

**MONTEREY BAY NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL**

**Annual Report**

**October 1, 2000 - September 30, 2001**

*REVIEW DRAFT – December 6, 2002*

**INTRODUCTION**

The Sanctuary Advisory Council (SAC) held six regular meetings: at the Elkus Ranch Conference Center, Half Moon Bay (October 6, 2000); the Sesnon House at Cabrillo College in Aptos (December 1, 2000); the Best Western Beach Resort in Monterey (February 2, 2001); The Big Sur Lodge Conference Center, Pfeiffer Big Sur State Park (April 6, 2001); Moss Landing Marine Laboratories (June 1, 2001); and the Cambria Pines Lodge in Cambria (August 3, 2001).

SAC membership changed during the year, as the following members did not seek renomination: Ed Brown, Chet Forrest, Gregor Cailliet, and Steve Abbott. The following Alternates did not seek re-nomination: William Raver, Ellen Faurot-Daniels, Erik Schmidt, Travis Evans, Takashi Hattori, Richard Starr, and Matthew Twisselman. Also Doug Huckins, California Department of Fish and Game Enforcement resigned after being promoted to a new position coordinating enforcement in six coastal counties (San Mateo to San Luis Obispo).

In December 2000, the SAC converted the Army Corps of Engineers seat to a State Parks seat at a Regional Supervisor level, and converted the Enforcement seat to a California Department of Fish and Game seat.

In February 2001, the following persons were sworn in to new terms: Richard Nutter, Agriculture, primary; Kirk Schmidt, Agriculture, alternate; Ron Massengill, Citizen At-Large, primary; Jeff Kwasny, Citizen At-Large, alternate; Jenna Kinghorn, Citizen At-Large, primary; Patrick Conroy, Citizen At-Large, alternate; Deborah Streeter, Citizen At-Large, primary; Harriet Mitteldorf, Citizen At-Large, alternate; Tony Warman, Business and Industry, alternate; Dan Haifley, Recreation, primary; Heidi Tiura, Recreation, alternate; Chris Harrold, Research, primary; Jeff Paduan, Research, alternate; Burke Pease, Tourism, primary; Ted Balestreri, Tourism, alternate; and Bill Berry, California State Parks, primary. Richard Nutter was elected as Vice Chair for a two-year term, and Dan Haifley was elected to Secretary for a one-year term.

In April 2001 Thomas Canale was sworn in as the new Primary Fishing representative, Kaitilin Gaffney as the Conservation Alternate, Dave Ebert as the Primary Business/ Industry representative, and Lynn Rhodes as the California State Parks alternate. In August 2001 Burke Pease resigned from the SAC Tourism seat.

## **STAFF CHANGES**

Brady Phillips, Monterey Bay Sanctuary Advisory Council Coordinator left for a position with the National office. Karen Grimmer was hired as the new SAC Coordinator, while retaining some outreach and development duties associated with MERITO. Dawn Hayes was hired on as the new Monterey Bay National Marine Sanctuary (MBNMS) Education Coordinator; Holly Price was hired as the MBNMS Resource Protection Coordinator; Kelly Newton was hired as a Research Assistant; and Sean Morton was hired as the Management Plan Coordinator.

## **WORKING GROUPS**

The SAC has five working groups - the Business and Tourism Activity Panel (BTAP), the Conservation Working Group (CWG), the Research Activity Panel (RAP), the Sanctuary Education Panel (SEP), and the Legislation Working Group. In addition, the NAPA Subcommittee was formed to review the National Academy of Public Administration Report authored by DeWitt John, and make recommendations to the SAC.

### **Business and Tourism Activity Panel**

David Ebert chaired the Business and Tourism Activity Panel (BTAP). The most notable accomplishment was the recognition of the BTAP as a formal working group of the SAC by a unanimous vote at the June 2001 meeting. The BTAP increased its number of annual meetings from four to six. Along with increasing the number of meetings, the BTAP held its first ever meetings in Santa Cruz County. The first meeting in April 2001 was very well attended by a diverse array of local businesses. Currently, the BTAP holds alternate meetings in the Monterey and Santa Cruz areas. It is anticipated that as the BTAP continues to grow and include more businesses that meetings will eventually be held occasionally in Cambria and Half Moon Bay.

