

**GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL MEETING NOTES**
December 5, 2002 – Point Reyes National Seashore Association Building

WELCOME/ROLL CALL/REVIEW OF AGENDA

Council Members (Primary):

Bob Breen	Education
Richard Charter	Conservation
Barbara Emley	Maritime, Council Chair
Jim Kelley	Research
Mick Menigoz	Maritime
Bob Wilson	Conservation

Alternates

Brenda Donald	Research
Gwen Heistand	Education

Sanctuary Staff:

Ed Ueber, GFNMS Sanctuary Manager
Maria Brown, GFNMS Assistant Sanctuary Manager
Mary Jane Schramm, Council Coordinator
Rowena Forest, Cordell Bank Council Coordinator

Joint Management Plan Review Staff:

Anne Walton
Ruth Howell

APPROVAL OF PREVIOUS MEETING MINUTES

Minutes from September 12, 2002 meeting were approved with amendments:

- Add to Page 1 that Mark Dowie moved to have Patric Douglas (shark dive operator) speak for 5 minutes for public comments, then additional time, if any remained.

MOTION: The motion was seconded by Richard Charter. Also delete “18 minute presentation” to read that Mr. Douglas “exchanged comments with Council members on the shark issue.”

MINUTES; Approved Feb. 24, 2003 w/amendments

- Page 2, change Richard Charter's statement concerning the California Coastal National Monument to read "the President is considering rolling back NEPA for certain defense activities within 200 nm."

MOTION: Richard Charter moved, Bob Wilson seconded;

VOTE: All votes aye unanimously.

PUBLIC COMMENT PERIOD

Public comment period was delayed until 0915. No public comments were presented. Council agreed that a later period for public comment would be permitted if someone arrives.

The agenda was revised; henceforth the first four items will be at the same time in the same sequence:

0900-0915 1) Welcome, Roll Call, Review of Agenda

0915-0930 2) Public Comment Period

0930-0940 3) Approval of previous meeting minutes

Future minutes' drafts will be paginated, marked "draft" and alternates will be reflected in the roll call.

DISCUSSION: HOW MEETINGS ARE CONDUCTED

The Council discussed its role and the deliberative and decision making process. The role of the Council is to give the Manager free and open advice as representatives of the constituency, and to advise him all the positions that exist, not just the ones the Council agrees with.

The Sanctuary Manager will review all opinions in the light of how the recommendation agrees with the Act and the Sanctuary's mission. If the Manager does not act on the majority Council opinion, he will explain in writing why the opinion was not acted upon.

MOTION: "The decisions of the Council will be based a quorum present and made by majority vote of those present; minority opinion will be represented. Motion by Richard Charter; Bob Wilson seconded;

VOTE: unanimously accepted.

QUARTERLY COUNCIL MEETINGS

The 2003 Calendar was set; there will be regular quarterly meetings:
February 24, April 22, September 11 and November 20

There will also be a meeting with all three Councils in summer, date to be announced.

During the morning break Richard Charter distributed information on oil leases near Sanctuary waters.

MEMBER REPORTS:

Bob Breen reported:

- The Peninsula College High School Program
- Scripps Oceanographic Institute's upcoming February high school competition
- Fitzgerald Marine Reserve will receive \$40,000 in funding (Pinera) tie-in with PISCO to conduct biological assessment of sub- and inter-tidal habitats; the contract is to be awarded this month.

Richard Charter reported:

- At the California and the World's Ocean Conference in October, Santa Barbara, Richard presented information on emerging issues, including oil and gas development along the California coast, "California Sanctuaries in the Path of Oil." These materials were distributed to Council members. Also, Satie Airame will be putting maps in the GIS data layers which could be useful in regard to boundary issues;
- NOAA sponsored a regional conference organized by the University of Delaware which will address the region's role in offshore governance. Richard submitted a paper on the issues of wave energy projects, and will distribute it when published.
- The Ninth Circuit Court decision upheld California's right to review development of 40 undeveloped offshore gas tracts off Pt. Conception. A permanent protection mechanism may be found for relinquished tracts. This area of virgin coastline may be a candidate for national seashore designation and may be protected through a northern boundary extension of the Channel Islands NMS.
- The Santa Rosa Utilities Board voted to include a sewer outfall on the Sonoma coast, but the City Council later voted to remove this option from their wastewater plan. The Council left in the option of applying pre-existing outfall options. A higher level of protection for the Esteros is recommended.
- In connection with this last comment, Ed Ueber proposed a Council area-familiarization kayaking trip to the Esteros, which would have been affected by the sewage discharge from Santa Rosa.

Jim Kelley reported:

- The California Ocean Trust, chaired by Mary Nichols, held a conference October 10th; this organization may undergo a name change per the request of National Ocean Trust. This group's mission is to advise the State on funding.
- El Nino seems to be weakening, although South America is seeing elevated rainfall.

Barbara Emley announced:

- Dungeness crab season has been the best in 40 years, following the good king salmon season. The food web appears to be doing well throughout.

JOINT MANAGEMENT PLAN REVIEW/WORKING GROUPS

Anne Walton updated JMPR progress: working groups have been formed; and she distributed the draft/proposed Work Plan, which includes Monterey.

WORKING GROUP SCHEDULE

The first meeting dates for Working Groups are:

Exotic Species, GF	December 16	1-5 pm	GFNMS Office
Education, CB/GF	December 18	3-7 pm	Fort Mason Bldg 101, Conference Room
Water Quality, GF	December 20	9am-1pm	Montara Sanitary District
Fishing, GF	January 13	9am-1pm	Santa Rosa
Fishing, CB	January 14	1-5 pm	TBD
Education, CB/GF	January 29	3-7 pm	TBD
Fishing, GF	February 12	9am-1pm	TBD
Vessel Traffic, GF	February 13	9am-1pm	TBD
Research, CB	February 14	9am-1pm	TBD
Fishing, CB	February 26	9am-1pm	TBD
Wildlife Disturbance, GF	February 26	1 –5 pm	TBD
Fishing, GF	February 27	9-1 pm	TBD
Partners w/ Community Groups, CB	February 28	9am-1pm	TBD

After the first meeting dates for Working Groups, the Groups thereafter will determine their own schedules and agendas.

