ISO) created a Southern California Reliability Project (SCRIP). This group continues to monitor and track individual projects to ensure that the electricity supply on the Southern California will not be jeopardized during the implementation of the OTC Policy.

The delays in new generation and transmission projects are cause of concern on this area. These delays include the 500MW Carlsbad Energy center, the Mesa 500KV-loop-In Project and the Sycamore-Peñasquitos 230 kV Lone Project. The ISO analysis on the Encina Generation Station is still in process. Therefore, the Encina Generation Station might need to extend its schedule on the OTC Policy. If this is the case, the OTC Policy might be under amendment process next year.

Other aspect of the OTC Policy requires owners or operators of existing power plants to implement measures to mitigate the interim impingement and entrainment impacts resulting from their cooling water intake structures. The interim mitigation period began on October 1, 2015 and continues up to and until the owner or operator achieves final compliance, as laid out in the Policy. The interim

mitigation fee calculation comprises an entrainment fee, an impingement fee, and a management and monitoring fee. Since the calculations for the fees require input values from each OTC facility, the interim mitigation fee will vary by facility and will be set by the State Water Board as part of the process of issuing an NPDES permit for an OTC facility. Currently, staff is working with a) the owners and operators of the power plants to confirm their information; and b) Natura Resources, through the California Coastal Conservancy and Ocean Protection Council on the developing of Memorandum of Understanding to evaluate appropriate mitigation projects.

California Cyanobacteria and Harmful Algal Bloom (CCHAB) Network - The CCHAB Network is continuing to work on revising core documents for updating voluntary guidance for recreation exposure to Harmful Algal Blooms (HABs). Some of the core documents, such as recommended thresholds, a decision tree, and a narrative to navigate the decision tree have been revised and are available on the CCHAB Network website:

[http://www.mywaterquality.ca.gov/monitoring\\_council/cyanohab\\_network/index.html](http://www.mywaterquality.ca.gov/monitoring_council/cyanohab_network/index.html)

Signs that may be used for posting waters are available on the website as well. However, these signs are currently being assessed by California Department Public Health for clarity and effectiveness.

CCHAB Network Portal: <http://www.mywaterquality.ca.gov/habs/index.html>

The CCHAB Network Portal is now available. This portal allows bloom incidents to be reported on a voluntarily bases and exhibits data on blooms throughout California. The CCHAB Network is a working group of the Water Quality Monitoring Council. The Monitoring Council develops specific recommendations to improve the coordination and cost-effectiveness of water quality and ecosystem monitoring and assessment, enhance the integration of monitoring data across departments and agencies, and increases public accessibility to monitoring data and assessment information.

Bacteria Objectives - The State Water Resources Control Board is proposing a statewide control program to protect recreational users from the effects of pathogens in California water bodies. The program would be adopted as amendments to both: the Inland Surface Water, Enclosed Bays and Estuaries Plan and the California Ocean Plan. Significant proposed program elements may include: new water quality objectives for both fresh and marine waters based on newly released United States Environmental Protection Agency (U.S. EPA) criteria; a reference beach/natural source exclusion process and high flow exemptions; and revised beach notification requirements. Meetings with focused stakeholder groups and subject matter experts have been held and comments from these meetings have been compiled. Scoping meetings were held and 23 comment letters were received. We are working on the staff report and will consider all comments as we draft the staff report. We anticipate that the public comment period will begin in Spring 2017.

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

Alan Alward – fisherman

I oppose the Chumash Marine Sanctuary. John Armor states in his letter on 10/6/15 that there was strong community support, he's wrong. We stand as the several hundreds of people who oppose this proposed Chumash Heritage NMS. To categorically deny that there is no opposition when we are standing here today and have written to NOAA multiple times. Even our local elected like Assemblymember Katcho Achadjian, Supervisor Peter Adam and Pismo Beach Mayor Shelley Higginbotham have written letters in opposition.

Mary Ciesinski – Environmental Center of San Luis Obispo  
Designation of Chumash Heritage NMS. Asking MBNMS Advisory Council to support CHNMS designation process.

Nancy J. Cole – consultant with Sierra Club Santa Lucia Chapter

Importance of Monterey Bay Sanctuary stakeholders to communicate the economic, educational and environmental benefits to their San Luis Obispo counterparts (i.e., fishermen, recreational businesses, coastal businesses, hotels, etc.)

