



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

GGNRA, 1st Floor Conference Room, Fort Mason, Bldg. 201
San Francisco, CA
9:00 a.m. – 4:00 p.m.
Thursday, April 19, 2007

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 9:15 am.

Roll Call

Barbara Emley	Chair/Maritime Activities/Commercial
Bob Wilson	Conservation
Captain David Swatland	United States Coast Guard
Brenda Donald	At-large/San Francisco and San Mateo
Richard Charter	Conservation
Dominique Richard	At-large/Sonoma and Marin
Mick Menigoz	Maritime Activities/Recreational
Bob Breen	Education
John Largier	Research
Peter Grenell	Maritime Activities/Commercial Alternate
Webster Otis	At-Large/Sonoma and Marin Alternate
Bruce Bowser	Conservation Alternate
Chris Powell	National Park Service Alternate
Pat Conroy	At-large/San Francisco and San Mateo Alternate

Monterey Bay National Marine Sanctuary

Robert Frischmuth Liaison, Monterey Bay NMS Advisory Council

National Marine Sanctuary Program

Billy Causey Regional Director, Southeast Atlantic, Gulf of Mexico and Caribbean Region

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
Karen Reyna	Ecosystem Protection Specialist
Jan Roletto	Conservation Science Coordinator

Copies to/Absent:

Brian Baird	California Resources Agency
Amy Boone	California Resources Agency Alternate
Brian O'Neill	National Park Service
Erin Montgomery	Conservation Alternate
Dorris Welch	Education Alternate
Dan Howard	Cordell Bank National Marine Sanctuary
Paul Michel	Monterey Bay National Marine Sanctuary
Bill Douros	NMSP West Coast Regional Office

Review Agenda:

Agenda approved.

Approval of Prior Minutes:

The Advisory Council approved the minutes of December 14, 2006. The Advisory Council approved the minutes of February 15, 2007 with the following change: page 5 should read that we began with a one-hour update on the "NMA."

Motion: Webster Otis, At-Large/Sonoma and Marin Alternate

Second: Brenda Donald, At-large/San Francisco and San Mateo

Swearing in of new members

Pat Conroy, At-large/San Francisco and San Mateo Alternate

- Pat was previously on the MBNMS advisory council about 6 years ago until he left to travel. Once he came back, he began working as a marine biologist with SFPUC. He cares a lot about the San Mateo coast and water quality issues. He is an avid ocean user.

John Largier, Research

- John has been at Bodega Marine Lab for two and a half years and was at UCSD Scripps Institute before that. John grew up in Cape Town, South Africa. He is an oceanographer who works on environmental/ecological issues. He is interested in many issues including water quality, fisheries, mariculture, and discharging wastewater. He lives in Sonoma County and welcomes questions on how to engage research more.

Pat and John read the Council Oath and Maria Brown, Sanctuary Superintendent, swore them in as new members.

Joint meeting de-brief

- Brenda Donald, At-large/San Francisco and San Mateo, thought it was the best one yet and that it was productive. There seems to be more cohesion between the Councils and projects, for example, water quality.
- Webster Otis, At-Large/Sonoma and Marin Alternate, complemented the Chairs for conducting the meeting very efficiently.
- Barbara Emley, Chair/Maritime Activities/Commercial, felt that it was not appropriate for the MBNMS Council to vote on a proposed letter as MBNMS members only, and then ask the GFNMS Council to join. She did not think this was the way it should have been handled and would like to discuss a better way to author joint letters/resolutions.



- Richard Charter, Conservation stated he could find a protocol/model for two bodies meeting together to pass a resolution. He thought there may be a process, i.e. in “Robert’s Rules,” on how to take separate actions.
- Peter Grenell, Maritime Activities/Commercial Alternate, stated that we need ground rules, and before the next meeting we should sort them out and agree upon them.
- Bob Wilson, Conservation stated that normally that would be considered an action item, and we would need to have it on the agenda as such.
- Peter Grenell, Maritime Activities/Commercial Alternate, replied that today we could reach an agreement on how to communicate to the MBNMS advisory council before the next meeting.