The number of businesses and other interested parties on the BTAP listserve is over 100 and growing. This includes Chambers of Commerce and other business associations, as well as individual businesses. As the business and tourism industry in Monterey and Santa Cruz Counties generates over \$2 billion annually in the local economy and provides tens of thousands of jobs, it is vitally important for the Sanctuary to develop an open and responsive working relationship with the business community.

Among the major issues addressed by the BTAP were the Joint Management Review Plan (JMPR), firework displays, water quality, harbor dredging, and concerns about the proposed Marine Life Protection Act being implemented by the California Department of Fish and Game (CDFG). The BTAP heard concerns from the aquaculture and fishing communities over the Sanctuary adding another layer of regulatory bureaucracy over activities already administered by the CDFG. The future direction and role of the BTAP was discussed. The five recommendations put forth by the BTAP for the JMPR were arrived at after input from a broad array of business interests. David Ebert and Art

Seavey contributed an article on aquaculture in the Sanctuary to the Sanctuary's Ecosystem Observations publication.

### **Conservation Working Group**

The Conservation Working Group (CWG), co-chaired by Vicki Nichols and Kaitilin Gaffney, met eleven times during the year. The mission of the CWG is to help promote and achieve comprehensive and long-lasting stewardship of the Sanctuary. In 2001, the CWG's active members included ten conservation organizations: Save Our Shores, The Ocean Conservancy, The Sierra Club, World Wildlife Fund, Defenders of Wildlife, The Marine Mammal Center, and The Coastal Watershed Council, with a combined United States membership of 1,192,388 persons. The CWG also includes one public agency, the California Coastal Commission, and four public at-large members.

Starting in January 2001, the CWG began evaluating conservation issues related to the Joint Management Plan Review (JMPR) process. The CWG's monthly meetings included presentations from local experts on a variety of resource protection issues relevant to the JMPR. In late 2001, the CWG identified twelve priority issues to be addressed in the JMPR process. CWG member organizations were also active in public education and outreach on the JMPR process. CWG member groups sponsored community workshops in Pacific Grove, Santa Cruz, and Half Moon Bay to help educate the public on how to participate effectively in the JMPR process.

Marine reserves were a significant marine conservation issue during 2001, and CWG members participated in two new working groups organized to address this issue. The CWG co-chairs participated in the fishing industry sponsored Alliance of Communities for Sustainable Fisheries Marine Reserves Working Group. In collaboration with recreational users of the Sanctuary, several CWG member organizations founded the Coalition of Organizations for Ocean Life (COOL), an effort dedicated to establishing an effective network of marine reserves along the central California coast.

### **Research Activity Panel**

After many years and many meetings, Gregor Cailliet decided to step down as chair of the Research Activity Panel (RAP). RAP members elected Chris Harrold from the Monterey Bay Aquarium as their new chair. Jeff Paduan was elected vice chair, replacing Rick Starr. The gavel was passed from Greg to Chris at the February meeting, and Chris attended his first SAC meeting in April 2001. The RAP met at eight different research institutions throughout the year. The host institution presented overviews of their activities, and many Sanctuary issues, such as dispersants, desalination, and intertidal monitoring, were discussed.

The RAP provided input to the SAC and Sanctuary staff on support for SIMoN (Sanctuary Integrated Monitoring Network), the fair market value of deep-sea cables, the California Department of Fish and Game's Marine Life Protection Act, and the Joint Management Plan Review. RAP members responded to a request from the CWG for technical information related to marine reserves, wrote sections of the Sanctuary's Ecosystem Observations Report, and served on the planning committee for the Sanctuary

Currents Symposium. The RAP continues to play an important role in facilitating communication among the many institutions in the broader Sanctuary region.

### **Sanctuary Education Panel**

Patricia Clark-Gray continued to serve as the Sanctuary Education Panel (SEP) Chair, and Rachel Saunders as the Vice-Chair. The SEP met seven times at various locations, including the MBNMS Monterey office, the California State Parks Monterey District office, Garland Park, Elkhorn Slough Estuarine Research Reserve, the Santa Cruz Harbor office, and at MBARI.

