

**Channel Islands National Marine Sanctuary
Sanctuary Advisory Council**

Final Meeting Notes¹

September 22, 2006

Faulkner Gallery
Santa Barbara Public Library
40 East Anapamu Street
Santa Barbara, CA 93101

Note: Audio tape recordings of this Sanctuary Advisory Council (Advisory Council) meeting are available upon request; contact the Advisory Council Coordinator at 805-884-1464.

Attending:

<u>Government Representatives:</u>	<u>Community Representatives:</u>
<u>National Park Service</u>	<u>Tourism</u>
Member Russell Galipeau	Member Lauri Baker
	Alternate Andrea Moe
<u>US Coast Guard</u>	<u>Non-Consumptive Recreation</u>
Alternate John Luzader	Alternate Scott Dunn
<u>Minerals Management Service</u>	<u>Business</u>
Alternate Dr. Ann Bull	Member Bill Spicer
<u>CA Department of Fish and Game</u>	<u>Conservation</u>
Member Marija Vojkovich	Member Linda Krop
<u>Santa Barbara County</u>	Alternate Greg Helms
Member Dianne Black	<u>Commercial Fishing</u>
<u>Department of Defense</u>	Member Jim Marshall
Alternate Walt Schobel	Alternate Bruce Steele
Member Steven Schwartz	<u>Recreational Fishing</u>
<u>NOAA Fisheries</u>	Member David Bacon
Alternate Lyle Enriquez	Alternate Merit McCrea
	<u>Education</u>
	Alternate Dan Powell
	<u>Research</u>
	Member Bob Warner
	<u>Public At-Large</u>
	Member Phyllis Grifman
	Member Eric Kett
	Alternate Matt Lum

¹Adopted by the Advisory Council on 11/17/06

Absent:

<u>Government Representatives:</u>	<u>Community Representatives:</u>
<u>US Coast Guard</u> Member Ronald Fien	<u>Chumash Community</u> Member Paulette Cabugos
<u>Minerals Management Service</u> Member Dr. Fred Piltz	Alternate Reggie Pagaling
<u>CA Resources Agency</u> Member Brian Baird Alternate Leah Atkins	<u>Non-Consumptive Recreation</u> Member Warren Glaser
<u>Ventura County</u> Member Lyn Krieger Alternate Jack Peveler	
<u>NOAA Fisheries</u> Member Mark Helvey	
<u>National Park Service</u> Alternate Gary Davis	
<u>CA Coastal Commission</u> Member Rebecca Roth Alternate Jack Ainsworth	
<u>CA Department of Fish and Game</u> Alternate Kristine Barsky	

Seventeen of the Sanctuary Advisory Council’s (Advisory Council) 21 voting seats were present throughout the meeting. The total number of Advisory Council representatives (members and alternates) ranged from 20 at roll call, to 24 at the peak, and 20 after the lunch break. Four seats were absent for the day: California Resources Agency, Ventura County, California Coastal Commission, and Chumash Community. Public attendance varied from four to six people.

Administrative Business and Announcements

New Members

Dianne Black, Chair, announced new Advisory Council member appointments:

- Phyllis Grifman: appointed as Public At-Large member (replacing outgoing member Jim Knowlton)
- Matt Lum: reappointed as Public At-Large alternate
- Jim Marshall: appointed as Commercial Fishing member (replacing outgoing member Chris Hoeflinger)
- Bruce Steele: appointed as Commercial Fishing alternate
- Bob Warner: reappointed as Research member
- Greg Helms: reappointed as Conservation alternate
- Lauri Baker: reappointed as Tourism member

- John Rennell: appointed as Public At-Large alternate

Mike Murray announced the recruitment of seven more council member seats. This recruitment period will be open September 25-October 26, 2007. The open seats are: Conservation member, Business member and alternate, Research alternate, Public At-large member, Non-consumptive Recreation member and alternate.

