

**GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY**  
Advisory Council Meeting August 31, 2004  
Pt. Reyes National Seashore Association, Building #70, Morgan Horse Ranch

*Note: The following meeting notes are an account of discussions at the Advisory Council meeting and do not necessarily reflect the opinion or position of the Gulf of the Farallones NMS or NOAA.*

**Council Members (Seats and Alternates)**

Bob Breen	Education Seat/Council Vice Chair
Richard Charter	Conservation Seat
Brenda Donald	Research seat (Alternate)
Barbara Emley	Maritime Activities Seat/Council Chair
Mick Menigoz	Maritime Activities Seat
Chris Powell	Government Seat (Alternate)
Karen Reyna	Conservation (Alternate)

**Gulf of the Farallones NMS Staff**

Maria Brown	Manager
Mary Jane Schramm	Media/Outreach Specialist
Christy Walker	Education Specialist

**NMSP Staff**

Brady Phillips	JMPR & NMA Transition Team Coordinator
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**Joint Management Plan**

Ruth Howell	Assistant Management Plan Review Coordinator
Anne Walton	Management Plan Review Coordinator

**Guests:**

Meg DeLano	MBNMS Advisory Council Community at Large (Alternate)
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**Absent/Copies to:**

James Kelley	Research Seat
Brian O'Neill	Government Seat
Bob Wilson	Conservation Seat

**ITEM 1: CALL TO ORDER/ROLL CALL/AGENDA REVIEW/ANNOUNCEMENTS**

The meeting came to order at 9:30 a.m. Roll was called; a quorum of four was present.

**ITEM 2: PUBLIC COMMENT:**

Meg Delano will sit in on this meeting in place of the MBNMS Advisory Council liaison Steve Shimek. She noted that it was a challenge to find out about the meeting and suggested venues for posting meeting notices in the San Mateo County area. She also noted that no information was available on the council retreat (N.B.: the retreat is not intended to have a public session).

She requested that staff in the Half Moon Bay office post office hours, and indicated that Mike LeFine is looking forward to meeting with the Half Moon Bay staff and possibly other council members to discuss public outreach efforts.

Richard Charter asked Ms. Delano for a clarification concerning the ATOC cable, now that the Farallones sanctuary has co-jurisdiction with the Monterey Bay sanctuary, and how that site is dealing with the cable's disposition in the Monterey sanctuary. Maria Brown indicated there was a submerged cable working group and action plan item. The two councils should be working together on the issue, and staff member Irina Kogan worked on the issue while she was with the Monterey sanctuary. Bob Breen noted the cable passes through the Fitzgerald Marine Reserve.

The guests introduced themselves. Brady Phillips is ending his rotational assignment at GFNMS. He has been working on the Northern Management Area Transition Plan with staff from both sites, and coordinating the Joint Management Plan Review (JMPR). It will be another year before it's finalized. This fall and winter Brady will be working on other west coast sites. The Draft Environmental Impact Statement (DEIS) will be available in February, with hearings possible sometime in April.

Ruth Howell and Anne Walton introduced themselves as Assistant and Coordinator for the Joint Plan Review. Half Moon Bay office Education Specialist Christy Walker introduced herself as brand new to the sanctuary.

### ITEM 3: APPROVAL OF MINUTES

### ITEM 4: MEMBER REPORTS

Bob Breen noted that the B-Wet grant came through and he plans to hold a workshop in Half Moon Bay from September 3-5.

The Pacifica Ocean Discovery Center will occupy a building on Linda Mar Boulevard. The Visitor Center area is 3,000 sq. ft. in size.

The Friends of Fitzgerald Marine Reserve (FMR) working group for facilities is meeting in San Mateo. Farallones Education Coordinator Carol Preston is on the group. The meeting will be facilitated by the Acorn Group. Funding is pending for the facility plans.

Peninsula Open Space Trusts is acquiring 119 acres above Fitzgerald MR. This will be an important buffer between the village of Moss Beach and the reserve. The Trust may eventually turn the land over to the state. A coastal trail is to be developed at the site, and will be an issue between parks and reserve. No funds are currently allotted. The working group will study the possibility of an interpretive center.

