



**GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL MEETING**

January 27, 2005
The Presidio, San Francisco CA

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.

CALL TO ORDER, ROLL CALL, REVIEW AGENDA

Advisory Council Chair Barbara Emley called the meeting to order.

Roll Call:

Advisory Council Members Present (Primary Seats and Alternates)

Barbara Emley	Chair/Maritime Activities
Bob Breen	Education
Bob Wilson	Conservation
Brenda Donald	Research-Alternate
Chris Powell	National Park Service (NPS)-Alternate
Mark Dowie	At-Large
Mick Menigoz	Maritime Activities
Richard Charter	Conservation

Advisory Council Liaison

Steve Shimek	Monterey Bay National Marine Sanctuary
--------------	--

Gulf of the Farallones National Marine Sanctuary Staff

Maria Brown	Sanctuary Manager
Julie Barrow	Advisory Council Coordinator
Christy Walker	Education Specialist
Irina Kogan	Resource Protection Specialist
Karen Reyna	Resource Protection Specialist

JMPR Team

Anne Walton	Management Plan Coordinator
Ruth Howell	Assistant Management Plan Coordinator (outgoing)
Yasaman Golban	Assistant Management Plan Coordinator (incoming)

Guests

Deborah Hirst	Legislative Aide, San Mateo County Supervisor Rich Gordon
Erin Simmons	The Ocean Conservancy

Copies to/Absent

Brian O'Neill, National Park Service
Gwen Heistand, Education-Alternate
Jim Kelley, Research



Review Agenda:

A discussion on the role of the liaisons was added to the Liaison Reports.

PUBLIC COMMENTS

Deborah Hirst, on behalf of the San Mateo County Board of Supervisors, commented that the January 13, 2005, Ocean Forum was fabulous and she was glad the debate has been started. She indicated that Sanctuary Manager Maria Brown did a great job of showing the diversity of the ocean and coast along here.

Erin Simmons, The Ocean Conservancy, introduced herself.

SANCTUARY EXHIBIT AT CALIFORNIA ACADEMY OF SCIENCES

Terry Gosliner, Provost, California Academy of Sciences (CAS), made a presentation regarding the new Steinhart Hall of Science and the overall theme of “Water is Life”. He also discussed the proposed sanctuary exhibit that will focus on the Farallon Islands and the California rocky coast. The exhibit will incorporate content of why sanctuaries are important: protection, monitoring, research, education, touch tide pool, interface between estuarine and coast, rocky coast, intertidal diversity, and estuaries as nurseries. The new exhibits will turn up the volume on conservation messages and showing successes that can be achieved with minimal effort. Because there is a constituency for each exhibit in the old museum, the new exhibits will respect the heritage of the institution while becoming contemporary.

Discussion

- Bob Breen, Education, suggested using the CAS tide pools to teach diversity, natural selection, and math to high school groups. Terry said they’d be happy to partner on this.
- Brenda Donald, Research-Alternate, suggested that CAS partner with the San Francisco Public Utilities Commission about personal choices and what goes through our bodies as part of “Water is Life”; Terry thought this was a great suggestion.
- Richard Charter, Conservation, also supported the focus on early childhood rather than waiting for high school to engage kids in science, especially marine science.
- Bob Wilson, Conservation, commented on the difficulty of bringing sanctuaries to the public; the exhibit on GFNMS and the Farallon Islands will show how important that jewel is right outside the Golden Gate.
- Maria Brown, Sanctuary Manager, reinforced that the partnership with CAS goes beyond the exhibits to include education programs.

COUNCIL MEMBERS’ REPORTS

Fishermen’s’ Workgroup/Pillar Point Harbor Initiative

Barbara Emley explained that this workgroup was set up by GFNMS as part of the Leadership Team meeting for Sanctuary managers to meet and talk with fishermen, scientists, and conservation representatives. The fishermen provided lovely crab cioppino. The fishermen “will see what happens”. She mentioned Dan Basta’s idea about fishermen doing monitoring; perhaps sanctuaries may be able to help Fisheries Management Councils gather information through this. She asked what feedback the Sanctuary managers had the following day.

Maria Brown said the managers were pleased with the interaction and got a lot out of the discussions. However, there was some concern expressed about not promising what can't be delivered; the program needs to be able to follow through. She said there was also interest in exporting the process to other areas. She mentioned the follow-up workgroup meeting February 17th on next steps and how to expand to other audiences, and how to pursue the idea of fishermen helping with monitoring. Currently, GFNMS staff is discussing how to expand the Sanctuary Integrated Monitoring Network (SIMoN); perhaps information collected by fishermen could be posted on SIMoN to help tell the story, past and present, and help predict the future.