Meeting Notes

The July 21, 2006 draft meeting notes were unanimously adopted as final.

Council Member Announcements

John Luzader announced that the Coast Guard and sanctuary recently participated in an emergency response drill. Exxon Mobil supported the drill and it was a good learning experience. It was a good collaboration with the National Park, state, and federal agencies. The drill addressed dispersant use and approval outside of pre-approved zones.

Linda Krop announced that the Environmental Defense Center (EDC) will be a host and beneficiary of the Santa Barbara Ocean Film Festival on Oct 20th. It's the 3rd year of the film fest, but the 1st year EDC is a beneficiary. Check it out at the EDC's website: www.edcnet.org. Also, the EPA regional office reopened the proposed Cabrillo Port LNG terminal permit comment period until October 23rd.

Ann Bull announced that MMS is following up on use of spill equipment on oil platforms for use in the sanctuary.

Jim Marshall announced that a San Miguel Island abalone survey was completed at the end of August. The survey was a collaborative effort among Channel Islands National Park, UCSB, California Department of Fish and Game, Reef Check, and other members of the environmental community. Data is being entered and analyzed and meetings are scheduled to discuss the results. Talk to Jim if you are interested in becoming involved.

Eric Kett announced that last weekend was International Coastal Cleanup Day. The winter season and the rains are coming so it's time now to start cleaning up creeks and streets to prevent debris from being washed into the ocean and sanctuary. Also, on the Ocean Futures website there is an article about the sanctuary. Advisory Council members were interviewed and provided their views on sanctuary endeavors. The article created a nice picture of the sanctuary and those involved.

Steve Schwartz announced that he recently attended an environmental law course at which Sarah MacWilliams gave an overview presentation of the sanctuary and Draft Management Plan. Steve thanked Sarah for providing a great presentation.

Phyllis Grifman announced that Sea Grant will start participating in regional workshops resulting from the tri-state agreement that was announced by Governor Schwarzenegger at the California

and the World Ocean conference. Also, the "Thank You Ocean" campaign was launched at the conference. Check out the website at www.thankyouocean.org.

David Bacon announced that he has been observing one of the best bonito runs ever. There are 10-15 lb fish just offshore. The run is still going on - go out if you have a chance!

Marija Vojkavich announced that on October 5 & 6 the Fish and Game Commission will meet to discuss the Marine Life Protection Act and where it will go next. The meeting is open to the public so the community can provide input.

Russell Galipeau thanked all the volunteers who work with the park and sanctuary. Together these volunteers contribute the equivalent of 40 full-time positions. Russell attended the California and the World Ocean conference and saw Jim Marshall and Sean Hastings give excellent presentations and represent the Channel Islands well. The tomol crossing was a wonderful event and great event for the Chumash community. A Santa Cruz Island beach clean up is being planned for October 22.

Bob Warner announced that biological monitoring inside and outside reserves has been slow because of weather conditions but the field season is in full swing. The initial results seem to indicate that this year is a good year for kelp bass recruitment, but not for rockfish.

Andrea Moe announced that through the B-WET program teachers are scheduling trips to the sanctuary on Island Packers to complement the classroom component of the program. The program is working and a lot of students are getting to visit the sanctuary.

Merit McCrea stated that compliance and enforcement levels of sanctuary and state regulations need to be carefully watched during the next few months. Notwithstanding, Channel Islands National Park enforcement officers have been doing a great job at Anacapa.

Bruce Steele announced that he serves on an agricultural water monitoring committee up the coast. Bruce is a farmer as well as a fisherman, and farmers are participating in a program to monitor watersheds in California. *Ceriodaphnia*, an aquatic invertebrate used as an indicator of water toxicity, is placed in a control sample and in a water sample taken from specified locations. Between 20-30% of the time, the insect has died in water samples from some major agricultural watersheds. It should be noted that farmers are paying into a fund to monitor themselves. The data are available to the public. Pesticides are a problem, and once they get into mud, they persist longer than if exposed to sunlight. Pesticides may get into estuaries and the ocean through runoff. Bruce will keep the Advisory Council informed of this issue.

