

**MONTEREY BAY NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL**

**FINAL  
December 7, 2001  
Douglas Beach House  
311 Mirada Road  
Half Moon Bay**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, December 7, 2001, at the Douglas Beach House, Half Moon Bay, California. Public categories and government agencies were present as indicated:

|  |                                      |
|--|--------------------------------------|
| Agriculture: Richard Nutter                            | CA State Parks: Bill Berry           |
| AMBAG: Stephanie Harlan                                | Conservation: Vicki Nichols          |
| At Large: Ron Massengill - ABSENT                      | Diving: David Clayton                |
| At Large: Jenna Kinghorn                               | Education: Pat Clark-Gray            |
| At Large: Deborah Streeter/Harriet Mitteldorf          | Fishing: Thomas Canale               |
| Business & Industry: Dave Ebert - ABSENT               | Ports & Harbors: Linda Horning       |
| CA Coastal Commission: Tami Grove                      | Recreation: Dan Haifley/Heidi Tiura  |
| CA Dept. of Fish and Game: <i>awaiting appointment</i> | Research: Chris Harrold              |
| CA EPA: Craig J. Wilson                                | Tourism: Ted Balestreri              |
| CA Resources Agency: Melissa Miller-Henson             | U.S. Coast Guard: LT Tom Stuhldreier |

The following non-voting members were present as indicated:

Channel Islands NMS: LCDR Matt Pickett - ABSENT  
Gulf of the Farallones NMS and Cordell Bank NMS: Ed Ueber - ABSENT  
Elkhorn Slough NERR: Becky Christensen  
Monterey Bay NMS: William J. Douros

Alternates present:

Ruth Vreeland, AMBAG  
Lynn Rhodes, CA State Parks  
Kirk Schmidt, Agriculture  
Kaitilin Gaffney, Conservation  
Pat Conroy, At Large  
Mike Murray, CINMS

**I. CALL TO ORDER, ROLL CALL, APPROVAL OF THE October 5, 2001 DRAFT MEETING MINUTES**

Dan Haifley requested that we dedicate the SAC meeting in memory of Cathy O'Boyle. A number of SAC members commented about her many contributions to the local community.

**MOTION: (Passed)**

**The SAC adopts the minutes from the October 5, 2001 Sanctuary Advisory Council meeting, with the following changes.**

- Chris Harrold – change “sole” to “top” priority on Motion on page 5.
- Dan Haifley – spelling errors on page 4
- Dave Clayton – spelling correction on page 4, and he read and submitted written comments in regard to motion made for item VI Establish Listserv Protocols.
- Stephanie Harlan - we will enter David Clayton's comments into the minutes

Motion introduced by Deborah Streeter, seconded by Chris Harrold  
(Vote: 15 in favor, 0 opposed (unanimous))

Stephanie introduced Susan Danielson from Save Our Shores northern office, and invited her to say a few words. Susan spoke briefly about the program.

## **II. COUNCIL MEMBER & STAFF ANNOUNCEMENTS**

David Clayton gave a brief summary of the Sept 15, Clean up dive.

Tom Canale announced that crab season was open.

Pat Clark Grey handed out the Sanctuary Education Panel November meeting notes.

Craig Wilson announced a new EPA initiative - Total Maximum Daily Load Program (TMDL).

Vicki Nichols announced that the Alliance group had identified the need for expanded public education, and so there will be a community education forum on marine protected areas on March 11 and 12. Pacific Coast Fisheries Association (PCFA) will co-sponsor the event.

Dick Nutter announced a February 2002 ground-breaking ceremony for an exhibit on the history of agriculture in Monterey County.

Mike Murray announced that he will stand in as alternate for Matt Pickett, Manager of Channel Islands National Marine Sanctuary. He is the CINMS SAC Coordinator, and involved with their management plan review process.

Stephanie Harlan announced the restoration habitat council is developing a national estuary restoration plan.

Bill Douros gave a brief update on the progress of the joint management plan review (JMPR) scoping meetings.

Stephanie Harlan requested that we move the deadline for receiving applications for the SAC seats to January. The SAC decided that January 18<sup>th</sup>, 2002 would be the deadline for submitting applications.