Karen Reyna: The Fish and Game Commission met Friday and decided on the squid boat light issue in the State of California and GFNMS in particular. They will revisit the issue at the October meeting, but voted to prohibit all attracting lights within Farallon sanctuary boundaries. Not all lights are banned, and they can do daytime fishing. Several items out of the 52 slated decision items were left undecided. There could be a full fishery closure, not just a light-related closure.

In the Channel Islands they cannot determine whether the area within one mile of San Miguel and Anacapa islands should be closed; it was proposed for closure but not adopted. Less than 1% of the squid fishery is done north of Pillar Point; almost none is done in that area in most years.

Barbara Emley: Barbara noted that no squid boats have been seen at the Farallones this year. This salmon season looks more normal in terms of the location of fish, with most being found in the southern area instead of north. She has seen mostly sardines and anchovies, but not krill. They've also seen shortbelly rockfish and crab larvae near the islands and an unusually large number of ocean sunfish. The salmon are smaller now than in May, more the normal size, and they're finding a lot of "shakers," or undersized fish.

Regarding the light impacts on island wildlife from the salmon fishery at Southeast Farallon Island, Barbara spoke with Joelle Buffa (US Fish and Wildlife Service) and offered to broadcast the message to the salmon fleet. Within two days none were seen at Ano Nuevo; within two more days, no boat lights shone at the Farallones.

Karen Reyna noted that the Natural Resources Defense Council and PRBO Conservation Science are collaborating with the sanctuary on a brochure, which can be laminated, advising vessel operators to shield their lights. The posters should be distributed at fuel docks at various harbors in the area.

Mick Menigoz: Mick also commented on the large number of sunfish and warmer water temperatures. The temperatures he noted are around 60-61 degrees F., and he has noticed a correlation of these warmer waters with the sunfish. Two leatherback sightings were reported between the weather buoy and Duxbury Reef, approximately six miles out. The turtles were very large. No krill was noted and he recently has been finding fewer whales (mostly humpbacks) and in smaller groups, feeding on fish, not krill.

Sport fishing is more normal this year in the traditional spots, but not off Fort Bragg. Their size is more typical now, as opposed to the very large salmon found in the spring. They are very abundant. There are also good quantities of silver salmon, but it is not legal to retain them. The numbers may be due to a population increase or a shift in distribution. These could be hatchery fish.

There is a possibility that there may be a mild El Nino again this year, although it's not been in the news. This year's temperatures in a month-to-month comparison with last year's are cooler. The Terrafin chart shows sea surface temperatures near Gumdrops Seamount temperatures at a distance of 15 miles offshore were 67 degrees, unusually warm.

Richard Charter: At the last meeting the council discussed Rep. Lynn Woolsey's legislation to expand the Farallones and Cordell Bank sanctuaries' boundaries north to Gualala. There was a congressional field hearing August 12<sup>th</sup> in Santa Rosa at which a standing room only crowd heard the proposal. The bill seemed to have a strong base of support. People are starting to worry seriously about offshore drilling. The Pacific Coast Federation of Fisherman's Association (PCFFA) recommended waiting to see the actual language of the bill before stating support. Duncan McLean of the Half Moon Bay Fisherman's Association spoke in support of the bill. See Santa Rosa Press Democrat and Bodega Bay Navigator.

In the California Legislature money was allocated in keeping with the California Ocean Protection Act (COPA) last week, including \$10 million for the California Ocean Trust Fund for restoring near shore coastal waters. The money is from excess oil revenues.

Legislature approved \$500 thousand as a startup fund for the California Marine Life Protection Act (CMLPA) and announced at the Fish and Game meeting startup of a blue ribbon panel, and plan for Marine Protected Areas in 2011.

In Washington, the Energy Bill stalled in the Senate. Senator Ted Stevens of Alaska will bring it up after the Labor Day recess. There is a proposal to transfer all of the Exclusive Economic Zone (EEZ) to the Secretary of Interior for Liquefied Natural Gas (LNG) to be run in undersea pipelines, etc.