Shoosh Crotzer

I have supported a National Marine Sanctuary off the Central Coast for decades. (I was in my forties then and now I am getting Medicare!) In the 1990s, I worked with a diverse committee to try to expand the Monterey Sanctuary, and we got thousands of supporters. But, at the time, apparently the federal government wasn't interested as it is now to help us. Timing is everything!

The Morro Bay Fishermen whose number is realistically fewer than 70, have been very loud and well-funded to be against the Sanctuary. They were also very loud and adamantly against the creation of our Marine Protected Areas. Now, they tout them as being very successful in their continued opposition to a Sanctuary off our coast. Others who had also been against expansion stated that their concerns were "lack of local control" and that if, instead of expansion, a new, local Central Coast Sanctuary could be created, of course then they would support that! After all, aren't we all wanting to protect our shores so that our grandchildren can also enjoy them! We are all on the same side!

But, having been told that it would take at least 15 years to create a new sanctuary, they assumed we would never move forward with that option.

Now, here we are, with the continued hard work of so many locals for this new proposed local sanctuary, and it's time we all work together to make sure this unique opportunity does not slip away.

Preventing off-shore oil drilling, possible selenium dumping, and being part of making sure the entire CA coastline is protected is our biggest, most important gift (and responsibility) to our future generations.

Timing is everything. And, now is the time! Our community supports this new sanctuary, and it shouldn't really even be up to just our community, since tourists from all over the country and the world also support it, too. We all know how important healthy oceans are to our entire planet. Please help us in our work to create this new sanctuary. Thank you.

Connie Gannon – Greenspace-The Cambria Land Trust

Greenspace supports Chumash MS. Asks Advisory Committee members to read Cambria Community Services District Subsequent Environmental Impact Report and comment by October 26<sup>th</sup>, invitation to attend The Golden Shore presentation November 13<sup>th</sup> in Cambria.

Tom Hafer – President, Morro Bay Commercial Fishermen

We the fishermen and women of Morro Bay and Port San Luis have the most to lose if a federally recognized NMS comes to town. As has been proven in Monterey Bay, promises were broken and supporters came to regret their endorsements. We have a chance now to say no. And just like the

late Monterey Bay Council member Ruth Vreeland, we don't want Washington bureaucrats making decisions without consulting us.

David Kirk – Port San Luis Harbor Commissioner

The Port San Luis Harbor District joins the hundreds of individuals, businesses, organizations and elected officials who are in opposition to the proposed Chumash Heritage National Marine Sanctuary. Our district unanimously passed a resolution opposing and we urge NOAA to remove it from their list.

Andrea Lueker – Port San Luis Harbor District

Broad community non-support of a sanctuary off our coast, by local elected officials including Port San Luis Harbor District Commissioners, Assemblyman Katcho Achadjian, SB County Supervisor Peter Adam, San Luis Obispo (SLO) County Supervisor Lynn Compton, SLO County Supervisor Debbie Arnold, City of Pismo Beach Shelly Higginbotham, Atascadero Councilmember Roberta Fenzi, City of Pismo Beach Mary Ann Reiss, San Miguel Community Services Director Anthony Kalvens, Former Congresswoman Andrea Seastrand, Former City of Morro Bay Mayors Janice Peter, Rodger Anderson, Cathy Novak, Bill Yates and Arroyo Grande Councilmember Barbara Herman.

Jeremiah O'Brien – Morro Bay commercial fisherman

Many organizations oppose the proposed NMS: Morro Bay Commercial Fisherman's Organization, Port San Luis Commercial Fishermen's Association, SLO County Cattleman's Association, Arroyo Grande Sportsman's Club, Commercial Fishermen of Santa Barbara, Morro Bay Quata Fund, Coalition of Labor Agriculture and Business of Santa Barbara and San Luis Obispo Counties, Santa Ynez Band of Chumash Indians, Forest Preservation Society of Southern California, California Marine Affairs Navigation Conference, Air Charter Safety Foundation, Pacific Coast Federation of Fishermen's Association, Recreational Fishing Association and many more found at [www.opccoalition.com](http://www.opccoalition.com).

Butch Powers – Port San Luis fisherman

Opposition to Chumash NMS - concerned about the nomination moving forward, there is not broad community support! We already take special care of our waterways with beach cleanups, the National Estuary Program, adherence to the 19 plus federal and state regulations. No to the NMS!

Leslie Richards – Cambria resident

Good morning, my name is Leslie Richards, Cambria resident and I would like to update you on the current Cambria community services district's attempt to morph its emergency water supply project into a permanent, full scale, growth-inducing desalination project with intake and outflow capabilities, which would directly and adversely impact your sanctuary.

