

# OLYMPIC COAST NATIONAL MARINE SANCTUARY

## Meeting Notes

OCNMS Advisory Council Meeting  
September 23, 2011  
University of Washington Olympic Natural Resources Center  
Forks, WA

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



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Carol Bernthal, Superintendent

Approved by AC Chair



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Myles (Chip) Boothe, Chair

**Advisory Council (AC) Members/Alternates in Attendance:** Chip Boothe (WDOE, Chair), Joe Schumaker (Quinault Indian Nation Alternate), Jennifer Hagen (Quileute Tribe Alternate), Diane Butorac (WDOE Alternate), Brady Scott (WDNR, Vice Chair), George Hart (Navy), John Veentjer (Marine Industry), Roy Morris (Citizen at Large Alternate), CAPT Mike Gardiner (U.S. Coast Guard), CDR Scott Stewart (USCG Alternate), Dana Sarff (Makah Tribe Alternate), Ellen Matheny (Education, Secretary,,), Phil Johnson (Local Government), David Price (WDFW),

**NOAA/OCNMS Staff in Attendance:** George Galasso, Liam Antrim, Tom Baker

**Members of the Public in Attendance:**, Dave Gershwin, Eric Roberts, Ian Miller (WA Sea Grant), Susan Thorsteinson, Lyman Thorsteinson (USGS), Linda Pilkey-Jarvis (WDOE), Rich Osborne (North Pacific Coast Marine Resources Committee)

#### ACTION ITEMS:

- Make changes to July 2011 meeting notes requested by Chip
- The AC Executive Committee will work with the OCNMS Superintendent to finalize the 2012 AC meeting dates and locations based upon the recommendations of AC members.
- Re-send information on WA State Ocean Caucus open seats to AC members
- Send information on PFMC open seat nominations to AC members
- Provide a more detailed update on the Data Management Working Group progress
- Talk with the IPC and plan the joint AC-IPC meeting in November 2011
- Provide location of Vicious Fisher to Jennifer Hagen
- Revise OCNMS Office Report to include FTE/contractor status of employees
- Forward AC-adopted AC Charter revision to OCNMS Superintendent

#### DISCUSSION SUMMARY:

##### **Internal Affairs**

Chip Boothe (Chair) welcomed everyone and noted that the Advisory Council does have a quorum. Chip asked everyone to introduce themselves. George Galasso noted that he is continuing to serve as OCNMS' Acting Superintendent for a couple more weeks and that Carol Bernthal would soon return from Monterey. Ellen Matheny welcomed everyone to the Olympic Natural Resources Center (ONRC) and provided background on the history of ONRC and its mission.

Chip reviewed the purpose of the AC, which is to provide advice and recommendations to the OCNMS Superintendent regarding the management and conservation of resources within the sanctuary boundaries. Additionally, the members of the AC serve as liaisons between the constituencies they represent on the AC and OCNMS. Chip noted that the OCNMS AC has 8 voting government seats and 7 voting non-government seats, all of which have an interest in the resources in the sanctuary. All national marine sanctuaries have advisory councils, but OCNMS' AC is unique in that it includes representation of the four Coastal Treaty Tribes. Chip noted the Coastal Treaty Tribes and state of Washington also work with OCNMS through the Olympic Coast Intergovernmental Policy Council (IPC).

Chip asked if there were any changes to the agenda. None were heard and *Jennifer Hagen moved to adopt the agenda*. Brady Scott seconded her motion, and the agenda was adopted without changes.

