

Sanctuary Advisory Councils: A Study in Collaborative Resource Management



Glenn Allen



An Assessment conducted for the
NOAA National Marine Sanctuary Program

Kathy Chen, Camille Kustin,
Joshua Kweller, Carolyn Segalini,
Julia Wondolleck
University of Michigan
School of Natural Resources and Environment
June 2006



Sanctuary Advisory Councils: A Study in Collaborative Resource Management

Project Director:
Professor Julia M. Wondolleck

Master's Project Team:
Kathy Chen
Camille Kustin
Joshua Kweller
Carolyn Segalini

An Assessment conducted for the NOAA National Marine Sanctuary Program

The University of Michigan
School of Natural Resources and Environment

June 2006

This report should be cited as:

Wondolleck, J.M., Chen, K., Kustin, C., Kweller, J., and Segalini, C. (2006). *Sanctuary Advisory Councils: A Study in Collaborative Resource Management*. Final Masters Project Report, School of Natural Resources and Environment, University of Michigan, Ann Arbor, Michigan.

Abstract

While advisory councils have been used in different contexts and in different ways for many years, the degree to which these councils promote communication and collaboration between public agencies and non-agency groups varies considerably and the factors promoting their effectiveness are not well understood. In a time of increasing interest in promoting collaboration between federal resource management agencies and other groups and individuals, the Sanctuary Advisory Councils that advise the National Marine Sanctuary Program (NMSP) provide an instructive set of experiences to examine.

A comprehensive survey of all council participants and sanctuary staff, combined with three detailed case studies, found that Sanctuary Advisory Councils are working well. Members find their experiences worthwhile, both personally and for the participant groups they represent. Staff believe the advisory councils make critical contributions to their ability to manage the sanctuaries. Councils are involved in substantive aspects of sanctuary management. Several factors were found to facilitate their success: members are dedicated, committed, and motivated to help the sanctuary; staff take their council roles seriously and show high levels of commitment. Effective meetings are characterized by open and respectful atmospheres, strong staff leadership, and solid working relationships between staff and council members. The adaptability and flexibility of the process has enabled councils to adapt to evolving circumstances. Finally, commitment and support from the National Oceanic and Atmospheric Administration (NOAA) was found to be essential.

Sanctuary Advisory Councils have achieved a wide range of accomplishments, both procedural and substantive. Procedural accomplishments include creating a legitimate forum for discussion, increasing public support of sanctuary decisions, increasing trust among participant groups, and developing relationships. Substantive accomplishments include assisting with resource protection, marine reserves, educational programs, sanctuary management, sanctuary designation, and management plans. Councils have also faced challenges including: the time commitment involved, difficulties inherent in working with a government agency, managing the inevitable conflicts associated with collaboration among diverse individuals, and lack of public awareness of the sanctuaries. Despite these challenges, Sanctuary Advisory Councils have successfully promoted collaboration across diverse participant groups, enhanced management of sanctuary resources, and provided broad benefits to NOAA's National Marine Sanctuary Program.

Authors

For over half a century, the University of Michigan's School of Natural Resources and Environment (SNRE) has been a leader in natural resource and environmental research and education. The school is comprised of an interdisciplinary faculty team representing both natural and social science disciplines. Many master's degree candidates are required to complete an interdisciplinary, team-based research project where students work closely with a client. This research was conducted in fulfillment of this degree requirement. Four master's students composed the project team:

Kathy Chen

Kathy Chen graduated from Duke University with a B.A. in Biology and a B.A. in Environmental Science and Policy. After obtaining her undergraduate degree, Kathy worked for AmeriCorps as a program and volunteer coordinator. While at UM, she has worked for SNRE's Ecosystem Management Initiative.

Camille Kustin

Camille Kustin graduated from the University of California, Davis with a B.S. in Environmental Policy Analysis and Planning. After graduation, she worked for the university's Recycling Program as the program's coordinator. While at UM, Camille has been a research assistant for a SNRE professor and the Graduate Student Instructor for an undergraduate course.

Josh Kweller

Josh Kweller graduated from the Arts & Sciences College of Cornell University with a B.A. in Biology. Josh is enrolled at both the University of Michigan Law School and at SNRE. Josh hopes to use his degrees to be a legal environmental advocate and/or work for the government to formulate environmental policy.