The GFNMS Sanctuary Advisory Council is in support of developing a protocol to make joint advisory council decisions

Motion- Bob Wilson, Conservation

Second- Richard Charter, Conservation

Motion carried unanimously

>>Action

A sub-committee will be formed to develop the protocol, as well as keep track of potential joint meeting topics. Bob Wilson, Pat Conroy, and Maria Brown volunteered to be on this sub-committee.

Reports

Member Reports

- Dominique Richard, At-large/Sonoma and Marin, reported that in Point Reyes a number of articles about Cassin’s Auklets and breeding failure, etc. have been published. There seems to be a good awareness.
- John Largier, Research, stated he needs to focus on developing a constituency. He also stated there is a large proposal from the research community to extend CeNCOOS into the San Francisco Bay, as well as into Tomales Bay, Elkhorn Slough, and Humboldt Bay. GFNMS is a participant in this, and will help supply information for this region.
- Mick Menigoz, Maritime Activities/Recreational, reported that within the recreational fishing community there currently is concern about where the new MLPA sites will go. The salmon opener was on April 7th. It was significantly slower, with a brief weather window. There were four fish caught for 21 people. He hasn’t been out since. There has been bad winds and swell. He took fur seals out to the Farallon Islands for the Marine Mammal Center and is happy to report there wasn’t any “munching” by the sharks. They have seen more krill at the Farallones than last year.
- Webster Otis, At-Large/Sonoma and Marin Alternate, reported on the West Marin compost project, which will effect Tomales Bay and the two Esteros. It involves three waste streams that will get composted, and the compost will then be available to the public. He has a copy of the grant that was awarded by the Dept. of Agriculture. This will be about a \$1.5 million project, with half a million from the Dept. of Agriculture grant.
- Peter Grenell, Maritime Activities/Commercial Alternate, stated that there was no Maverick’s Surf Contest this year. In regards to the MLPA, the Port Captain and Harbor Master’s Associations nominated him to be a stakeholder. He also attended a socioeconomic

workshop. In outlining how MLPA staff will proceed, they say they have learned from their own activities and from comments made and have modified the process. He feels it sounded like they were making positive improvements, and we can look forward to the process being somewhat improved. He also learned that the question of the impact of potential new MPAs will not be studied, and feels that is a hole in the process. Ecotrust has no objection at all to working on this. He spoke with a representative from the Ocean Protection Council, who said the council would entertain a proposal to provide money to do additional research on socioeconomic impacts to the community.

- Chris Powell, National Park Service Alternate, reported that Congresswoman Pelosi announced \$15 million will go to the Park Service and the Park Conservancy to facilitate trails and expand campsites, in an effort to get people out in park land, not just in their automobiles. This will help lead people to the sanctuary visitor center. The issue of dog walking in the park has become very expensive and contentious. They are going forward with an EIS first for the use of dogs. Beaches are areas of contention. The data from Beach Watch is vital, it is the best data out there. They have been to court and expect to go back to court, but will hopefully have a draft EIS by this winter for the public. They are working with a small group of stakeholders for consensus and recommendations.
- Bob Wilson, Conservation, reported that a mild El Niño had led to the stranding of fur seals. The Marine Mammal Center (TMMC) has now released them at the Farallon Islands. Adult male sea lions seem to be suffering from domoic acid poisoning. Construction is ongoing at the Center and they will be releasing an endangered Stellar Seal pup at Año Nuevo. The Center has launched a publicity campaign to urge the public to not bring in harbor seal pups. TMMC and the Farallones Marine Sanctuary Association (FMSA) attended the Blue Ribbon Task Force meeting at Bodega Marine Lab where the South Central package was approved. The process has begun in the North Central area, and some changes have been made. It seems it will be less contentious and go more smoothly than before.
- Barbara Emley, Chair/Maritime Activities/Commercial, reported the commercial salmon season is better by a month, but this time it's not the Klamath holding things back. She is looking forward to more opportunity than last year. She is now on the Cal Fisheries Coalition email list and has been surprised by the extent of unhappiness in the fishing/boating community. She recently saw FMSA's call to action in regards to marine reserves and feels the sanctuary's cooperating association should not be actively advocating a position. They want the preferred alternative and the fishing community does not agree with this. This could get tied to the sanctuary. Barbara wondered how does this organization can do this? Were scientists involved? How is this a good process?