## **III PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA &**

## **IV PUBLIC COMMENT: SCOPE OF JOINT MANAGEMENT PLAN REVIEW**

Ruth Vreeland briefed the Council on a new sculpture in Monterey, and commented that the artists would like to do something for the Sanctuary's 10<sup>th</sup> anniversary.

Jenna Kinghorn offered welcoming comments and gave a brief overview of her perspective issues for the Half Moon Bay region of the Sanctuary. She offered the staff her compliments for the evening meeting at the community center, and that during Sanctuary designation it had been filled to capacity. Boundary issues had come up at last night's meeting, and she offered background on why the San Mateo coast was included in the original designation. Jenna described the area as representing an active fishing, whale watching, and tidepooling community. Other activities and issues include beach cleanups (led by Save Our Shores), jet skis and use of rip rap, and sewage spills.

Dick Nutter mentioned the importance of the agricultural community and that a number of people had turned up today from that industry.

Lenny Roberts offered more information as to where our SAC meeting was taking place (an unincorporated area of San Mateo County), and had comments about land use issues relative to coastal stream issues, and improving habitat for anadromous fish species. Most of San Mateo is included in the San Francisco Regional WQ Control Board down to Pescadero.

Paul Perkovic representing the Mid Coast Community Council for San Mateo Board of Supervisors commented on a number of issues including the Park and Recreation interest in Fitzgerald Marine Reserve (12,000 people are represented), and that the mid-side county has embarked on reducing storm water runoff, and he is concerned about the potential impact on water quality by the proposed abalone aquaculture facilities in Pillar Point Harbor.

Peter Grenell welcomed SAC members and invited them to view at the Pillar Point Harbor some of the issues that are going to be seen in the JMPR process. He mentioned surfing at Princeton, and the Mavericks big wave contest this weekend. Concerning water quality – the inside outer breakwater is not Sanctuary water; outfall is in the harbor and has high ecoli counts. He also wanted to correct misinformation concerning the proposed abalone facilities, as the permits have expired, and so issues related to above statements, probably won't occur.

Kirk Schmidt commented on water quality related to agriculture, and that six counties are beginning monitoring projects and have identified project sites. Additional funding is necessary to develop baseline for watersheds. Monterey Bay farmers support the clean water initiative in Pajaro Valley. Manual for best practices is now completed and ten farms have been certified. He showed a prototype of the preferred sign. Cattle farmers are not currently included.

Tony Fromm is involved in the agricultural industry in San Mateo county farm bureau commented that they developed the volunteer program as part of the MBNMS umbrella, with help of Holly Price and Katie Sigler. They have established two watershed working groups in San Mateo, with good representation of all partners.

Dick Nutter added a little background. Four staff people for Natural Resource Conservation District are focusing on the six county effort, and he suggested we have a more detailed presentation at the upcoming Salinas meeting in February.

Ernie Koepf commented that over the past 10 years, revamping of regulations have occurred by state and federal agencies. Commercial fishermen are trying to make do with new regime. MBNMS Charter states that Sanctuary will not get involved in fisheries.

Heidi Tiura gave an update on observations from her whale watch cruises. She has noted a decline in Blue whales in Monterey Bay at this season. (Late fall on). Many more Orcas this year.

Jean Salane representing the Half Moon Bay Fishermen's Association reiterated Ernie's prior comments. We were responsible for stopping Oakland dumping their dredging spoils.

George Bread commented that the Sanctuary management planning process is very complicated, and requested that we adjust the boundary to Santa Cruz's county line.

Dave Clayton commented that since desalination is one of the SAC's priorities, and since a large permit is pending, we need to agendaize the item for the Cannery Row Market place permit, and add it to the February or April meeting. We need to know the specifics on outfall, etc.

Bill Douros responded that there is a voluminous amount of information available on this project. We can help get city copies to David C., Jenna, and Dan.

Tami Grove added that she would like to see the Sanctuary continue focusing on a more general policy for the entire Sanctuary.