Chip noted that there was a lack of quorum at the July AC meeting in Taholah, WA, and the May 2011 meeting notes still needed to be approved by the Council. No changes were suggested, and *Jennifer Hagen moved to adopt the May meeting notes*. Diane Butorac seconded the motion, and the AC approved the May meeting notes (unchanged). Chip requested comments on the July 2011 meeting notes. Chip noted that the May and July meeting notes list “Advisory Council (AC) members in Attendance”, and appropriately include both members and alternates for the various seats who may happen to be at the meeting; but fails to differentiate that the listing includes both members and alternates for various seats. The heading suggests that the names listed are all actually “Members” representing the various seats for that particular meeting. He therefore requested that the meeting notes either indicate “Council Members and Alternates in attendance followed by the listing of names, or the notes actually identify the named individuals’ seats and position. His interest was to ensure the Meeting Notes appropriately identify what seats are actually represented at the meeting in establishing a quorum. Chip also mentioned that, on page four of the July meeting notes, the reference to the Coast Guard Appropriations Bill needed to be deleted and replaced with the Coast Guard Authorization Act of 2010. No other changes were requested, and *Brady Scott motioned to approve the July meeting notes*. Roy Morris seconded the motion, and the July 2011 meeting notes were approved (with the changes above).

Chip moved on to discussion of the 2012 AC meeting dates and locations. An AC member noted that in the proposed AC charter revision (which has not yet been approved by the AC) there is language about all AC meeting locations being held on the coast (unless the whole AC agrees to hold a meeting elsewhere for a particular reason). Chip proposed to defer discussion on the 2012 AC meeting dates/locations until after the AC charter revision discussion.

George gave the Superintendent’s report. He passed out the OCNMS office report, which details the activities and accomplishments of OCNMS staff during the two months prior to AC meetings. George highlighted some of the activities noted in the report. Office reports will be passed out at AC meetings (and will not be sent out in advance of AC meetings) because OCNMS staff want to be able to include activities that occur the week of AC meetings. George noted that multiple AC members’ terms are finishing this fall and staff will be working on advertising and filling these seats (current members are able to reapply for their seats). He also noted that OCNMS staff would like to suggest to the AC an alternative to the proposed youth seat. Carol Bernthal (OCNMS Superintendent) will be back in the office on October 5, 2011. Tom Baker, who is a reservist with the U.S. Coast Guard, has been called up to active duty and expects to be gone for no longer than a few months but may be able to attend AC meetings.

In regards to the OCNMS Office Report, an AC member asked where the FV *Vicious Fisher* (sunken) was located in the Sanctuary. George Galasso stated that the vessel was in the sanctuary and offered to provide more detailed information to Jennifer Hagen. Additionally, two AC members requested that the listing of staff at the end of the office report denote whether each staff member is a permanent full-time government employee or a full/part-time contractor.

Chip requested that OCNMS staff re-send to all AC members' information on the WA State Ocean Caucus's recent call for nominations to fill two of its vacant seats.

George stated that the Pacific Fishery Management Council is also looking for two advisors from the state of Washington to sit on one of its advisory sub-panels. The deadline for submissions is October 12. OCNMS staff will send information about this to the AC.

### **AC Charter Review**

Brady stated that the AC Charter Review sub-committee was submitting a revised AC Charter with the recommendation that 1) the AC adopt the proposed charter and 2) the AC in turn recommend that the OCNMS Superintendent endorse the revised charter for approval by NMS Director. He thanked the members of the sub-committee, including Jennifer Hagen, Rebecca Post, Lee Whitford, George Hart and Ellen Matheny, for their time and effort, as well as thanked Liam Antrim for staff support provided to the working group. Brady reviewed the summary of revisions proposed including

- Eliminating the NW Straits seat on the AC
- Adding three non-voting seats to the AC: a USGS seat (ex-Officio), an Outer Coast Marine Resources Committee seat and a youth seat
- Inclusion of term-limits for non-governmental voting and non-voting seats
- Standardization of the rotation of seats
- Identification of AC Chair as the primary AC liaison with the Olympic Coast Intergovernmental Policy Council
- Clarification of the importance of consensus and explanation of how consensus model will work
- All AC meetings will be held in communities adjacent to the sanctuary (unless the AC decides to hold a meeting elsewhere)
- Addition of an AC Candidate Review sub-committee

The AC discussed several issues. For implementation of term limits (paragraph 3(e) of the proposed AC Charter revision), should term limits be applied retroactively to AC non-governmental seats? There was general agreement that the term limits should not be applied retroactively, which is consistent with the proposed AC Charter Revision and the model charter provided by the Office of National Marine Sanctuaries. *Brady motioned to make the term limit language in revised charter the same as it is in the model charter (i.e., the term limits will not be applied retroactively).* David Price (WDFW) seconded this motion, and the AC agreed by consensus.