Superintendent's Report:

Chris Mobley highlighted several items in the Superintendent's Report (provided to all Advisory Council members and the attending public and available at <http://www.channelislands.noaa.gov/sac/super.html>).

Chris Mobley introduced Michael Henry, a new intern at the sanctuary and UCSB Ph.D. candidate, who is studying biological communities of deep sea hydrothermal vents.

Council Comments on Marine Reserves Draft Environmental Impact Statement (DEIS):

Sean Hastings provided an overview of the DEIS including history, regulations, goals, the purpose and need for action, alternatives, environmental impacts of alternatives (ecological, socioeconomic), management considerations, next steps (comment period, public hearings, agency meetings), and when the final document can be expected.

Working group comments

Chairs of working groups that convened meetings within the comment period were invited to summarize their working group comments on the DEIS. Greg Helms (Conservation Working Group Alternate), Bob Warner (Research Activities Panel Chair), and David Bacon (Recreational Fishing Working Group) made statements. Summary comments from each group were provided to Advisory Council members in their packets, are available on request, and will be posted on the web site at <http://www.channelislands.noaa.gov/sac/minutes.html>.

- Conservation Working Group comments addressed the intrinsic value of wild areas, their recommendation for complete no-take areas, a preference for overlaying sanctuary regulations onto the existing state MPAs, and their spatial preference for Alternative 2.
- Research Activities Panel comments addressed the original goals of the network of marine reserves, the management role of the sanctuary, the full support of Alternative 2, and desire to see the reasoning behind NOAA's choice of Alternative 1A as the preferred alternative.
- Recreational Fishing Working Group comments focused on support for using the Magnuson-Stevens Act to accomplish the goals of the sanctuary, support for adoption of the No-action Alternative, and support for collaborative research funding and artificial reefs as mitigation actions.

In addition, representatives of working groups that did not convene to discuss the DEIS provided some comments:

- Jim Marshall announced that former Commercial Fishing member Chris Hoeflinger is soliciting comments from the commercial fishing community and will submit written comments. Jim expressed his approval that by not preferring Alternative 2 the sanctuary honored negotiations made during the Marine Reserves Working Group phase. Bruce Steele, Commercial Fishing alternate, expressed his desire to see the reserves managed in an adaptable manner as species increase and decrease in response to protection and climate variability.
- Dan Powell, Education alternate and a member of the Sanctuary Education Team, gave an update on that group's efforts to evaluate the possibility of creating materials to educate sanctuary users about natural boundary markers. Dan commented that the sanctuary should work with the Department of Fish and Game to consider some slight shoreline MPA boundary adjustments (in order to be more precise and potentially line up with natural landmarks) before finalizing adjacent federal boundaries.

Advisory Council Representative Comments

The following are comments that Advisory Council representatives provided during the meeting on the sanctuary's DEIS for Consideration of Marine Reserves and Marine Conservation Areas.

Comments are grouped according to whether or not the Advisory Council representatives present agreed to them by consensus. Advisory Council members will receive a copy of the letter from Chair Dianne Black to Sanctuary Superintendent Chris Mobley that will include these comments, organized by section of the DEIS, along with the voting results of the motion to send this letter to Mr. Mobley.

