

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

Final Meeting Notes

March 16, 2007

Robert J. Lagomarsino Visitor Center Auditorium
Channel Islands National Park Headquarters
1901 Spinnaker Drive · Ventura Harbor, CA

Note: Audio tape recordings of this Sanctuary Advisory Council (SAC) meeting are available upon request; contact the SAC 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 Gary Davis	
<u>US Coast Guard</u>	<u>Non-Consumptive Recreation</u>
Alternate John Luzader	Member Scott Dunn
	Alternate Carolyn Green
<u>Minerals Management Service</u>	<u>Business</u>
Member Dr. Fred Piltz	Member Bill Spicer
<u>CA Department of Fish and Game</u>	<u>Conservation</u>
Alternate John Ugoretz	Member Linda Krop
<u>CA Coastal Commission</u>	<u>Commercial Fishing</u>
Member Steve Hudson	Member Jim Marshall
<u>Santa Barbara County</u>	Alternate Bruce Steele
Member Dianne Black	<u>Recreational Fishing</u>
	Member David Bacon
<u>Department of Defense</u>	Alternate Merit McCrea
Alternate Walt Schobel	<u>Education</u>
<u>Ventura County</u>	Alternate Dan Powell
Alternate Marilyn Miller	<u>Research</u>
<u>NOAA Fisheries</u>	Member Bob Warner
Member Mark Helvey	<u>Public-At-Large</u>
	Member Phyllis Grifman
	Member Eric Kett
	Alternate Matt Lum
	<u>Chumash Community</u>
	Member Paulette Cabugos
	Alternate Reggie Pagaling

Absent:

<u>Government Representatives:</u>	<u>Community Representatives:</u>
<u>NOAA Fisheries</u> Alternate Lyle Enriquez	<u>Tourism</u> Alternate Andrea Moe
<u>US Coast Guard</u> Member Ronald Fien	<u>Education</u> Member Barbara LaCorte
<u>Minerals Management Service</u> Alternate Dr. Ann Bull	<u>Research</u> Alternate Bernardo Broitman
<u>CA Department of Fish and Game</u> Member Marija Vojkavich	<u>Business</u> Alternate Manny Aschemeyer
<u>CA Resources Agency</u> Member Brian Baird Alternate Amy Boone	<u>Conservation</u> Alternate Greg Helms
<u>CA Coastal Commission</u> Member Barbara Carey	<u>Public-At-Large</u> Alternate John Rennell
<u>Santa Barbara County</u> Alternate Michelle Gibbs	
<u>Ventura County</u> Member Lyn Krieger	
<u>Department of Defense</u> Member Steven Schwartz	

15 of the Council's 21 voting seats were present at roll call, increasing to 16 voting seats after lunch. The total number of Council representatives (members and alternates) ranged from 18 at roll call, 23 at the peak, and 20 after the lunch break. One voting seat was absent for the day: California Resources Agency. Public attendance was approximately 5 people.

Administrative Business and Announcements

The January 19, 2007 draft meeting notes were unanimously adopted as final.

Council Member Announcements

Dianne Black discussed a difficulty at the January 19, 2007 meeting during the discussion on the draft aquaculture report. It was a lively discussion and there were a lot of questions and comments during the presentation and she apologized for letting the comment period go too long, and not giving everyone who had a comment a chance to speak. She asked that people help her keep track of who has comments by making it clear that you want to speak by raising your hand. If there are a lot of comments she asks that Mike Murray write down names in the order in which they asked to speak. Dianne asked that people speak through the Chair and not to each other and clarified that her intent is to allow everyone to speak and not to have a few speakers dominate the discussion.

Mark Helvey with the National Marine Fisheries Service (NMFS) announced the Pacific Fishery Management Council (PFMC) will meet in Seattle in April and will review an exempted fishing permit for swordfish longlining that would occur in the EEZ. The PFMC has developed three alternatives. If they decide to move forward they will provide a preferred alternative for public review and request that NMFS approve their recommendation. Chris Mobley asked whether there is a sense of where the fishery would occur, and asked for basic background on this experimental fishery. Mark answered this would occur from 30 nm out to 200 nm and from Washington to California. Mark explained the agency is looking for more conservative methods to fish for swordfish. There are currently about 50 drift gillnet (currently the method used to catch swordfish) permits in California and Oregon. This would be shallow set longlining so hooks would not go below 100 meters, and fishing would occur at night (minimizing potential for bird bycatch), would use circle hooks size 18 (found in Hawaii to minimize bycatch, especially with turtles). The fishery would also be designed to target swordfish, not tuna. Fishermen would use mackerel instead of squid – squid stays on the hook longer and is more prone to hook turtles, so this would also help cut back on take of turtles. There would be 100% observer coverage.