The AC discussed the issue of whether the AC Chair should be able to vote on motions, given that the Chair has a great deal of influence over what issues get brought before the AC. The current charter is ambiguous on this issue, so it was assumed under the current charter that the Chair can vote. The AC Charter Review sub-committee could not agree on how to address this issue. There AC agreed that the revised AC Charter should have voting AC members retaining their ability to vote when serving on the executive committee.

The third issue discussed was the addition of a youth seat to the AC. The proposed AC Charter revision includes the youth seat, but allows the AC to choose not to fill the seat (with concurrence from the

OCNMS Superintendent and ONMS Director). Several OCNMS staff developed a proposed alternative: to hold an OCNMS youth summit. The AC discussed this issue and agreed to retain the youth seat in the AC Charter revision. But they also supported the idea of having a youth summit, if there was funding available to do so.

Finally, the AC discussed the language related to locations of AC meetings. The proposed AC Charter revision states that all AC meetings will be held in communities adjacent to the sanctuary (unless the AC agrees to hold a meeting elsewhere). Several members noted that there might be reasons the AC would want to hold meetings away from the coast. *Ellen Matheny made a motion that the charter state that the majority of meetings be held in coastal communities adjacent to the sanctuary*, and Roy Morris seconded the motion. *Joe Schumacker offered a friendly amendment to Ellen's motion: "annually" the majority of meetings will be located in communities adjacent to the sanctuary.* Roy Morris seconded this amendment, and the AC agreed by consensus. *Brady then proposed a motion to strike the sentence in the proposed charter revision that states who will decide when a meeting can be held away from the coast (so the charter will be silent on that particular issue and the AC and the AC Executive Committee can make those determinations ad hoc).* John Veentjer seconded the motion, and the AC agreed by consensus.

*Brady then made a motion to close out the AC Charter Review Sub-committee, adopt the revised AC Charter and forward the revised charter (with changes discussed above) to the OCNMS Superintendent along with a letter recommending its adoption.* A draft letter was provided to AC members for review. This motion was seconded by Phil Johnson, and the AC members agreed by consensus.

#### **Data Management Work Group Update**

Joe Schumacker (Quinault Indian Nation) provided a brief update on the work of the data management working group. They have been working on prioritizing the most important data for OCNMS to begin processing/analyzing. Priority data are seafloor mapping, oceanographic mooring, seabird, marine mammal and monitoring data that OCNMS has already collected. Nancy Wright is OCNMS staff support for the work group, and she has started working on these data sets. A more detailed report will be provided at a future AC meeting.

#### **Management Plan Review Update**

Liam Antrim provided the AC with an update on the Management Plan Review (MPR) process. Since the draft management plan was published and public comments on it were received, staff have been working on editing and improving the document in response to the comments received. Formal responses to the public comments are now included in the document. In particular, sections of the Environmental Assessment have been strengthened. Liam noted that there will be four documents published as part of what staff is referring to as the Final Management Plan:

1. The Final Management Plan and Environmental Assessment
2. The Final Rule (pertains only to changes in the OCNMS regulations)
3. The Response to Comments (included in both the FMP/EA and Final Rule)
4. A Finding of No Significant Impact (FONSI)

Staff submitted “final drafts” of all these documents to the Office of National Marine Sanctuaries, National Ocean Service (NOS) and the Department of Commerce several months ago, and the documents have been going through a final series of high-level internal reviews. The documents have been approved in all of these reviews without significant revisions. It is likely the Final Management Plan and other documents will be published at the end of September/beginning of October (on track with OCNMS’ 36-month timeline for the process). Liam thanked all of the AC members for the incredible amount of work they put into the management plan review process.