Carolyn Segalini

Carolyn Segalini graduated from Michigan State University with a B.S. in Public Policy and minor in Sociology. Following graduation, Carolyn relocated to Boston, MA where she worked for several years in the public and private health care industry sectors. She has since decided to pursue a career in environmental policy, which has brought her to SNRE. Carolyn has interned at the Ann Arbor Ecology Center and has been a research assistant for Michigan Sea Grant.

Acknowledgements

We would like to express our heartfelt gratitude to our faculty advisor, Dr. Julia Wondolleck who has been a tremendous source of advice and guidance. We are most grateful for her dedication, patience, and moral support throughout this project. We would be lost without her involvement and feedback.

Our study would not have been possible without the advice and assistance of Ellen Brody, the Great Lakes and Northeast Regional Coordinator for the National Marine Sanctuary Program (NMSP). Her insights, involvement, interest in the study, and experience with sanctuary issues have ensured that the project stay focused and useful to the NMSP. We would also like to recognize the support of NMSP Director Dan Basta and assistance from the National Sanctuary Advisory Council Coordinator, Karen Brubeck. Much like their support of the NMSP Sanctuary Advisory Councils, their encouragement has been both appreciated and inspirational.

We appreciate the contributions of Dr. Steve Yaffee, Elizabeth Spalding, Alden Boetsch, and former agency staff and council members for providing feedback on our survey. We are also grateful to Dana Jackman for her invaluable contributions in project planning and survey design.

We also thank the sanctuary staff and advisory council members for taking the time to respond to our surveys. We especially thank the Sanctuary Superintendents, Managers, Coordinators, other staff, and advisory council members from Channel Islands, Monterey Bay, and Stellwagen Bank for welcoming us to their sanctuaries and providing the interviews that made our case studies possible.

We are grateful to those who provided the project with financial support, including the Educational Foundation of America, the School of Natural Resources and Environment, Ecosystem Management Initiative, and the University of Michigan's Rackham Graduate School.

Lastly, we thank our families and friends for encouraging us over the past two years and supporting us throughout the creation of this master's project.

Table of Contents

Abstract	iii
Authors	iv
Acknowledgements	v
Table of Contents	vii
List of Tables and Figures	ix
List of Frequently Used Acronyms	xi
Chapter 1: Introduction	1
Chapter 2: Background	9
The National Marine Sanctuary Program and Sanctuary Advisory Councils	9
Chapter 3: Advisory Council Member Survey Results and Analysis	15
Survey Methodology	15
About the Council Participants	20
Roles and Program Focus	27
Meeting Dynamics and Management	34
Relationship between Sanctuary Staff and Advisory Council	42
Advisory Council Accomplishments	46
Issue and Process Challenges	54
Factors that Promote Advisory Council Progress	61
Advisory Council Members Advice to NMSP	70
Chapter 4: Agency Staff Survey Results and Analysis	79
Survey Methodology	79
Perceived Value of Council	83
Roles and Functions of Advisory Council	84
Meeting Dynamics and Management	89
Relationship between Sanctuary Staff and Advisory Council	97
Advisory Council Accomplishments	102
Issue and Process Challenges	110
Factors that Promote Advisory Council Progress	116
Sanctuary Staff Roles	124
Staff Advice to the NMSP	131

Chapter 5: Advisory Council Case Studies and Vignettes	137
Channel Islands	139
Monterey Bay	164
Gerry E. Studds Stellwagen Bank	193
Vignettes	212
Chapter 6: Conclusions and Recommendations	233
Sanctuary Advisory Councils are Working	233
Sanctuary Advisory Council Accomplishments	239
Sanctuary Advisory Council Challenges	244
Advice to Other Agencies	247
References	249
Appendices	255
Appendix A: Sanctuary Advisory Council Survey	
Appendix B: Sanctuary Advisory Council Survey Results	
Appendix C: Sanctuary Agency Staff Survey	
Appendix D: Sanctuary Agency Staff Survey Results	
Appendix E: Advisory Council Charters and Protocols	
Channel Islands	
Monterey Bay	
Stellwagen Bank	

List of Tables and Figures

Tables

Table 2.1:	The National Marine Sanctuaries	11
Table 2.2:	The Sanctuary Advisory Councils	12
Table 3.1:	Background survey questions	17
Table 3.2:	Responses by Sanctuary Advisory Council	18
Table 4.1:	Sanctuary staff background questions	81
Table 4.2:	Responses by sanctuary	81