The SEP gave educational input to MBNMS education staff on several projects, including the Multicultural Education for Resource Issues Threatening Oceans program (MERITO), educational priorities for the Management Plan scoping process, and for the regional education plan. Dawn Hayes, Education Coordinator, and Pat Clark-Gray, SEP Chair, also participated in the interpretive subcommittee of the MBNMS Scenic Trail group and attended meetings for possible collaboration with the Panetta Institute America Reads Program.

### **Legislation Working Group**

The Legislation Working Group suggested changes to the Charter and Protocols and promoted clarifying the ability of the SAC to communicate with members of Congress. The SAC recommended changes to the Charter at the October 6, 2000 meeting at the Elkus Ranch Conference Center in Half Moon Bay.

## **PRESENTATIONS, MAJOR ISSUES DISCUSSED, ACTIVITIES AND ACHIEVEMENTS**

### **Presentations**

Presentations were made on the following topics:

1. Science, Education and Adventure (S.E.A.) Lab Monterey Bay. Planning Director Rachel Saunders. In response to the presentation the SAC agreed to write a letter in support of S.E.A. Lab to NOAA requesting their support of the program and funding.
2. MTBE in coastal waters. Craig Wilson, SAC member, California EPA.
3. Moss Landing Duke Power Plant expansion. Wayne Hoffman, Environmental Manager, Duke Energy.
4. O'Neill's Sea Odyssey. Dan Haifley, SAC member, Executive Director, Sea Odyssey.
5. Monterey Bay Sanctuary Foundation. Dennis Long, Executive Director, MBSF.
6. Beach closures and sewage spills in Pacific Grove. Steve Leiker, Pacific Grove Public Works Director, and Richard Lewarne, Branch Chief, Monterey County Department of Environmental Health.
7. President Clinton's Marine Protected Area Executive Order and the Center for Marine Protected Area Science. Dr. Charles Wahle, Director, MPA Science Institute, National Marine Protected Areas Center.

8. A review of issues in other national marine sanctuaries. Presenters included visiting Olympic Coast SAC Chair Lisa Randlette, Hawaiian Islands Humpback Whale SAC Chair Hanna Bernard, Northwest Hawaiian Islands Coral Reef Reserve staff member Aulani Wilhelm, Florida Keys National Marine Sanctuary Vice Chair Debbie Harrison, Channel Islands National Marine Sanctuary staff member Mike Murray, and Gray's Reef National Marine Sanctuary staff member Becky Shortland. National Marine Sanctuary Program staff members Liz Moore and Jennifer Lukens were also introduced.
9. The National Marine Sanctuary Program, budget and vision. Multiple presentations by Dan Basta, Director, National Marine Sanctuary Program.
10. SAC Chair-Coordinator meeting in Monterey. Liz Moore, Program Analyst, National Marine Sanctuary Program.
11. SeaWeb. Lisa Dropkin. Sea Web is a non-profit organization based in Washington DC, with a local office at the Monterey Bay Aquarium. Sea Web focuses on communications, polling and public outreach.
12. Southern sanctuary issues. Ron Massengill, Citizen At-Large SAC member, MBNMS. The SAC heard from the public about southern Sanctuary issues during the annual SAC meeting in Cambria.
13. Desalination plants. Holly Price and Brad Damitz, MBNMS staff. Information was provided on existing and potential desal plants in the MBNMS, environmental impacts, potential mitigation measures, sanctuary regulations, and proposed or potential plants in the Sanctuary.

### **Issues Discussed**

Fiber Optic Cables: Discussion continued on the Pacific Genesis and the Global Photon projects. The SAC also reviewed NOAA's Advanced Notice for Proposed Rulemaking (ANPR) concerning the installation and maintenance of commercial submarine cables within the National Marine Sanctuary System. The ANPR solicited public comments on whether NOAA needs to make changes to sanctuary regulations or establish some form of policy guidance to clarify NOAA's decision making process regarding installation and maintenance of cables within sanctuaries. NOAA lists eight sanctuaries where it is recommended that there be no cables, and four sanctuaries that would allow cables. MBNMS is in the latter category. The SAC engaged in a very lengthy discussion and wrote a letter to NOAA commenting on the ANPR, particularly addressing issues related to the MBNMS.

