OLYMPIC COAST
NATIONAL MARINE SANCTUARY

Meeting Minutes

Sanctuary Advisory Council Meeting
March 19, 2010
Washington Dept. of Natural Resources
Forks, Washington

Olympic Coast National Marine Sanctuary
NOAA, Office of National Marine Sanctuaries
115 E. Railroad Avenue, Suite 301
Port Angeles, WA 98362-2925
FAX # 360-457-8496

Reviewed by SAC Secretary

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Reviewed by OCNMS Superintendent

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Approved by SAC

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Attendees

Members
Ellen Matheny, Education
John Calambokidis, Research
Joe Schumacker, Quinault Nation
John Stadler, National Marine Fisheries Service
Lee Whitford, Education alternate
Jennifer Hagen, Quileute Nation
Joel Kawahara, Commercial Fishing
Doug Fricke, Commercial Fishing alternate
Jody Kennedy, Conservation
Chip Boothe, Wash. Dept. of Ecology
Bob Bohlman, Marine Industry
Brady Scott, Wash. Dept. of Natural Resources
David Price, Wash. Dept. of Fish & Wildlife
Diane Butorac, Wash. Dept. of Ecology alternate
Roy Morris, Citizen-at-large
Steve Fradkin, Olympic National Park
Dana Sarff, Makah Nation alternate
George Hart, U. S. Navy
Fayette Krause, Conservation alternate
Mike Gurling, Chamber of Commerce
Steve Joner, Makah Nation

Staff
Carol Bernthal, Superintendent
George Galasso, Assistant Superintendent
Liam Antrim, Resource Protection Specialist
Lauren Bennett, Management Plan Review Specialist
Andy Palmer, Advisory Council Coordinator

Public
Eric Wilkins, Northwest Indian Fisheries Commission
Amanda Murphy, UW School of Marine Affairs
John Vaurinec, Pacific Northwest Laboratories
Ben Enticknap, Oceana

Chip Boothe, chair, gaveled the meeting to order. Members and guests made introductions. Brady Scott welcomed the AC to the Olympic Region Dept. of Natural Resources offices in Forks and described how programs are organized at the agency. The agenda was accepted with one modification, the addition of a report on the upcoming SAC Summit meeting.

Internal Affairs

The meeting minutes of the November 2009 advisory council meeting were considered. No changes were proposed. **Bob Bohlman moved the adoption of the November minutes. Roy Morris seconded the motion. The minutes were approved**. The January 2010 minutes were considered. Chip Boothe made a clarifying change to one statement, and corrected some typographical errors. **Bob Bohlman moved the adoption of the minutes with the changes described. Diane Butorac seconded the motion. The January 2010 minutes were adopted**.

New members Lee Whitford (Education alternate), Fayette Krause (Conservation alternate), and David Price (Wash. Dept. of Fish and Wildlife) were asked by the chair to give brief description of their background. Carol announced that Gene Woodwick is going off the council and agreed to come to a future meeting so that we can acknowledge her service.

Carol Bernthal gave a short update on the status of the upcoming SAC Summit, an annual meeting of all the chairs and coordinators from all the sanctuaries and the national monument. She noted that there will be an evening reception hosted by the Sanctuary Foundation on Tuesday, May 11 at the Lake Crescent Lodge. All AC members will receive an invitation and are encouraged to attend if they are able. Chip will be attending along with Andy as our official representatives. The Intergovernmental Policy Council has also been invited to send a representative, Ed Johnstone.

Carol Bernthal next administered the oath of office to all members and alternates.

(Note: The discussion of the following Action Plans was accompanied by a PowerPoint slide presentation which is attached to these minutes)

Management Plan Review Status and Action Plan Development

George Galasso explained the plan for the day, which is primarily devoted to going over the Preliminary Draft Action Plans that were sent out to all members and alternates in advance of the meeting. He will also discuss the management plan implementation strategy. Because full implementation of the all the action plans in the draft would require OCNMS to have a budget level 2 to 3 times our current level, he would like advice from the advisory council and the IPC on whether we remove specific items entirely from the plan or develop an implementation strategy that would include what items we should accomplish first and what items we would do later, providing OCNMS eventually gets the resources to do them.