Figures

Figure 2.1:	The National Marine Sanctuaries	9
Figure 3.1:	How worthwhile the advisory council experience has been	24
Figure 3.2:	Attributes that describe advisory council members	26
Figure 3.3:	Advisory council roles	28
Figure 3.4:	Advisory council involvement in sanctuary program areas	30
Figure 3.5:	Respondents' impressions of meeting dynamics	35
Figure 3.6:	Meeting characteristics and atmosphere	37
Figure 3.7:	Meeting processes	39
Figure 3.8:	Level of communication between meetings	40
Figure 3.9:	Advisory council relationship with sanctuary staff	43
Figure 3.10:	Advisory council accomplishments	47
Figure 3.11:	Factors that pose as challenges for the advisory council	55
Figure 3.12:	Factors that do not pose as challenges for the advisory council	55
Figure 3.13:	Factors that contribute to council effectiveness	63
Figure 3.14:	Value of the advisory council charter	68
Figure 3.15:	Level of disagreement with statements regarding council charter	69
Figure 3.16:	Suggestions to improve council productivity	72
Figure 4.1:	Perceived value of advisory councils	83
Figure 4.2:	Advisory council roles	85
Figure 4.3:	Advisory council involvement in sanctuary program areas	86
Figure 4.4:	Respondents impressions of meeting dynamics	90
Figure 4.5:	Agency and council comparison of meeting dynamics	91
Figure 4.6:	Meeting characteristics and atmosphere	92
Figure 4.7:	Agency and council comparison of meeting characteristics and atmosphere	93
Figure 4.8:	Meeting processes	94
Figure 4.9:	Agency and council comparison of meeting processes	95
Figure 4.10:	Level of communication between meetings	96
Figure 4.11:	Advisory council relationship with sanctuary staff	98

Figure 4.12:	Agency and council comparison of relationship with staff	99
Figure 4.13:	Advisory council accomplishments	103
Figure 4.14:	Agency and council comparison of advisory council accomplishments	104
Figure 4.15:	Factors that pose as challenges for the advisory council	111
Figure 4.16:	Factors that do not pose as challenge for the advisory council	112
Figure 4.17:	Agency and council comparison of factors that pose as challenges for the advisory council	112
Figure 4.18:	Factors that contribute to council effectiveness	117
Figure 4.19:	Comparison of agency and council results for factors that contribute to effectiveness	118
Figure 4.20:	Perceived value of the advisory council charter	122
Figure 4.21:	Level of disagreement with statements questioning the charter's value	122
Figure 4.22:	Comparison of agency and council results for perceived value of the advisory council charter	123
Figure 4.23:	Comparison of agency and council levels of disagreement with statements questioning the charter's value	123
Figure 4.24:	Staff tasks associated with advisory councils that often occur	125
Figure 4.25:	Staff tasks associated with advisory councils that occur infrequently	125
Figure 4.26:	Staff satisfaction with the advisory council	127
Figure 4.27:	Suggestions to improve council productivity	132
Figure 4.28:	Comparison of agency and council suggestions to improve productivity	132
Figure 5.1:	Channel Islands National Marine Sanctuary	139
Figure 5.2:	Channel Islands Marine Reserve Areas	151
Figure 5.3:	Map of MBNMS	165
Figure 5.4:	Proposed MBNMS Boundaries	168
Figure 5.5:	Stellwagen Bank National Marine Sanctuary	193
Figure 5.6:	Whale Watching at Stellwagen Bank	194

List of Frequently Used Acronyms

CINMS	Channel Islands National Marine Sanctuary
FACA	Federal Advisory Committee Act
JMPR	Joint Management Plan Review
MBNMS	Monterey Bay National Marine Sanctuary
MPR	Management Plan Review
NOAA	National Oceanic and Atmospheric Administration
NOS	National Ocean Service
NMS	National Marine Sanctuary
NMSP	National Marine Sanctuary Program
NMSA	National Marine Sanctuaries Act of 1972
SAC	Sanctuary Advisory Council
SBNMS	Gerry E. Studds Stellwagen Bank National Marine Sanctuary

Chapter 1

Introduction

For over a decade, federal agencies have been encouraged to adopt more collaborative approaches in the management of public resources. Most recently, in late November 2005, the Directors of the U.S. Office of Management and Budget (OMB) and Council on Environmental Quality (CEQ) issued a joint “Memorandum on Environmental Conflict Resolution,” directing federal agencies “to increase the effective use of environmental conflict resolution and build institutional capacity for collaborative problem-solving.”¹ For the past two decades, agencies, communities, interest groups, and individuals have been experimenting with collaborative processes. Much has been learned from their efforts about the promise of collaborative processes and the role they can play in advancing knowledge, promoting understanding, and enhancing more effective resource management.