Two pieces of legislation are pending related to U.S. Commission on Ocean Policy (USCOP) and Pew Oceans Commission. Congressman Sam Farr's "Oceans 21" bill creates a body of funding to create regional ecosystem plans as the USCOP/Pew Commissions recommended. It still relies on offshore oil drilling money. Senator Boxer will introduce three BOBs (Big Ocean Bills) into the Senate.

Lastly, the Monterey Sanctuary advisory council decided against incorporating the Davidson Seamount in the sanctuary. Some groups had asked it be reconsidered in boundary adjustments. Brady Phillips stated that this matter was never fully off the table, but was still in proposed draft EIS as a separate oval circumscribed around the seamount.

Rep. Lynn Woolsey is expected to introduce the bill for Farallones and Cordell Bank expansion in the next session; there are a number of potential legislative vehicles it can be tacked onto.

Brenda Donald: Brenda commented how impressed she was when she and several members of the sanctuary staff went aboard for a tour of the cruise liner "Regal Princess." She was impressed with their system for onboard water treatment.

#### ITEM 5. MANAGER'S REPORT

Manager Maria Brown handed out a written report.

She provided some background to marine reserves. The California Marine Life Protection Act was established, designating seven kinds of marine reserves in California. The Act used standardized language, and determined the locations of sites. Restrictions range from no-take zones, to only recreational use. The bill passed in 1999. The existing network of 104 MPAs must be organized and be better managed. There are no systematic and monitoring-based specifications.

The bill created a framework for and permits creation of new areas. The Act ran out of funding in January 2004.

Several regions were established, using fishermen on each region's panel. No public money is available through the Act, but the California legislature just approved \$500 thousand in funding. Some fishermen strongly disapproved using private funding for taking away their access to a natural resource.

Karen noted that the Commission can make use of this process. Any local group can propose an area. No meetings are needed; a simple civil process can be used. The state is announcing its envisioned methodology and should encompass a blue ribbon panel of experts in fisheries to conduct oversight, with several subsets of stakeholders.

The Channel Island marine reserves are focused on the land-to-sea connection, and watershed issues. They prefer to choose a more limited area and to cover at-sea uses and on-land issues as well.

The formal restart is Central California and the exact area has not been determined. Now that the state is starting to act, both the Farallones and Monterey sanctuaries should be closely involved.

The advisory council recommended that the sanctuary be involved as a leader in bringing together stakeholders. There must be clarity about who they are and what is the correct process.

Barbara commented that the sticking point is whether there is a “need” for marine reserve designation. Who decides where and why to designate an area, only the scientists?

Karen pointed out that the MLPA has clear directives. GFNMS can play a role in establishing clear processes and objectives, and have them long before any lines are drawn. This will reassure the other stakeholders before proceeding with any proposals.

Discussion followed that standards cannot be a moving target. For example, some species’ status may not be agreed upon, as in the case of the groundfish closure. The Pacific Fisheries Management Council and Fish and Game Commission determined there was a problem, but not everyone agreed with them. Emergency declaration regarding a species would be one standard used.

Anne noted GFNMS should include stakeholders in all groups, and everyone must agree as to the goals, objectives and standards. This can be a long process, and everyone must remain true to the agreement. We should focus on clarity of our goals, but should be prepared to compromise at times.

The Fishing Working Group agreed that the esteros are to be examined for increased protection. Those areas will be included in the “package.”

Bob Breen recommended an article on ecosystem based resources management which contained good references to set standards for the GFNMS to stand upon. An overview as in the journal “Science” would be a good starting point.

Richard stated that each sanctuary exists only by virtue of federal law and ecosystem protection, which permits compatible activities. Without the National Marine Sanctuaries Act none of these sites would exist. The PFMC relies on maximum sustainable yield (MSY) standards, which are based on some misconceptions. Fish and Game has still other standards. The California Resources Agency decision to restart the CMLPA program overlaps a lot of sanctuary areas.

San Mateo County is very concerned with progress on MPAs, and the Farallones sanctuary wants to stay ahead of the curve.