He gave a brief update on where we stand on the schedule to complete the OCNMS Management Plan Review (MPR, Navigating the Future) as well as made note of the schedule with some new additions on the back page of the handout(see attachments). We are currently halfway through the process, having completed phase 3-- scoping, and issue analysis. We are moving into phase 4 which is drafting of the management plan and the environmental analysis under the National Environmental Policy Act (NEPA).

George reported that staff took the recommended strategies and activities they received from the advisory council, reviewed them to see if they were specific, measurable, avoided redundancy and were consistent with the revised goals and objectives. In writing the Preliminary Draft Action Plans, OCNMS staff recorded any changes that were made to advisory council

recommendations, including any reorganization of activities. Staff also took a first-cut at performance measures. A lot of effort went into cost estimates. These are not budget figures, but rough cut ideas of what various action plan strategies might cost to accomplish. He explained the various constraints and assumptions that went into developing cost figures. He also noted that there is one priority missing from this draft - the Treaty Trust Responsibility Priority - which has yet to be fully fleshed out.

Lauren Bennett gave a report on how staff are developing the performance measures. They can be written in several different ways. Some can be output oriented (i.e. hold a workshop, publish a report) or they can be result oriented (i.e. reduce ship strikes). In the draft Action Plan document, there is a mix of these. In addition to providing performance measures for OCNMS, we are also incorporating the national performance measures that are being promoted for all sanctuaries. There are more performance measures (60) in the draft than OCNMS can accomplish without hindering the staff from carrying out the mission of the sanctuary. In the final plan, we are considering a range of between 5 and 20 performance measures. We are looking for feedback from the advisory council on what types of performances measures it prefers

Action Plan Presentation: Achieve Effective Collaborative and Coordinated Management (CCM)

George Galasso noted that the major change in the CCM Priority is that it has been divided into three (instead of two) action plans: a collaborative & coordinated sanctuary management action plan, a community involvement in sanctuary management action plan, and a sanctuary operations action plan. This reflects the advice of the advisory council that there are other groups besides entities with legal authorities that are involved with sanctuary management. The advisory council strategy has been moved to the community involvement action plan Other changes include focusing OCNMS interactions with county governments through the coastal marine resource committees as well as removing the activity focused on internal evaluation of OCNMS relationship with its partners while retaining the external evaluation activity.

The Sanctuary Operations action plan is relatively unchanged. The major change was to move a strategy on climate change to a new action plan devoted exclusively to climate change. Another new strategy is an annual report by staff on the progress of implementing the management plan. The implementation reporting will assist the staff in tracking how the sanctuary is doing and will ultimately assist in better managing the sanctuary.

Action Plan presentation – Conduct Collaborative Research, Assessments and Monitoring to Inform Ecosystem-based Management

Liam Antrim presented the action plans that fall under the "Conduct Collaborative Research, Assessments and Monitoring to Inform Ecosystem-based Management" (CRAM) Priority. There are now four separate action plans under this priority (Habitat Mapping & Classification, Physical & Chemical Oceanography, Populations, Communities & Ecosystems and Data Sharing, Management & Reporting. He noted that the performance measures are not well developed yet. The strategy cost estimate numbers aren't firm since they will depend in many cases on collaboration and support from other entities. Changes to the oceanographic strategies include a modest expansion to the current oceanographic mooring program that has been conducted for the last 10 years and a new strategy on monitoring ocean acidification. One member noted that some of the performance measures mentioned "improved understanding". He

wondered how that would be measured. He suggested that this could be measured by publication and dissemination of the work. Liam noted that under the strategies under the populations, communities & ecosystems action plan have been somewhat rearranged. For example, the invasive species strategy has been moved under the Living Resource Conservation Priority. A member commented that there isn't any item devoted to understanding the primary productivity of the water column communities.

