

August 27, 2004

Ralph Rubio, President
AMBAG
P O Box 809
Marina, CA 93933-0809

Dear President Rubio and Board Members,

In light of the AMBAG Board discussion of the Sanctuary Advisory Council representation issues heard on August 11, 2004, we would like to offer a general and several very specific recommendations. We offer these as an organization which has worked closely with the Sanctuary Program. Our members have attended many, many hours of meetings with the Sanctuary Advisory Council, and various subcommittees for the Management Plan Review. Further, we have studied the National Marine Sanctuary Act and the Sanctuary's Management Plan. We have also worked extensively with all of the other stakeholder SAC Representatives, and are quite familiar with the selection process in place.

General: The main principle to bring the functioning of the SAC into the principles of a represented democracy is that each seat has an identifiable constituency with which the SAC representative can communicate and to which he/she will be accountable. The way to implement this system is to identify all the known organizations and associations within the Sanctuary region who wish to participate in the decision making for a SAC representative and other Sanctuary issues. These organizations would caucus once every three years to select their SAC representatives. It could well be that one or more organizations would volunteer to coordinate with the other organizations for the caucusing process. Once candidates are selected their names will be submitted to the Sanctuary Superintendent for appointment. A stakeholder group would be at liberty to select whomever they wanted as their representative and not necessarily limit their consideration to organization members. Likewise, the Sanctuary could still advertise to the general public for these open stakeholder seats; however, without a clear endorsement from the major organizations, it would be hard to see how individuals would have a clear constituency to communicate with and to be accountable to. We believe that this system could be adopted by the MBNMS without requiring a change in Federal law.

RECOMMENDATION #1:

A seat that does not have a clear constituency should either be eliminated or redefined so it has a constituency. Another option would be to make this constituency-less seat a non-voting member of the SAC.

RECOMMENDATION #2:

Accept that identifying a selection method for some stakeholder seats will be easier than for others. Indeed, Superintendent Douros stated twice to the AMBAG Board that there is no perfect system for this. He is right about that, but this should not deter AMBAG from improving on a system where a federal employee gets to solely make the selections for these SAC seats, sometimes in contrast to the wishes of the organized stakeholder organizations. We recommend that AMBAG Board act upon those seats that it feels confident that a fair process is in place and continue to work on the others. It may be that for certain seats AMBAG will need to apply some leadership in calling and managing a meeting between constituent groups, to get to a reasonable process. The Business and Tourism seats may need this assistance from AMBAG. This will sort itself out.

RECOMMENDATION #3:

For the purpose of advancing discussion, we offer the following recommendations for each specific stakeholder seat on the SAC:

Conservation, Research, and Education – although it has not been discussed by the AMBAG Board, nor has Sanctuary staff offered this as an example, but there are in fact three seats that serve as a model for how SAC seats should be selected. These are the Conservation, Research and Education seats. In each of these cases there is a SAC Working Group constituted from the numerous organizations that are active in that area. Once every three years these organizations caucus and then make their recommendations for the SAC seats from their membership. To the

best of our knowledge these have been approved, without exception, by the Sanctuary Superintendent. An example of this is the Conservation seat, whose working group includes organizations such as Save Our Shores, the Ocean Conservancy, Friends of the Sea Otter, the Otter Project, the Sierra Club, and more. These organizations select the best people they can to be their advocates on the SAC, and this is how it should be. The same is true for research and education.

Commercial and Recreational Fishing – we have previously corresponded with the AMBAG Board for these two seats and believe that our recommendation is detailed and fair.

At Large Seats – we have previously recommended that each of the three County Board of Supervisors (Santa Cruz, Monterey, and San Luis Obispo) be able to select one each as their representatives. With the northern portion of the Sanctuary now being managed by the Gulf of the Farallones National Marine Sanctuary, we do not believe that there is a need for San Mateo to be represented on the Monterey Sanctuary SAC, but if there was a need then the San Mateo County Board of Supervisors could make the selection.

Agriculture – accept the recommendation from the Monterey County Farm Bureau that the six county Coalition of Central Coast County Farm Bureaus select its SAC representative. This seems to be very straightforward and inclusive.

Diving – there is only one diving organization in the Sanctuary region and that is CenCal, which represents all of the individual diving clubs throughout our area. CenCal should take the lead to create their recommendations for SAC membership.

Tourism – the Monterey and Santa Cruz County Convention and Visitor Bureaus, as the two main organizations for this region, should caucus, incorporating comments from San Luis Obispo County and San Mateo County as needed, to create SAC seat selections. Recommend also that AMBAG, at the staff level, ask for a meeting with representatives of these two organizations, to identify a fair process.

Business – it was correctly pointed out at the last AMBAG meeting there are a multitude of business associations and chambers throughout this region. The Monterey Peninsula Chamber of Commerce and the Santa Cruz County Council of Business could be asked to work together and caucus with the other groups in each of their regions to identify Business SAC representatives. These organizations could easily identify and communicate with smaller organizations within their area to find out whether they are interested in participating in this decision making or not. As long as their efforts are inclusive, rather than exclusive, meaning that any legitimate organization that wants to participate, can, then there should be no issue in this.

Recreation – This seat is supposed to represent other non-fishing, non-diver recreational uses of the Sanctuary. This could include surfers, windsurfers, paddlers, and beachgoers generally. One recreational group, a Hawaiian Paddle Club, did write to request AMBAG to help create a fairer system for SAC selection. This seat has not been particularly controversial, in as much as the recreation representatives appear to be trying to outreach to their stakeholders.

RECOMMENDATION #4:

Consider directing AMBAG staff to prepare a grant application to the Monterey Bay National Marine Sanctuary Foundation for sufficient yearly funding to task an AMBAG staff person with the job of monitoring constituent group caucusing for the selection process. Since SAC seats are for three-year terms, this should not be viewed as an overly burdensome process, particularly if the replacement of the different seats can be staggered throughout the three-year period. We doubt that it would require more than 15-20% of a staff person's time, if that. The National Marine Sanctuary Foundation would be a logical source of grant funding, as this type of change is clearly in the best interest of the Sanctuary Program for it to realize full community support. If in the event they could not or choose not to fund this grant request, then the community foundations of Santa Cruz and Monterey counties could possibly also be a source of staff funding. While we do not think this staff monitoring is required, it would be helpful, at least until the selection procedure is fully in place.

We can't stress enough that these recommendations and changes are in the best interest of the Sanctuary Program and AMBAG has and will play an important role in insuring a successful, federal-local relationship in advising of mutual conservation goals for this region.

Thank you for considering these recommendations.

Sincerely,

Mike Ricketts, Co-Chair, ACSF

Kathy Fosmark, Co-Chair, ACSF

Supporting Associations & Organizations

Pacific Coast Federation of Fishermen's Association

Port San Luis Commercial Fishermen's Association

Morro Bay Commercial Fishermen's Association

Monterey Commercial Fishermen's Association

Fishermen's Association of Moss Landing

Santa Cruz Commercial Fishermen's Marketing Association

Half Moon Bay Fishermen's Marketing Association

Fishermen's Alliance

Western Fishboat Owners Association

Ventura County Commercial Fishermen's Association

Federation of Independent Seafood Harvesters

Golden Gate Fishermen's Association

Port San Luis Harbor District

City of Morro Bay Harbor

City of Monterey Harbor

Moss Landing Harbor District

Santa Cruz Port District

Pillar Pt. Harbor, San Mateo County Harbor District

C: Holly Price, Acting Superintendent, MBNMS

SAC, MBNMS