Mick Menigoz, Maritime Activities, said it was good that everyone got together and talked; however, we need to go further than just talking. He said it is important to follow through with ideas and to take into consideration the fishing seasons when talking to fishermen.

Esteros Ad-hoc Workgroup

Richard Charter reported that the Gold Ridge Soil Conservation District would be making available funds from the US Department of Agriculture to agriculture owners and ranchers to do stream bank restoration.

Liaison Reports: Role of liaisons at each Advisory Council meeting

Bob Wilson, Conservation and GFNMS liaison to the Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council, said he viewed the liaisons' role is to deliver messages between the two Advisory Councils. He also suggested that, with regionalization, greater coordination among all the Advisory Councils would be important.

Steve Shimek, MBNMS liaison to the GFNMS Advisory Council, said the genesis of the liaisons from the Northern Management Area (NMA) transition was go to each council's meetings and report back. However, he thought it should include what added value the liaison can bring. He said he was a "naysayer" originally regarding the NMA; now, he wants to help both councils make it work. Steve thought perhaps each sanctuary might take lead on certain issues: for example, Monterey on water quality; Channel Islands on ocean noise; and Farallones on working with the fishing community. Then, as programs begin to be exported to other sites, the role of the liaisons might become more programmatic.

Bob Breen, Education, indicated that the role would evolve; at a minimum, each liaison should report on key issues being worked on by each council. He said whatever the liaisons "do today is right because we're breaking new ground". He would like to especially hear about issues along the San Mateo coast. He also mentioned the new Coast Hotel development in Santa Cruz.

There followed a general discussion about whether the MBNMS liaison should sit at the table to participate in discussions and to what extent. Steve Shimek indicated that he felt more comfortable as part of the audience to report out and provide history and insight as appropriate.

Member Reports: Round Robin

- Brenda Donald, Research-Alternate, reported on an informal desalination coalition on the central coast called the Coalition on Responsible Desalination that is putting together a white paper. She also mentioned that Sewer Authority Mid-Coast is being audited by the USEPA

as a result of recent sewage spills into sanctuary waters. She attended a meeting of FOG, a group to reduce Fat, Oil, and Grease in waterways and sewers.

- Mark Dowie, At-Large, said he had been out of country for a long period so hasn't been in touch with his community groups; however, he planned on doing a blast email regarding issues to bring before the council and would like to include new groups in the NMA.
- Bob Breen reported the National Ocean Science Bowl would be held February 26th at Monterey Peninsula College. Half Moon Bay High School would be one of 20 schools competing. He also highlighted a marine protected area workshop in Half Moon Bay sponsored by Save Our Shores, Friends of Fitzgerald Marine Reserve on March 15th.
- Richard Charter recalled the discussion at the December joint Advisory Council meeting on areas outside sanctuary waters that are coming under enhanced threat. He indicated that MBNMS was starting to get feedback from other federal agencies on the proposed inclusion of Davidson Seamount, especially the Minerals Management Service (MMS), that the inclusion "will likely impact future activity such as oil/gas development". Richard said this could affect any GFNMS proposal, such as the Woolsey expansion proposal, and should be considered a "shot across the bow" between NOAA as biological steward and MMS as the energy/mineral development agency. Anne Walton, GFNMS Management Plan Coordinator, explained that the MMS comment letter was in response to the Section 303 (of the National Marine Sanctuaries Act, or NMSA) consultation letter on the proposed management plan actions that did not include the Woolsey expansion proposal for GFNMS and Cordell Bank National Marine Sanctuary. Richard asked that this be discussed as "New Business".
- Bob Wilson, Conservation, reported that the Marine Mammal Center has broken ground in San Luis Obispo for a satellite facility and the main facility in the Marin Headlands will break ground on its new complex in October 2005. He also reported that the Farallones Marine Sanctuary Association (FMSA) submitted a bid to the Presidio Trust for the warehouse space across from the Crissy Field offices for the Ocean Exploration Center.
- Barbara Emley, Chair/Maritime Activities, said this was the first year she was not crab fishing. She mentioned that fishermen would like to know more about the purpose and process of bird banding since they see a lot of banded birds while out at sea. She also attended the third "Straight Talks" Save Our Shores-sponsored meeting with scientists. She described it as a very good discussion back/forth on ecosystem-based management. She said the focus was on information sharing-what do we want to learn about/how do we go through this process?