Kaitilin Gaffney offered comments on the list of issues compiled by the CWG. Following is a summary. All of the people she had spoken with are glad the Sanctuary exists, most were familiar with at least some of the Sanctuary's activities and responsibilities and support the increased protection offered by the MBNMS. Many would like to see protection increased. Maintain primary goal of resource protection as required by the National Marine Sanctuary Act (NMSA). Follow Precautionary Principle when determining whether a proposed activity is consistent with the NMSA or the MBNMS Regulations. Increase public outreach and education efforts – too many area residents and visitors still do not know the MBNMS exists or what it does. Increase enforcement efforts, staff a boat, ensure visible resource protection enforcement activities. Develop visitor centers, kiosks, signage to let people know the Sanctuary is here and learn more about its resources and regulations. Boundary issues: expand boundary to South (esp. from Cambria and SLO folks), confirm jurisdiction over Northern MBNMS (North of Ano Nuevo) and clearly assign it to MBNMS or GFNMS.

## **V SUMMARY OF PUBLIC & SAC MEMBERS INITIAL SCOPING COMMENTS; SAC MEMBER INPUT**

Sean Morton summarized a number of SAC member and comments from public scoping meetings. Representing their constituencies, individual SAC members gave testimony, as follows:

Dan Haifley commented that jet ski regulations should be looked at, and we need better posting of water quality alerts, approaching distance to marine mammals for kayakers, signage at harbor launch ramps, alternatives to coastal armoring, extension of boundary to tidelines and shorelines, no offshore oil drilling, need more aggressive marketing campaign, establishment of fisheries preserves, and Santa Cruz Surfriders does support establishment of MPAs.

Sean Morton gave a summary of the last nine meetings.

Tom Canale suggests the addition of a recreational fishing seat, and to keep and maintain the division between National Marine Fisheries Service and the Sanctuary.

Linda Horning requested assurance that the management plan update maintains the original commitments. Include a statement that clarifies that Sanctuary will not become an fisheries management agency. Harbors are gateways to the Sanctuary, and dredging should not be restricted. The SAC should be allowed to elect members by local citizens, and free to communicate.

David Clayton commented that we need to change the SAC appointment process to recruitment by a third party. Charter and protocols need to be amended and should not require concurrence by the Sanctuary Superintendent. Revisit kelp harvesting issue, and not have harvesting allowed in a reserve on Cannery Row. Alternative foods are available.

Peter Grenell commented on dredging – disposal of dredged material – that the current blanket prohibition be lifted. Beach replenishment of non contaminated material is a good alternative. Please address Pillar Point Harbor – we have a solution.

Dick Nutter requested no new regulations for agricultural community, particularly dealing with non point source pollution. We need more funding for the six county project. He is concerned with the SAC appointment process.

Kirk Schmidt – Don't impose regulations on agriculture that they can't manage.

Bill Berry referred to the partnership description in the State of the Sanctuary Report. Our partnerships have been critical. The Sanctuary is larger than just the marine-related community. “Seamlessness” is what we need to attain. Artificial boundaries related to jurisdictions are hard to defend. Those overlapping jurisdictions might benefit from having more agencies involved, and enforcement may be better represented in the process.

Tami Grove commented that the California Coastal Commission has been happy to work with Sanctuary. We need to reflect on the last ten years and how we can improve that. It is an integrative force – research, WQPP, for example. How did that success come about? By providing a forum for shared resources, funding, etc. The new management plan should be approached the same way, as the Sanctuary can provide an umbrella in that joint management. We are managing human activities, not the resources. Public relations aspect is important, and how we work with other groups. CCC will also provide written comments.

Ted Balestreri commented that since the Sanctuary is a federal organization, we must continue to stop oil drilling, and preserve the Sanctuary for all Americans. Protecting resources is good for all groups. We have to coexist. For example, kelp harvesting is a non-issue. We need to make decisions based on scientific fact. Let’s not be provincial in our vision. Keep the coastline user friendly. Don’t micromanage staff.