It was noted that the Fishing Working Group made recommendations as to the MPA process, which can be a starting point, building on and adding to it as needed.

Maria noted that the Farallones sanctuary will not be proposing reserves at this time, but will be part of the process. Maria would be the one sitting at the table, but will need the advisory council's guidance. Anyone with economic impacts at stake must be involved in the process.

Karen Reyna cautioned that the sanctuary should not be a leader in establishing the process, just in stakeholder involvement. The word "leader" should be changed to "liaison" or "facilitator" to make sure the site stays on point with its goals and objectives. The lack of focus proved to be the problem in the Channel Islands. Resource monitoring should be a goal in itself, and we are working to ensure this happens.

The MLPA only applies to California state waters; we need to determine what is there, and what is its status. This is a State process, not federal. The Fish and Game Commission has the ultimate power to decide on MPA designation, not the sanctuary, even though there are sanctuary resources involved. GFNMS has information that can be given to the State to use, such as the biogeographic report. It's better to let the state take the lead on the issue.

Maria solicited the advisory council to advise her what it wants its role to be. One request was for co-jurisdiction with the State. It is important to assert the Sanctuary Act mandate, to pay close attention to the process, to provide the data we have and gather more Geographic Information System data. We must recognize that the decision on a marine protected area is not ours, but belongs to the State. Some no-take zones may be situated in sanctuary waters. If the stakeholders don't all accept them, the sanctuary should still be involved in the process.

Barbara cautioned that the scientists are being kept separate from the fishers and from conservationists, to avoid conflicts at the beginning of the process. However, this may result in more conflict toward the end, and a consequent wasting of time. A recommendation was made to get someone from the State of California to make a presentation at the December joint council meeting.

It is possible to start making recommendations; for example, the Fishing Working Group can be revived as an ad hoc group. More details and more discussion are needed.

MOTION: The purpose of this ad hoc working group on ecosystem health is to advise the sanctuary advisory Council in matters related to the reconstitution of the MLPA as it affects sanctuary waters. This group can include outside members.

It is moved that an ad hoc Working Group be convened for the purpose of making recommendations on goals and standards to the council, and the council will advise the manager.

Moved by: Bob Breen

Seconded: Richard Charter

Vote: The vote was unanimous to adopt

Anne pointed out that the group must have sanctuary staff and a council member on the working group to be Federal Advisory Committee Act (FACA) compliant. The ad hoc committee can determine other outside people.

The ad hoc working group was made up of Barbara Emley, Bob Breen, Richard Charter and Mick Menigoz. The sanctuary staff member will be the new Resource Protection Specialist, Karen Reyna.

Ecosystem Protection Plan Update: (see handout)

This is based on division of the sanctuary into three habitats (rocky shores, open ocean, estuarine) plus maritime heritage. See the list of projects and action plan strategy numbers on the handout. At each advisory council meeting the project coordinator will report on the progress in each habitat.

Dan Basta wants to see GFNMS reach its potential. To help argue for more funds, he sees three primary markets in the US: San Francisco, Los Angeles and New York City. The country's decision makers are found here, and the country's largest populations. Of these three, only San Francisco has a sanctuary adjacent to it. Maria will be going to the Leadership Team meeting in New York in late September. The NMSP wants to engage the public. Long Island Sound shipwrecks may be the theme around which a marine sanctuary can be developed there.

#### ITEM 6: OLD BUSINESS/ACTION ITEMS FOLLOWUP

Regionalization Update: No written materials on regionalization are available yet. Brady is working on putting something in writing, which may be available by the retreat to use as discussion points. Headquarters cares very much about advisory council opinions. Regionalization will be a gradual process.

Marine and Aviation Operations: The three west coast sanctuaries are getting a new vessel, which will be stationed in Monterey. It will be used in studying deep-sea corals, and for integrated seabed mapping.

Leadership Team Meetings: The establishment of a National Advisory Council will be a topic at the New York City meeting.

Maria proposed a symposium for the San Francisco Leadership Team (LT) meeting, January 10-14, 2005, and reviewed the draft agenda for the meeting.

