

**GULF OF THE FARALLONES AND MONTEREY BAY  
NATIONAL MARINE SANCTUARIES  
JOINT ADVISORY COUNCIL MEETING**

**FINAL  
February 18, 2010  
Elkus Ranch  
Half Moon Bay, CA**

The Gulf of the Farallones (GFNMS) and Monterey Bay (MBNMS) National Marine Sanctuary Advisory Councils met on Friday, February 12, 2009, in Half Moon Bay, California. Public categories and government agencies for MBNMS were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Matt Fuzie-Absent
AMBAG: Lynn Robinson	Conservation: Kaitilin Gaffney
At Large: Margaret Webb	Diving: Randy Herz
At Large: Michael Dawson	Education: Steve Clark-Absent
At Large: Deborah Streeter-Absent	Commercial Fishing: Tom Canale
Business & Industry: Cindy Walter-Absent	Ports & Harbors: Steve Scheiblaue
CA Coastal Commission: Charles Lester	Recreation: Gary Pezzi
CA Dept. of Fish & Game: Paul Reilly	Recreational Fishing: Richard Hughett-Absent
CA EPA: Russ Jeffries-Absent	Research: Chris Harrold
CA Resources Agency: Brian Baird-Absent	Tourism: Michael Bekker

The following non-voting MBNMS members were present as indicated:

Monterey Bay NMS: Paul Michel  
US Coast Guard: LTJG Brittany Steward  
Gulf of the Farallones NMS: Maria Brown  
Cordell Bank National Marine Sanctuary: Dan Howard

MBNMS Alternates present:

Rexford Keyes – Recreation  
Kortney Leabourne - At Large  
Robert Frischmuth – At Large  
Tim Frahm – Agriculture  
Karen Grimmer – Monterey Bay NMS

Public categories and government agencies for GFNMS were present as indicated:

At-Large Marin/Sonoma: Dominique Richard	Dept. of Interior, NPS: vacant
At-Large SF/San Mateo: Brenda Donald	Education: Bob Breen
CA EPA: Secretary Linda Adams – Absent	Maritime Activities/Commercial: Barbara Emley
CA Resources Agency: Brian Baird – Absent	Maritime Activities/Recreational: Mick Menigoz
Conservation: Bob Wilson	Research: John Largier – Absent
Conservation: Richard Charter	

The following non-voting GFNMS members were present as indicated:

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- US Coast Guard: LTJG Brittany Steward
- Gulf of the Farallones NMS: Maria Brown
- Cordell Bank National Marine Sanctuary: Dan Howard

GFNMS Alternates present:

- At-Large Marin/Sonoma: Richard Kuehn
- Conservation: Bruce Bowser
- Dept. of Interior, NPS: Chris Powell
- Maritime Activities/Commercial: Peter Grenell
- Maritime Activities/Recreational: Mark Gorelnick

**I. CALL TO ORDER, ROLL CALL, APPROVAL OF MINUTES**

**APPROVAL OF 02/15/09 DRAFT MEETING MINUTES**

The advisory council passed the February 15, 2009, meeting minutes with the following change:

Page 2 - remove the question mark after Bob Wilson's name

**Motion: (passed)**

Motion introduced by Barbara Emley, seconded by PJ Webb.

**(Vote: 22 in favor, 0 opposed, 2 abstentions)**

**II. SWEARING IN OF NEW GFNMS AND MBNMS COUNCIL MEMBERS**

Paul Michel, MBNMS Superintendent, swore in Lynn Robinson, MBNMS AMBAG alternate, and Richard Kuehn, GFNMS At-large Marin/Sonoma alternate. Both Lynn and Richard provided background about themselves and why they wanted to be on their respective advisory councils.

Paul Michel recognized Kaitilin Gaffney, MBNMS Conservation primary, and Thomas Canale, MBNMS Commercial Fishing alternate, for their hard work on the advisory council over the past several years.

Brittany Steward, USCG alternate, announced she is leaving the Coast Guard to teach biology at a local high school. LT Steve Arwine will be the new USCG representative.

**III. PUBLIC COMMENT**

Steve Scheiblaue, MBNMS Harbors, referenced a recent editorial in the Monterey Herald regarding water and the salmon issue. He asked when the advisory council was going to take up this issue and when is the Sanctuary going to deal with it.