Discussion

- Maria Brown, Sanctuary Superintendent, will request that the sanctuary meets with FMSA to discuss the protocol for issuing calls to action. She stated they are a cooperating association, not a nonprofit environmental organization. They are set up to support the federal government and she has recommended in the past that they should not take an advocacy position.
- Brenda Donald, At-large/San Francisco and San Mateo, stated that it can be confusing that they are not part of the sanctuary.
- Richard Charter, Conservation, stated he understands confusing the association with the government entity. FMSA does have their own staff, charter, mailing list, etc.

- Bob Wilson, Conservation, stated that they usually include a disclaimer from who it is from, i.e. “this organization is sending along the following.” The call to action was not directly from FMSA.
- Barbara Emley, Chair/Maritime Activities/Commercial, suggested that maybe FMSA should add that they neither agree or disagree with the following.

Member Reports continued...

- Bruce Bowser, Conservation Alternate, reported that he attended the San Francisco MLPA workshop, and felt it was very informative. He shared a table with Don Neubacher, the Superintendent of Pt. Reyes National Seashore, and impacts to communities came up at their table. Bruce also just became a member of the Bolinas Rod and Boat Club, and they are putting forth two commercial fisherman as potential stakeholders. He spent almost two years as a member of the Bolinas Beach Committee and wrote a report that was submitted to the Bolinas Utility District. He has given this to Maria as well, and the report highlights many public use problems on this beach. One element is beach fires, and they are asking for more enforcement. A copy of this report can be requested from Bruce. There has also been a lot of publicity about Drakes Bay Oyster Company. At one point they were distributing information and a petition to Point Reyes National Seashore through restaurants to support the farming. The Point Reyes Light did a very good article on Cal Fish and Game and their enforcement of fishing regulations offshore.
- Capt. Swatland, USCG, reported that the Coast Guard took a parting line on one management plan issue, the definition of Personal Watercraft, and sent a letter. They have ceased offshore weapons training throughout most of country, mostly as a result of a lot of bad publicity. The Coast Guard will fund an EIS on this issue. They had been using an area off of Bodega Bay, but with the sanctuary expansion this will no longer be an alternative. Right now they must fly everyone to San Diego to get training. Also, OSPR is making an attempt to exclude stakeholders from unified command during an oil spill. The Coast Guard feels appropriate stakeholders should be there. They are also working with locals and the Army Corp of Engineers to clean up derelict boats.
- Brenda Donald, At-large/San Francisco and San Mateo, attended the Half Moon Bay MLPA meeting and felt the one unifying thing between conservationists and fisherman was the process. There was a lot of unhappiness, from the Blue Ribbon Task Force down. There were two commercial fishermen at her table, one was 17 and the other one 24, which was good to see. It all made her feel good about the JMPR process. Also, she nominated Bob Breen to be on the regional stakeholder group.
- Pat Conroy, At-large/San Francisco and San Mateo Alternate, reported that the EPA has proposed listing a number of state beaches as impaired for bacterial contamination. He has talked to Brenda about communicating more with each other as well as with Mike Laffen from the MBNMS SAC.
- Bob Breen, Education, reported his class will go out to Pigeon Point with the LiMPETS Program and he has received a grant from FMSA.
- Richard Charter, Conservation, reported that we should have on the radar that wave energy (in state and federal waters) will be coming here, and every point in California that has a port and an electrical power substation is now being studied. Fishermen are concerned about space use conflicts (can be 1 mile by 5 miles long). There is concern there would be impacts on sealife from the “sea dragon,” that is used. Trinidad Bay and Fort Bragg has been



mentioned as possible sites, as well as Pt. Arena, Bodega Head, Pt. Reyes, Ocean Beach, and Pt. Bouchan. There seems to be no discrimination inside or outside of the sanctuary.