First, this document, all 2000 pages is the new mitigation Draft Environmental Impact Report (DEIR) for the sustainable water supply project. The original Emergency Water Supply Project DEIR, completed December 1, 2015 was shelved. This new document, released August 2016 was designed to tier directly off the original Water Master Plan EIR from 2008 and covers only mitigation measures and changes to the original EWS project to support new growth and development here on the central coast. Specifically, on pg.7.19, it stipulates that ocean outfall is the most environmentally superior alternative for reverse osmosis (RO) concentrate disposal. I disagree with the Cambria Community Services District's (CCSD) conclusions here, and I hope you do as well. There are a

number of reverse osmosis (RO) disposal alternatives that have not been investigated by the district, including, Zero Waste Processing Technologies used by Pepsi Cola and Frito Lay, or the more recent Wetland Habitat Restoration projects using RO effluent.

The CCSD has repeatedly referenced a "flag lot" to the ocean in 2 previous EIR documents, for RO disposal directly into your sanctuary. The fact that this "flag lot" pipeline is mysteriously absent from this current tiered, program DEIR is quit telling. Currently, the district is proposing 2100 diesel truck round trips to Kettleman city to decommission it's RO waste storage pond which failed miserably almost immediately after plant start up in April 2015.

With Governor Browns current greenhouse gas emission protocols for California, these multiple truck trips seem unlikely. So, CCSD's plan B is to create a 2nd tiered document, which will encompass mitigation for the mitigation. Or perhaps patch into the conditions of approval their supposedly environmentally sound Ocean out fall alternative, i.e., incorporating the intake/outflow "flag lot" and thus "Backdoor" the RO waste directly into your sanctuary.

Second, County of San Luis Obispo, has even gone so far as to write a 500+ page report, Desalination Opportunities Summary Report, released August 2015 to the board of supervisors, which I have a copy for you here today, stating that there are 5 current desalination projects, within the county, that can be expanded upon to supply water resources outside their immediate communities. Cambria's Sustainable Water Facility is #2 on this list. In other words, the CCSD is now expanding their Sustainable Water Facility project to eventually profit from the resale of water.

Finally, Sanctuary Ecologically Significant Area (SESA) 15, "La Cruz Canyon" is the fourth most pristine and productive sensitive habitat area on your list of 16 special designation research areas inside the sanctuary. San Simeon and Cambria desalination projects are planning to dump their RO effluent directly into this SESA 15 and possibly destroy one of the last pristine habitats on the central coast.

Please do not allow the destruction of the sanctuary to continue. No more new intake/outflows. And stop expansions of previously allowed historic intake/outflows through the recently established Regional Water Quality Control Boards "fast track" permitting process, put forth in May 2015, which does not allow for public participation.

Richard Scangarello – SLO County commercial fisherman

A new national marine sanctuary off our coast will threaten to diminish our local voice just as it has in Monterey Bay. The addition of sanctuary status would significantly disrupt local ocean-based industries and make activities such as harbor dredging much costlier, lengthy and likely affect fishing grounds. Take the Chumash Heritage NMS off your list!

## **VI. ACTION ITEM: LETTER OF SUPPORT FOR WORLD HERITAGE SITE NOMINATION**

PJ Webb presented a draft letter of support for the proposed California Current Conservation Complex World Heritage site nomination.

Concerns were raised regarding increased tourism causing potential harmful side effects of shoreline habitat destruction, marine debris pollution and wildlife disturbance. It was asked if the benefits of

this designation outweigh the negative impacts. To which it was mentioned tourists are already visiting MBNMS. This designation would increase opportunities to educate tourists and Bill Douros, ONMS West Coast Regional Director, would not support this nomination if it was not going to be beneficial overall to the sanctuary.

A motion was made by Dan Haifley to send the letter of support but to make edits to the letter over the lunch break.

Seconded by Rich Hughett.

**Motion: Majority vote not received**

(Vote: 7 in favor, 6 opposed, 4 abstentions)

A motion was made by Tucker Hirsch to have an internal discussion over lunch and revote on the letter of support after lunch.

Seconded by Gary Pezzi.

**Motion: PASSED**

(Vote: 11 in favor, 4 opposed, 2 abstentions)

After lunch the AC re-voted to approve of the letter of support.