One focus will be on sanctuary partnerships, it is planned that Brian O'Neill will make a presentation on the National Park Service/sanctuary partnerships, which include the Golden Gate National Recreation Area and San Francisco Maritime National Historical Park. Also, we will bring in cooperating associations. Another topic will be the National Marine Sanctuary Foundation's role.

There will be a reception at the California Academy of Sciences to present the proposed sanctuary exhibit, which will include other sanctuaries as well as Gulf of the Farallones.

A Pillar Point Harbor/Fisherman's Workshop is planned, to continue Ed's efforts of two years ago, bringing fishermen from around the country. We need to strengthen those partnerships. A crab feed will follow. One project will be to look at a case study to develop Pillar Point as a sustainable fishing community. This will include community outreach and education, and have fishermen and researchers engage in dialogues. The goal is to make management decisions based on what will be effective locally, and then to bring these recommendations to the PFMC.

A Marine Summit will be the biggest event, in which we position ourselves as global leaders in conservation.

We will discuss the Pew Commission and US Ocean Commission reports, and examine what the state is doing. We can showcase the reports, and bring in representatives from a Non-government Organization (NGO) and someone from the legislative branch. This will be a precursor to the release of the draft plan.

We are planning a VIP reception with the council as co-host, welcoming the summit speakers and guests. We may do this in conjunction with KQED and the Commonwealth Club. Richard mentioned that KQED is doing a special on planning along the California coast, and he will send around that contact information.

Anne reported that Joelle Buffa, Manager of the Farallon National Wildlife Refuge, is very pleased with interpretive results regarding the vessel lights impacts on wildlife issue, letting the boating community solve its problems, without a need for regulatory action.

Opportunities for tourism are year round, with industry making money from the sanctuaries. The LT meeting's Monday discussion will be on tourism and hotels. The meeting is being held at the Argonaut on Park Service property. This can provide a model for other hotels to follow, and we can seek to involve the local Chambers of Commerce as well.

The Monterey council has a tourism business seat. The question arose, would that be desirable at this site? That would provide one more venue for the "sustainable/not farmed" fish message. The Community at Large alternate seat could encompass this area. And the Business and Tourism Activity Panel/BTAP seat on Monterey fulfills the business aspect. We could find examples of leadership in these areas. Since the council all have specific expertise in various fields, members can give their views and "from the trenches" presentations.

Outreach and Media: It was suggested the whole west coast should be included in media outreach, from Seattle to San Diego. The greater San Francisco Bay Area has the most potential for outreach. Media and hi-tech presence (such as telepresence) can all contribute to NMSP promotion.

Although problems such as the "doughnut hole" (exemption zone off San Francisco/Pacifica) will be looked at over the next five years in the management plan. In its outreach, the sanctuary should play down problems, and focus on the positive aspects of the sanctuary and the Management Plan.

Fishing industry outreach: Barbara, having attended two council chairs' meetings, believes a fishermen's forum could really work. All sites need to work on repairing their relationships with the fishing community. Maria will need assistance in planning for the fisherman's forum. Chuck Wise of PCFFA in Bodega can assist, along with Zeke Grader, Duncan MacLean and recreational fisherman such as Mick Menigoz.

Permits: Three permits have been sought, for coring in Bolinas Lagoon, studying the history of sedimentation, one of which is for taking 75 samples (Phil Williams and Associates) for BLTAC. The SF Sewer Authority wishes to take samples at the sewer outfall, and in the rocky intertidal area, High School students wish to place markers.

New Staff: Christy Walker (Education Specialist, Half Moon Bay office); Irina Kogan (Resource Protection Specialist, Half Moon Bay office); and Karen Reyna (Resource Protection Specialist, San Francisco office) are new to the organization and start September 15<sup>th</sup>.



New Staff Positions: Julie Barrows replaces Mary Jane Schramm as Advisory Council Coordinator in October, and is maritime heritage coordinator and San Mateo County office coordinator in Half Moon Bay.

Annual Operating Plan: This has been submitted to headquarters.

Sanctuary Advisory Council Chair/Coordinator's meeting in February 2005: We are asking Cordell Bank to exclusively handle the West Marin portion of the meeting.