Bill Spicer stated the California Legislature is considering a bill that would require mandatory boater training prior to receiving a license.

Eric Kett announced that underwater visibility at the islands is phenomenal: top to bottom in 50 feet of water. Gray whales are still out and the water is warming up.

Fred Piltz announced the Coastal Impact Assistance Program of MMS will continue this year and Governors will soon receive letters indicating how much they might receive in funds. Workshops are coming up in Santa Barbara to meet with Counties and talk about programs the State should consider submitting for funding. Fred will keep the Council informed about developments.

John Luzader with the U.S. Coast Guard introduced Scott Young, his potential replacement.

Bob Warner announced the annual fundraiser for Santa Barbara Channelkeeper, the Blue Water Ball, is this evening. The most recent PISCO publication, Coastal Connections, is available now.

Bruce Steele brought some shells of a rare clam (*Semele decisa*) from Carpinteria Reef. There are hundreds to thousands of these shells at the reef from sea otter predation. There are two otters currently there. The US Fish and Wildlife Service anticipates many invertebrate species will decline from otter predation. Bruce also brought in a graph of CO₂ production and explained that there is no forum to talk about the subject that is the single most important issue. Fishermen use large amounts of fuel, and fuel is expensive. The single largest risk factor to continued fishing is going to be the cost of fuel, especially in fisheries that are day-tripped (for example sea urchins that need to be kept fresh). He asked that the Advisory Council consider this issue. Chris Mobley explained that the National Marine Sanctuary Program is involved and thinking about how climate change will impact resources and uses within sanctuaries. It is on the table and the Advisory Council can discuss this information and provide it up the chain.

Chris also mentioned that, along with the Channel Islands National Park, CINMS is going to start looking at carbon footprint analysis and addressing our impacts.

Phyllis Grifman announced that the California, Washington, and Oregon Governors have signed an agreement on ocean governance and SeaGrant is developing a series of workshops on research priorities that go along with the governance priorities. Sanctuaries should be involved and anyone who is interested in participating please let her know.

Russell Galipeau, Superintendent of the Channel Islands National Park, thanked everyone for support of ecosystem restoration, and reported that the Bald Eagles at Santa Cruz Island are doing well. He believes there will be three nesters this year, and the ground nest is back. This year that nest has two eggs in the nest rather than one. You can view them online at the park's web site. The park now has direct communications with Anacapa and the "Channel Islands Live!" program will be live this summer in the Visitors' Center and in Ventura classrooms this fall. The Channel Islands Symposium will be in spring 2008. The National Park Service Centennial is in 2016. On March 29th there will be a "visioning" public forum held in Los Angeles – contact Russell if you are interested in participating. As part of the NPS Centennial Initiative there will be matching funds for signature projects in total up to \$100,000,000 per year, so please consider any projects for the sanctuary and park you would like to propose.

David Bacon announced that the Fred Hall fishing show was last week, and that there are numerous other shows around the state. Rockfish season started in the beginning of March. We have a really healthy population of rockfish. On April 1st lingcod season opens. On April 7th salmon season opens. Chris Mobley pointed out a March 2007 article by Captain Bacon in Pacific Coast Sportfishing magazine about NOAA recreational fishing research. David also has a PowerPoint presentation and is looking for venues in which to share it.

Steve Hudson announced that the California Coastal Commission will be holding a Consistency Determination hearing on April 12th on the BHP Billiton *Cabrillo Port* project. The Coastal Commission staff report and recommendation for the project will be available on web by the end of the month.

Gary Davis with the National Park Service announced he is working on an Ocean Park stewardship plan for all 75 ocean parks in the National Park System, and that it was approved this year by NPS Director. This year the NPS will work on increasing capacity to map parks and to better engage people. The NPS also created an ocean and coastal resources branch in the Washington, D.C. office. Gary is recruiting someone to run that program when after he retires in October 2007 (in 143 days).

John Ugoretz introduced himself. He is with the California Department of Fish and Game (CDFG) and is now at the Santa Barbara office. He is Marine Habitat Conservation Program Manager for the Marine Region. In this capacity, he works on habitat, artificial reefs, MPAs, and kelp. He is not sure if they are going to switch membership on SAC so that John is on the roster, but they will let Mike know when it is decided. The California Fish and Game Commission (CFG) will decide on April 13th on central coast MPAs, and that will mark the end of first phase of the Marine Life Protection Act (MLPA). The next phase of the MLPA is getting

started right now for the North Central Coast. The MLPA will come to southern California after the next phase ends in late 2008. CDFG is preparing a Programmatic Environmental Impact Report (EIR) for marine aquaculture in response to SB 2001, signed into law in 2006, which requires a new regulatory program for finfish aquaculture in state waters. The EIR is programmatic, and not in response to a particular proposal. Scoping hearings were held in early March, and comments will be summarized in an upcoming report. Becky Ota is the CDFG lead for this process. Also, Bob Hattoy, a longtime CFGC member, passed away earlier this month.