### **Evaluating Climate Change Site Scenario for OCNMS**

Ian Miller (WA Sea Grant) introduced himself. He is a Coastal Hazards Specialist for Washington Sea Grant. He gave a presentation on work he is doing with OCNMS to develop a Climate Change Site Scenario for the sanctuary with funding from the Office of National Marine Sanctuaries. University of Washington Coastal Impacts Group is also involved in the project. Development of the Climate Change Site Scenario is an activity in OCNMS’ Management Plan. The result of this work will be a report that examines and synthesizes the current state of knowledge regarding

- The potential effects of climate change on coastal erosion and shoreline change
- The potential effects of climate change on biological communities
- The vulnerability of the Olympic Coast to climate change
- Potential adaptation strategies for the Olympic Coast

Information/data in the report will be restricted to peer-reviewed materials. The group will be using the Gulf of the Farallones National Marine Sanctuary Climate Change Report (published last year) as a template, although the OCNMS report will be a scaled-down version. Gulf of the Farallones staff presented their report to the OCNMS AC in September 2010. Other climate change reports are available as templates. This report is the first in several steps OCNMS will take to become certified by the Office of National Marine Sanctuaries as a Climate Smart Sanctuary. This report might also contribute to the national discussion of establishing sentinel sites for climate change impacts in ocean ecosystems.

Brady Scott suggested that a discussion item for the joint IPC-AC meeting in November be the possible formation of a joint IPC-AC climate change working group. Ian expects to provide 3-4 updates to the AC during the development of the site scenario over the next year.

### **Oil Spill Response and Contingency Planning Presentation**

Linda Pilkey-Jarvis, WA Department of Ecology Spills Program, presented on oil spill response planning efforts and how the AC and its members can get involved in these efforts. She stated that responding to spills on the Outer Coast of Washington is complicated and difficult because coastal areas are remote (i.e., far from equipment caches and long response times) and weather conditions are often harsh. She explained the roles of state and federal agencies in oil spill response planning. The state of Washington also has a rigorous oil spill response drill program, which is designed to find flaws in oil response plans so that the plans can be refined and improved. She went over the components of regional oil spill response plans and described the collaborative way in which spill response occurs in Washington. The state of Washington’s oil spill response equipment is spread out statewide. The state has tried to

ensure that the equipment placed in each location is appropriate to the logistical conditions. She discussed the recent state oil spill legislation. A new law requires the Department of Ecology,

- To establish a vessel of opportunity system
- Rework the contingency planning rule
- Develop and manage a volunteer coordination system
- To work with the industry to host a new/additional joint large-scale equipment deployment (drill). The location of this drill will vary each year.

Additionally, the law increases the amount of money a responsible party can be charged for damages caused by a spill. The law clarifies that a responsible party can be held liable for damages caused by the use of dispersants.

Linda noted that one of the most effective ways for local people to contribute is during revisions to the Geographic Response Plans. She also noted that, given the rugged nature of the Outer Coast, prevention is of the utmost importance.

#### **North Pacific Coast Outer Coast Marine Resources Committee Presentation**

Jennifer Hagen (Quileute Tribe) gave a presentation on the history and role of the North Pacific Coast Marine Resources Committee (NPC MRC). She explained that the state of Washington developed an Ocean Action Plan a few years back that prioritized development of MRCs for the counties on Washington's outer coast. A series of workshops was held in Grays Harbor in 2007-2008 to develop guidance and benchmarks for MRCs formed in each county. MRCs are citizen-based groups. Following these meetings, state senate bill 6227 was approved, which allocated funds for the establishment of the outer coast MRCs. Program priorities were to establish MRCs and complement existing ocean management efforts on the outer coast. In 2009 Clallam and Jefferson Counties partnered to form one MRC (the NPC MRC). Its first meeting was in April 2010. NPC MRC produced a list of proposed projects that it would support and has now developed a work plan for 2011-2012. Projects the NPC MRC has supported include educational programs at the Feiro Marine Life Center for students and teachers, coastal clean-ups (through the WA Clean Coast Alliance), and a genetic study of Ozette sockeye in diet of river otters by the Makah Tribe. The NPC MRC also produces a newsletter that has recently received a national award. The newsletter is now serving as a clearinghouse for ocean and coastal efforts on the Olympic Coast. It was agreed that OCNMS and the OCNMS AC should continue to work with the NPR MRC.

