

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

**DRAFT
April 2, 2004
UCSC Long Marine Lab
Santa Cruz, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, April 2, 2004, at UCSC Long Marine Lab, California. Public categories and government agencies were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Dave Vincent-ABSENT
AMBAG: Stephanie Harlan	Conservation: Kaitilin Gaffney
At Large: Margaret Webb	Diving: Frank Degnan
At Large: Mike Laffen	Education: Pat Clark-Gray
At Large: Deborah Streeter	Fishing: Thomas Canale
Business & Industry: VACANT	Ports & Harbors: Brian Foss
CA Coastal Commission: Tami Grove	Recreation: Dan Haifley
CA Dept. of Fish and Game: Paul Reilly	Research: Jeff Paduan
CA EPA: Russ Jeffries	Tourism: Michael Bekker
CA Resources Agency: Brian Baird-ABSENT	U.S. Coast Guard: LT Deborah Darminio

The following non-voting members were present as indicated:

Channel Islands NMS: Chris Mobley
Gulf of the Farallones NMS: Maria Brown
Cordell Bank NMS: Dan Howard-ABSENT
Elkhorn Slough NERR: Becky Christensen
Monterey Bay NMS: William J. Douros

Alternates present in audience:

Meg Delano-At-large
Robert Frischmuth-At-large
Steve Shimek-Conservation
Harriet Mitteldorf-At-large
Howard Egan-Fishing

I. CALL TO ORDER, ROLL CALL, ELECTION OF NEW OFFICERS

WELCOME

The Mayor of the City of Santa Cruz, Scott Kennedy and Dr. Gary Griggs, Director for the Institute for Marine Sciences, welcomed the Advisory Council to the UCSC Long Marine Lab and to Santa Cruz.

ELECTION OF NEW OFFICERS

Bill Douros presented Stephanie Harlan with a special plaque recognizing her for four years of service as the Advisory Council Chair.

- ADVISORY COUNCIL CHAIR

Advisory Council Education representative Pat Clark-Gray nominated Advisory Council At-large representative Deborah Streeter.

Advisory Council Fishing representative Thomas Canale nominated Advisory Council Recreation representative Dan Haifley.

Deborah Streeter was elected as Chair and will serve a two year term.

- ADVISORY COUNCIL VICE-CHAIR

Advisory Council AMBAG representative Stephanie Harlan nominated Advisory Council Conservation representative Kaitilin Gaffney.

Advisory Council Harbors representative Brian Foss nominated Fishing representative Thomas Canale.

Thomas Canale was elected as Vice Chair and will serve a one year term.

APPROVAL OF 2/6/04 DRAFT MEETING NOTES

MOTION: (Passed)

The SAC adopted the minutes from the February 6, 2004 Sanctuary Advisory Council meeting, with the following changes:

- **Add Meg Delano, At-large alternate to list of attendees**
- **Under “Welcome”, clarify that Richard Herrera was from the office of Assemblymember Simon Salinas**
- **Under SAC Announcements, correct misspelling of the last name of the Director of the California Department of Fish and Game**

Motion introduced by Paul Reilly, seconded by Kaitilin Gaffney
(Vote:15 in favor, 0 opposed, 2 abstentions (unanimous))

II. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Patrick Higgins announced the KRIS Project developed for watershed conservation. The website is www.krisweb.com

Lydia Bergen, Policy and Outreach Coordinator for PISCO, circulated the latest version of PISCO’s Coastal Connections. She announced that she would be leaving PISCO and she thanked everyone that she has had the opportunity to work with. PISCO would be advertising for her position shortly. She said she was hoping the position would be filled by the end of April.

III. NATIONAL MARINE FISHERIES SERVICE BRIEFING ON DEPARTMENT OF DEFENSE ACTIONS RELATIVE TO THE MMPA AND ESA

In response to the Advisory Council’s previous request, Ms. Donna Wieting, Deputy Director for the Office of Protected Resources, gave a presentation on how the Department of Defense’s recent “National Defense Authorization Act for Fiscal Year 2004” affects the implementation of the Marine Mammal Protection Act and the Endangered Species Act. Issues covered included Department of Defense exemptions, changes in the definition of harassment, and enforcement issues.