Vicki Nichols commented that she would like to dispel the notion that Save Our Shores and the environmental community are trying to shut down the fishing industry. SOS supports sustainable fisheries. Kaitilin Gaffney has already given a summary on the fifteen main issues, looking at Sanctuary-wide policies on all issues. Some issues we need more information, and assessments to discover impacts. We support marine reserves, but we are not telling the Sanctuary to go out and develop them, but we would like them to be a player. Water quality plans need to be implemented. Sewage and beach closure issues – more funding. Oil drilling, a strong message to DC is critical, and no slant drilling. Harbors, better coordination among agencies, use the San Francisco Bay Model approach. New dredge disposal sites. Strong enforcement is needed for all regulations. More research is needed on issues coming down the pike. Let’s be proactive.

Dan Haifley commented that we are a national marine sanctuary. We need to establish a national constituency for budget and regulatory support. We need to reach out to folks in Kansas.

## **12:30 – 1:15PM      LUNCH BREAK & OPEN SESSION TO REVIEW POSTERS**

### **VI      CONTINUATION OF SAC MEMBER COMMENTS**

Chris Harrold commented that on the boundary issue, no scientific evidence exists that supports a boundary change. Keep the boundary where it is, as we are the largest sanctuary and get the resources due to that. Ecosystem monitoring - we need more research and therefore, additional funding. For example, information on fisheries impacts are needed - what is changing and why is it changing? SIMON could address that information gap. The Sanctuary Superintendent’s job is to make decisions about human activities to protect the resources. It is difficult, especially in regards to industry. The SAC’s job is to provide advice to him, so he can make better decisions. It is my job to assist with that. The current SAC setup is best way to provide help. So I’m not in favor of any change in charter and protocols. Maintain the current Sanctuary boundaries. At the same time, make sure sanctuary regions north and south of Monterey Bay receive sufficient resources and attention from Sanctuary staff. Marine reserves – agrees with fishermen that the Sanctuary should not be a regulator. The Sanctuary needs to think about fisheries, and should continue to work with agencies to address those issues. Get a larger vessel.

Mike Murray offered a cautionary comment on getting bogged down on issues that don’t call on the SAC’s collaborative strengths. Inter SAC coordination could be expanded.

Jenna Kinghorn commented that the Sanctuary needs additional visitor centers, goals for signage, and its volunteer programs could be expanded. Additional staff would be needed for Half Moon Bay. Add a volunteer coordinator position, and education programs will benefit.

Harriet Mittedorf commented that the Sanctuary staff is doing a great job with the scoping procedure, and is open to comments. They are also keeping the responsibility for protecting the resources. The need for greater resource protection is established, and must be supported. We need more intense research, and to enhance the community education.

Pat Clark Gray commented that the Sanctuary Education Panel reviewed the five priorities in our presentation to the SAC, and they match with public comment to date. Education is different from public relations, and so we need to better define those goals. In regards to the SAC structure - ditto with Chris Harrold, as she is content with the current SAC structure.

Craig Wilson – in regard to EPA issues, enhancing the understanding of environmental monitoring is important. We need to be able to prove that the resources are in good shape, or not. Bring SIMoN into the plan, but be clear on the goals of each study design. Think in terms of the status of the resource. In 2003, a state-wide study on state waters will be initiated – the Sanctuary should integrate with that. The new management plan needs to consider updating the MOU on the water quality program, and integrate with state-wide WQ protection plan. Lastly, the program is focused on integrating the efforts that are going on within the Sanctuary boundary. SAC is a fabulous forum for giving advice to the Superintendent, and he supports the way the SAC is organized right now.

Deborah Streeter requested that we reaffirm that the highest priority is resource protection. Articulate and educate the public about the meaning of the concept "Sanctuary." Define more clearly as well the concept "stewardship" which is used variously in our documents (local and NOAA) - how does this relate to conservation, protection and preservation. Think as long term as possible. This plan is designed to last 5 or 10 years, but maybe we also need to name some issues that we think are 50 or 100 year issues (not necessarily put them in the plan, but at least spend some time thinking about them). As to the "Issues" - the easiest thing to say is that the list on page 18-20 of the State of the Sanctuary report are ALL important!

