

CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

Sanctuary Advisory Council Meeting

Final Key Meeting Outcomes

Friday, November 18, 2016

Robert J. Lagomarsino Visitor Center, Channel Islands National Park, Ventura, CA

Note: After approval by the council (expected in January 2017), this document will be subsequently posted online at http://channelislands.noaa.gov/sac/meeting_notes.html. Audio recordings of this meeting are available upon request to Jessica.Morten@noaa.gov.

Optional Pre-Meeting Session: UCSB Graduate Student Mock-Council Discussion

Prior to the start of the official Sanctuary Advisory Council meeting, graduate students enrolled in a Coast and Ocean Policy and Management course at UCSB's Bren School of Environmental Science and Management conducted a mock council session. Students took on the roles of stakeholders and agency representatives in a discussion about invasive algae showing up in the sanctuary.

Administrative Business and Announcements

At peak, there were a total of 22 SAC representatives in attendance representing 16 voting seats (see attached attendance roster). Public attendance peaked at about 20 individuals.

Council Member Introductions/Departures

After the roll call was complete, Advisory Council Chair Dianne Black started off the meeting by announcing several new appointments to the council. She first shared that Captain David Bacon and Merit McCrea had been reappointed to the Recreational Fishing seat member and Recreational Fishing seat alternate positions, and also announced that two new members, Kristen Hislop and Judy Willens, had been appointed to the council in the Conservation seat member and the Public At-Large #1 seat alternate positions, respectively.

Conservation Seat

Kristen Hislop, Marine Conservation Program Director at Environmental Defense Center (EDC), introduced herself to the group as the new Conservation seat primary member, which had been vacant since Kristi Birney's departure from the seat in March 2016. Kristen will work alongside Conservation seat alternate Greg Helms, and joins the council with experience working as a coastal program analyst for the California Coastal Commission, a consulting researcher for Seafood Watch, and as a former California Sea Grant Fellow for Channel Islands National Marine Sanctuary.

Public At-Large #1 Alternate Seat

Judy Willens, recently retired Air Quality Specialist for the Ventura County Air Pollution Control District, introduced herself to the group as the new Public At-Large #1 alternate member, working alongside Public At-Large #1 seat Phyllis Grifman. As an environmental scientist with degrees in biology, chemistry, and business management, Judy comes to the council with experience as a transportation specialist for Ventura County, as well as over 15 years as a volunteer naturalist in the Channel Islands Volunteer Naturalist Corps.

Following Judy's introduction, Chair Dianne Black also shared that with Judy's appointment to the council comes the departure of former Public At-Large #1 seat alternate, Vic Cox. Dianne and sanctuary staff took time to acknowledge Vic for his six years of service on the council and presented him with a canvas print of the islands to say thank you from the group. Vic took a moment to acknowledge the council, showing

appreciation for the important role that the forum plays in the community and thanking the group for a great experience.

Dianne Black also shared with the group that the selection process is still underway for six more seats on the council—Education member and alternate, Tourism member and alternate, and Chumash Community member and alternate—and that appointments would be made and announced in early 2017.

July 15, 2016 and September 16, 2016 Draft Key Outcomes

During the September 2016 meeting, the council unanimously voted to approve the July 15, 2016 SAC meeting draft key outcomes, however due to the meeting's low attendance, a quorum was not established to allow for that council action to take place. So at this meeting (November 18, 2016), with 16 voting seats represented, the council revisited this action item and unanimously voted to approve both the July 15, 2016 and September 16, 2016 SAC meeting draft key outcomes. Copies of these documents are available upon request to jessica.morten@noaa.gov and will be posted on the sanctuary's website.

Sanctuary Superintendent's Report

Channel Islands National Marine Sanctuary (CINMS) Superintendent Chris Mobley welcomed the group and highlighted some sanctuary activities and accomplishments from the November 2016 Superintendent's Report. He took time to welcome special guest Kate Spidalieri, National Advisory Council Specialist and Interagency Consultations Specialist with NOAA's Office of National Marine Sanctuaries headquarters, and briefly reflected upon the recent presidential election results and uncertainty with how it might impact NOAA funding and activities.