Carolyn Greene announced that Island Packers gray whale watching trips will continue through first week of April and they have been putting naturalists on boats 7 days per week. Carolyn was on Santa Barbara Island this week and when she introduced herself as a volunteer the park employees acknowledged the great volunteer support they receive. The Superintendent's Report provides an account of these many Channel Island Naturalist Corp activities. While volunteering on Santa Barbara Island they saw murrelet eggs. Carolyn and Scott Dunn have been discussing a quarterly update or newsletter on issues that appeal to non-consumptive users, and plan to work with Sarah MacWilliams on this.

Scott Dunn clarified that while gray whale season is ending, humpbacks and blues will start coming in more numbers soon. Humpbacks are Scott's personal favorites.

Linda Krop followed-up on aquaculture scoping process announcements and noted that you can submit comments to the CDFG through Tuesday, March 20th. There are two more LNG hearings scheduled: April 4th in Oxnard at 5 pm at Oxnard Performing Arts Center with USCG and MARAD, and April 9th in Oxnard where the California State Lands Commission will hold a hearing on whether to certify the EIS and approve a lease. April will see Earth Day celebrations in both counties. April 19th is Earth Day Dine Out day, check www.edcnet.org to learn more about that. There will be a Channel Swim Sept. 14-15 to benefit the Environmental Defense Center, Community Environmental Council and other groups. If you sign up by Earth Day you get a reduced rate – you can swim, kayak or volunteer.

Superintendent's Report:

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

Other highlights from the Superintendent:

The SAC Chairs' annual meeting has been canceled because of budget limitations.

Sarah MacWilliams is visiting and announced that she has moved to Colorado but is still working full time for the sanctuary and available as a staff resource for Advisory Council members.

Mike Murray announced that we now have about 10 staff working on the 674 draft management plan public comments as a team; the Advisory Council comments and comments from people Council members encouraged to comment are very valuable and will help refine the final product. Mike also mentioned that staff are getting closer to completion of a Supplemental

Notice of Proposed Rulemaking on graywater and sewage discharge regulatory issues, but cannot say exactly when it will be released.

Chris Mobley noted that we still have a goal of completing the final management plan by September.

Election of Advisory Council Secretary:

Mike explained the duties of this position and noted that the position has been held for several years by Eric Kett. The secretary is part of the Executive Committee, and in the absence of the Chair and Vice Chair would serve as meeting facilitator. In addition, Mike explained that the Council Secretary reviews applications for new Council members and participates in conference calls and meetings. The term is one year and there is no term limit per the SAC Charter. The Charter also limits nominations to voting members (not alternates).

Mike reported that one nomination was received via email suggesting that Eric Kett be re-elected. Eric accepted the nomination.

Council members present unanimously voted to reelect Eric Kett as Secretary.

2006 Research and Monitoring

Dani Lipski, CINMS Research Assistant, pointed out the hard copy of the 2006 Annual Research Summary and explained that this is the third year CINMS has produced this education and outreach product, which is intended for a general audience.

Dani indicated that staff will distribute it to the public, advisors, peers, and volunteers. Although the report is not exhaustive, Dani explained that it highlights projects to which the sanctuary contributes staff time and vessel support.

Dani also mentioned that “Research” was marked by Council members as one of the highest priority items of interest to the SAC for 2007.

Dani explained that the report is organized into three categories: MPA monitoring, site characterization, and protected resource monitoring. Dani highlighted a few items:

- With the Partnership for Interdisciplinary Studies of Coastal Oceans (PISCO) fish monitoring of recruitment, 2006 saw high kelp bass recruitment and low rockfish recruitment;
- Another trend in 2006 was an anomalous warm water event in August and September: Channel Islands National Park kelp forest monitoring project saw increase in warm water species, and noted negative effects such as sea star wasting disease (25% mortality);
- Pflieger Institute of Environmental Research (PIER) summary of acoustic monitoring of fish movement – there is six years of data from this project and a final report is expected in 2007 as the project has come to an end;
- The Collaborative Marine Research Project, with funding through the Channel Islands Marine Sanctuary Foundation, funded projects included: collaboration between UCSB commercial fishermen studying invertebrate larval recruitment inside and outside marine

reserves; UCSB and recreational fishermen help bass mark and recapture study, including a nice outreach component with web site and articles.

- Seabird projects: over half the world's population of Ashy Storm Petrels nest at the Channel Islands and were impacted in 2005 by a skunk predation event, so there is hope that in 2007 the birds will recolonize certain caves; Xantus's murrelets continue to see population and nesting increases thought to be a result of rat eradication, and there is some research on the correlation between oceanographic conditions and nesting time.