Robert Frischmuth, At-large alternate, passed around a petition for a ban on the use of polystyrene containers in the unincorporated areas of Monterey County.

Jackie Dragon, Pacific Environment, referenced a recent article in the New York Times regarding efforts of the shipping industry to promote slow steaming. The purpose is to cut costs, but this also reduces their carbon footprint and emissions. She commented that emissions directly contribute to climate change and ocean acidification. 220 vessels are now slow steaming. She encouraged slow steaming in sanctuaries.

Dayna Matthews, NOAA Office of Law Enforcement (OLE), commented that the National Marine Fisheries Service (NMFS) does not do very much education and outreach. It is the Office of National Marine Sanctuaries (ONMS) that gives NMFS an education and outreach component. There is regulatory liability out there now. We now have recovery plans for salmon in place or being finalized. We need advocacy for the recovery of these species.

#### **IV. WEST COAST OCEAN ACIDIFICATION TASK FORCE AND ADDITIONAL TIMELY UPDATES**

Bill Douros, ONMS West Coast Regional Director, provided an update on what the regional office has done regarding the resolutions received by the five west coast advisory councils on ocean acidification. A task force has been established to provide further guidance on the issue. The task force is comprised of one advisory council member and one staff member from each west coast sanctuary. Bill was impressed with the number of advisory council members that put themselves forward to be on the task force. Those chosen are Dan Howard, CBNMS; Ed Bowlby, OCNMS; Laura Francis, CINMS; Karen Grimmer, MBNMS; Kelley Higgason, GFNMS; and Linda Krop, CINMS Advisory Council member. Bill anticipates monthly conference calls over the next six to eight months. Advisory council members may get information relating to the task force through Linda Krop or their respective staff person. Other individuals will be invited to join the task force, such as Dick Feeley. In six to eight months the task force should be able to give a briefing on what they have come up with.

Bill also provided an update on several other regional efforts. The ONMS and NOAA are still interested in getting the National Marine Sanctuaries Act reauthorized. A piece of legislation is working its way through the process. Paul and Maria will be sure to get copies out to the advisory councils.

Bill provided an update on the ONMS budget process and how the west coast region fared in that process. ONMS received \$46 million for the overall budget with \$13 million going to facilities. There is \$4.6 million going to the MBNMS for the Exploration Center; \$1.2 million going to GFNMS for their Crissy Field project; \$230,000 to CBNMS to initiate their office expansion with the park service at their facility. The level of service everyone has been accustomed to in past years cannot be maintained under this current budget. No one is getting a whole lot of new funds to tackle new initiatives. Headquarters says it is important to keep as much vessel time as possible, but we did not get all of the vessel costs covered. We will not compromise on safety, so we will have to cut back days at sea. Overall it is a good news/bad news story.

West coast region sites are participating in a deep sea coral cruise this year. All five sites have pooled their big ship days. Survey work will be done in GFNMS, CBNMS, CINMS and

OCNMS. There will be a little bit of sampling going on in the northern part of the MBNMS. Some money is going to CBNMS to redo the initial expedition to Cordell Bank, which will take place in early October.

Bill, along with Maria Brown and other staff from GFNMS, participated in the International White Shark conference in Hawaii. They learned about what is going on internationally with white sharks. There are three main coastal aggregations of white sharks: South Africa, Australia/New Zealand, and the Northeast Pacific. Researchers believe the adults and subadults number approximately 400 for the Northeast Pacific.

## **V. SAN MATEO COASTSIDE VISITOR CENTER AND SANCTUARY EXPLORATION CENTER**

Carol Preston, GFNMS Outreach and Education Coordinator, provided an update on the San Mateo Coastside Visitor Center. Lisa Uttal, MBNMS Education Specialist, provided an update on the Sanctuary Exploration Center. Both powerpoint presentations may be viewed at <http://montereybay.noaa.gov/sac/2010/021810/agenda.html> and [http://farallones.noaa.gov/manage/sac\\_meetings.html](http://farallones.noaa.gov/manage/sac_meetings.html)