Council Chair's Report

Sanctuary Advisory Council Chair Dianne Black provided a brief report on a quarterly national Council Chairs conference call that took place in September, and shared some notes from the call to recap topics discussed.

Council Member Announcements

A number of council members shared a variety of announcements (unrelated to meeting agenda items).

Council Secretary and member, Michael Cohen, started the group off with a brief reflection on the outcome of the Presidential election and its potential negative impacts on sanctuary programs. He encouraged the group to think about new ways to increase conservation awareness locally, market the importance of the sanctuary on social media outlets, and help find new funding sources for the sanctuary foundations, which provide essential supplemental funding to support sanctuary programs. Council member Andrea Mills shared that Island Packers is still seeing humpback and blue whales in the Channel this late in the season and questioned if it might be linked to the warm water events that have been documented over the past year. Council member Ben Pitterle shared an update on the Santa Barbara Channel Swimming Association, which supports and sanctions marathon swims in the Channel Islands region, and pointed out that the group draws a lot of international awareness to the area and might provide an opportunity for a more formal education and outreach effort to a new demographic group. Council member Danielle Tarr shared that dredging events will be going on in Ventura County over the next season and that beach replenishment efforts will also be taking place in Oxnard at Hueneme and Ormond beaches. Council member Luhui Isha Ward updated the group on a recent gathering of First Nations leaders in Hawaii, just prior to the World Conservation Congress, to do an assessment with representatives from the International Union for Conservation of Nature (IUCN) to share lessons learned between different communities and promote collaboration between First Nations people and state and federal government entities. Council member Walter Schobel, reporting on behalf of John Ugoretz (absent), shared that the Navy's proposed FOCUS cable project was recently opened for public review and comment of draft documents, with 49 comments received. Council member Cliff Rodrigues applauded the UCSB Bren School graduate student group on their mock council session, which had taken place prior to the start of this official council meeting, and he urged his fellow council members to reflect upon the valuable discussions that had taken place on the topic of invasive algae growth in the region. Council member Tony Knight gave thanks to Island packers for working with him to take 500 students out to the sanctuary and Channel Islands.

Council member Kip Louttit shared an update on the Port of Los Angeles, mentioning that the port had just acquired one of the world’s largest container cranes to increase the on/offloading capacity of the of the port. Council member Eric Kett mentioned that the recent dive season had been a great one, with waters being particularly warm, and that he had been seeing more kelp forests growing off of Santa Barbara island than he had observed since the 1980s. Council member Merit McCrea updated the group on some of the sport fishing activities in the region, noting that several groups had been headed out after Bluefin Tuna on Tanner Bank and that fishing had been very good lately. Council member Judy Willens described a California Naturalists conference she recently attended. Council member Julia Coates provided an update on Essential Fish Habitat (EFH) designations, which could close more areas to trawling in the southern California Bight. She also mentioned that domoic acid levels for rock crab were still showing to be low to nonexistent, so fisheries were operating normally, but that regular monitoring and alerts would continue for some time to ensure that levels are safe for human consumption. United States Coast Guard representative and council member CDR Rom Matthews shared that the USCG would be looking to increase its presence out around the Channel Islands in 2017 and would be developing a sustainable operational plan to look at long term, holistic approaches to countering narcotics and policing fisheries. Council member Bob Warner mentioned that the observance of some new sea star recruitment was good news given the severe effects experienced from wasting syndrome, but also that some concerns exist with regard to sea urchins. Council member Russell Galipeau thanked members for supporting and engaging with the National Park Service’s recent centennial year activities, and urged the council to help come up with new ways in 2017 to further engage the community to help make our parks and sanctuaries even better. An audio recording of all council member announcements is available upon request to jessica.morten@noaa.gov.