MANAGER'S REPORT

FY 2005 budget

Manager Maria Brown reported that the FY 2005 budget looks pretty good; the program overall is getting \$51 million (2 years ago our budget was \$30 million). The site received level funding plus \$120,000 for the Half Moon Bay Office (minimum funds needed).

Leadership Team Meeting

The Sanctuaries Leadership Team (LT) meeting was held two weeks ago, hosted by GFNMS. This was an opportunity to show off what we do and it went extremely well. MBNMS Superintendent Bill Douros sent a very nice email to all managers saying that GFNMS has raised the bar on LT meetings. The Ocean Forum on January 13th was also a big success with 470 people attending. The Sanctuaries Program is developing a new performance-based strategic plan

that is well coordinated with the National Marine Sanctuaries Act, NOAA's strategic plan, and site management plans.

The Congressional review (15 day) is underway on the Sanctuaries Program office elevation and regionalization. The modified regional plan has site superintendents reporting to the regional superintendent who reports to the Director. The regional superintendent will represent all sites during priority planning/budget meetings and coordinate with regional bodies such as NOAA Fisheries, the Pacific Fisheries Management Council, and others on behalf of all sites. Regional staff will include two senior staff and an administrative person.

Ecosystem Protection Plans Update

Maria provided a summary of the four Ecosystem Protection Plans that incorporate the associated management plan strategies: open ocean, estuarine, rocky shores, and sandy shores. Maritime heritage has been integrated into each. The FY 2006 operating plan will use this ecosystem focus to address the following priorities:

Open Ocean - Vessel spills

Estuarine - Water quality and wildlife disturbance

Rocky Shores - Wildlife disturbance

Sandy Shores - Wildlife disturbance and coastal development

Discussion

- It was suggested that a cross-reference be created between the Ecosystem Protection Plans and the management plan strategies and a web page that double-click links from the Ecosystem Protection Plans to the operating plan.
- Richard Charter asked about the status of recruiting for the current council vacancies. Julie Barrow, Advisory Council Coordinator, responded that the first step is getting the charter revised and then the recruitment package, for all seats, can move forward; these will be brought to the Advisory Council at its April meeting.

OLD BUSINESS

MBNMS Special Marine Protected Areas (MPA) Work Group

Irina Kogan, GFNMS Resource Protection Specialist, provide an update on the MBNMS Special MPA work group. She recently joined the work group representing GFNMS and will regularly report to the Advisory Council on the group's activities. A mixture of constituencies, a continuation of the JMPR work group, is working to develop a process for evaluating the usefulness of MPAs within the MBNMS. Irina gave a brief historic overview of the JMPR action plan and the direction of the group's future efforts, including how the MBNMS process may interface with the State's Marine Life Protection Act (MLPA).

Discussion

- Steve Shimek, MBNMS Liaison to GFNMS, indicated that the issue was raised during scoping in support of reserves and additional protections. The group then took a step back to look at whether marine protected areas, if any, are needed. The group is now looking at what needs to be done to meet various resource management goals; special MPAs would be one of the management options.



- Irina reported that the group is piggybacking on the GFNMS Eco-Trust work; however, more fishermen need to be interviewed. The fishermen have been very forthcoming about what areas are important to them, where they go as the weather shifts and concede that the California Department of Fish and Game data is not good.
- Barbara Emley, Chair/Maritime Activities, stated that it is important to get the top-producing fishermen to help promote this among all fishermen.
- Richard Charter, Conservation, mentioned that Channel Islands National Marine Sanctuary used a similar approach to minimize the inclusion of key fishing areas in setting reserves.
- Barbara asked if the data for habitat mapping is being ground-truthed. Irina responded that this is a work-in-progress.
- Richard asked about the timing of the MBNMS and State MLPA processes. Irina said that discussions had just begun on what this would look like.
- Erica Simmons, Ocean Conservancy (audience), mentioned that Holly Price, MBNMS Resource Protection Coordinator, presented this at the last State Blue Ribbon Task Force meeting and that the task force was taking the matter under advisement though it wanted to wait until the Central Coast pilot area was sorted out.
- Steve indicated that MBNMS would like to minimize redundancy between the two processes.
- Chris Powell, NPS-Alternate, appreciated the presentation. She suggested that there needed to be more balance between use, conservation, preservation, and stewardship. Irina replied that these are built into the overall goals; however, she would comment to the group that these should be more explicit.
- Richard asked if there would be any products from this group as part of the JMPR public hearings. Maria Brown indicated it would be more of an ongoing process

Status of the Pioneer Seamount Cable Permit (formerly referred to as ATOC)

Irina Kogan provided a status update on the Pioneer Seamount Cable permit (formerly referred to as the Acoustic Thermometry of Ocean Climate, or ATOC, Cable). She reported that a permit amendment was issued November 30, 2004 that required the development of a cable removal plan by December 31, 2005 and actual removal by January 2007.