## **VI. PILLAR POINT HARBOR SURFERS BEACH BENEFICIAL USE SHORELINE IMPROVEMENT PROJECT**

Peter Grenell, Pillar Point Harbormaster, provided an update on the Pillar Point Harbor Surfers Beach Shoreline Improvement project. The project is currently on hold pending Corps of Engineers funding. A working group was formed whereby the sanctuary is participating in a process to first explore whether some sort of beneficial use project is feasible. A demonstration would address erosion problems and show there are no adverse impacts on sanctuary and other resources. The working group held their first meeting on December 10, 2009. Participants included GFNMS staff, the Corps of Engineers, state and local representatives, agency staff, and members of the community. The working group was roughly 35 people with an audience. Peter stated he had submitted a request for next fiscal year for funds from the Corps of Engineers. The Corps of Engineers is halfway through with repairs to the outer breakwater. These repairs were needed due to a storm damage a few years ago. A total of \$100,000 is needed to start the process to look at what type of demonstration project will work. Once the Corps of Engineers begins the process, they will work hand in hand with harbor staff, sanctuaries and others on the working group to come up with something. The sanctuary representative is Brad Damitz who has been heavily involved in the southern Monterey Bay process.

Irina Kogan, GFNMS Resource Protection Specialist, added that the passion from this community is measurable. They want the agencies to move fast. To the public the solution is obvious; move sand from one side of the breakwater to the other. Peter has done a great job working with the Corps of Engineers.

## **VII. WATER QUALITY PROTECTION PROGRAM**

Bridget Hoover, MBNMS Water Quality Protection Program Director, and Lisa Emanuelson, MBNMS Volunteer Coordinator, provided a presentation on the MBNMS Water Quality Protection Program. Their powerpoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2010/021810/agenda.html> and [http://farallones.noaa.gov/manage/sac\\_meetings.html](http://farallones.noaa.gov/manage/sac_meetings.html)

### **VIII: ENHANCED ECOSYSTEM MANAGEMENT INITIATIVE**

Paul Michel provided a presentation on the MBNMS Enhanced Ecosystem-based Management Initiative. Paul's powerpoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2010/021810/agenda.html> and [http://farallones.noaa.gov/manage/sac\\_meetings.html](http://farallones.noaa.gov/manage/sac_meetings.html)

### **IX: LUNCH**

### **X. PUBLIC COMMENT**

Sabrina Brennan, Moss Beach Resident in Critical Coastal Area 29, offered the following comments on the Mavericks Surf Contest: This year, starting in the morning, waves broke over the jetty. Unified Command made a decision to close the beach. When the area closed it forced between 20-50,000 spectators onto the Pillar Point bluff property. Things got crazy, there were children hanging off the edge and drunk people pushing each other down the bluff. It was not safe. There were not enough Sheriffs, rangers, etc. to handle this. She saw one security person the entire day. The gate to the property was wide open and further increased traffic. There were broken ankles and wrists and personal belongings were washed away with the big waves. She has been picking this debris up since the contest ended. There is a need to reevaluate the contest, not to stop it, but this is a sensitive area that can't handle this many spectators. With all of the publicity there will be even more people next year, but the beach can't handle more.

Kellyx Nelson, Resource Conservation District, San Mateo, offered the following comments: There was a study for fecal indicator bacteria in Pillar Point Harbor, but the funds were frozen 12/18/08. The State is willing to restart the project, but there aren't additional funds for start up costs. Data collection stopped midway through a wet season, without additional funds to sample the entire season. We are seeing how we can proceed; can we scale back or do we need to seek additional funds? Is it worth doing at all if we can't answer our original questions? We do have data from a circulation study, but analysis hasn't been done. Feel free to contact me for more info. Also, Blue Circle Community Forum will address resources and resource management in San Mateo County. The next meeting is on Geotourism at Cypress Grove on 3/14/2010.

Jeff Clark, Mavericks Founder, provided the following comments: Please keep him in mind for public input. He has been surfing there for 35 years and has a lot of insight to this area. Invites us all to come out and see the area, see how we use our equipment. He can show how well things normally go out there.

Mary Larenas, Moss Beach resident, provided the following comments on the Mavericks Contest: She had similar observations of individuals as stated before. The contest has now turned

into a blood sport. It should not happen on a day that experienced surfers say it is dangerous. Organizers are ignorant to these dangers and the public was not warned because the PA system got wet. This was very irresponsible, and someone is going to die. The number of jet skis should be limited to the number required. The organizers must be responsible for picking up all the trash, not the community. They are lucky there were only broken legs. If there aren't resources to keep it safe, don't hold the contest.