#### ACTION ITEMS:

ATOC Cable: Regarding an Environmental Assessment (EA) on the ATOC cable: if the permit renewal involves a change of use, an EA would be required. The question was raised whether an EIS was done when it was first installed; one was completed. Also, if cable removal is the final decision, and if there are no funds available, it was determined that GFNMS wouldn't have responsibility for it. NOAA was the permitting entity. NOAA's Office of Oceanographic and Atmospheric Research (OAR ) should appropriate any needed funds if it's to be removed. It was noted that if a new user were found, then a new review would not be needed unless the use itself is changed.

It was noted that precedent-setting regarding cable permitting is in itself worrisome, and so it was recommended the sanctuary council weigh in with its opinion before NOAA makes a decision. We can insure that a bond be posted if the permittee goes bankrupt.

MOTION: The council recommends to NOAA Headquarters that if the use permit is extended to the current or a new user, then the appropriate environmental review be done. If the recommendation is to not extend the permit, that the appropriate plan be put in place for removal of the cable. If renewed by a current or a new permittee, a bond shall be posted enabling eventual removal.

Moved by Chris Powell

Seconded by Richard Charter

VOTE: All in favor, none opposed.

The council will transmit this to Maria, who will send it to Dan Basta, and can ask that he forward it to Vice Admiral Lautenbacher. Maria will ask for a response from Headquarters.

#### U.S. Ocean Commission (USCOP) Report:

The NMSP cannot comment on the report. Karen recommended the sanctuary advisory council read the State of California's comments, as they contain good information.

Council Composition: There are five seats to fill. Karen Reyna, who upon becoming staff, will no longer be on the council.

#### ITEM 7: MBNMS Sanctuary Advisory Council Liaison Report:

Meg DeLano, sitting in for Steve Shimek, commented on the overuse of Fitzgerald Marine Reserve areas. Past MBNMS advisory council meetings brought this problem up, requesting information on what can be done.

Bob Breen indicated that State Parks is setting limits on the numbers of classes that can visit the reserve, but there are still no limits on drop-in visitors. Attendance is falling from 10 years ago, with now only 100,000 visitors per year. State Parks will seek grant money to regulate the entrance. They've found the road is on park property, and the right of way issue must be resolved. A neighbor, Jeannie Miller, extends into the right of way. The plan is for a gatehouse, and to allow no more than 300 drop-in visitors. Schools are to visit on a reservation basis. See the Fitzgerald website. Sam Herzberg is working on grants, and the Friends group is meeting September 14<sup>th</sup> to address access. The meeting is to be at the Senior Center in San Mateo on Alameda from 7-9pm.

#### MARINE PROTECTED AREAS (MPAs):

MPA News' August issue has an article on determining compatible public use thresholds for MPAs. It links to other websites, and uses formulas to determine maximum use. Harding Lawson did a review of Fitzgerald and arrived at the 300 visitors per day figure.

Meg asked that the December joint sanctuary meeting goals and objectives be sent out. Brady pointed out that Dan Basta had expressed a desire to see the focus on integration of programs in the Northern Management Area (NMA). The first meeting can establish future direction for the sites, and an opportunity to bring both councils together as occurred last March. Also it is desirable to hear from the public about needs in NMA and how to use constituent groups in that area. A member from each Sanctuary Advisory Council can sit on the planning committee, when it's formed. Meg can take those suggestions to Monterey. Dan will direct the meeting, and it will be fully structured.

It was suggested that the councils compare and contrast the two management plans and see how they arrived at changes.

Meg commented on the informality of the GFNMS council meetings, and the opportunity for interaction in smaller breakout groups. The MBNMS Sanctuary Advisory Council is more strictly run by Roberts Rules of Order.

It was agreed that the meeting would be less a business agenda, and more focused on getting the two councils working together. Suggestions included field trips in the NMA that both councils would learn from, e.g. the water quality program. They can invite Surfrider Foundation to do a presentation on their volunteer monitoring program. Another option is to tour the Pillar Point Harbor. DeHarley's Goat Farm has an excellent facility in Pescadero.