Liam noted that the data management action plan calls for the establishment of an advisory council work group to work with the IPC to evaluate OCNMS's research priorities and assess the need for new initiatives as new issues arise. Carol Bernthal said that if all the research strategies are accomplished, there will be an explosion in data management needs, which is already something the current staff struggles with. Members discussed the importance of for the data management strategies. Carol Bernthal said that at present there is little national program support for data processing and data management and, as a result, it is very piecemeal throughout the program. Members discussed the usefulness of drafting a letter to be sent to headquarters making a case for the importance of providing support for data management. It was noted that there is great difficulty in trying to collect all data in one place in one database. The current SIMoN (Sanctuary Integrated Monitoring Network) doesn't house the data but points to where the data may be found. *Ellen Matheny reported that Olympic Natural Resources Center does have a data clearinghouse on coastal resources that is accessible and she would report at the next meeting on how that operates.*

Carol Bernthal stated that unless OCNMS issues a permit for a data collection activity, we can't demand that researchers turn over data collected in the Sanctuary. Realistically, the best we can hope for is to assemble and analyze data that OCNMS collects and apply it to furthering the management goals of the sanctuary. Chip Boothe noted that a potential action item was suggested – a letter asking the ONMS for better support of data management in the sanctuary system. **Joe Schumacker volunteered to work on a draft and bring it to the next meeting for action (May 21).**

Action Plan Presentation: Improve Ocean Literacy

Lauren Bennett reported that staff has turned four of the Ocean Literacy strategies into their own action plans (K-12, Higher Education, Visitor Services and Community Outreach). The fifth Ocean Literacy strategy (related to using new technology) is now dispersed through the four new action plans. As a result each of the action plans has a technology-related component. The range of costs for these action plans is large, in part because the costs of telepresence in coastal classrooms is quite high. Some of the strategies in the action plan, like our website and place-based education programs, entailed such a drastic expansion of current OCNMS efforts that they are presented in the implementation table (at the end of the actions plans) as "new" strategies. Carol Bernthal noted that it was important to make clear that these program expansions are focused on outer coastal communities – that will continue to be where OCNMS efforts are concentrated.

Lauren noted that the "career building" strategies from the workshop report are now under the Higher Education Action Plan. One member asked whether the value of having interns do some of the staff work was factored into the projected costs. Lauren answered that the costs estimates reflect what resources are needed to support the programs proposed, but do not reflect the potential cost savings of having an intern (versus a staff person) do the work. Carol Bernthal

noted that it is getting more difficult to get unpaid volunteers, so we might need to factor in some more money to support a paid intern program. Other advisory council members and members of the public commented or made suggestions on ways to promote the interest of students in working with OCNMS on specific projects.

Regarding the Visitor Services Action Plan, Lauren asked for input on the performance measures. She also noted that the costs associated with this action plan do not reflect the costs of new infrastructure such as visitor centers. In response to a member's question, Lauren explained that the visitor services action plan doesn't address the need for an increased OCNMS staff presence on the Outer Coast; that is covered instead under the community outreach action plan. Lauren discussed the fact that certain of the capital costs for items such as interpretive centers are not included in the draft, primarily because staff is still working out how best to represent these. Money for facilities can come from different sources and/or may depend upon partnering with another entity for space. Several members commented that if there isn't some representation of costs for the items that the sanctuary would like to do, then we end up under-representing our needs.

Lauren noted that the Community Outreach action plan is another area that needs some work in connection with developing performance measures. Members discussed the opportunities for staff members to meet with various community groups and commercial fishing organizations and that in the past it had proved quite useful. In response to a question about factoring in inflation to the numbers developed for estimated costs, George Galasso said that this hasn't been done, since these are only very rough estimates and he didn't want to numbers to appear more substantial than they are at this point. The more accurate detailed costing out of activities will occur not in the management plan, but rather as part of OCNMS's Annual Operating Plan process.

Action Plan Presentation: Conserve Natural Resources in the Sanctuary

Liam Antrim went over the 7 action plans that fall under the priority topic "Conserve Natural Resources in the Sanctuary". Among the changes made from previous documents, several items relating to regional vessel management have been combined. Standards of care on towing and traffic patterns in the vicinity of Tatoosh Island are now in one section in the Spills Action Plan. Under the oil spill prevention strategies there are several changes. There is a performance measure proposed stating that that OCNMS will encourage and participate in two oil spill drills on the outer coast. Additionally, OCNMS decided to drop the recommendation that OCNMS be involved in restoration planning for projects because as a natural resource trustee, OCNMS would naturally be involved when projects occurred. One member urged that it would make sense not to drop this strategy, but perhaps change it to an activity and note that if there are any restoration projects in the future, OCNMS would be involved. Under the Area to be Avoided (ATBA) vessel compliance strategy, Liam noted that there is a new activity that calls for archiving the Automated Information System (AIS).