Katherine Kelly Clark, Co-organizer for the Mavericks Surf Contest, provided the following comments: We must acknowledge the fact that this event is put on by many members of the community. We are aware that there may need to be some adjustments, but the event is important to community revenue. She walks on the beach everyday and has not found new trash from the event. The parking lot was pristine the day after the event, and now there is trash all over it from others. She is here to listen to what you have to say and discuss concerns.

## **XI. NOAA OFFICE OF LAW ENFORCEMENT UPDATE**

Dayna Matthews, NOAA Office of Law Enforcement (OLE) stated the Enforcement Technical Advisory Committee (TAC) met in Monterey yesterday. The issues discussed were primarily about staffing. Half Moon Bay has a new warden who has been here for one month. California State Parks has had to cut down 50% of what they were at. Bureau of Land Management (BLM) is at about 60%, they have three rangers from San Luis to San Francisco. NOAA OLE is down two agents and the one Fisheries Enforcement Officer (FEO) in Monterey is the only uniformed presence. Dayna also discussed the scheduling of the Twin Otter for enforcement. The TAC would like to present to the Advisory Councils on the Twin Otter. Currently we share the plane with Alaska, it leaves June, and comes back at the end of October. This is a busy time for us. We would like the Councils to consider writing a letter to D.C. leadership for the Twin Otter on the West Coast year round. We would like to give officers the authority to deal with summary settlement authority.

## **XII. MAVERICK'S SURF CONTEST**

Irina Kogan, GFNMS: Provided a presentation on the 2010 Maverick's Surf contest. Irina's powerpoint presentation may be viewed at <http://montereybay.noaa.gov/sac/2010/021810/agenda.html> and [http://farallones.noaa.gov/manage/sac\\_meetings.html](http://farallones.noaa.gov/manage/sac_meetings.html)

The following concerns were brought up by various council members: public safety and safety of staff and volunteers; agency lead is needed with jurisdiction over public safety for people on the beach and cliffs; the sanctuary should not put resources toward the contest if it is not getting reimbursed; every jet ski on the water must be permitted and legal.

Maria Brown stated the sanctuary doesn't permit the activity; we only permit the use of jet skis. Several SAC members agreed that the sanctuary permit is for resource protection as it relates to motorized personal watercraft and the sanctuary is not the agency responsible for human safety. It was also stated that the role of the sanctuary is public education. The sanctuary should educate people on safety and big waves.

Maria Brown stated we don't have the ability to charge money for our permit. The contest did hire the Farallones Marine Sanctuary Association as observers. The permit also has a provision that the intertidal must be closed off during a low tide as there can be damage to sanctuary resources.

Dayna Matthews stated as part of the permit requirement, organizers should present a crowd control plan and the sanctuary should evaluate for resource protection issues. We will also look at when zones are open and closed, and the surf advisory changing to a warning in the middle was problematic. We could only allow permitted boats on the Mavericks event day. We can permit each individual piece of equipment and require them to carry this permit.

February 22<sup>nd</sup> is the post event interagency meeting that is organized by Supervisor Rich Gordon's office and the Sheriff. He will bring all of these comments to this meeting. It is not open to the general public

### **XIII. ENFORCEMENT DISCUSSION**

Dayna Matthews stated that he spoke with Paul Ortiz and Don Masters, they support the effort of the Advisory Councils on this topic. In addition to the Mavericks Surf Contest, there are also white shark issues, sensitive bird and mammal colonies, marine protected areas (MPAs), and endangered species.

Paul Michel stated NOAA OLE is a separate line office from the sanctuaries, so our budget won't get hit. We do partially fund our officer though. If we get a new Fisheries Enforcement Officer for GFNMS there may be a question of who pays for the officer. This is a chronic problem across the program, there is only one NOAA law enforcement officer in the entire system and he is at MBNMS. There are some officers at FKNMS, but they are all contracted state officers. GFNMS has to ask for the MBNMS officer, we need to fix this.

The draft letter was revised based on council comments and a motion was made to approve the letter.