#### ITEM 8: NORTHERN MANAGEMENT AREA UPDATE

The Monterey, Farallones and some Cordell staff held an August 12 All Hands Meeting. We are starting anew, and leaving "old baggage" behind. The Transition Plan will be forwarded from Brady to the Sanctuary Advisory Councils.

We are no longer calling the waters off the San Mateo coast the "Northern Management Area;" it's the portion of MBNMS managed by GFNMS. The Half Moon Bay office houses GFNMS staff. We won't make distinctions, but will just focus on our protections. All activities except water quality will be administered by GFNMS. We'll work in partnership with MBNMS.

MBNMS regulations apply in the area, but we'll issue the permits, and do enforcement. New regulations can be proposed by GF, working with MBNMS. If we come to consensus, they will ultimately need to be passed by MBNMS. They must consult with us as well for new regulations that MB wants in that area. Across all three sites we're trying for the same regulations. Within that area, GFNMS would take the lead with Irina Kogan who will lead the projects and keep MBNMS staff fully apprised of developments.

GFNMS is in charge of ATOC matters, as are the issue at Maverick's with jet skis (Motorized Personal Water Crafts/MPWC). Dredging in Pillar Point Harbor is also now the Farallones concern.

The council indicated a need to learn the history of MBNMS Sanctuary Advisory Council actions and recommendations on these issues in order to give contextual background. If the Farallones sanctuary is inheriting these problems, the council wishes to learn the process by which they have been addressed. This could be an agenda item for the joint December meeting.

In the JMPR MBNMS had a krill harvesting Working Group, and it recommended a harvesting ban. If the action stopped there MBNMS would still be the lead because it involves 2/3 of that sanctuary, but Monterey must involve us in developing the regulation. A krill harvest ban was proposed at all three sites.

The MB Sanctuary Advisory Council recommended action on jet skis at Mavericks, but didn't reach full consensus.

Regarding the Monterey Marine Reserves Working Group, full discussion was requested. In Monterey this working group predated the JMPR process; will this involve the NMA?

Also, the point was raised whether regionalization will have a homogenizing effect on all the sites. To the contrary, regionalization is to ensure consistency of regulations and policy, but there may be a locally specific problem, such as Mavericks and the jetski issue. In regionalizing regulations, we'll go to the highest level of protection, and the other sites, as appropriate will match that level.

The Farallones now has an office in Half Moon Bay with three staff, and the sanctuary has already begun programs: the California signage plan, and the Pigeon Point Lighthouse exhibits (this is being held up by litigation over ownership). The Signage Plan has identified locations, themes, and building partnerships for situating the signage. Pacifica Ocean Center can be one partner for the sanctuary.

As of August 15<sup>th</sup> all authority for this area transferred to GFNMS. We've listed our staff resources for both sites so an exchange of talents between sanctuaries can be facilitated.

The SIMoN (The Sanctuary Integrated Monitoring Network System) internet program lists all ongoing research in MBNMS. Here data is archived, and Geographic Information System mapping via internet is available to a limited extent. Water quality sample sites can be accessed, e.g. "One stop shopping" for what research is happening in the sanctuary.

This fall Brian Johnson from Headquarters will develop a plan for expanding SIMoN to CBNMS and the Farallones sanctuary. He's also working on Enforcement.

The State of California has a fleet of new enforcement vessels but has no funds or staff to run them.

To date we have identified several shortfalls in the NMA expanded area plan:

1. Enforcement
2. The Sanctuary Integrated Monitoring System (SiMON) lacks someone to work on and expand it up the coast
3. A Geographic Information System (GIS) is needed for permit decisions and enforcement, and habitat characterization.
4. A vessel is needed for research and enforcement

A deadline needs to be incorporated into the Draft Plan, now under assembly. September 21<sup>st</sup> is the deadline to review the plan.

#### ITEM 9: ESTEROS AD HOC WORKING GROUP REPORT

Richard Charter gave the presentation on behalf of the working group.

The new quarry is still in the process of an environmental study of some kind, perhaps a draft EIR. There will be a public comment period and hearing on the issue.