Sanctuary Enforcement Session

NOAA Office of General Counsel Enforcement Section

Paul Ortiz, Enforcement Attorney with the NOAA Office of General Counsel’s Enforcement Section, provided a broad overview of the NOAA Enforcement Penalty Policy. He highlighted that the purpose of the penalty program is to assess penalties in a fair and consistent manner, to deter future violations, and to achieve compliance and protect national natural resources. Paul explained to the group that a big part of his job, given the number of incidents taking place relative to the low number of enforcement agents and personnel available to follow up, is determining which cases are most effective and impactful for NOAA to pursue. He noted that the starting point for any penalty or penalty assessment is an overview of the statutory authority to determine what sanctions are possible, and shared that the two most important factors typically considered when considering a case are the circumstances of the violation and the degree of culpability of the violator. Paul closed the presentation by highlighting some key enforcement issues in the Southwest Region, such as violations of the National Marine Sanctuaries Act, Endangered Species Act, and Marine Mammal Protection Act, as well as both domestic and international fisheries violations.

SAC Enforcement Discussion Panel’s Proposed Letter

Council Chair Dianne Black provided an update on the enforcement discussion panel she had been nominated to participate in by fellow Council Chairs, and shared a proposed letter that the panel had communally drafted. The letter, addressed to the next NOAA Administrator, seeks to call attention to the enforcement themes shared by every site across the system, and focuses on what NOAA and Advisory Councils can do to improve and augment enforcement across the sanctuary system. After council members shared their views on how to proceed, a motion was introduced by council member Bob Warner to authorize the Council Chair to sign and send the letter. The motion was then seconded by council member Michael Cohen, and then the council took a vote on whether to approve of Chair Dianne Black signing-on to the letter, which will similarly be introduced at all other sanctuary advisory councils. **The motion was approved by a vote of 14 yes and 1 no, with 1 abstaining.** The proposed letter is attached. Vote details:

| Name | Seat | Vote |
|---------------|---------------------------|------|
| Andrea Mills | Tourism | Yes |
| Ben Pitterle | Non-Consumptive Resources | Yes |
| Michael Cohen | Business | Yes |

| | | |
|------------------|------------------------------------|---------|
| Kristen Hislop | Conservation | Yes |
| David Bacon | Recreational Fishing | No |
| Amanda Allen | Education | Yes |
| Bob Warner | Research | Yes |
| Phyllis Grifman | Public At-Large #1 | Yes |
| Luhui Isha Ward | Chumash Community | Yes |
| Eric Kett | Public At-Large #2 | Yes |
| Russell Galipeau | National Park Service | Yes |
| Rom Matthews | U.S. Coast Guard | Yes |
| Walt Schobel | Department of Defense | Abstain |
| Julia Coates | CA Department of Fish and Wildlife | Yes |
| Dianne Black | Santa Barbara County | Yes |
| Danielle Tarr | Ventura County | Yes |

Public Comment Period #1

Attending members of the public did not provide any comments during this designated period.

Goleta Point Buoy Support Letter, Revisited

Council Chair Dianne Black kicked off this agenda item by explaining that a letter of support regarding the continued operation of the Goleta Point Buoy was commented on and received council support at the September 2016 meeting, however due to that meeting's low attendance, a quorum was not established to allow for council action to take place. A motion was introduced by council member Michael Cohen to authorize the Council Chair to sign and send the letter. The motion was seconded by council member Eric Kett, and then the council voted unanimously (16-0) to sign and send the letter. The approved letter is attached. Vote details:

| Name | Seat | Vote |
|------------------|------------------------------------|------|
| Andrea Mills | Tourism | Yes |
| Ben Pitterle | Non-Consumptive Resources | Yes |
| Michael Cohen | Business | Yes |
| Kristen Hislop | Conservation | Yes |
| David Bacon | Recreational Fishing | Yes |
| Amanda Allen | Education | Yes |
| Bob Warner | Research | Yes |
| Phyllis Grifman | Public At-Large #1 | Yes |
| Luhui Isha Ward | Chumash Community | Yes |
| Eric Kett | Public At-Large #2 | Yes |
| Russell Galipeau | National Park Service | Yes |
| Rom Matthews | U.S. Coast Guard | Yes |
| Walt Schobel | Department of Defense | Yes |
| Julia Coates | CA Department of Fish and Wildlife | Yes |
| Dianne Black | Santa Barbara County | Yes |
| Danielle Tarr | Ventura County | Yes |

Southern California Coastal Observing System (SCCOOS) Presentation

Dr. Clarissa Anderson, Deputy Director of the Southern California Coastal Ocean Observing System (SCCOOS), presented to the group on the work that SCCOOS is doing, how it relates to sanctuary waters and resources, and on the status of harmful algal blooms (HABs) monitoring. She shared that the mission of SCCOOS is to maximize data and information products, inform decision-making, and promote economic, environmental, and social benefits and that the group works to highlight research priorities that are designed to improve safety and protect our environment. Given the significant threat posed to the region and the state by HABs and domoic acid events, Clarissa highlighted the importance of improving our region's predictive capacity for such events and noted that the phytoplankton monitoring data streams supported by SCCOOS help to validate or fine tune the best available HAB

models so that we can improve our ability to make connections between blooms and environmental conditions. She shared that her team's "holy grail" would be to identify exactly what conditions or mechanisms lead to a toxic domoic acid event, but finding sufficient, sustained funding to further this complex research is a continued challenge. Slides or audio recording of this presentation are available upon request to jessica.morten@noaa.gov.

Public Comment Period #2

Attending members of the public did not provide any comments during this designated period.

Working Group Reports

Council members shared updates on Working Group items that had taken place since the September 2016 meeting:

- ❖ Research Activities Panel (RAP) – Council member and RAP chair Bob Warner shared that the next RAP meeting would be likely to take place in January.
- ❖ Marketing Subcommittee – No report at this meeting.
- ❖ Sanctuary Education Team (SET) –Education seat alternate Cliff Rodrigues shared that members of the working group discussed setting a working group meeting to discuss invasive species, which is likely to take place in early 2017.
- ❖ Recreational Fishing Working Group –Recreational Fishing seat member Captain David Bacon shared that many members of the recreational fishing community are talking more about artificial reefing and starting to take steps to promote the use of artificial reefs in the region. He highlighted that meetings and reports on this topic are likely to be scheduled in the next 6 months to a year.
- ❖ Commercial Fishing Working Group – No report at this meeting.
- ❖ Conservation Working Group –Conservation seat member Kristen Hislop shared an update on the Conservation Working Group meeting, which took place on November 16. The working group discussed the proposed south Elwood Field Extension Project, noting that as the Environmental Defense Center and Santa Barbara Channel Keeper are both interested in that issue and had issued comment letters. The group also touched upon any relevant upcoming conservation topics for the November 18 council meeting. Kristen noted that Sea Grant Fellow Jess Morten provided an update to the working group on the status of the 2016 Incentive-Based Vessel Speed Reduction program, which officially came to a close on November 15. She also mentioned that new mitigation funds from cooling facilities was expected to become available for MPA monitoring and management in the near future and would be discussed by the working group at future meetings.
- ❖ Chumash Community Working Group –Chumash Community seat member Luhui Isha Ward commented on the most recent Chumash Community Working Group meeting, which took place in Santa Barbara on October 7. Luhui mentioned that the group featured representation from the Bakersfield, Coastal, and Santa Ynez bands to discuss items of concern underway in ancestral waters, including fracking activities in the Santa Barbara Channel. She also mentioned that sanctuary Deputy Superintendent for Programs and Sanctuary Advisory Council Coordinator Mike Murray was present to talk to the group about the sanctuary Condition Report, which is expected to be completed in 2017 and which the Chumash Community would like to have a voice on. Luhui also noted that in order to provide sufficient opportunities for collective community conservations, she intends to schedule working group meetings on a monthly basis going forward into next year.