In addition, Superintendent Bill Douros gave a presentation on NOAA's Fair Market Value Study regarding fiber optic cables. The SAC decided to write a comment letter to the National Marine Sanctuary Program suggesting the program consider a range of fair market fee structures in their analysis and take into consideration the Sanctuary's special significance when determining the fee charged. The letter was drafted by a subcommittee, and reviewed by the members of the SAC.

Kelp Management Report: Aaron King of MBNMS gave the SAC a summary of the changes made in the final Kelp Management Report, comparing the draft, the SAC

comments, and the final MBNMS recommendations. These recommendations were distributed to the public, the California Department of Fish and Game, and the SAC.

SAC Charter: The SAC proposed and voted on a number of revisions to the SAC Charter and provided feedback to the National Marine Sanctuary Program SAC Chair and Coordinator's meeting on SAC implementation.

Implementation of the WQPP Agriculture and Rural Lands Plan: The SAC acknowledged progress on implementation of the WQPP Agriculture and Rural Lands Plan. Through the efforts of Congressman Sam Farr, and with assistance and support from the MBNMS, the SAC, the Farm Bureaus, and others, Congress appropriated \$500,000 to support the NRCS to hire 4 new staff members (soil conservation, rural road engineer, water quality specialist, and outreach specialist). These positions will help implement the WQPP Agriculture and Rural Lands Plan. In addition, the MBSF will receive \$70K to specifically hire someone to help implement and track the WQPP agriculture and rural lands plan. An additional \$165,000 will come from Central Calif. Coalition of Farm Bureaus to help implement the plan. The SAC Agriculture representative thanked the SAC for its support.

NAPA (National Academy of Public Administration) Report: The SAC took action supporting and endorsing the NAPA Report, the recommendations in general and strongly stressed that all factors in both the recommendations section and opportunities section of the Report be taken into consideration in all phases of the MBNMS management plan review process. The SAC also passed a motion to refer SAC related issues from the NAPA report to the SAC NAPA Report subcommittee to consider.

The Alliance of Communities for Sustainable Fisheries: The Alliance was formed to provide leadership in the Sanctuary's management plan review process as it pertains to effects on the fishing community. The SAC endorsed regional collaboration with the Alliance on the issue of ecological reserves in the MBNMS. Several SAC meetings included presentations by Alliance members, with extensive public comments and discussion by the SAC. The SAC also passed a motion to receive updates on the progress of Alliance/Sanctuary activities.

Sanctuary Integrated Monitoring Network (SIMoN): The SAC discussed the SIMoN Program and received several presentations from Mario Tamburri, MBARI Research Fellow working for the Sanctuary. The SAC took action to approve a letter from the SAC Chair to the MBNMS Superintendent in strong support of SIMoN.

Fort Hunter Liggett Bombing: The U.S. Navy's proposed use of Ft. Hunter Liggett as a bombing range was discussed at length. The Sanctuary's concerns include sensitive seabird and marine mammal habitat areas, decibel levels, the history of military flights violating Sanctuary regulations along coastline areas, and the need for an Environmental Impact Statement. No specific SAC action was taken, although many concerns were raised.

Caltrans Highway 1 issues: MBNMS staff provided a detailed update. Lengthy discussion focused on landslide disposal in the Sanctuary and its impacts. Inter-agency steering committee and subcommittees will be studying the issue. No specific SAC action was taken.

Fireworks permits: Holly Price, MBNMS Resource Protection Coordinator, and SAC Member, Burke Pease led the discussion on the Sanctuary's review of permits related to fireworks displays. No specific SAC action was taken.