Liaison Report

- Robert Frischmuth, Monterey Bay NMS Advisory Council Liaison, reported that the MBNMS Advisory Council will be meeting tomorrow, so there is nothing to add now.

Seabird Colony Protection Program Outreach and Education Working Group

- Bob Breen, Education, attended a working group meeting on January 30th. Karen Reyna reported on the types of outreach the program is doing which is targeted toward pilots and boat owners. The group arrived at a couple of slogans and the program will be building a pilot display. They will have a poster soon, and they will also have giveaway items. The next meeting is in June. Ken will supply Kelley with links to information on bird strikes. The program will also be doing outreach to boaters.

Emerging Issues

The Coastal Commission is addressing the Dutra Quarry and things are looking good.

Public Comment

No public comment was given.

Superintendent's Report

Maria Brown, Sanctuary Superintendent, handed out the GFNMS Quarterly Superintendent's Report.

Maria also presented Richard Charter with an Environmental Hero award, and the sanctuary will be sending him to DC. Richard thanked the council for their dedication as well. It is important to him that there are people like the SAC members who are "taking care of this place."

Health of the Sanctuary

Maria reported there was an oiling event, but it was determined to be a natural seep.

Draft Management Plan Update

The sanctuary has been working non-stop on revisions. Maria thanked the SAC for providing comments. Revisions to the GFNMS Management Plan should be done by next week, but they have not finished the response to comments. They will have a final rule by this winter and revised plans by Fall, 2007.

FY07 and FY08 Budget

The sanctuary got its FY07 budget yesterday and it was reduced. The current GFNMS budget is \$1.293 million, Last year in Point Reyes Maria went over the proposed budget cuts, and will highlight the actual cuts now. There is no money for the advisory council this year. We have curtailed the sustainable fisheries initiative and are still contemplating closing the Half Moon Bay office. Jet ski buoy maintenance can be maintained with last years funds, but we can not replace any. The SIMoN program has been cut 100% and we are looking for outside funding to continue it. We were able to keep our at-sea surveys but we were not able hire any outside



contractors. We did sell the *Phocena*, and obtained \$36,000 from that. There were no staff promotions. The Ecosystem Protection Program was cut by 50%. Our IT support is leaving for a higher paying job. The Beach Watch contract was cut by 30%, but FMSA successfully obtained funding for the program. One position was not renewed with the Visitor Center. We will keep the government vehicles, because it will cost less to keep them than to pay for mileage.

Discussion

- Richard Charter asked if we had talked to the Community Foundation, which is a private foundation in Half Moon Bay?
- Maria stated that now is a critical time to voice concerns to the appropriate congressional people, budget decisions will be made in June.
- Bob Wilson stated that FMSA has established a subcommittee and they will be educating key decision makers in D.C.
- Maria stated that the FY08 President's request is at level funding, which is reduced by 30% from 2005. It does not include cost of living increases. The sanctuary did receive \$1 million in facility funds, and we will move forward with the renovation at Crissy Field.

Correspondence Reports

Line Item for SAC Coordinator

- Bob Wilson handed out a proposed letter to Dan Basta.
- Barbara Emley stated that there was no line item mentioned in this letter for a SAC Coordinator, and our SAC is at disadvantage without a consistent coordinator.
- Richard Charter stated that we should state what we want. He agreed we needed to ask for a line item for a coordinator, and "RE: Request for line item for SAC Coordinator" should be added to the top of the letter.
- Bob Wilson stated that we are trying to force a policy decision, so we could phrase the letter as recommendations.
- Peter Grenell agreed that we should write two letters.
- Bob Wilson stated that the other letter would be asking headquarters to properly fund implementation of the Management Plan.

>>Action Item

Two separate letters will be written.

Bob Wilson will write one letter for a for a line item addition to base for a SAC Coordinator, and another letter will be written to request proper funding for implementing the Management Plan.

Thank you letter to Steve Shimek

There were no objections from the council to send the letter as written.