**Motion: (passed)**

Motion introduced by Richard Charter, seconded by Gary Pezzi

(Vote: 17 in favor, 0 opposed) 0 abstentions

### **XIV. MARINE LIFE PROTECTION ACT (MLPA) UPDATE**

Paul Reilly provided a powerpoint presentation that may be viewed at <http://montereybay.noaa.gov/sac/2010/021810/agenda.html> and [http://farallones.noaa.gov/manage/sac\\_meetings.html](http://farallones.noaa.gov/manage/sac_meetings.html)

### **XV. SANCTUARY CONTRIBUTIONS TO MLPA IMPLEMENTATION ACTIVITIES**

Maria Brown and Paul Michel provided a powerpoint presentation that may be viewed at <http://montereybay.noaa.gov/sac/2010/021810/agenda.html> and [http://farallones.noaa.gov/manage/sac\\_meetings.html](http://farallones.noaa.gov/manage/sac_meetings.html)

The question was asked if activities that the sanctuaries are providing are based on certain MOUs or other contracts? If not what is the basis for the activity? How much money, in total, is being donated? What priorities are being switched in providing assistance?

Paul Michel replied we don't have a MOU with the state, but there is talk to amend CINMS's to include MBNMS and possibly GFNMS. We see MPAs as part of implementing our Management Plan. We would actually like to do more, but cannot because of our budget. Maria Brown stated we haven't quantified it, but we do baseline monitoring that can be used to determine the effectiveness of MPAs. We have been collecting this data for multiple years and it is available for the State to use. The education and outreach in GFNMS is funded through the Command Trustee Council for outreach to boaters.

## **XVI. ADVISORY COUNCIL BUSINESS**

The minutes approved today were from last year's meeting. We are proposing a different protocol for the future. Shortly after the meeting, we will get the minutes to Paul and Maria for review. We will e-mail the draft out to members and give deadlines for comments and changes. We will make the changes and send the draft minutes back out before the April meetings. At the separate April meetings each council will approve the minutes.

Nicole and Kelley will email the final agenda for the 2010 Advisory Council Summit once it is available. All coordinators and chairs will be meeting in Port Angeles, WA May 11-15. The following case studies were approved by committee: CINMS ship strikes, FBNMS cultural engagement, HHHWNMS marketing of the sanctuary.

March 1<sup>st</sup> is the deadline for submitting applications for open GFNMS Advisory Council seats. MBNMS is currently in the final stages of recruitment and will be alerting applicants by letter shortly.

A show of hands was requested, and the majority of Council members wanted to meet here again next year.

## **XVII. MEMBER ANNOUNCEMENTS**

Barbara Emley announced there is a vote in congress next week, Feinstein proposed to temporarily suspend the Endangered Species Act to divert more water to the San Joaquin Valley. Individuals may want to voice against this.

PJ Webb announced San Luis Obispo County is having issues with human interaction with wildlife. Some aggressive bull elephant seals have been getting on picnic tables and in garbage cans, acting like it is their territory. We held an education summit on marine and wildlife education. We have started a zero waste project with lots of collaboration.

Charles Lester announced the Coastal Commission will be meeting in Santa Cruz March 10-12. This is the first time they have met in Santa Cruz in about 26 years. The community is very excited. The meeting will be at the Board of Supervisors chambers.

Kaitlin Gaffney announced there is a license fee measure for only \$18 per car that can address state parks budget problems. A small percentage would also be available to Cal Fish and Game.

Chris Harrold announced in 2012 there may be an ocean acidification science workshop at Monterey Bay Aquarium. They are pitching it now.

Richard Charter announced in the next 90 days a new 5-year offshore oil and gas drilling plan will be released. This could include the Arena basin that encompasses the Mendocino coast, and many areas in southern California.

Dominique Richard announced there is a state of the population of harbor seals report for Drakes Estero available.

Richard Charter stated there is a new video at oystergate.org that members may be interested in.

Brittany Steward announced we are discussing the use of US Coast Guard (USCG) vessels as research vessels if operations allow. She is working on an MOU between USCG, the sanctuary, and National Marine Fisheries Service (NMFS).

Frank Schwing announced Eric Schwab is the new head of NMFS.

## **XVIII. ADJOURN**

The meeting adjourned at 4:30 p.m.  
Submitted by Nicole Capps and Kelley Higgason