

OLYMPIC COAST

NATIONAL MARINE SANCTUARY

Meeting Notes

OCNMS Advisory Council Meeting
November 18, 2011

Meeting held by teleconference

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

Reviewed by OCNMS Superintendent



Carol Bernthal, Superintendent

Approved by AC Chair



Myles (Chip) Boothe, Chair

Advisory Council (AC) Members/Alternates in Attendance: Chip Boothe (WDOE, Chair), Brady Scott (WDNR, Vice Chair), Ellen Matheny (Education, Secretary), John Calambokidis (Research Alternate), Jennifer Hagen (Quileute Tribe Alternate), George Hart (Navy), Frank Holmes (Marine Business/Ports/Industry Alternate), Jody Kennedy (Conservation), Fayette Krause (Conservation Alternate), Rebecca Post (WDOE Alternate), Heather Reed (WDFW), Kevin Ryan (USFWS), Lee Whitford (Education Alternate)

NOAA/OCNMS Staff in Attendance: Carol Bernthal, George Galasso, Liam Antrim,

Members of the Public in Attendance: Fred Felleman, Ed Bowen

ACTION ITEMS:

- In meeting notes, text of motions should be highlighted/italicized font.
- Consider addressing Ecology's draft contingency planning rule at January and/or March 2012 council meetings.
- Carol Bernthal will call Ed Bowen for further discussion on NOAA's legal interpretation regarding OCNMS participating in the IPC process.
- The Executive Committee will develop a draft work plan for distribution in advance of the January 2012 Council meeting, a significant portion of which should focus on further development of the Council's 2012 work plan. Chip will initiate this by distributing ideas to the Executive Committee.

DISCUSSION SUMMARY:

With eight voting members in attendance, it was determined a quorum was present. Chip reviewed the draft agenda. When asked about the Draft FY 2012 Management Plan Implementation Priorities document distributed for the meeting, Chip noted this would help the AC create its 2012 work plan. These are OCNMS priorities the AC can review to determine where AC work can support sanctuary priorities.

September meeting notes – Jennifer requested that text of a motion be highlighted/italicized in these and future meeting notes. Chip provided edits to make more clear which seats are represented at a meeting by identifying the seat and if the individual is an alternate. Fayette asked about identification of voting members, and Chip explained that all federal representatives are non-voting and alternates are voting only if the primary member is not present. With other minor edits recommended, ***Brady motioned to accept the September meeting notes as amended.*** Rebecca seconded the motion; Jennifer questioned if this was appropriate; Rebecca withdrew her comment; and Ellen seconded. No objections or abstentions were voiced, and the motion passed.

Advisory Council Charter Revision – Carol complemented the work of the Charter Review Subcommittee. She expressed concerns with the Youth seat as defined related to ability to recruit a good representative and provide staff and chaperone support for this seat, particularly with Tom Baker gone through March 2012. Carol mentioned an anticipated review by Office of

Management and Budget (OMB) and consideration of expanding Youth seats to those older than 18 years. She prefers an upper age limit of 21 years to also incorporate college age youth. Carol plans to remove the Youth seat from the Charter for this submission but leave the option open for a future Charter revision pending the OMB review. A Charter revision for this one seat should be fairly easy. The existing Charter expires in March; Carol expects a revised Charter can be adopted by the January 2012 meeting. A Youth Involvement Committee or work group, like Gulf of the Farallones NMS has, was mentioned as an alternative to a Council seat. The OMB report is expected next spring, following which the AC could reconsider the Youth seat for OCNMS. When the issue of another extension for the existing Charter was raised, members expressed interest in implementing the revised Charter soon, getting two new seats filled (USGS and Outer Coast Marine Resources Committee), and revisiting the Youth seat following the OMB review. Brady and Ellen reiterated their support for a Youth seat on the AC in the future. Subsequent discussion supported Carol's decision to remove the Youth seat language and implement the revised Charter, reconsider the issue later, and revise the Charter after reconsideration of this seat. As the AC has already provided its recommendations to the Sanctuary Superintendent, no further action was required at this time.

AC Member Recruitment – Research, Chamber of Commerce/Tourism/Recreation, Marine Business/Ports/Industry, and Conservation terms are expiring and open for application, as well as there being an open Commercial Fishing alternate position. Chip thanked all for their service to the AC and noted Marine Business/Ports/Industry and Conservation members and alternates are intending to reapply. Special thanks were expressed for two retiring members - Terrie Klinger for her ten years on the AC including two terms as Council Chair, and for John Calambokidis, who has provided several informative presentations on marine mammals to the AC. There are two new seats to be filled after the revised Charter is formally approved. USGS has appointed Frank Shipley. The Outer Coast Marine Resources Committee seat will be filled by application in 2012.

Carol echoed appreciation for the support of AC members. For recruitment, Carol mentioned Chamber of Commerce/Tourism/Recreation and Commercial Fishing positions are where we could use help recruiting and asked all to forward recommendations if they have them.