Recent letters to Dan Basta and Resolutions

We have received a response to the joint letter, but we have not received one for the boundary expansion. Maria Brown can send a cover letter for a response to the resolution on the inclusion of fishing activities in sanctuary publications.

The Success of Marine Zoning in the Florida Keys National Marine Sanctuary

Presentation by Billy Causey

Available at <http://farallones.noaa.gov/manage/sac.html>

Marine Life Protection Act and GFNMS Involvement

Presentation by Irina Kogan

Available at <http://farallones.noaa.gov/manage/sac.html>

Discussion

- The Monterey SIMoN staff will provide data and MBNMS will not be stakeholder
- Bob Wilson asked “What about state scientists?”
- Maria Brown stated that MLPA initiative staff only deal with process and the CDFG staff deal with implementation. She also stated that we are working on a meeting date with other agencies and MLPA staff to work out GFNMS involvement.

Discussion on SAC involvement

- Richard Charter stated that he hopes NPS, GFNMS, and Point Reyes National Seashore have a role on the stakeholder group. He also stated that as for our SAC he would like the information to be directed to the whole SAC, versus a working group that then comes back and explains the issues as he feels third hand reports are not as accurate. He would like to see each meeting have time allocated for the MLPA.
- Bob Wilson stated that during the last process there were complaints that government officials acted like facilitators, which is not the best use of those officials.
- Maria Brown referenced the MLPA discussion from 2004. The council said the sanctuary should be involved but should not be drawing lines on maps. The sanctuary should be involved in education and outreach regarding the process, and should encourage the use of the best available information. It had been decided at the last council retreat that the fishing working group will turn into the MLPA working group and will help advise the council on issues related to the MLPA. The state has agreed that the sanctuary should not be involved in drawing lines on a map, our role would be equivalent to a staff role, facilitating discussions, assisting with analysis, etc.
- Peter Grenell stated that “staff resources” and “stakeholder” are two separate roles, the sanctuary can’t be both. He feels stakeholders cannot be facilitators.
- Maria Brown stated that we would not be traditional stakeholders, we would be in that group but we would not be drawing lines, we instead would play a neutral role analogous to CDFG.
- Bob Wilson asked Billy Causey how he involved other government agencies in their process. Billy replied that they were stakeholders.
- John Largier stated that the sanctuary is a stakeholder, and the mission of the sanctuary could be effected by the outcome. He also asked what might follow in terms of a federal process?
- Maria Brown replied that we will be addressing this in the meeting, and it is important for us to be involved from the beginning. The sanctuary will be pulled into monitoring, education, and enforcement. We will be partners in implementing and managing these reserves.
- Barbara Emley stated that she does not want this to turn into the same situation in the south central coast where MBNMS had an alternative that they were supporting, but she has no problem with us being at the table to support the sanctuary.
- Maria Brown stated we are pursuing a partner role. She also stated that Irina Kogan will continue to give updates at each meeting, plus we will have the working group. Irina will be

the Regional Stakeholder Group primary member, and Karen Reyna will be the alternate. Tim Reed, our GIS specialist, will be assisting with analysis of the data.

Sanctuary Boundary Expansion

- Tom Roth, Senior Policy Advisor for Rep. Lynn Woolsey, stated that the former bill and former map look a little different. We expanded northward a little past Point Arena into Mendocino County. This was the area originally envisioned, but it took awhile to get the cooperation of Congressman Thompson. There is still some controversy in Mendocino County about the bill, only because they want a bigger sanctuary. Areas not in the sanctuary will be under focus of the Mineral Management Agency, and we also didn't really have scientific information to back up expanding it even further. We have data for this area and the sanctuary program has been very cooperative on this bill. On page 10 we put into the statute a prohibition against oil and gas development. There is also what would be a new prohibition for the sanctuary program, a prohibition against aquaculture except for existing bivalve operations. There is a large section about discharge, taken from pending rules from the management plan, which includes an "enter and injure" rule. There would also be no change in salinity allowed.
- Tom Roth also stated that the bill has been reintroduced and they have a republican co-sponsor. There are two republicans total on the bill. There was a period of inactivity due to staff that had left, but we have now begun working on it again, and are looking for more co-sponsors. We now have letters of support from the conservation community, UC Davis scientists, and a number of Marin scientists and we will be using these to get more co-sponsors. We will hopefully get a hearing, and will know in about a month. Jeff Rosato is Boxer's aid who is working on it and Katie Rodriguez is the new person in Woolsey's office in D.C.