**Motion: Majority vote not received**

(Vote: 8 in favor, 5 opposed, 3 abstentions)

## **VII. INFORMATION ITEM: STAFF UPDATE – STATE DUNGENESS CRAB WORKING GROUP**

Karen Grimmer gave a presentation on the State Dungeness Crab Working Group and how they are working to reduce whale entanglement in California. She discussed NOAA Fisheries updates on whale entanglement reports, Fisherman's Best Practices Guide and communications, as well as enhanced reporting to inform co-occurrence of whales and fishing efforts. Between 2014 and mid-2016, California had the most entanglement reports when compared to British Columbia, Oregon and Washington. In 2016, most entanglements in California involving Humpback whales, occurred May through June and were reported in Monterey County. Of 41 reports of entanglement in 2016, 21 entanglements were caused by fishing gear (11 of those being Dungeness crab commercial gear) and 20 were not able to identify the source. The Dungeness Crab Working Group has developed a Best Practices Guide detailing ways to minimize whale entanglement risk including the use of proper length and weighting of lines, avoid setting gear in vicinity of whales if possible and avoid setting gear in trawl zones or shipping lanes. The guide is being distributed to peers and fishing associations and is also posted on various websites. There are three proposed projects to help fill data gaps to better understand the co-occurrence of whales and fishing efforts in California: analysis of historical data to inform whale behavior patterns, surveys to collect fishing effort and whale data, electronic monitoring/pilot testing.

### Advisory Council Member Discussion

There was discussion to clarify how individual whales were accounted for and not recounted as well as the purpose of trailer buoys on crab fishing gear. It was asked why further regulations have not been put in place and why it was not mandatory for fishermen to use one long ground line for all their traps instead of one line for each trap. The working group is looking at all voluntary options, not regulatory options. Current regulations require one line per trap because if a whale were to become entangled in a line with multiple traps attached, it would not survive due to the weight of the traps. It

was noted crab fishermen have started lining their crab traps along MPA boundaries creating a fence of concentrated crab traps.

### **VIII. ACTION ITEM: RESOLUTION FOR PLASTIC BAG BAN REAFFIRMATION**

Katherine O’Dea introduced this motion and reviewed the original plastic bag ban resolution approved at the April 21, 2011 MBNMS Advisory Council meeting.

A motion was made by John Hunt to reaffirm the resolution on the plastic bag ban.  
Seconded by Steve Scheiblaue.

**Motion: PASSED**

(Vote: 15 in favor, 0 opposed, 1 abstentions)

### **X. INFORMATION ITEM: MANAGEMENT PLAN REVIEW CITIZEN SCIENCE WORKSHOP**

Lisa Emanuelson gave a presentation on current MBNMS citizen science programs. She discussed the following programs: Beach COMBERS, First Flush, Snapshot Day, Urban Watch, Team OCEAN, LiMPETS, Biotoxin Plankton Monitoring Program, dive surveys, Whale Alert. These programs contribute invaluable data including strandings and deaths of seabirds and marine mammals, storm water, bacteria and nutrients in creeks and rivers and illegal disposal in storm drain systems. She discussed the purpose and importance of each program as well as the value the volunteers have and provide. She also discussed some issues faced by these citizen science programs including funding. Lisa prompted the Advisory Council to provide recommendations for future growth areas for the citizen science programs as MBNMS continues working through the Management Plan Review process.

#### Public comment

Amanda Rice – Cambria Community Services District

Supportive of citizen science concept and want to get involved (district and individuals).

#### Advisory Council Member Discussion:

Fundraisers were suggested to help with costs of supporting citizen science programs as well as the staff time needed to facilitate the programs. It was also suggested to train kayak shop staff and guides to collect data for Team OCEAN.

The Research Activity Panel (RAP) has been talking about long term monitoring for the sanctuary. They will assess what all MBNMS partners are already doing and what management decisions need to be made between all these partners. The RAP is looking to have a memo to the Advisory Council by the next council meeting with their findings and recommendations.

### **XI. STANDING ITEM: Working Group and Subcommittee Reports**

Wildlife Disturbance – Approach Issues Working Group: Whale watch operators are now coming to the working group meetings. The next meeting will be held on November 30<sup>th</sup> at 2:30 in the MBNMS Monterey office.

Wildlife Disturbance – Ocean Noise Working Group: We have had two meetings, in those meetings we heard from acoustic science experts, reviewed the Noise Roadmap recently released by NOAA and began to review and discuss our recommendations.

We have two additional meetings scheduled, in those meetings we will hear from three more experts, including Dr. Leila Hatch who will review her work at Stellwagen Bank NMS studying sonic impacts on endangered right whales. We will have one final meeting where we review all of the science and develop recommendations which we will present at the December CAB meeting.