Discussion

- Bob Breen, Education, asked if the section at Fitzgerald Marine Reserve would be removed. Irina confirmed that the section up to mean high tide would be removed.
- Richard charter, Conservation, asked if the Advisory Council would get to review and comment on the removal plan. Irina indicated she was unsure how the process would work.
- Barbara Emley, Chair/Maritime Activities, asked who would pay for the removal. Irina said that NOAA's Office of Oceanic and Atmospheric Research is responsible and would enlist US Navy resources as well.
- It was suggested that this be the case study for the FY 2006 National Advisory Council Chairs meeting.

FOLLOW-UP DISCUSSION ON JOINT ADVISORY COUNCIL MEETING

Round Robin Discussion

Several themes were discussed, including:

- The difference in size and infrastructure of the two Advisory Councils; for example: the benefits of having a smaller number of members and allowing alternates to sit at the table and

be heard; and the amount of information on each Advisory Council's webpage and the timeliness of posting information to the page.

- The one-sided focus of the presentations on MBNMS programs. Maria Brown reinforced that this first meeting was designed to provide the GFNMS Advisory Council with the history of the MBNMS action plans impacting the NMA; future meetings will provide information on programs from both sites as well as expand to other collaborative issues such as the expansion of the Sanctuary Integrated Monitoring Network (SIMoN) for both GFNMS and CBNMS.
- The residual emotions regarding the NMA decision and the need to look to the future and work together. Steve Shimek, MBNMS Liaison to the GFNMS Advisory Council, reinforced this, saying that he would emphasize the GFNMS Advisory Council's support regarding the Davidson Seamount.
- Future joint Advisory Council meetings need to be held in a space large enough to allow alternates to sit at the table.

NEW BUSINESS

Proposed Davidson Seamount Resolution

Richard Charter, Conservation, proposed a resolution regarding the Section 303 comment letter from the Mineral Management Service to the Monterey Bay National Marine Sanctuary on the proposed inclusion of Davidson Seamount. The proposed resolution urged the National Marine Sanctuary Program to continue to pursue the seamount's inclusion as recommended in the JMPR for the purpose of protecting against future potential oil and gas resource recovery.

Discussion

- Barbara Emley, Chair/Maritime Activities, expressed concern on behalf of the fishing community about the proposed restriction on fishing below 3,000 ft and the potential precedent it would set in solidifying the sanctuaries' ability to regulate fishing. She indicated in order to get the support of the fishing community, it would be best to remove all references to fishing restrictions; she personally couldn't support the seamount's inclusion unless that language were removed.
- Anne Walton, GFNMS Management Plan Coordinator, clarified that the MBNMS work group on the Davidson Seamount offered a range of options in its recommendations. By statute, when an area is designated as a new site, the program is required to promulgate the regulatory framework as well. In this case, the only action being proposed now is to protect the benthic habitat from future not current fishing; the rest of the MBNMS regulations do not apply at this point. Additionally, the Pacific Fisheries Management Council (PFMC) has been approached on whether it has the ability to address the program's concerns regarding protecting the benthic habitat of the seamount; however, PFMC could only address impacts from fishing, not impacts from other activities such as oil and gas development or cables.
- There was general agreement to focus the resolution for the purpose of protecting the seamount from future oil and gas development only and not to add any other points that might be applicable specifically to GFNMS such as the proposed expansion proposed by Congresswoman Woolsey.

The resolution passed unanimously for transmittal to NMSP Director Dan Basta, MBNMS Superintendent Bill Douros, and MBNMS Advisory Council Chair Deborah Streeter.



MANAGEMENT PLAN UPDATE/COMMUNICATIONS

Anne Walton, Management Plan Coordinator, gave the Advisory Council an overview of what has happened since the last meeting and the next steps.

Consultation Letters (Required by Sections 303 and 304 of the NMSA)

Anne discussed the Section 303 consultation letter (referenced in the previous discussion) to all other agencies with jurisdictional interest in changes to our designation documents for the three sites. Comments were received from the California Resources Agency, CDFG, US Coast Guard, and MMS (for MBNMS only). Some agencies asked for extensions; PFMC got an extension until its April 22nd meetings (for this and the issue below).