Channel Islands Marine Reserves and Conservation Areas:

CINMS Social Science Plan – Chris LaFranchi

Chris LaFranchi, CINMS Social Science Coordinator, provided a PowerPoint presentation about the status of the Social Science Program. Specifically, Chris covered three topics: 1) highlights from the plan: *Social Science Plan (2007-2010): Socioeconomic Research & Monitoring of Marine Reserves and Marine Conservation Areas*; 2) new developments in social science research focused on recreational fishing; and 3) an update on non-consumptive use boater surveys within and about CINMS. Chris' presentation is available upon request.

Chris began with an overview of the reasons why socioeconomic monitoring is conducted, noting that it is in the early stages of development.

Chris then explained that the Social Science Plan for marine reserves and conservation areas is nearly finalized (currently undergoing review by the West Coast Regional office of the National Marine Sanctuary Program) and that it presents: 1) research questions to be answered, 2) data required; 3) activities, costs, and priorities; and 4) a consultative process for working with stakeholders.

Chris explained that a new focus area for socioeconomic research is recreational fishing, which is a priority because there is already a corresponding data being collected on non-consumptive use, there is good data available on recreational fishing, and nationally recreational fishing is projected to grow.

Chris described the work on recreational fishing as aiming to create an increasingly robust "picture" of this activity, being based in part on data from the CINMS Sanctuary Aerial Monitoring and Spatial Analysis Program (SAMSAP) as well as California Recreational Fishing Survey (CRFS) data, and looking at corresponding biological data.

The approach, Chris explained, involves making inferences, defining testable hypotheses, looking at the change in recreational fishing spatial use patterns (e.g., fishing the line, displaced effort) and catch, and trying to determine what might explain perceived changes, and what additional data is required.

Chris also provided an update on the ongoing CINMS non-consumptive use study, explaining that "Wave 1" had been launched, including a postcard/internet survey. Post card surveys were sent to 1/3 of all boaters via their slips fee bills. The web site for the survey is www.OceanStudy.net.

Chris also let the Council know that the on-site boater surveys conducted at anchorages within CINMS are scheduled for 5 weekends this year, staged aboard the R/V *Shearwater*.

Chris displayed a sample of data collected from 29 boater surveys which showed a list of boater activities.

During the Council discussion period Captain David Bacon expressed concern that the Social Science Plan still is not addressing something he has asked about many times: adverse impacts to recreational fishing businesses stemming from public perception about marine reserves. Chris LaFranchi responded that there is not data available on how recreational angler perceptions may or may not have affected charter fishing business either leading up to or after marine reserve designation, and that there is not at this time funds available to finance acquisition of new socioeconomic data, in this or any other area. LaFranchi added that this kind of data and associated research question, however, has been identified as a priority in the Social Science Plan.

Bob Warner added that it is important for any results presented to be clear that they are based on data obtained, and not any more than that.

Eric Kett raised concerns about the accuracy of some of the sample data shown regarding the non-consumptive use habits of surveyed boaters. LaFranchi cautioned that his slide was used only to show the types of data being collected, and, with only 29 respondents, should not be viewed as being representative. LaFranchi also suggested that Eric and others might do well to actually take the boater survey so they understand how it works.

In response to questions, Chris LaFranchi indicated that NOAA funding for the Social Science Coordinator function will run out in May of this year and deferred to Chris Mobley for what might happen as a result. Chris Mobley explained that he will work with any sources of funding available to fund as many components of the ecological and social science work as possible.

John Ugoretz with the Department of Fish and Game (CDFG) added that CDFG is currently looking into using funds to support Sanctuary social science coordination, or dedicating CDFG to continue the social science monitoring work and data analysis. John also mentioned that the state Ocean Protection Council (OPC) has funding and is very interested in MPAs, including at Channel Islands. Getting back to Captain Bacon's concerns' John explained that the state legal standard requires using data that is readily available (not gathering new data), and that to date CDFG have used party boat log data to see if catch has changed prior to and after MPA establishment. By the five-year review point for Channel Islands MPAs, he said, there will be three years of CRFS data on hand to look at these sorts of impacts.

The Council deferred discussion of a possible funding support letter until the next agenda item (see below).

CINMS Marine Zoning Environmental Review Process:

Chris Mobley provided background on the history of the MPA process that began in 1999, and led to MPA implementation in 2003. Chris described how the Federal process began in 2003 and then in 2006 CINMS released a Draft EIS to propose completion of the network, and the public and Advisory Council provided significant input. Chris explained that CINMS is now hoping to see publication of an FEIS and Final Rule in April or May of this year.