Action, by consensus: The Advisory Council expressed their appreciation and agreed to have Advisory Council Chair Deborah Streeter send a thank you letter that would include identifying some of the issues raised during the discussion. The letter will be addressed to

the NMFS Director Bill Hogarth and copied to Donna Wieting, Richard Spinrad (NOS), Dan Basta (NMSP) and Bill Douros (MBNMS).

IV. UPDATE FROM ADVISORY COUNCIL MEMBERSHIP SUBCOMMITTEE

The Advisory Council discussed the recommendations of the Advisory Council subcommittee formed to review Advisory Council membership.

Sanctuary Advisory Council Coast Guard representative, LT Deborah Darminio stated that she would see about having the Coast Guard appoint an alternate to her position and consider if the primary Coast Guard representative should be someone from the San Francisco office. It was at the request of LT Darminio that the Coast Guard seat be changed from a voting to a non-voting seat.

Sanctuary Advisory Council Agricultural representative, Kirk Schmidt asked if it would be possible to appoint someone from San Mateo County as his alternate even though that area is now part of the Northern Management Area. Bill stated that it was certainly possible to appoint someone if they applied and were qualified.

PUBLIC COMMENT

David Zaches commented that he would like to see the Business seat continue on the Advisory Council.

Meg Delano, At-large alternate, stated that she supports having a representative from the San Francisco Coast Guard going to each meeting for the three northern California sanctuaries.

Action: To support the recommendations of the Advisory Council membership subcommittee with one change: to delete the proposed item #6 and replace it with a recommendation to change the Coast Guard's seat from voting to non-voting. Motion by Dan Haifley, seconded by Brian Foss (Vote: 17-0). (approved recommendations are attached to these minutes.)

V. JOINT MBNMS/GFNMS BOUNDARY ISSUE

The Advisory Council discussed the decision by National Marine Sanctuary Program Headquarters to establish the Northern Management Area off Marin and San Mateo County and turn over management responsibility to the Gulf of the Farallones National Marine Sanctuary. Bill identified the transition team members as himself, Maria Brown, Brady Phillips, Julie Barrow and Holly Price. Advisory Council comments included the following:

- 1) Steve Shimek, Advisory Council Conservation alternate, volunteered to serve in an intern liaison role for the MBNMS Advisory Council to the GFNMS Advisory Council, as he plans on attending their Advisory Council meetings;
- 2) Advisory Council members felt that it would be appropriate for someone from San Mateo County to serve as the Agricultural representative or alternate on the MBNMS Advisory Council;
- 3) The MBNMS Advisory Council expressed an interest in seeing the agendas and having access to relevant meeting materials for the GFNMS Advisory Council meetings in advance of their meetings;
- 4) The MBNMS Advisory Council also requested a copy of the MBNMS staff questions presented to NMSP Director Dan Basta and the transition team; and

- 5) Advisory Council Chair, Deborah Streeter, agreed to make a phone call to the Chair of the GFNMS Advisory Council to discuss the following three items:
- Selecting Advisory Council member(s) to serve as a liaison between the two sites;
 - Having the MBNMS Advisory Council members participate in a NMA working group, if one were established; and
 - Support for holding a joint meeting between the two Advisory Councils

VII. SANCTUARY CURRENTS SYMPOSIUM REPORT AND FISHERMAN'S FIESTA

Liz Love, MBNMS Education Specialist, gave a briefing on the 12th Annual Sanctuary Currents Symposium "Clean Waters, Healthy Oceans" held on March 6th at California State University Monterey Bay.

Liz also highlighted the upcoming Fisherman's Fiesta scheduled for June 5, 11 a.m.- 4 p.m. The event will highlight and raise awareness of commercial fishing in Monterey Bay. There will be activities scheduled throughout the day at Wharf II.

12:15 – 1:15 LUNCH

Peter Grenell, the previous Harbors representative, received his plaque for his years of service on the Advisory Council.

