



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

Our Lady of the Pillar Church
Half Moon Bay, CA
9:00 a.m. – 2:30 p.m.
Thursday, December 14, 2006

Note: The following meeting notes are an account of discussions at the Sanctuary Advisory Council meeting and do not necessarily reflect the opinion or position of the Gulf of the Farallones National Marine Sanctuary or the National Oceanic and Atmospheric Administration.

CALL TO ORDER, ROLL CALL, REVIEW AGENDA

Advisory Council Chair, Barbara Emley, called the meeting to order at 9:30 am.

Roll Call

Barbara Emley	Chair/Maritime Activities/Commercial
Bob Wilson	Conservation
Bob Breen	Education
Chris Powell	National Park Service- Alternate
Captain David Swatland	United States Coast Guard
Brenda Donald	Research- Alternate
Richard Charter	Conservation
Dominique Richard	Community-at-Large
Mick Menigoz	Maritime Activities/Recreational

Monterey Bay National Marine Sanctuary

Robert Frischmuth Liaison, Monterey Bay NMS Advisory Council

Gulf of the Farallones National Marine Sanctuary Staff

Maria Brown	Sanctuary Superintendent
Brian Johnson	Deputy Superintendent
Kelley Higgason	Sanctuary Advisory Council and SCPP Coordinator
Irina Kogan	Ecosystem Protection Specialist

NMSP Staff

Karen Brubeck National Advisory Council Coordinator, NMSP
+ Korean delegation

Copies to/Absent:

Brian Baird	California Resources Agency
Leah Akins	California Resources Agency- Alternate
Brian O'Neill	National Park Service
Peter Grenell	Maritime Activities/Commercial- Alternate
Webster Otis	Community-at-Large- Alternate



Erin Simmons	Conservation- Alternate
Bruce Bowser	Conservation- Alternate
Dan Howard	Cordell Bank National Marine Sanctuary
Holly Price	Monterey Bay National Marine Sanctuary
Bill Douros	NMSP West Coast Regional Office

Review Agenda:

Mavericks Surf Contest will be discussed during the Superintendents report.

Standing action item- Request for a line item for the Advisory Council coordinator's salary.

Agenda approved.

Approval of Prior Minutes:

Bob Breen, Education had one correction- statement of monetary loss from Maverick's Surf Contest should be for Cabrillo Unified School District.

Motion: Chris Powell, National Park Service

Second: Mick Menigoz, Maritime Activities/Recreation

The Advisory Council approved the minutes of July 13, 2006 with the above change.

Reports

Member Reports

- Mick Menigoz, Maritime Activities/Recreation, stated that the rock cod fishing charter boats are doing well. Shark viewing has come to a close. There were lots of sharks spotted. The water visibility for over 3 weeks was 50-60ft at the islands, which is very uncommon. The water temperature was 55-57° which is also uncommon.
- Richard Charter, Conservation, pointed out that at the 2001 JMPR scoping meetings many people asked for a boundary expansion for GFNMS and CBNMS. Representative Lynn Woolsey subsequently introduced a boundary expansion bill, which was then joined by Senator Barbara Boxer, but it went nowhere due to the chairman of the Resources Committee. Things changed since there is a new chairman though. Last Wednesday night the Magnuson-Stevens Act began to move and the boundary expansion came up. The bill is very strongly supported and was added to the Magnuson-Stevens Act. It would have been enacted into law but NOAA requested Senator Boxer's office remove it from the bill. It is unclear why. The bill did not include regulations. The Sonoma coast would have been protected from oil drilling. The offices of Woolsey and Boxer are very upset. Legislation led to the designation of MBNMS and FKNMS. This chance may not come again. Richard will prepare a draft letter to inquire up the chain at the Department of Commerce to find out what happened. He would like the members to sign this letter.
- Bob Breen, Education, reported that his class participated in the LiMPETS program and they will also participate in the crab monitoring program.
- Barbara Emley, Chair/Maritime Activities/Commercial, reported that the crab season began on November 15th. They had nine days of good weather. There were lots of traps in but only eight local boats are still fishing now.
- Chris Powell, National Park Service, reported there is a Continuing Resolution for the coming year, which means they will be inhibited in spending. GGNRA is now protecting the Snowy Plover. One of the areas is Crissy Field. She would like to thank the sanctuary and Beach Watch for providing GGNRA with data.