Discussion

- Barbara Emley stated she was concerned with Section 8(a)(2) on page 17, "following not less than one public hearing held in Sonoma County, California, and the receipt of public comment, determine whether the area of the Gulf of the Farallones National Marine Sanctuary expanded by this Act shall be designated as a new and separate national marine sanctuary." As a commercial fisherman she cannot support this. It is a threatening idea to have a new sanctuary manager in charge and she wants only Maria and Dan to be managing this area.
- Tom Roth stated that this actually came from Zeke Grader. The idea was to be able to go back and review to see if locals were being properly represented, but we are willing to do what serves the fishing community.
- Richard Charter stated there has been a concern over something managed this far south, but there does have to be a hearing and this is amendable language. Further north there are people who want to have local control.
- John Largier asked why estuarine waters are not included and why are only existing aquaculture farms allowed?
- Richard Charter answered that estuarine waters are included, analogous to our current GFNMS boundaries. High tide is the same as Estero Americano, it would be three or four miles up. The State Lands Commission has maps of these high tides.



- Maria Brown stated it would be the mean high tide, and what we have done in new management plan is set a boundary.
- Tom Roth also answered that he did not want to introduce anything into legislation that could possibly jeopardize its passing.

>>>Resolution:

The GFNMS Sanctuary Advisory Council is in support of sending a resolution, authored by Richard Charter, to the National Marine Sanctuary Program in support of the sanctuary boundary expansion bill (HR 1187).

Motion: Richard Charter, Conservation

Second: Bob Wilson, Conservation

Motion carried unanimously

Note: Barbara Emley's vote is dependent upon amendments to language in Section 8(a)(2) on page 17.

Nomination of New Officers

Chair

Barbara Emley nominated Bob Breen

Chris Powell nominated Richard Charter

Vice Chair

Bob Breen nominated Barbara Emley

Chris Powell nominated Brenda Donald

Secretary

Barbara Emley and Richard Charter nominated Bob Wilson

MBNMS Liaison

The council unanimously nominated Bob Wilson

Discussion

- Bob Breen feels he may be too busy for the position.
- Richard Charter would support Bob, but if he is too busy he will do it.

Discussion on Additional SAC Seats

- Barbara Emley stated that the SAC is growing, and she is a little nervous to have it grow this fast. She also doesn't want to have too many government seats.
- Bob Breen agreed that the group is large now, and it could get too big. We should give current council a chance to gel.
- Bob Wilson stated that the government agencies in MBNMS contribute significantly to the process. He feels we should reach out to USFWS since they manage the Farallon Islands.
- John Largier feels that the council would be more effective small.
- Barbara Emley stated that a good part of the meeting is the member reports, and they took an hour today. Peter Grenell agreed.



- Chris Powell asked Maria if it would be helpful to have CDFG on the council?
- Maria Brown does feel like the SAC is getting big, and thinks CDFG is more critical right now.
- Bob Wilson suggested inviting USFWS to give briefings

>>Action

- Invite USFWS to a meeting once a year.
- Have USFWS put the GFNMS Council on their mailing list.
- Ask Susan Ashcroft (CDFG) to attend meetings to give updates.
- Final decision is to table the three proposed seats for one year.

Wrap-up and Adjourn

- Maria Brown stated that the next council meeting will include the MLPA, as well as a presentation on the Tomales Bay Vessel Management Plan, and the Bolinas Lagoon Restoration Project.
- Bob Wilson thanked Billy Causey for coming, and pointed out that he had recently been quoted in SCUBA magazine.

Upcoming Meetings- GFNMS

- July 12, 2007 Point Reyes
- October 11, 2007 Fall Retreat
- December 13, 2007 Bodega Bay