Meeting Close Out

Council Chair Dianne Black reminded the council that upcoming SAC meetings will be held on:

Jan 20, 2017 – Santa Barbara
March 17, 2017 -- Ventura
May 19, 2017 – Santa Barbara
July 21, 2017 -- Oxnard
Sept 15, 2017 – Santa Barbara
Nov 17, 2017 – Ventura

Channel Islands National Marine Sanctuary Meeting Attendance Roster (November 18, 2016)

| Name | Advisory Council Seat | Attendance |
|-------------------|--|------------|
| Andrea Mills | Tourism | Present |
| Garrett Kababik | Tourism - Alternate | Absent |
| Ben Pitterle | Non-Consumptive Recreation | Present |
| Tony Knight | Non-Consumptive Recreation - Alternate | Present |
| Michael Cohen | Business | Present |
| Capt. Kip Louttit | Business - Alternate | Present |
| Kristen Hislop | Conservation | Present |
| Greg Helms | Conservation - Alternate | Present |
| Stephanie Mutz | Commercial Fishing | Absent |
| John Hoadley | Commercial Fishing - Alternate | Absent |
| Capt. David Bacon | Recreational Fishing | Present |
| Merit McCrea | Recreational Fishing - Alternate | Present |
| Amanda Allen | Education | Present |
| Cliff Rodrigues | Education - Alternate | Present |
| Dr. Robert Warner | Research | Present |
| Dr. Mark Steele | Research - Alternate | Absent |
| Phyllis Grifman | Public At Large #1 | Present |
| Judy Willens | Public At Large #1 - Alternate | Present |
| Richard Block | Public At Large #2 | Absent |
| Eric Kett | Public At Large #2 - Alternate | Present |
| Luhui Isha Ward | Chumash Community | Present |
| Mati Waiya | Chumash Community - Alternate | Absent |
| <i>Vacant</i> | NOAA Fisheries | n/a |
| Shelby Mendez | NOAA Fisheries - Alternate | Absent |
| Russell Galipeau | National Park Service | Present |
| <i>Vacant</i> | National Park Service - Alternate | n/a |
| CDR Rom Matthews | US Coast Guard | Present |
| LCDR Jason Brand | US Coast Guard – Alternate | Absent |
| Donna Schroeder | BOEM | Absent |
| Dr. Ann Bull | BOEM - Alternate | Absent |
| John Ugoretz | Dept. of Defense | Absent |
| Walt Schobel | Dept. of Defense - Alternate | Present |
| Craig Schuman | CA Dept. of Fish & Wildlife | Absent |
| Julia Coates | CA Dept. of Fish & Wildlife - Alternate | Present |
| <i>Vacant</i> | CA Natural Resources Agency | n/a |
| Amy Vierra | CA Natural Resources Agency - Alternate | Absent |
| Dr. Jonna Engel | CA Coastal Commission | Absent |
| Molly Troup | CA Coastal Commission - Alternate | Absent |
| Dianne Black | Santa Barbara County | Present |
| Anne Almy | Santa Barbara County - Alternate | Absent |
| Danielle Tarr | Ventura County | Present |
| <i>Vacant</i> | Ventura County - Alternate | n/a |
| Chris Mobley | Channel Islands NMS [non-voting] | Present |
| Mike Murray | Channel Islands NMS – Alternate [non-voting] | Present |
| Paul Michel | Monterey Bay NMS [non-voting] | Absent |
| Karen Grimmer | Monterey Bay NMS - Alternate [non-voting] | Absent |
| Maria Brown | Greater Farallones NMS [non-voting] | Absent |
| Brian Johnson | Greater Farallones NMS [non-voting] | Absent |