- Bob Wilson, Conservation, reported that the environmental community held Jmpr information workshops and they had very good attendance. He attended the Jmpr hearing at Fort Mason and testified. Bob also stated that NOAA has raised the El Niño warning from mild to moderate and that there are 22 small fur seals at the Marine Mammal Center for the first time. They are malnourished, and it looks like an early hint of El Niño.
- Brenda Donald, Research Alternate attended the San Mateo government meeting regarding the management of crowds at the Maverick's Surf Contest. They will be closing down Princeton and not allowing people on the beach and cliff. They will have parking at the airport and large screen TVs for better viewing. Brenda also attended the Jmpr hearing in Half Moon Bay. There were many comments from surfers. She feels there is still a lot of misinformation out there. The nuclear waste dump is still coming up as well. She was hoping the sanctuary would have a hand out or website link on this.
- Captain David Swatland, USCG, reported that the Coast Guard has been watching the sanctuary boundary expansion. They use an area north of Bodega for weapons training and they would lose that with the expansion. They are looking into alternative training methods using simulators. This can reduce time on the water shooting by 75%. Capt. Swatland requested to be on the February 15th SAC meeting agenda to brief the council on this. USCG has been working with Pillar Point Harbor to get involved with the Maverick's Surf Contest planning. They will be a visible offshore presence, promoting beach safety. They have lost two people in California this winter from getting swept off rocks. They had gone the last two years with none and five or six before that. They have been working with the California Department of Water Resources to come up with a plan for if/when local levies break. Many are privately owned. The subsidence of soil will make them break worse, The Dept. Of Water Resources has warehouses filled with supplies, but they are below sea level.

Liaison Report

- Robert Frischmuth, Monterey Bay NMS Advisory Council Liaison, reported that the MBNMS Advisory Council is currently focused on the Jmpr. The October meeting was review of the plan and tomorrows meeting will be devoted to a letter to officially transmit the SAC's comments. Several members went to Monterey public hearing, which was heavily attended. Half of the comments were from a small but vocal minority, who did not want the jet ski loophole plugged, but there were also many who were in support of it.

Seabird Colony Protection Program Outreach and Education Working Group

- Bob Breen, Education, attended a working group meeting on October 25th. The program is funded through the *Command* oil spill fund due to an oil spill that occurred in 1998. The purpose of the program is to look at human disturbances that occur and how we can help seabird survival. The top three major disturbances have been identified as low flying aircraft, boats, and people on foot. The working group looked mostly at low flying aircraft. Two great aviation representatives, Randy Parent and Ken Frazier, gave suggestions on how to reach pilots. The group discussed brochures for flight guides, website information, articles in magazines, displays, a poster similar to the one developed in Oregon that could be put up in airports, and air shows. One-third of the discussion was on boat disturbance, motorized and non-motorized. The group discussed who to target such as boat shows, marinas, boat launches, marine supply stores, and publications like Latitude 38. They will meet again in

late January and the notes will be posted on the website
(<http://farallones.noaa.gov/seabirds.html>).

Emerging Issues

None

Superintendent's Report

Maria Brown, Sanctuary Superintendent, wanted to say thank you to the members for helping this morning and with the JMPR workshops and hearings.

GFNMS Quarterly Superintendent's Report. Server was down and she was unable to print the report so she will be emailing it.

Maverick's MOA- Maria handed out the MOA which is a five year agreement that can be amended. The sanctuary met with Evolve Sports two years ago to try to understand the contest better and to express sanctuary concerns. GFNMS and Evolve Sports came up with an agreement that the contest would be a paddle-in contest only, which would make it the largest in the world. Pillar Point Harbor agreed to only give one permit to use their facilities for a surf contest. The sanctuary attended the contest for the first time last year. Zodiacs pulled out at the last minute, so they did use motorized personal water craft (PWC), the type that are currently allowed. The sanctuary learned the definition of paddle-in does not mean no use of PWC's, instead you are towed out on a PWC, but paddle into the wave. The sanctuary spoke to Evolve Sports about this. Within the management plan there is a strategy to recommend looking at a permit for tow-in during a paddle-in event for safety concerns. The MOA does not address the use of PWC's for media or safety.

MOA Discussion

- Bob Wilson and Chris Powell felt it was the dominant topic at the San Francisco JMPR hearing.
- Irina Kogan, Ecosystem Protection Specialist, GFNMS stated that a paddle in event limits how many jet skis need to be there.
- Richard Charter is concerned with Part 4 of the Terms and Conditions, there is a risk of liability for the sanctuary, things can go wrong and you do not want to be publicly associated with it. We should not become a surrogate sponsor.
- Maria Brown stated that we have an interest in what happens in the sanctuary. We must make sure that best management practices are occurring and we have influence. It does benefit us that there are people out there that know the sanctuary. We mentioned bluffs, parking, TV's which aren't in our jurisdiction, but we can give recommendations.
- Bob Breen believes it should be the responsibility of San Mateo County. Fitzgerald Marine Reserve will have five rangers there.
- Brenda Donald stated the county is receiving funding, but the sanctuary is not even though they are providing staff, etc.
- Chris Powell stated that she thinks Part C is good, but asked if the specifics of best management practices (BMP's) will be further developed and will the federal government be expected to pick up the education tab?