Old Dump: There has been no change, it is still leaking. The current dumpsite is in limbo because refuse is being hauled outside the county. A new development has arisen: the toxic leachate is so bad that the county is proposing to build a pipeline to a sewage treatment plant for treatment away from the estero. Friends of the Esteros/FOE just asked for pre-tertiary treatment because it's so hot, even before it goes into the sewage treatment.

Construction of this large of a pipeline, one valley away from the Button Ranch, would bring the potential to operate a pipeline in reverse back to the estero watershed. Later there could be the threat of reversal of flow. The working group, once needed documents are obtained for review, will be meeting again. They have already met in Sausalito.

Brenda warned against the use of infrastructure to control policy. Unintended consequences can result, as happened to failed treatment plants that weren't allowed to expand lest they encourage growth.

Enhanced protection for the esteros is a high priority item, and no longer theoretical. Council members are encouraged to visit the website [CaliforniaCoastline.org](http://CaliforniaCoastline.org) for "before and after" images of the esteros.

#### ITEM 10: RETREAT AGENDA

Mary Jane Schramm sketched out a straw agenda for the October retreat, including communications training and practice in preparation for the release of the draft Management Plan, and the next series of public meetings. The retreat will include team building exercises, a draft Work Plan for items the council wishes to address in the coming year, and a naturalist-led field trip to explore Tomales Bay and learn about reclamation planned for Giacomini Ranch, or a visit to an aquaculture/oyster farm). Details will be firmed up shortly.

#### ITEM 11: SANCTUARY ADVISORY COUNCIL CHAIRS AND COORDINATORS MEETING

National Program Priorities: Headquarters wishes sanctuary advisory council involvement in its program decisions, a National Sanctuary Advisory Council to consult on specific items. The question was raised, "Are Sanctuary Advisory Council chairs the best people to set national policy?" This year, the chairs will select a topic and discuss it at the regular council meetings before attending the Chair's meeting and offering an opinion.

The councils have until Sept. 6<sup>th</sup> to submit input with supporting information. The national council meeting will be conducted like a regular council meeting, and be open to the public, with public comment available.

Some proposed topics: Aquaculture, Desalinization, Cables, Artificial Reefs, Cruise Ships and Overflights

Regarding desalinization, Brenda Donald noted desalination makes no sense in the absence of 100 percent reclamation. There should be a requirement for a study and to ensure that the community investigates its feasibility before considering desalination. Brine disposal will be an issue with desalinization.

Acoustic impacts is a primary topic for the California Coastal Commission.

Aquaculture: There is an aquaculture Working Group on developing a national policy. This advice session would be a good time in which to provide council input. It should be noted that there could be a "self-dealing" situation with one part of NOAA being an aquaculture proponent, and another part being opposed to the activity. We are still empowered to go on the record as NMSP being on one side or another of an issue. Aquaculture was proposed by the Farallones council for this meeting as its primary issue of concern.

It was noted also that offshore alternative energy issues are currently involving the attention of the east coast and Olympic Coast NMS.

#### ITEM 12: REVIEW REVISED CHARTER

Draft revisions to the charter have begun, with a seat to be added for government (State of California).

#### CALENDAR ITEMS:

Deadline is September 6<sup>th</sup> to submit new topics for National Program Priorities

September 20<sup>th</sup>: Headquarters will announce policy topics

Between November 11 and Feb 7: council can discuss and deliberate issues for national council advice session.

January 27<sup>th</sup>: The first 2005 GFNMS council meeting will be set the week before the Chairs meeting, Thursday, January 27<sup>th</sup> in San Francisco.

Maria requested that the council avoid scheduling meetings on the first Fridays of the month, to avoid conflicts with Bolinas Lagoon Technical Advisory Committee meetings.

The joint December 3rd meeting will be near Half Moon Bay, at Costanoa, or maybe Elkus Ranch.

The meeting adjourned at 2:05 p.m.

For questions or comments, please contact Mary Jane Schramm, 415/ 561-6622 ext. 205 or via email at [maryjane.schramm@noaa.gov](mailto:maryjane.schramm@noaa.gov)