Becky Christensen requested continued focus on watersheds. The National Estuarine Research Reserves (NERRs) feel that the watershed focus should remain. A comment about sharing boundaries with NERRs – the management plan should reflect a closer collaboration between Sanctuary and Elkhorn Slough NERR. Issues to address collaboratively include tidal scour, invasive species, recreational use of the Slough, and water quality issues.

Melissa Miller-Henson offered comment on prior testimony related to use of the term “extraction” in relation to resources. The term has been commonly used in state regulations. Also, the Marine Life Protection Act (MLPA) process is only looking at state waters. We now have a comprehensive list of issues that focuses on managing human activities, and how we affect those resources. Ocean agenda – inland issues affect the waters, and we continue to support that focus. Kudos to staff on the process. Collaboration with agencies should continue, and we have such an opportunity to keep that intact. Water quality monitoring program is a great example.

Peter Grenell commented that we should consider who should be educated. How do we translate research findings, and also translate that to Bill’s level. We could break new ground, if we can take findings and translate the information to decision makers and managers.

Becky Christensen commented that the NERR’s new coastal training program is designed to do exactly that - translate scientific information to decision makers and managers.

Stephanie Harlan commented that the Sanctuary should develop a comprehensive plan to educate, encourage support of, and coordinate activities with all local governments and community organizations. This plan would address such topics as water quality: urban runoff, storm drains, catch basin improvements, street sweeping; best restaurant practices; local posting notices for beach closures; Zone 5 practices; and sewage spills. Develop an education program for the schools which would include speakers, videos, etc. Continue to work on the Sanctuary Scenic Trail in Santa Cruz and Monterey Counties and in other locations if possible. Develop visitor centers in each county. Continue to maintain local offices in each county. Assist with local economic development focused on the Sanctuary. Develop a close working relationship with local user groups and business groups. Build local political ties. Increase Superintendent and staff's presence in the local communities. Build closer working relationships with watershed groups. Work with local officials, water boards, and the community to educate regarding desal. Continue to be vigilant regarding offshore oil drilling and its impacts. Increase public relations activities.

Ruth Vreeland commented that the constituent groups should choose their own people to be represented in the SAC.

Lynn Rhodes concurs with Deborah Streeter's comments on the meaning of "Sanctuary" also use of "seamless". The public wants to have a quality experience when they visit the Sanctuary.

Kaitilin Gaffney commented that we should look at the National Marine Sanctuary Act (NMSA), and realize how amazing and visionary the act is, as it gave us a very broad mandate. No other agency provides that type of mandate. There is value in having that comprehensive look at all the pieces within a complex system. As we go forward in time, the pressures are going to increase, and we need to be able to weigh that. We need to find out what that means. Remember that the primary purpose of the Sanctuary is resource protection.

Kathy Fosmark commented that we need to streamline the dredging process as it is a financial issue for a variety of reasons.

Bill Douros requested input on how we could know when a constituency elects a SAC member. Please send us a letter describing a process that would ensure the elected SAC member does represent their constituency. Send the letter to myself and/or Stephanie Harlan.

## **VII DISCUSSION: NEXT STEPS IN MANAGEMENT PLAN REVIEW, SAC INVOLVEMENT & SCHEDULING**

SAC members discussed this in detail and settled on the development of two documents to assist with the next important step in prioritizing and narrowing issues for the JMPR.

### **MOTION: (Passed)**

**The SAC requests the staff develop the following products for review.**

- 1. A comprehensive list that includes all public comment to be posted on the website (if possible, sorted by issue)**
- 2. A synthesis of all comments received through January 31, 2002, organized into priorities with assessments and analysis of those topics that may be priorities, and why.**

Motion introduced by Melissa Miller-Henson, seconded by Vicki Nichols.  
(Vote: 15 in favor, 0 opposed (unanimous))

Next SAC meeting will be Monday the 25<sup>th</sup> of February at the National Steinbeck Center in Salinas.

## **VIII UPDATE: ALLIANCE OF COMMUNITIES FOR SUSTAINABLE FISHERIES**

Erica Burton gave the following update for the November 26, 2001 Meeting of the Alliance of Communities for Sustainable Fisheries Marine Reserves Workgroup.