Chris also reminded Council members that the preferred alternative “1” in the DEIS had three sub-alternatives related to State-Federal overlap (1A, 1B, and 1C), and although the overall closures would be the same, there is a difference in terms of who would have jurisdiction. Alternative 1A, Chris explained, would have Federal regulations that overlap the state MPAs to the shoreline, 1B would have Federal regulations overlap to the outer boundary of the State MPAs, and 1C would leave gaps with Federal jurisdiction ending at the 3 NM State boundary.

Chris also commented that the California Coastal Commission met today to discuss state consistency and is concerned that alternative 1C would leave gaps. Chris reported that the California Resources Agency and Department of Fish and Game were at that meeting today and informed the Coastal Commission that the gaps would be addressed soon by the Fish and Game Commission and that the State prefers to have Federal jurisdiction stay beyond the 3NM offshore state boundary. Chris announced that he had received word that the Coastal Commission voted to support the staff recommendation that conditionally concurs with NOAA’s consistency determination, with the condition being that should NOAA elect not to implement Alternative 1A, NOAA will implement Alternative 1C with the provision that until such time as the Resources Agency and the Fish and Game Commission designate the gap areas or the Fish and Game Commission/DFG and NOAA enter into an interagency agreement that established MPA protection the gap areas, NOAA will expand Alternative 1C to include the gap areas.

John Ugoretz added that from the Governor’s office and Resources Agency levels, the state would like sanctuaries to remain in federal waters for this kind of action. He also explained the California Fish and Game Commission has already placed the issue of closing the state waters “gap areas” on their May meeting agenda, and this could lead to an action by September. John also commented that the he is very confident that Alternative 1C will meet the goals for the reserves network.

In response to a question from Linda Krop, John explained that the reason it took so many years to get to the point where the state is ready to close the gap areas was simply that squared boundaries were preferred for enforcement purposes and that NOAA was not ready to put the federal portion in place until now.

There was some discussion between Bruce Steele and John Ugoretz about the need for providing visible boundary demarcation.

Captain David Bacon let the Council know that support is increasing among recreational anglers behind a socioeconomic justice position that holds that MPAs should be created only if an artificial reef of comparable fishing value is created. In response to a question, he stated that he

was not specifically considering artificial reef placement within CINMS, but perhaps in suitable areas that are easier to reach.

Linda expressed concern that what has always seemed like a joint marine reserves network project and partnership between the Sanctuary Program and the state is now looking to actually be very separated. She asked if perhaps NOAA might now consider pulling back on some of the funding that they have for several years been putting toward management of the state MPAs.

Chris Mobley responded to Linda's comments by stating that he does not believe the actual management of the reserves network will be affected by the separation of regulatory jurisdiction. The CINMS mission is the same, he explained, and even if the Sanctuary does not have formal jurisdiction there will not be a reduced CINMS focus on the reserve network goals.

John Ugoretz noted that the Channel Islands National Park is a good example of a key partner that has contributed a lot toward successful management of the marine reserves while not having formal regulatory jurisdiction.

Eric Kett summarized that it seemed like the only real difference in not having the Sanctuary overlay the state marine reserve areas would be that the Sanctuary Act civil penalties would not be able to be applied to violations in state waters.

Chris agreed with Eric on that point, but added that another possible difference could be that in very lean budget years CINMS might have some trouble getting as much federal funding to put toward state MPA management.

Captain David Bacon commented that the Coastal Commission staff report's [based on an excerpt from the CINMS DEIS on marine reserves and conservation areas] mention of a 5% impact to recreational fishing business seriously understates the real impact. Bob Warner responded that perhaps he should get more involved in figuring out why the data being used are not adding up to what he feels is actually correct, to which Captain Bacon replied that he has tried to do that.

Bruce Steele commented on the "perception" problem, noting that even though commercial fishermen participated in and cooperated with the marine reserves process all along, the fishing industry still gets a bad rap from the media with constant claims of overfishing.

Linda Krop stated that she felt a little better knowing that NOAA had asked the Coastal Commission to find both alternative 1A and 1C consistent, and not just 1C.

At the suggestion of Linda Krop, the Council discussed the possibility of writing a letter in support of LaFranchi's work, and LaFranchi indicated that this would be helpful. However, the Council later decided that it would be more appropriate and helpful to provide LaFranchi with a letter specifically written for whatever funding he is seeking, rather than a generic letter. Russell Galipeau agreed and indicated that Chris LaFranchi could work with him separately on a possible opportunity to request matching funding support from the National Park Service. Chris Mobley also indicated that he would convey the Advisory Council's interest and support in any

letter he wrote in support for funding for continued socioeconomic research at CINMS. Phyllis Grifman mentioned that SeaGrant has some Request for Proposals out now, and that there may be interest in working on something like the “perception” problem that Captain Bacon had mentioned.