#### **External Evaluation of OCNMS Institutional Relationships – University of Michigan Master's Project**

Eric Roberts and Dave Gersham, Master's students at the University of Michigan School of Natural Resources and Environment, gave a presentation on the Master's project they are doing on OCNMS' institutional relationships. Four students are working on the project (Kristina Geiger and Maggie Wenger visited the sanctuary in August). They are interested in collaborative resource management, environmental conflict resolution, strategies for consensus building. Dave explained that their Master's project is a 12-month team-based effort, focused on the needs of a client (OCNMS, in this case). It is an interdisciplinary/problem solving experience, and they're working for free.

Strategy CCM1 in the Final OCNMS Management Plan states that OCNMS will evaluate the contribution of OCNMS' institutional relationships to the management of resources within OCNMS. The University of Michigan Master's project group will be conducting this external evaluation of OCNMS's institutional relationships. The questions the group is seeking to answer in this evaluation are:

- Who does OCNMS work with?
- How have its relationships contributed to OCNMS accomplishments?
- What has been challenging?
- How can these relationships be strengthened?
- What indicators could OCNMS use to measure the success of its relationships?
- How might climate change affect the relationships?

The UM group has spoken with about 30 people involved with the AC so far. Phone conference call interviews are scheduled for September and early October to inform a survey that will be sent out in early November. Data collection and analysis will be in December, and results will be presented to OCNMS partners in March 2012. Eric and Dave emphasized that they need AC participation in the survey for two main reasons, 1) AC input is critical for creating survey, and 2) a project that evaluates institutional relationships depends on talking to the actual partners.

### **2012 AC Meeting Dates and Locations**

Chip asked the AC to revisit the issue of the proposed 2012 AC meeting dates. AC meeting dates are typically the third Friday of every other month (beginning in January). There seemed to be general consensus that the proposed meeting dates would work. In terms of meeting locations, it appeared that the majority of meetings proposed were not in communities adjacent to the sanctuary. Several members offered suggested changes to the meeting locations to remedy this. AC members suggested replacing the March 2012 meeting location from Aberdeen to Taholah or Pacific Beach or Kalaloch or La Push; moving the September 2012 meeting to La Push; or not having the July meeting in Forks if the September meeting would be in La Push. The AC agreed by consensus to let the AC Executive Committee work with the OCNMS Superintended to:

1. Put together a final list of meeting dates and locations based upon the meeting location suggestions provided by AC members (and in accordance with the new proposed AC charter language that states the majority of AC meetings will be adjacent to the Sanctuary);
2. Check with the tribal communities to ensure that proposed meetings in their communities are acceptable;
3. Send the final list of 2012 AC meeting dates and locations out to AC members (as it was agreed that the joint IPC-AC meeting upcoming in November was not the appropriate venue for discussion of meeting dates/locations).

### **Future Meeting Topics**

Suggestions for the joint IPC-AC meeting in November:

- Marine Spatial Planning
- Joint IPC-AC Climate Change working group (suggested earlier during Ian Miller's presentation)

- The Coastal Partnership
- Briefing on OCNMS research program (planned research and update on research being released)
- Update on any proposed legislation for the coming year

Suggestions for future AC meetings (beyond November):

- Briefing on the Department of Interior North Pacific Landscape Conservation Cooperative
- Planning one AC meeting to be focused entirely on public outreach (an “open house” AC meeting)
- How the AC should go about implementing the work it is tasked with doing in the Final Management Plan

**Public Comment**

No public comments were provided.

**Member Announcements**

No member announcements were made.