Liam explained that the Climate Change Action Plan was a new element that grouped together several strategies/activities that previously were listed under multiple priority topics. The strategies included in this action plan involve 1) OCNMS's participation in the Climate Smart Sanctuaries Program, a national program, 2) encouraging the establishment of OCNMS as a sentinel site for climate change research, 3) a focus on resilient ecosystems – analyzing what some of the local impacts of climate change might be, and 4) communication of climate changes and risks to the public. The action plan states that the advisory council will form a couple of

workgroups relating to climate change . One member noted that the Department of Ecology and other state agencies are developing a climate change response strategy that OCNMS may want to plug into. A member recommended combining at least two of the advisory council working groups mentioned in the action plan, since their topic areas are closely related. Another member recommended that, as a sentinel site, OCNMS should house and share its own data as well as be plugged into the larger climate change data community.

Liam reported that there were few changes to the marine debris strategies (which now form their own action plan). One member commented that the titles of the strategies don't reflect the difference between floating marine debris and debris that is on the beach. These are very different problems with different solutions and the titles should reflect this.

Liam reported that there are some minor changes to the Wildlife Disturbance strategies (now their own action plan). Notably, the order of some of the strategies/activities has changed. In response to input from the advisory council at the last meeting, the marine mammal disturbance strategy now includes the issue of ship strikes, entanglement, and acoustic impacts. Several members noted that developing a risk analysis for these events is difficult, if not impossible, and that OCNMS should develop a more realistic focus for its role in this work , perhaps along the lines of collaborating and coordinating with other agencies and non-government organizations that are working on these issues.

Liam noted that staff dropped the threat assessment of land-based contaminants activity from the Water Quality Protection strategies (now their own action plan) due to the fact that feedback from other sources indicated that these contaminants don't pose a threat in the sanctuary. Other than that, most of the other changes involved some reorganization of the strategies and activities. Strategies related to vessel discharges and contaminant studies are considered new initiatives in the Implementation Table. Members discussed the pump out facilities at La Push and Neah Bay that service much of the small vessel traffic in the sanctuary. Neither one of them is operable at the moment. Carol noted that we can't have a regulation requiring vessels to use pump-out facilities if the capacity isn't in the area. Our best strategy is to encourage functioning pump-out facilities in the marinas, as the action plan proposes.

Liam reported that the habitat protection action plan is a compilation of elements previously found under a variety of priority topics, but he stated that little content was lost in the reorganization. There were some minor wording changes. The invasive species strategies have now been incorporated into this action plan.

Marine spatial planning is now its own action plan (though it only contains one strategy), reflecting that both federal state governments are both contemplating initiatives in this area. This constitutes a new activity for OCNMS.

Action Plan: Understanding the Sanctuary's Cultural, Historical and Socio-economic Significance

Lauren Bennett reported than an activity was added under what is now the maritime heritage action plan calling for OCNMS to identify future cultural resource survey priorities and the resources needed to accomplish them. In addition, the previous activity that called for hiring a maritime heritage coordinator has been removed, as staff believe that the staff strategy in the Sanctuary Operations Action Plan adequately covers this issue. . She noted that the National Historic Preservation Act Section 106 consultation both appears in this action plan and in the Sanctuary Operations Action Plan because it also involves permitting activities. Joe Schumacker reported that there is a national effort to define possible cultural heritage resource marine

protected areas. A report will be issued later this year. Lauren reported there were few changes under the socio-economic values section. The only substantive change was to combine the human-use mapping activity with the activity related to seeking funding for this work. The activity now also contains a caveat that human use mapping would only go forward should the working group support moving ahead.

Management Plan Implementation Presentation

George Galasso noted that at the end of the Preliminary Draft Action Plans there is a section on implementing the strategies and activities. The goal of the implementation table (not yet completed) is to identify which activities should be undertaken with OCNMS's current funds (not a lot of money) and which activities will occur if OCNMS is able to gain more resources. In addition, the table attempts to identify those activities that require a partnership with another entity and/or funding from an outside source.