Channel Islands MPA Shoreline Boundaries:

Mike noted that four Advisory Council members have worked very hard on the issue of shoreline MPA boundary demarcation: David Bacon (recreational fisherman), Dan Powell (oceanographer with education concerns), Scott Dunn (professional kayak guide with environmental concerns), and Merit McCrea (marine biologist and former sportfishing charter boat owner/operator). Mike also reminded the Council that Park Superintendent Russell Galipeau had previously suggested that the subcommittee look into a broader range of boundary awareness and education options than just range markers, and that the subcommittee had done that.

Dan Powell provided a PowerPoint presentation (available upon request) on his research into policy and options for clarifying the shoreline boundary demarcation of MPAs. Dan discussed some places where he saw the shoreline boundaries of some of the state marine reserves as being vague or unclear, his views on why this may have occurred, and noted problems that can occur with unclear boundaries (based on documented experiences elsewhere). Dan talked about alternatives to range marker poles as most people envision them, such as eagle roosts or possibly poles designed similar to those used for traditional Chumash ceremonial purposes.

Dan also showed photos he had taken at Anacapa Island and some other sites as examples of how natural features lined up with (or close to) some of the MPA boundaries, and how these kinds of photos could be incorporated into educational products.

Merit McCrea also provided a PowerPoint presentation and further emphasized the need for and importance of refining some of the shoreline boundary coordinates to meet with intended landmarks, which he said could possibly eliminate the need to install markers in some locations.

Merit explained that a number of options are available to help mark MPA boundaries, including: natural topography/features (e.g., headlands or prominent named natural features), manmade natural enhancements, signage, simple markers, range markers, and buoys.

Merit discussed how he sees marking an MPA as important to making it “real” for the public.

Merit elaborated on how range markers actually work, showing examples and listing several users that stand to benefit from them.

Merit explained that that the subcommittee’s intent is to support:

- marking MPAs where it provides a clear benefit;
- refining MPA boundary coordinate resolution to a level used for other State MPAs;
- not diminishing the landholders right to say whether or what kind of marker can be placed on their lands; and
- on site education and compliance that can complement off site efforts.

Both Dan and Merit indicated that they are looking for a Council letter of support that would be addressed to Chris Mobley (to be forwarded to the National Park Service, California Department of Fish and Game, Nature Conservancy, Navy, and Ocean Protection Council) with the intent of supporting further survey research refinement of some boundary coordinates, use of natural features where possible, and if needed consideration of range markers or other alternate man-made demarcation.

Scott Dunn, another subcommittee group member, expressed his views in support of educational approaches and adjustments to problematic boundary coordinates, but strongly against installation of range markers. Scott maintained that boaters should be self-aware of their position on the water. He also cited concerns about the aesthetics of artificial markers, noting specifically the details of large military range markers currently in place at San Miguel Island.

John Ugoretz expressed that CDFG disagrees with the subcommittee's basic premise [about MPA boundary coordinates] because it seems to be based on inaccurate assumptions. He explained that the shoreline area boundary points are intentionally not placed right on shore, but that the regulation explains that the shortest line from the coordinate to the mean high tide is how the intended boundary extends to shore. He went on to say that CDFG wardens have extensive experience with this approach and do not have any enforcement problems because of it. He also mentioned that at other MPA sites in California, the reason the hundredth level of decimal place precision is used to mark the boundary points is simply because they were based on previously set boundaries that had to be converted to coordinates, and that necessitated using that level of precision. At the Channel Islands, John explained, where there was an opportunity to choose the coordinates first, the Department opted to go with whole tenths of decimal place coordinates for simplicity, not as a way to be less precise.

John Ugoretz did express agreement with other concepts within the subcommittee's proposed letter, such as the benefit of boundaries intersecting with landmarks, and using photos to help educate users on boundaries.

John said that while most of the MPAs are lining up with intended landmarks, where they were available, some of the coordinates could be augmented this summer to provide a shoreline coordinate point to clarify exactly where the "shortest line" to the shore is.

John added that the CDFG will support whatever the Channel Islands National Park should decide to do, or not do, with regard to placement of shoreline demarcation, such as range markers. He also added that buoys might only be practical at an MPA site such as Painted Cave where the depth is shallow enough.

Russell Galipeau thanked the subcommittee for their good work, and commented that he really likes the idea of using interpretive photographs of natural features to educate users about MPA boundaries and would someday like to see that incorporated into fishing regulation publications. He also mentioned that thus far enforcement encounters have been in the middle of MPAs, not on the lines.

Steve Hudson mentioned that the Coastal Commission might have to be involved in a federal consistency review of some of the options presented, as well as the State Lands Commission with regard to consideration of installing buoys.

Carolyn Greene expressed a preference for using natural features for demarcation purposes, in keeping with the overall approach taken by the Channel Islands National Park.