2012 Meeting Locations – Chip reviewed the handout with established meeting dates and proposed locations, noting these follow the revised Charter's call for the majority of meetings in outer coast communities. It is uncertain when the joint Intergovernmental Policy Council/AC will be rescheduled. Jennifer noted this joint meeting should not include regular AC business discussions. The July meeting has been proposed for Seattle to encourage agency or academic research discussions with the AC. However, this date overlaps with Tribal Journeys (when tribal representatives may not be available) and the busy field season for researchers. A conflict with Quileute Days in July had been noted at the September AC meeting. George expressed interest in Council interaction with oceanography, NOAA Climate Change researchers and the University of Washington Climate Change Impacts group, and he suggested many may not be directly active in field work. Jennifer suggested meeting locations could be finalized after the 2012 work plan is better developed. No AC action is required but the Executive Committee will take

these discussions into account when finalizing the meeting locations for 2012. Several commented on past challenges of holding a meeting in July, but meetings in two consecutive months to avoid July (i.e., May-June or August-September) is difficult. Resolution on meeting locations will occur after further discussion on the AC's 2012 work plan. For now, we can anticipate meetings on January 20, 2012 in Port Angeles and on March 16 in La Push.

Public Comment – Fred Felleman, Wave Consulting, asked for clarification about the purpose of the draft FY2012 management plan implementation priorities document, which was distributed to advise the Council about anticipated work in FY2012. Chip clarified that the Council could initiate discussions on issues not identified by the Sanctuary Superintendent. Fred noted the implementation priorities identified were a lot of work and a prioritization was needed. He also mentioned the increased oil shipping through the Strait from Canadian ports and trans-boundary processes evaluating risk and response capabilities. Two relevant forums are 1) the Pacific States/BC Oil Spill Task Force (<http://www.oilspilltaskforce.org/index.htm>) which recently released a report [The final Workgroup report - with recommendations - is available at http://oilspilltaskforce.org/docs/notes_reports/Final_US_Canada_Transboundary_Project_Report.pdf (9.4MB)]; and 2) CANUSPAC joint Coast Guard response team exercises held each year. Fred also mentioned the oil spill risk assessment completed as part of the Cherry Point expansion covers the Strait and 20 miles off the coast, which could be augmented to cover the entire coast with AIS data. Also, in the first 3 months of 2012 Ecology will be implementing SB 1186 considering best available technology, the vessels of opportunity program, and continuous response operations through night periods. A draft rule will be released for public comment in January with comments due by March, and the Council could address at January or March 2012 meetings. OCNMS was invited to participate as an observer in upcoming meetings.

Ed Bowen suggested an explanation is needed for selection of items in the draft FY2012 management plan implementation priorities document. Ed reiterated his concern that the management plan is weak on contributions to the Ozette sockeye recovery process. Also, he expressed consternation that Olympic Coast Intergovernmental Policy Council (IPC) meetings are not open to the public, which he believes conflicts with the state Open Public Meetings Act. Brady noted that the AC does not have direct influence over the IPC and suggested that Ed go directly to the IPC or state representatives. Ed said he has tried this in the past and will continue to pursue it. Keith Phillips is the current WA representative to the IPC. Carol noted that NOAA had a legal review of the IPC Memorandum of Agreement and was told it does not violate laws for NOAA to participate in the IPC. Carol agreed to call Ed for further discussion.

Draft FY2012 management plan implementation priorities – this document was distributed for the meeting. Carol explained OCNMS' development of an annual operating plan (AOP) that identifies tasks and priorities but cautioned that the AOP is not finalized because this year's budget is not yet set. The draft implementation priorities document identifies activities OCNMS anticipates it may pursue as priorities in CY2012, some of which are funding dependent. Specific strategies from the new management plan are identified, some of which are topics the Council may take action on or where Council advice would be valuable. Council members recommended further discussion at the January meeting and use of the document for

developing the Council's CY2012 work plan. Jennifer recommended the January meeting have a workshop format, with most discussion focused on the 2012 work plan. Brady noted a Council work plan ideally would be completed before the end of the year, and suggested planning for a 2-year horizon would be more appropriate. This concept received some support. Carol noted the Council discussion of its work plan in January is a good opportunity to solicit public input; Council members could conduct outreach before the January meeting. She cautioned that the draft implementation priorities document covers OCNMS activities, and presumably the Council would be involved in a small subset of these activities. Brady recommended the Council's Executive Committee could develop suggestions for a draft work plan for distribution in advance of the January meeting, which was supported by others. Closing discussion reinforced dedicating significant time at the January meeting to work plan development and a focus on Council activities (rather than what may be prioritized in the OCNMS AOP). Carol recommended keeping the Council work plan simple, not overly detailed or complicated, and maintaining flexibility to address new issues that may be raised. Chip likes the work plan format used by Gulf of the Farallones NMS and will send his ideas to the Executive Committee within a couple weeks.

George Hart announced that he has applied for and hopes to receive in 2012 funding from the Navy's Environmental Security Technology Certification Program to research biodegradable parachutes and chords for sonobuoys used during Navy testing. This initiative was stimulated by OCNMS recommendations for reduced introductions of expendable materials, comments provided to the Navy on its recent environmental impacts analyses.

Member Announcements

No member announcements were made other than those mentioned above.