Consensus Comments:

- Consider adding NMSA language regarding traditional/compatible/sustainable use. (Sec. 1.1)
- To add the biological goal in addition to the administrative goal of complementing the state action, add “and complement the protection afforded by the state and ensure protection of the full suite of habitat types” after “complement.” (Goal #5, Sec. 2.1)
- Many of the references cited in this section are not in the reference list. (Sec. 2.0)
- The names of the agencies on p. 8 and elsewhere should be reviewed for accuracy to ensure that the acting agency is correctly cited. There are a number of typos. (Sec. 3.1)
- Clarify and/or identify the reason why Alternative 1A is the preferred alternative. (Sec. 3.1)
- Improve graphics so that map resolution does not present inaccuracies. (Sec. 3.2)
- Clarify what the Federal conservation zones allow. (Sec. 3.2)
- We encourage the consideration of adaptive management within conservation zones for all agencies. (Sec. 3.2)
- Black seabass is not an official common name – giant seabass is the official common name (p. 33). Recommend that still include “black seabass” in parentheses, since it is also known by that name. (Sec. 3.3)
- Deepwater sponges and corals should be included as species of interest. They exist in The Footprint, and they are important as habitat building species. (Sec. 3.3)
- Acknowledge increases in certain species: e.g., certain pinnipeds and cetaceans. This is not currently mentioned, but should be. If such successes are documented and can be cited they should be included, e.g., sardines and pinnipeds. (Sec. 4.1)
- If better information is available for substrate analysis, use it to update Figure 11. (Sec. 4.2)
- Would like clarification as to how the “Baseline person days of recreation activity” were determined (p. 55). Recommend re-evaluating these statistics. Discrepancies between the ratio of private and charter boat dives, and consumptive vs. non-consumptive divers seem inaccurate. Question whether trips in Santa Barbara are less expensive than in Los Angeles. (Sec. 4.3)
- Recommend adding a heading to the top of p. 59 for consumptive diving. (Sec. 4.3)
- Would like clarification as to meaning of employment in private boat diving. (Sec. 4.3)
- Recommend provide citations with the tables. (Sec. 4.3)
- Last year there were 7000 kayaking days at Santa Cruz Island, Scorpion Anchorage alone. The kayaking statistics seem inaccurate. (Sec. 4.3)
- Recommend that tables be made easier to understand, and if appropriate presented as figures instead. If the numbers are estimates add confidence intervals. If differences are significant that should be noted, and at what level. Recommend clarifying the time period and area in which the data was gathered. (Sec. 4.3)
- Recommend adding a statement about the impact of the closures on the sportfishing industry in terms of public perception. (Sec. 4.3)

- Recommend add an expenditure that represents guiding fees for kayaking (p. 58), e.g., a day kayaking trip is approximately \$180.00 (including boat fee). (Sec. 4.3)
- Leeworthy published in 2003 based on data collected in the 1990s; this may explain some of the suggested discrepancies. Recommend that make sure the tables cite the date on which the data were collected. (Sec. 4.3)
- Recommend add data from the National Economics Project, National Park Service, and Chris LaFranchi. (Sec. 4.3)
- Recommend clarify the definition of “adverse impact.” (Sec. 5.1)
- If adverse is defined as declines in abundance, there will be declines in abundance. Ben Halpern’s colleague has a paper showing 20% decline in total abundance. (Sec. 5.1)
- Recommend deleting the 1st sentence in the 2nd paragraph under Section 5.1. (Sec. 5.1)
- Recommend moving the text in footnote #17 into the main body of the text. (Sec. 5.1)
- Recommend that clarify that not all species decline, and not all species increase. Both trends are potential outcomes. Clarify after 1st sentence of 2nd paragraph (p.69) that some non-target species would be expected to decline. There is also unpublished evidence that targeted species are sometimes more abundant outside reserves (a study that Ugoretz participated in outside Big Creek). (Sec. 5.1)
- Regarding end of 2nd paragraph (p. 68), “relatively little activity” doesn’t account for the fact that these areas are closed by other regulations. Recommend add “currently” before “relatively little activity....” (Sec. 5.1)
- Recommend noting observed declines in species abundance within reserves for non-target species as well. (Sec. 5.1)
- Recommend supporting this section with more references, and clarifying who is making these assertions and why (5.1.2 p. 74). (Sec. 5.1)
- Recommend adding a reference for the statement regarding the distance between reserves (p. 76): MLPA Science Advisory Team. (Sec. 5.1)
- The impacts shown are partially an artifact of these areas being temporarily closed by fisheries management measures. Recommend noting that current EFH rules may change. (Sec. 5.2)
- Recommend that cited studies quantify the impact to the recreational fishing industry due to perception problems (as previously noted above). (Sec. 5.2)
- If there is a problem in terms of public perception that leads to adverse impacts on recreational fishing, than there should be some attention paid here to education and outreach attempts to address that particular problem. (Sec. 5.3)
- Recommend clarifying that the whole sanctuary is not a preserve. (Sec. 5.3)
- Recommend explaining whether or not enforcement partners have committed to enforcing these alternatives. (Sec. 5.3)
- Recommend clarifying what “complementary regulations” are referred to under Alternative 1A (p.132). (Sec. 5.3)
- Recommend that display boundaries graphically, rather than only using the 132 points currently listed, in the Federal Register notice, and show difference between current boundaries and proposed boundaries. Recommend displaying this map in larger format than 8 _ x 11, e.g., on a chart. (Appendix A: Proposed Rule)
- Recommend that parenthetical in 2nd paragraph on p. 172 be stricken because it would be a hazard and is not feasible (i.e., keeping spear shafts separate from spear guns). (Appendix A: Proposed Rule)