Matt Lum suggested that a natural-like and cost effective way to mark MPA boundaries could be to use white paint on rocks that simulates guano-encrusted rocks.

Reggie Pagaling explained that it is very important to consult with Chumash people in any further consideration of using Chumash-related marker poles (as had been suggested as an idea in Dan Powell's presentation), noting that this is quite sensitive. Reggie also commented that the tribe [Santa Ynez Band of Chumash Indians] wanted to go on record about the fact that the tribe was never formally consulted by CDFG in terms of the placement of the MPAs, and as such there was not consideration given to traditional fishing areas. Reggie added that the tribe wants to move forward and are at a level where they are organized and ready to work collaboratively to participate in consultations on these kinds of actions. Paulette Cabugos later added to this point that simply seeing Chumash people attend a meeting does not take into account the broad geographic range of the Chumash community and is not the same as consulting with the federally recognized Santa Ynez Band of Chumash.

Bruce Steele commented that the north end of the Carrington Point reserve's boundary point is not obvious, and that the boundary points within Cuyler's Harbor seem a little off. He also said that making small boundary adjustments should be in keeping with adaptive management, which the marine reserves network was supposed to be based on. He added that he doesn't use electronics on his boat, and feels it is unfair that he is disadvantaged with regard to being able to tell where the MPA boundaries are.

John Ugoretz reminded Council members that the position of mean high tide changes all the time, such as when sand comes and goes from a beach. In response to Bruce's comment, John said that the MPA boundary points in Cuyler's Harbor can be looked at again. He also mentioned that many GPS users have not updated their units to use the most recent datum [the underlying reference point system] available, noting that some very old datums are unfortunately still in use out there and that as a result their positioning is "off" when they use their equipment. John also explained that in his role on an Ocean Protection Council committee he had proposed that a significant amount of funding be set aside for consistent state-wide MPA signage.

Dan Powell clarified that the subcommittee is recommending a survey cruise be conducted and used to gather more precise information, and that the subcommittee is not asking SAC members to approve of range marker installation.

The Council then discussed the proposed letter that was presented by the subcommittee. Members expressed different levels of agreement to various parts of the letter. A motion was made by Paulette Cabugos to continue this item at the next meeting to allow more time to understand the complexities of the issues. After being seconded, a hand vote on the motion

resulted in a 5-5 tie, with 4 abstentions. Another motion was subsequently made by Bob Warner to include a subset of text from the proposed letter (the last paragraph on page 1). After being seconded and further discussion to clarify intent, the Council vote was: 12 yes, 1 no (Capt. David Bacon), 2 abstain (CDFG and USCG). John Ugoretz asked that the record reflect that he abstained because he does not want to make a recommendation that will come back him in his official capacity as a representative of the CDFG.

Staff will therefore prepare a letter for the Chair's review and signature that will contain this paragraph, as authored by the subcommittee and passed by majority vote on the motion: "The subcommittee recommends further survey research, both with high precision GPS units and photo documentation, to accurately determine where the currently defined CDFG State MPA boundaries intersect the island shorelines. Once survey results have been post-processed, an investigation should be performed to ascertain if it is possible to slightly refine (hundredth minute) the zone geographic coordinates to coincide with natural landmarks at each location. This effort would ideally be coordinated with CDFG for refining their established MPA zones."

Video Presentation by Annie Crawley

Annie Crawley, environmentalist, recreational fisher, and renowned videographer, presented DVDs of her work. While showing fascinating Channel Islands images, she discussed what inspired her and her motivation to educate and inform children and their families. All her work is available in English and Spanish and she has some new products targeted at 2-8 year olds (available at anniecrawley.com).

Open Ocean Aquaculture

Linda Krop introduced this agenda item and Shiva Polefka, who read a statement on the status of the Conservation Working Group's Draft Open Ocean Aquaculture Report. Shiva provided some background on the report, and thanked Council members who have provided comments. He outlined some of the comments that were received from Marija Vojkovich, Fred Piltz, Bruce Steele, and Bob Warner. Shiva discussed how the comments will be addressed and incorporated into the final report, and ended by reiterating why this is such an important and timely issue.

Shiva also mentioned that he would still be taking comments for the next two weeks.

Linda also thanked those who provided comments on the draft report to Shiva.

Mike Murray mentioned that staff are working on bringing two expert speakers to the next Council meeting, one being a policy expert from NMSP headquarters (Jim Sullivan), the other being a scientist that has not yet been identified.

New Member Announcement

Marilyn Miller, Director of Harbor Planning and Redevelopment for Ventura County, introduced herself as the Advisory Council's new Ventura County seat Alternate. She is replacing Jack Peveler.

Offshore Oil and Gas Inventory Activities and Alternative Energy

Mike introduced this item and noted that it was included on the agenda because it ranked high on the SAC annual work plan prioritization, both last year and this year.