Anne announced the Working Group function; i.e., to advise the full Council on specific issues; the Council will then make recommendations to the Manager. The Working Groups will:

1. Characterize the issues;
2. Develop strategies and activities
3. Identify partners
4. Develop budgets
5. Provide performance measures

The public may attend (audit) these meetings, but no public comment period is included. Those interested can refer to JMPR website for dates and updates. Working Group recommendations will be made to the full Council this summer (May/June). Council participation is required for all Working Groups.

Clarification was made that non-Working Group Council members can audit meetings as regular public; however, Internal Team meetings are closed.

The Council decision making process was discussed, and the Council voted: "The decisions of the Council are to be based on a quorum present and made by majority vote of those present; the minority opinion will be represented."

MOTION: By Richard Charter, Bob Wilson seconding. All voted aye, none opposed.

VOTE: unanimously passed.

There were concerns that Council is not a full participant in the Management Plan Review process. Some of their recommendations are being ignored or countermanded by staff/headquarters, e.g. boundary issue being handled by Working Group and not Internal Team. Council requested a more transparent process for NOAA modifications to Council recommendations. Council also requested future changes to documents be identified (revisions in legislative format) and the rationale for changes be presented.

MOTION: Jim Kelley made a motion that the (Monterey/Farallones) boundary issue be regarded as cross-cutting and should be a Working Group issue instead of Internal Team issue, and be dealt with in a separate Monterey/Farallones Working Group. Richard Charter seconded the motion.

VOTE: All in favor, none opposed; passed unanimously. A letter will be forwarded to Dan Basta to this effect, with a copy to Ed Ueber.

Zonal Management Plan (ZMP), a newly introduced issue, was also cited as an example. Anne indicated ZMP came up during scoping process.

Some site-specific issues as Marine Reserves are considered as a tool for looking at fishing activity impacts. Zonal Management reflects actions throughout the marine sanctuaries, and is not just limited to Marine Reserves.

Anne assured the Council that Working Group recommendations will be combined with Internal Team recommendations and then evaluated with a view to priorities, feasibility and budget. She indicated the ZMP reflects actions throughout the marine sanctuaries, not just marine reserves.

The Council was concerned that Headquarters is promoting it's own agendas, and that ZMP is actually synonymous with Marine Reserves. Anne assured the Council that if agendas are sensed, the JMPR team will try to "clear the air."

Other issues discussed:

- Development of coordinated ecosystem monitoring programs across all sites;
- Marine reserves within sanctuaries: each Sanctuary must establish a policy on how to approach the issue of marine reserves within sanctuaries, e.g., the Channel Island process. The National Marine Sanctuary Program has determined that the approach to these should be on an issue-by-issue basis when considering marine reserves. Fishing groups would make recommendations on reserve issues;
- External boundary expansion; Ed Ueber recommended against broaching this under the current administrative climate, but encouraged that data collection begin now.
- Exotic/invasive species: this will be primarily an outreach issue
- Radioactive waste: this issue is primarily a public relations matter
- Vessel traffic, especially the southern approach to SF Bay. This was an Internal Team issue, and is now a Working Group. This may interlink with Wildlife Disturbance
- Wildlife Disturbance: This group will coordinate with other West Coast sanctuaries, developing a model here, and expand.
- Water Quality: involves both Estero and offshore issues
- New/Emerging Issues: To look toward new challenges before they arrive to better be prepared to respond to them.

GUIDELINES:

- Articulate purpose and objectives of Working Group;
- Refine the problem statement, state issues and sub issues, including outcomes;
- Members identify roles/responsibilities; there will be note takers, facilitators, etc.;
- Convey decision-making process and be clear about NOAA role as stakeholder (seek consensus with NOAA);
- Create ground rules (Norms);
- Develop procedures to add/remove members;

- Meetings open to public, provide clear guidance on public participation. No public comment period, just caucus breaks.

Working Groups

- Both confirmed and proposed Working Group members were listed in a handout (see attached);
- Initial Working Group meetings would deal with process; the later meetings would deal more with the substance of the issues.

The Management Plan Team determined that Working Groups should work toward achieving consensus; if not achieved, dissenters should offer alternatives to move toward a level of agreement. Each Group must contain at least one Council member. Technical Advisors can be brought in at any time.

Council and Working Group members are to act as ombudsmen for the whole constituency of their Council seat, not just as special interest advocates.

TRAINING RECAP

Brenda Donald and Richard Charter provided information on the meeting management training that they attended in Pescadero. This included outlining the stages of the meeting process (i.e., “forming” - establishing ground rules for the meetings); and the “storming” stages, in which different opinions are presented. The Council was advised it could “storm” as long as it took to address an issue, then move on when the Council tenure was over. It was also noted that the information presented can empower the Council in the dynamics of meetings, e.g., placation strategies, and group “management.” Council members may request booklets from the meeting, outlining the different stages of the meetings, from Ruth Howell: 415/ 561-6622, ext. 202; ruth.howell@noaa.gov.

For next meeting: Thirty days prior to the next meeting all proposed agenda items must be submitted to Mary Jane Schramm at maryjane.schramm@noaa.gov. MJ will forward the proposed items to Barbara Emley, Council Chair, and the Sanctuary Manager.

MEETING ADJOURNMENT:

The meeting adjourned at 2:12 p.m.