Conservation Working Group (CWG): The CWG has been meeting monthly. There is a core group of very active members. They have been able to determine the best way to support the Management Plan Review is to focus on marine debris and plastic pollutions. A presentation will be given on marine debris at the February 2017 AC meeting.

Research Activity Panel (RAP): The Research Activity Panel met on September 9 at the Moss Landing Marine Laboratories. MLML Director Jim Harvey gave us an update on faculty, projects, vessels and facilities. We are grateful to Jim and MLML for their generous sharing of facilities. The RAP has continued work on the Management Plan update, particularly focusing on Action Plans related to the research and long-term monitoring. At our next meeting we plan to finalize a memo to the SAC with recommendations.

The RAP reviewed and discussed sanctuary small boat capabilities related to science needs, Condition Reports, and current small boat assets. RAP members contributed to a management report with recommendations for the small boat program. The RAP recommended maintaining small boats to accomplishing many MBNMS goals, and in particular to support multiple long-term monitoring programs in the sanctuary. There were a number of recommendations to reduce the cost of vessel use by pooling resources for captains and crew, co-owning vessels among local institutions, or jointly purchasing or building appropriate boats. The RAP also agreed that acquiring a day-use boat, which could be operated by sanctuary staff, would benefit numerous science and resource protection activities including long-term monitoring programs that contribute to the MBNMS Condition Report and Management Plan update.

The RAP has been advising MBNMS staff on sound issues in the ocean, and RAP members commented on the Draft NOAA Ocean Noise Strategy Roadmap. The final document has been released and can be found at: [Ocean Noise Strategy Roadmap](#)

In order to allow more disciplinary diversity and flexibility in recruiting RAP members, we agreed to change the disciplinary titles of four RAP seats by replacing the word “ecology” with “environment.” Going forward, the four affected disciplines will be: Deep-sea Environment, Estuarine Environment, Nearshore Environment, and Shelf & Slope Environment.

Sanctuary Education Panel (SEP): SEP is moving forward with grant funding for Fishermen in the Classroom. Chelsea Prindle and Alan Lovewell of Real Good Fish met yesterday to discuss details of a partnership. From Chelsea: "Real Good Fish is going to apply for a Whale Tail Grant and will include Fisherman in the Classroom as part of that proposal. MBNMS will actually implement the Fisherman in the Classroom component, and funds will be directed to pay a contract educator. " We will also be applying to Monterey County Fish & Game Commission for more support, as Rich Hughett has identified a potential funding source.

John Hunt and Tucker Hirsch are trying to move forward with getting the Currents Symposium up and going for 2018. Details to come.

Amity Wood (new Education and Outreach Coordinator at MBNMS) and Tucker Hirsch are meeting October 28th to discuss the future of SEP and how it can best align its efforts with the Sanctuary Education Staff's efforts.

For those who asked to be on SEP email list, there hasn't been anything sent out in a while so they're not missing anything.

Next Monterey Bay Environmental Educators (MBEE) meeting is scheduled for October 26<sup>th</sup> 1:00 PM – 3:00 PM at Monterey Bay Aquarium. Constructing Explanations is the topic.

Recreation and Tourism Subcommittee (RATS): The October issue of the newsletter was published. The email list has 563 contacts with a 28% to 32% open rate. Brian is still looking for more business address from the MBNMS area of influence. Brian is looking forward to having sanctuary staff led RATS meetings again in 2017. “Friends of the Sanctuary” program is still on hold pending Management Plan Review completion.

Motorized Personal Watercraft Subcommittee (MPWC): There has been outreach to MPWC craft users and we are awaiting their feedback.

GFNMS Overflight Working Group: The group met on Wednesday, October 19<sup>th</sup> at the GF headquarters on the water at Crissy Field, in the shadow of the Golden Gate bridge. We worked through zones in Sonoma and Marin counties, and started on San Mateo County, specifically Devil's Slide Rock. The process is to solicit and review feedback from the public, work through stakeholder issues and then forward suggestions on revisions to the FAA charts to the CAB of GFNMS. Most of the work is complete for areas in Marina and Sonoma. The group, which includes strong representation from the piloting community is now tackling the very challenging airspace over Devil's Slide Rock, north of Half Moon Bay. The area has a resident breeding colony of common murres and is located in an area where the controlled airspace for commercial aircraft arriving and departing at SFO, rugged terrain and coastal fog funnels general aviation into a narrow corridor very close to the rock.

The working group will complete recommendations at the next and final all day meeting on November 30<sup>th</sup>.

Meeting adjourned at 4:05 PM