George noted that three funding scenarios (status quo, modest increase, substantial increase) are represented in the Implementation Table. The scenarios have been used by other sanctuaries in completing this section of their management plans. George went over the Implementation Table to illustrate how one would go about filling out the boxes, giving a high, medium, or low rating to each strategy. He explained that he will be looking for input on how to fill out this table from the advisory council members, the Intergovernmental Policy Council (IPC), and sanctuary staff over the next month.

The next steps in the MPR process include developing the Preliminary Draft Action Plans into a first draft of the management plan - in a very short time frame. OCNMS will also be writing an environmental assessment or environmental impact statement to accompany the management (and fulfill its NEPA requirements). *The staff is asking for comments both on the elements of the draft Action Plan and the implementation table from the advisory council members by April 16*. Advisory council members expressed support for having a worksheet to develop their comments. Several members suggested that it would be helpful if there was some indication of what the sanctuary staff is thinking on rating these strategies. George indicated that they would try to do this as well as showing some of the costing assumptions for the activities.

Discussion of Regulatory Issues (See attached "Ideas on Potential Changes to OCNMS Regulations")

George Galasso explained that the proposed regulatory changes are based upon a staff analysis of issues raised during the scoping meetings and the priority topics workshops/working group. Any major changes to the scope of regulations as defined within OCNMS's designation document would require us to go through a process that is as complex as if one were designating a new sanctuary. OCNMS is not considering any such changes. The changes we are considering a much smaller in scope.

There are two categories of proposed regulatory changes: technical and substantive. The first two technical changes are changing "traditional fishing" to "legal fishing" and changing "seabed" to "submerged lands". The biggest substantive change is a proposal to eliminate cruise ship discharges within sanctuary boundaries. The next substantive change being considered is whether to change the over-flight regulation to be consistent with other west coast sanctuaries, let it remain as is, or discuss the issue further during management plan implementation (i.e., over

the next 5-10 years). Another technical change would address some of the ambiguity in the current "tribal welfare" language.

George explained that it is not necessary to do the regulatory changes with the adoption of a new management plan. Regulatory changes can be done at any time. However it is easier to do it all at once, so this is the plan at this point. The target is the have draft regulatory language by July and by September begin the internal review process.

Staff is looking for feedback on the regulatory changes proposed from the advisory council and the IPC. Carol Bernthal suggested that the advisory council focus on the cruise ship regulation and the over flight regulation in terms of providing input. Lauren Bennett noted that the May meeting will cover the proposed regulatory changes in more detail.

George reported that OCNMS has already had one meeting with the state historic preservation officer (SHPO) as required under Section 106 of the National Historic Preservation Act. OCNMS will also be talking with the tribal historic preservation officers as well to discuss the implications of the proposed sanctuary activities on various historic cultural resources.

There was no public comment

Future Meeting Agenda Topics

Andy Palmer listed several potential topics for the agenda of the next meeting. These include:

- Implementation strategy
- Continuing draft regulations discussion
- Draft letter on data management

Jennifer Hagen also suggested two presentations for the next meeting or sometime in the future:

- A presentation on the Neptune Project by Professor Delaney
- A presentation by someone from EPA Region 10 on the agency's authorities to regulate contaminants in the federal waters which also might include the coast guard

Brady Scott also suggested that later this year, someone from DNR be invited to give the advisory council an update on the aquatic habitat conservation plans (HCPs).

Jennifer also suggested that in evaluating the regulatory proposals it would be useful to have the current regulatory language along side.

Andy Palmer also noted that the May meeting will likely be held in Port Angeles, possibly at the county commissioners chambers in the courthouse. The July meeting will likely be held either in La Push or in the southern part of the sanctuary near the Quinault Reservation. He also announced that the next meeting will be his last meeting prior to retirement. He expressed that he has really enjoyed working with sanctuary staff and with advisory council members for the past twelve years. He announced that Lauren Bennett will be taking over his tasks.

Chip Boothe wanted to give thanks to the staff for working so diligently on putting together all the documents in a timely fashion.

Carol Bernthal also wanted to acknowledge all the hard work and long hours that George Galasso, Liam Antrim, and Lauren Bennett have put in on the documents that we considered today.

The meeting was adjourned.