VIII. JOINT MANAGEMENT PLAN REVIEW UPDATE

- PERMIT PROCESS

Deirdre Hall, MBNMS Permit Coordinator, gave a presentation on the permit process for the MBNMS. During the discussion, Advisory Council members provided the following advice:

- 1) That the MBNMS try to get an article in local newspapers explaining the MBNMS permit process. Members were particularly interested in spreading the word that the permit process was fairly responsive in terms of processing time, cost and results (approvals);
- 2) That the MBNMS align deadlines/expiration dates of MBNMS permits with other permits required for a project (Note: Deirdre responded that this is incorporated in the draft action plans);
- 3) That the permit process stay streamlined and if possible become more streamlined (e.g. strive to reduce the process to less than the current estimated average of 21 days);
- 4) That the MBNMS staff review compliance reports from existing permits as a way to help measure progress in complying with permit conditions and protecting resources.

In addition, in response to Advisory Council member comments:

- 5) Bill said that the MBNMS would try to get clarity on the issue of whether old, potentially historic buildings are considered "cultural resources" under NMSP or MBNMS regulations (i.e. Cannery Row).

- PERFORMANCE MEASURES

Matt Brookhart, NMSP gave a presentation on the NMSP's performance measure framework. The goal of the performance measures are to track a Sanctuary's progress on meeting the strategies and activities in the revised management plan and measuring if those are succeeding in protecting the resources of the Sanctuary. Advice from the Advisory Council included:

- 1) An Advisory Council member urged the NMSP and MBNMS to stay focused on identifying positive trends rather than just solely focusing on the ultimate performance measure;

- 2) An agreement by the Advisory Council to review the performance measures for the action plans when the draft management plan is released;
- 3) No specific advice related to performance measures for the Operation & Administration action plan. This plan contains a strategy related to the Advisory Council, but the Advisory Council did not suggest setting up any kind of subcommittee to develop or review the performance measures.

IX. 4TH ANNUAL SANCTUARY ADVISORY COUNCIL CHAIRS/COORDINATORS MEETING

Stephanie Harlan, past Chair and AMBAG representative, gave a brief presentation on the Advisory Council Chairs/Coordinators meeting held February 23-27 in Savannah, GA. She highlighted the different case studies presented by each site and the issues covered by the Chairs during their advice session to the NMSP.

X. REVIEW OF SANCRUARY ADVISORY COUNCIL ANNUAL REPORTS

Advisory Council members provided comments on the draft annual reports.

Action, by consensus: The Advisory Council approved the reports by consensus, Deborah Streeter, Stephanie Harlan and Tom Canale will work with Nicole to make final refinements. MBNMS will then send reports to HQ and post on the web.

XI. SAC MEMBER ANNOUNCEMENTS

Tom Canale, Advisory Council Fishing representative, raised a concern that no announcement about the Advisory Council meeting appeared in the Santa Cruz Sentinel. Rachel indicated that one was sent. Rachel will follow up with the Sentinel. She will also contact other key newspapers (the Monterey County Herald, the Californian, the San Luis Obispo Tribune, etc.) to emphasize the importance of publishing these announcements. Additionally, it was suggested that Tom Canale write a letter to the Sentinel editor on the importance of getting this information out to the public.

Paul Reilly, CA Department of Fish & Game alternate for the Advisory Council, announced that Fred Wendell, who holds the primary seat for the CA Dept of Fish and Game, is retiring. Paul Reilly will be the sole designate for CA Dept of Fish & Game on the Advisory Council.

Chris Mobley, CINMS Manager, announced they are in the process of drafting preliminary sections of the Environmental Impact Statement with key sections done by June. There is opportunity for the public and the Advisory Council to offer comments before the final is out on the street. The meeting will be held the week of June 14th in Foster City.

Stephanie Harlan, Advisory Council AMBAG representative, announced the upcoming Scenic Trail Dedication at the Santa Cruz Wharf at 9:30 a.m. on Monday, April 5th.

Steve Shimek, Advisory Council Conservation alternate, gave mortality numbers from last year on the California sea otter population. Last year 262 dead otters were found, much higher than the average of 166. In the first three months of 2004, 53 otters were found dead. Last year, 49 were found dead in the first 3 months, the average per year is 33. The number of sea otters were up last year, but so were the number of dead sea otters. He stated that it seems the population is steady, but we might be looking at a decline in the future. The main cause of death is by disease.

ACTION: SET JUNE 4, 2004 AGENDA

Canterbury Woods Retirement Facility, Pacific Grove

The meeting adjourned at 3:26 p.m.

Submitted by Nicole Capps