Fred Piltz provided an update on oil and gas offshore inventory activities. Fred explained that while the Energy Policy Act of 2005 has a provision for conducting an inventory of oil and gas on outer continental shelf waters, this has largely turned out to be a paperwork exercise that is being based on pre-existing geophysical data. A final report on this, Fred said, is not available yet but should be available later this year. Fred added that although this exercise is supposed to occur about every five years, Congress has not yet authorized funds to do anything beyond the inventory that was just completed.

Maurice Hill was introduced by Fred and provided a presentation alternative energy. Maurice explained that MMS was granted authority by the Energy Policy Act of 2005 to regulate Alternative Energy Projects in federal waters on the Outer Continental Shelf. This authority, he said, does not supercede any other existing federal authority (for example, from the Coast Guard or Department of the Interior), and it does not authorize any oil and gas activities in moratoria areas. Maurice described the types of alternative energy projects that MMS would regulate: wind, wave, current, solar, and hydrogen. He discussed in detail wind and wave projects, citing examples of demonstration projects. Maurice discussed that MMS is developing a programmatic EIS on Alternative Energy Projects, and that a draft EIS will be available in April and can be reviewed at ocsenergy.anl.gov. Maurice also reported that there will be public scoping meetings held around the country with two on the West Coast: San Francisco on May 1 and Portland on May 2.

Working Group Reports:

Conservation Working Group – Linda Krop reported that the group met on February 13, 2007 and received a presentation by Jon Day from the Great Barrier Reef Marine Park Authority (GBRMPA). Linda explained that Jon talked to them about the GBRMPA's ocean zoning system, which has 7 zones, including 33% of the habitat set aside as no-take areas. Linda commented that Jon felt the overall percentage of no-take area is not as important as containing representative habitats and features. Linda also mentioned that they learned that the GBRMPA has overlapping state and federal authority and it has been very helpful for management and enforcement. Linda also mentioned that the GBRMPA has very specific standards for aquaculture, with some proposals having met those standards and some having not. Linda also reported that the group received update on the marine reserves and management plan processes from CINMS staff, talked about LNG, and discussed the Grace Mariculture Project, which has been withdrawn.

Recreational Fishing Working Group – No meeting to report.

Commercial Fishing Working Group – No meeting to report.

Sanctuary Education Team - No meeting to report.

Research Activities Panel – Bob Warner reported that the group held an incredibly successful meeting on February 28, 2007, noting that RAP members were outnumbered by the public 17 to 12. Bob explained that RAP meeting presentations included an aquaculture report update from Shiva, followed by a comparison of data and feasibility of deep water monitoring with ROVs and subs (by Donna Schroeder and Kon Karpov). Regarding ROVs and subs, Bob said the RAP is not trying to recommend one method over the other but rather wanted to understand compatibility and repeatability of data from both projects. Bob described the issues presented and discussed: both methods have good data; for larger species that are easier to count both platforms perform well, but much more detail is available from subs because there is a human expert in sub; post processing time is significant for ROV (8:1 for ROV, vs. 3:1 for sub); cost estimates are comparable between methods; subs go to greater depths, but ROVs are probably capable of that as well. Bob said the RAP agreed that if surveys are to be done by one or the other method at specific sites, then that method should be used consistently from year to year. Bob also mentioned that many ROVs are being manufactured so this method may become more available. To summarize, Bob said the quality of data from subs may be better but the sustainability of the ROV project may be better.

Bob also mentioned that Ian Tanaguchi gave a report to the RAP on abalone data from August 2006 survey at San Miguel Island. Bob explained that Ian reported a lot of abalone had been observed through an amazing survey effort by a diversity of groups. Bob said Ian extrapolated the data to estimate the population at 968,000, and that the Abalone Advisory Group (AAG) is putting together a plan for what an abalone fishery might look like should it open in the future. However, Bob said, at this point it is unclear what criteria are necessary to reopen a fishery. Bob also commented that the RAP learned that a high percentage of abalone sampled carried bacteria responsible for withering syndrome but were not exhibiting symptoms, and that this could be indicative of the population enjoying a thermal refuge. Overall, Bob described the RAP meeting as action packed, with a lot of information presented, and thanked staff for their assistance.

Public Comments

Two public comment periods were provided (one in the morning, and one in the afternoon), but there were no public comments made.

Future SAC meeting schedule:

Dianne Black reminded the Advisory Council of the upcoming meeting schedule:

- Friday, May 18th, Santa Barbara
- Friday, July 20th, Ventura
- Friday, September 21st, Santa Barbara
- Friday November 16th, Ventura

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

*Dani Lipski
Danielle.lipski@noaa.gov*

*Michael Murray
michael.murray@noaa.gov*