Additionally, MBNMS and CBNMS sent a letter to PFMC under Section 304(a)(5) regarding limits on fishing gear types and benthic disturbance. The initial PFMC response to Vice Admiral Lautenbacher, NOAA Administrator, was that it was given inadequate time to review the proposed action and objected to the proposed language. There has been public comment at each PFMC meeting where this has been discussed, including subcommittee discussions. If PFMC decides to address this issue under its authority, fishermen and others can comment to both PFMC and to NMSP during our hearings.

Draft EIS/Draft Management Plans

The consolidated draft EIS (Environmental Impact Statement) was received this week by all three sites for a first review by Feb 18th; the decisions from the PFMC April 22nd meeting may require modifications. The draft EIS includes an analysis of the proposed changes to the designation documents for each site as well as the proposed regulations.

The draft management plan is now ready except for the crosscutting action plans. Dan Basta, NMSP Director, will be briefed on the three draft plans in March. Because these plans reflect a community-based approach, the plans should move through the reviews without much concern.

The target release for the draft EIS and the three draft management plans is sometime in July with the hearings in August. The Advisory Council will receive briefings on the documents prior to their release.

Anne reported that work is underway on a JMPR newsletter that will be mailed in February to everyone who participated in the process to date. The newsletter will summarize the work of the past three years and re-engage the public in preparation for the JMPR release. It will include a tear-out card to request copies of the draft plans and draft EIS. Then a second newsletter, for distribution closer to the release date, will provide a summary of the draft management plans.

Changing Staff

Anne announced that this would be Ruth Howell's last week as Assistant Management Plan Coordinator. Anne praised Ruth's significant contributions to the management plan process and said she had become a true leader. Anne then introduced Yasaman Golban who will assume these duties February 22nd. Yasaman is leaving the Ocean Conservancy where she worked as a

program coordinator on a variety of projects. She has a degree in Environmental Studies from UC Berkeley and served as an intern with EarthJustice on the stellar sea lion project.

Ruth said she had really enjoyed working with the community and is looking forward to traveling for four months to Chile, China, Thailand, India, and Scandinavia before going to graduate school in marine policy either in Seattle or at Duke University. She then presented everyone with a “working group” cookbook filled with her favorite recipes.

PUBLIC COMMENTS - none

COUNCIL INPUT FOR POLICY DISCUSSIONS AT NATIONAL CHAIRS’ MEETING

Barbara Emley, Chair/Maritime Activities, reviewed the notes from the October 2004 retreat where the Advisory Council had a preliminary discussion of these four topics: cruise ship discharges, marine reserves, aquaculture, and bioprospecting.

Cruise ships

There was not much discussion on this topic at the retreat. Maria Brown, Sanctuary Manager, reminded the Advisory Council that the water quality working group recommended a regulation targeted at ships with more than 250 berths for hire to prohibit all discharges except engine cool water; the Advisory Council previously endorsed this recommendation. Maria also indicated that the NMSP policy approach is to set guidelines for sites to use when a regulation is being considered, rather than setting a “one-size-fits-all” sanctuaries policy or regulation.

Marine reserves

The discussion focused on the need to develop a protocol for determining if, when, and how reserves should be used as a management tool and what the site’s role would be. The decision making process should also be community-based and the EcoTrust study should be used as a model for inventorying activities in any areas being evaluated.

Aquaculture

Previously, the Advisory Council has taken a position to oppose offshore finfish farming in and outside of the sanctuary. It was suggested that the article by Mark Dowie, At-Large, on the public trust doctrine, particularly the federal government’s right to lease public lands, and its application throughout the Economic Enterprise Zone (EEZ) should be distributed at the National Chairs’ meeting. Anne Walton, Management Plan Coordinator, reported that the PFMC is considering the JMPR recommendation to ban krill harvesting as a potential ban throughout the entire Pacific EEZ.

Bioprospecting

The Advisory Council discussion at the retreat was broadly opposed to disturbing benthic habitats for any purpose, including bioprospecting.

2005 GFNMS Case Study

The case study for this year will focus on the conclusion of the boundary process and that the decision was based in large part on the community support for having decision makers “close to home”. Additionally, there will be a presentation on the NMA transition.



2005 MEETING SCHEDULE

The following dates, locations, and possible topics were set for the 2005 Advisory Council meetings and retreat:

- April 28 - Pt Reyes
 - New charter/new seats/recruitment
 - SIMoN expansion
 - Central California Ocean Observing System
 - JMPR
- July 14 - Pacifica
 - Pacifica water reclamation
 - JMPR
- October 13 – 14 Retreat – Costanoa in Pescadero
- December 9 – Joint GFNMS/MBNMS Advisory Council meeting – Half Moon Bay

GFNMS Advisory Council Chair Barbara Emley adjourned the meeting.