- Irina Kogan replied that the BMP's are ongoing and evolving, when regulations come through then we will deal with permitting which will have special conditions. If a special use permit is required we would get reimbursed for our cost which would will cover staff time
- Maria Brown stated the education projects would be developed in partnership.
- Bob Breen asked if Evolve Sports could reimburse the local school district for a lost school day?
- Brenda Donald stated that it came up at the meeting that there is an opportunity for them to work with the sanctuary to make it an educational experience.

Thank you letter to Steve Shimek- Bob Wilson volunteered to write the letter and he will send it to Maria.

Continuing Resolution- we will operate at 80% of last year's budget

Fishing Activities in Sanctuary Outreach Materials: Council Discussion

- Barbara Emley pointed out that in the maritime culture section of the most recent Regional publication there is no discussion of fishing activities. Barbara passed out a proposed resolution. See attached letter.
- Richard Charter inquired about the leadership meeting. He would like to rephrase. "Leadership team workshop" will be removed from last paragraph.

>>>Resolution:

The GFNMS Sanctuary Advisory Council is in support of sending this letter to the West Coast Regional Office.

Motion: Bob Wilson, Conservation

Second- Richard Charter, Conservation

Motion carried unanimously

>> Action

Invite Bill Douros, West coast Region Director to the joint meeting.

2007 Sanctuary Advisory Council Chairs and Coordinators Meeting

Barbara will not be able to attend, we need someone else to go in her place. Brenda Donald volunteered. **Please note the 2007 meeting has now been called off due to a lack of funding.*

- **Review Agenda**
- Comments due by January 1st
- **Regional Case Studies-** suggestions: Joint Management Plan Review (JMPR) or our relationship with the Pacific Fisheries Management Council (PFMC)
- Richard Charter felt the meeting with the PFMC was very valuable and it was good to report on what we are doing. He feels we need to continue to build trust and also stated that there was some ambiguous talk of a sanctuary observer liaison.
- Irina Kogan stated that Huff McGonigal has a seat on the Habitat Committee and it is key to make sure each group knows when the other will be talking about an issue that will concern the other. The staff lead on the PFMC was going to put together a summary.
- PFMC and JMPR are top two recommendations for the 2007 Council Chairs and Coordinators Meeting



- **Questions for Advisory Council members from Dan Basta**
- Council will answer the questions at the April meeting

Public Comment

Please see the attached Advisory Council comments given by Tim Duff, Vice Chair of the Surfrider Foundation, San Mateo County.

JMPR Summary

Hearings:

- Bodega Bay- Tom Roth spoke for the sanctuary expansion. 30 people attended. There were nine speakers, all supported boundary expansion and the management plan. Additional concerns were identified with the primary being water quality. The sanctuary should not only look at present and past but future/potential water quality issues. There was one jet ski speaker from Humboldt.
- Point Reyes- 23 attended and five spoke. One spoke against the jet ski definition change. Also heard from two mariculture operators from Drakes Estero and one from Hog Island. They are already farming, but with the new management plan their footprint must remain what it is today. They were concerned about not being able to expand the Pacific Oyster cultivation, which is non-native. Also heard from one fisherman would like see to see the sanctuary and the fishing community working together to promote conservation ethics, and a request was made for an action plan on marine debris to be created.
- San Francisco- 50 people attended and 20 spoke. Jet skis were the major topic. Another big topic was noise pollution. There are currently no regulations, speakers stated there was a need for them due to the large shipping vessels, military activity, etc., that are in the sanctuary. Aquaculture and Marine Protected Areas were also discussed.
- Half Moon Bay- 75% of attendees were against the jet ski definition change. Marine Protected Areas were also discussed.
- Monterey, Cambria, and Santa Cruz- the majority of comments were on jet skis

Discussion:

- Barbara Emley asked what is the definition change exactly?
- Maria Brown explained that it corrects the existing definition to prohibit use, it closes a loophole that has been allowing for jet skis with greater than two seats. Maria also stated that we will continue to receive comments until January 5th. We will log in every comment and they will be categorized and then core issues will be summarized. Responses will be written for each issue. We will publish the responses as part of the final EIS. The program will meet on the personal watercraft issue and others to see if any changes will be made. We plan for the final drafts to be completed by this summer and the final regulations to be published in the fall.

GFNMS and MBNMS Management Plans and Draft Environmental Impact Statement

See attached council comments.

Wrap-up and Adjourn

Joint topics- mavericks, MPA process



Upcoming Meetings- GFNMS

- February 15, 2007 Joint with MBNMS, Half Moon Bay
- April 19, 2007 San Francisco
- July 12, 2007 Point Reyes
- October 11, 2007 Fall Retreat
- December 14, 2007 San Francisco

Upcoming Meetings- MBNMS

- February 15, 2007 Joint with GFNMS, Half Moon Bay
- April 20, 2007
- June 15, 2007
- August 17, 2007