- Recommend ensure that definition of “stowed and not available for immediate use” is practical and feasible. (Appendix A: Proposed Rule)

Non-consensus Comments:

- It does not make sense to have the rules in the state conservation zone apply to the adjacent Federal area. (Sec. 3.2)
- There should be an opportunity for consultation with NMFS on the rules within a conservation area. (Sec. 3.2)
- Recommend an alternative that exclusively includes no take zones for Federal waters. (Sec. 3.2)
- Recommend that successes/increases and decreases be looked at in terms of population status assessments, where possible. (Sec. 4.1)
- Recommend a more balanced tone between species in decline, and species that are increasing. (Sec. 4.1, 4.2.4.3, 4.2.4.6.)

Offshore Aquaculture Report

Linda Krop commented on progress the Environmental Defense Center and the Conservation Working Group have made on an offshore aquaculture report. They recently distributed the report to conservation working group members and have consulted with experts in the field. Linda requested an agenda item at the November 17th meeting to discuss the report. The report would be provided to staff two weeks before the meeting to distribute in Council member meeting packets. The report discusses the effects of aquaculture on sanctuary resources, describes current regulations, and presents recommendations. The format that Linda recommends for the agenda is a presentation and panel discussion, including a question and answer session, and an open comment period for council members. For the panel discussion, Linda recommends a speaker from NOAA and Roz Naylor from Stanford University. A final report could be produced in January. An earlier draft could be provided to individual members if they are interested in reviewing it. Linda explained that this report originated in response to a proposal for a project at platform Grace, from a presentation by the NMSP’s Jim Sullivan, and from a statement from NOAA that they would like to develop a policy paper on this topic.

Future Advisory Council meeting schedule:

Next meeting: Friday, November 17, 2006: Advisory Council Meeting, Ventura (Channel Islands National Park)

Members discussed the 2007 meeting schedule. There was discussion about continuing to hold some evening Advisory Council meetings. Because daytime meetings seem to result in better attendance and other public Sanctuary events such as lectures and working group meetings are held in the evenings, daytime meetings were favored and the staff dates proposed were agreed upon by general acclaim.

The 2007 Advisory Council Meeting Schedule was adopted:

Friday January 19 (Santa Barbara)

Friday March 16 (Ventura)

Friday May 18 (Santa Barbara)

Friday July 20 (Ventura)

Friday September 21 (Santa Barbara)

Friday November 16 (Ventura)

Meeting notes respectfully submitted by Channel Islands National Marine Sanctuary staff:

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