They created a framework for the next several meetings. The timelines for the MLPA and Sanctuary management plan processes and the fact that many fishermen will be leaving to go fish in late April or May make the next few months an important period for the workgroup to make progress on its recommendations

The framework agreed on for the next few Alliance workgroup meetings includes the following steps:

- 1) establish timeline for developing workgroup products
- 2) redefine workgroup products in more detail
- 3) redefine evaluation criteria for proposed MPAs
- 4) develop list of specific recommendations as raw material
- 5) consolidate comments and recommendations into “package(s)” for management processes.

There are four relevant socioeconomic studies that are planned for the central California coast:

- the Sanctuary Program is beginning a socioeconomic study of the Monterey Bay, Gulf of the Farallones, and Cordell Banks Sanctuaries to support their management plan processes. This study will not be limited to fishing but will include all major economic activities in the Sanctuaries. This study will be led by NOAA economists from DC who was also involved in the socioeconomic study for the Channel Islands management plan / MRWG , Rod Ehler and Bob Leeworthy.
- Also in association with the management plan review, Rick Starr of California Sea Grant will soon begin a NOAA-funded socioeconomic study of the central California coast that is more directly focused on fishing activities and will include a workshop in February to identify long-term socioeconomic needs.
- the California Department of Fish and Game will conduct a study of the economic impacts of the reserves proposed under the MLPA when funding becomes available in February.
- Monterey County is planning a socioeconomic study of the importance of the local fishing industry. Carrie Pomeroy of UC Santa Cruz will carry out this study.

The workgroup agreed that a set of specific evaluation criteria would be useful to organize their responses to MLPA and Sanctuary proposals and to develop their own recommendations. The group made numerous comments on the following criteria and will finalize the criteria at the next meeting. Some of these criteria include: Sustainable fisheries, Biodiversity, Socioeconomic, Education, and Research.

## **IX UPDATE: BEACH CLOSURES**

David Clayton offered background on the issue related to beach closures at San Carlos Beach and Del Monte Beach in Monterey, and requested that we look into genetic testing for bacteria. Bill responded that a \$20k study in Santa Cruz is being conducted to address that concern, and also a \$300k study in Morro Bay. The outcome of the management plan review will determine if the Sanctuary will work on this project. Then we'll need to find funding for the plan.

The SAC had some discussion on the subject of funding. The Department of Agriculture was suggested as a resource, as well as the City of Monterey. Other testing alternatives might be looking into such as an EPA approved test.



Stephanie asked for volunteers to serve on the SAC recruitment sub committee, and recorded the names of a number of volunteers. She also said that some absent members may be interested in participating.

## **X        ITEM ADDED TO THE AGENDA**

Tom Canale requested time for comments related to the MBNMS State of the Sanctuary Report. Tom commented that the SOSR was passed out at Pacific Coast Fisheries Association meeting recently, and many complaints were made to the negative bias. Tom expressed concerns that the report is used as a reference for the public, and does not in his perspective offer a balanced story. He felt that the fishing industry is marginalized as a “relatively small industry”. Tourism is promoted as a ripple effect, not so in fishing. Boccacio rock cod, the live fish fishery, and the condition of salmon in the Sanctuary are acknowledged as concerns, but no specific information as to the status of those fisheries. Salmon is not a fishing issue, as no ocean harvesting of those species occurs. A healthy fall run of Chinook salmon had occurred. The problem for salmon is habitat degradation. California Chinook salmon is listed on the Monterey Bay Aquarium’s green card, and should have been described as such.

Bill responded by pointing out references to fishing in the SOSR that are positive statements. On page 19, the issues are listed. Page 28 provides more facts about fishing. The last page talks about the sustainable fisheries. Bill shared how we came to this description. A few additional comments were made by the public.

Peter Grenell commented that when drafting documents down the line – give attention to developing a process to minimize the potential for this to happen, as this is a valid concern.

The meeting adjourned at 4:15 p.m.

Submitted by  
Karen Grimmer  
Monterey Bay National Marine Sanctuary Advisory Council Coordinator