Multicultural Education for Resource Issues Threatening Oceans (MERITO): Karen Grimmer from the MBNMS presented a report on this plan to target the Hispanic community - the largest and fastest growing constituency in the Sanctuary. MERITO translates to "merit " or "worth" in Spanish. It provides three main services: 1) Science-learning opportunities for Hispanic-serving teachers and Hispanic college students; 2) Support to state and federal agencies (Elkhorn Slough NEERR and California State Parks) that manage sites of high visitation by Hispanic families and school students; and 3) Support to Hispanic-serving youth leaders in integrating marine conservation issues into their community programs. The SAC voted to send a letter of support for the MERITO to NOAA requesting that the agency support the program with funding and staff.

California Marine Life Protection Act (MLPA): The SAC received a presentation from MBNMS staff and the SAC's Fishing Representative led a discussion about this legislation which mandates planning for marine protected areas (MPA) in California. Proposed MPA's within the Sanctuary's boundaries, the different types of MPA's, monitoring, and impacts were reviewed. The SAC voted to write a letter to Assemblyman Flores regarding AB 1673 requesting that the section of the bill pertaining to the MLPA process be amended to support an extended deadline of at least one year. The letter was to be copied to the Secretary of the California Resources Agency, the Director of the California Department of Fish and Game and key elected officials.

Sanctuary /SAC Sign Program: The SAC discussed the MBNMS/SAC sign program being developed by the MBNMS for Cambria, Big Sur, Monterey Harbor, Moss Landing Harbor, and Santa Cruz. SAC members reported on their efforts to locate good sites for signs and potential sign sponsors.

Legislative Activities: Congressman Sam Farr's Chief of Staff Donna Blitzer provided updates on key legislation and national activities. This included information on the newly passed Oceans Act, the Pew Oceans Commission, the Exploration of the Sea Act, and the National Marine Sanctuaries Act Reauthorization, which President Clinton signed on November 14, 2000. The Act makes it possible to designate the Northwestern Hawaiian Islands as a Sanctuary, provides additional money for visitor facilities, and states that no new sanctuaries can be designated unless it is proven that they will not negatively impact the existing system.

## **JOINT MANAGEMENT PLAN REVIEW**

The Joint Management Plan Review process was extensively discussed at SAC meetings beginning in February 2001. The process includes three Sanctuaries: Monterey Bay, Gulf of the Farallones, and Cordell Bank. It was initially envisioned to be a two-year process, with scoping meetings beginning in late summer. However, scoping meetings actually took place in the winter. The SAC agreed to a list of scoping meetings to be held in numerous locations, including Santa Cruz, Salinas, Half Moon Bay, Monterey, Cambria, San Luis Obispo, San Jose, Big Sur, Sacramento, and Washington D.C. The SAC requested Spanish interpreters at the Santa Cruz meeting and materials printed in Vietnamese.

Agreement was reached with the SAC on various management plan review process issues, including a schedule for SAC involvement and discussion topics.

MBNMS staff laid out the following process for the JMPR:

Step 1- Initiation. The MBNMS staff would do an internal assessment reviewing the goals and objectives for the Sanctuary, and assess how they have done implementing the existing management plan. They would produce a State of the Sanctuary Report, a summary of what is known about the Sanctuary, listing resources and issues.

Step 2- Pre-Scoping - planning the logistics for the scoping meetings, determining how best to receive input from the public in terms of issues, concerns, and feedback on the management plan.

Step 3- Scoping - soliciting input from the public meetings in local communities.

Step 4- Internal Evaluation of Issues.

Step 5 -Characterize Priority Issues and Develop Recommendations. The Sanctuary will work with the SAC and public to help prioritize the major issues to work on. The Sanctuary will then work with the SAC and public to develop strategies to address those issues.

Step 6-8- Develop DEIS/MP, public input, FEIS/MP - once the issues and strategies are developed, the Sanctuary will develop a set of action plans to build the management plan. The formal environmental assessment or environmental impact statement will also be developed. There will be public comment period after the DEIS/MP is released.

In August 2001 the SAC heard a presentation by MBNMS staff members on the accomplishments relative to the management plan: the status of the natural resources by Erica Burton, resource protection by Holly Price, research by Andrew DeVogelaere, and education and outreach by Dawn Hayes. Sean Morton provided an update on the Management Plan Review.