Advisory councils are one long-established mechanism for facilitating communication between agencies and non-agency groups and individuals. The potential of formal advisory council structures to promote meaningful and productive collaboration, however, has never been assessed. The purpose of this study is to examine the experiences of the National Oceanic and Atmospheric Administration's (NOAA) National Marine Sanctuary Advisory Councils to discover what lessons and insights can be drawn from their fifteen year history. How do they function? What have they accomplished? What does their experience suggest about the potential of advisory councils to enable collaboration between federal agencies and the communities and groups that care about the resources managed by these agencies?

Background

NOAA was established within the Department of Commerce in 1970 to “understand and predict changes in the earth’s environment and to conserve and manage coastal and marine resources to meet the nation’s economic, social, and environmental needs.” As part of this responsibility, NOAA manages the National Marine Sanctuary Program (NMSP), which was created to protect and enhance biodiversity, ecological integrity, and the cultural legacy of the country’s delicate and unique marine areas.² Since 1972, one freshwater and twelve saltwater National Marine Sanctuaries have been designated protecting 14,000 square nautical miles of ocean and lake habitat.³ The diverse and competing local, regional, and national pressure on marine resources has made sanctuary management increasingly complex. Recognizing this challenge, the National Marine Sanctuaries Act authorizes the creation of Sanctuary Advisory Councils to advise and

¹ OMB and CEQ Joint Memorandum on ERC. November 2005. U.S. Institute for Environmental Conflict Resolution. 28 March 28 2006 <http://www.ecr.gov/n_pos200512.htm>.

² About Your National Marine Sanctuaries. 16 November 2005. National Oceanic and Atmospheric Administration. 29 March 2006 <<http://sanctuaries.noaa.gov/about/welcome.html>>.

³ About Your National Marine Sanctuaries, 15 March 2006.

make recommendations to sanctuary staff and administration regarding the designation and management of National Marine Sanctuaries.⁴

Sanctuary Advisory Councils are community-based advisory groups consisting of representatives from various user groups, government agencies, and the public at large.⁵ Each advisory council is individually chartered and unique to its sanctuary. Members on the thirteen Sanctuary Advisory Councils represent interests such as conservation, education, research, and fishing along with local, regional, state, tribal, and federal government entities.⁶ Unlike more traditional advisory councils that are often established to fulfill a “public participation” requirement, Sanctuary Advisory Councils were established with the explicit objective to enhance public involvement and develop a stronger stewardship ethic among sanctuary communities.⁷

Why Study Sanctuary Advisory Councils?

Sanctuary Advisory Councils are interesting to examine for several reasons. First, they have been in existence for fifteen years and while some studies have looked at dimensions of individual Sanctuary Advisory Councils, no comprehensive assessment has been undertaken.⁸ Second, Sanctuary Advisory Councils are exempt from the Federal Advisory Committee Act (FACA) and thus fall under a different legal framework than most formal advisory councils at the federal level.⁹ Consequently, Sanctuary Advisory Councils can reveal useful insights about the potential for achieving FACA’s core objectives without its limiting constraints. Third, NOAA’s National Marine Sanctuary Program expressed interest in understanding the range of experiences, accomplishments, challenges, and the factors facilitating the effectiveness of its advisory councils.

Advisory Councils

Advisory councils are groups established to provide advice and recommendations to a decision-making body; they lack any authority to make final management decisions. These groups, also often called committees or advisory groups, are increasingly being employed in natural resource management.¹⁰ Resource Advisory Councils, for example, were established by the Bureau of Land Management to “improve the health and productivity of public lands across the West.”¹¹ The National Park System Advisory Board advises the Director of the National Park Service, “on matters relating to the

⁴ National Marine Sanctuaries Act, Title 16, Chapter 32, Section 1431, USC (2000).

⁵ Sanctuary Advisory Council Overview. 24 February 2006. National Oceanic and Atmospheric Administration. 30 March 2006 <<http://sanctuaries.nos.noaa.gov/management/ac/welcome.html>>.

⁶ Sanctuary Advisory Council Overview. 30 March 2006.

⁷ Sanctuary Advisory Council Overview. 30 March 2006.

⁸ Tracey Morin, “Sanctuary Advisory Councils: Involving the public in the NMSP,” Coastal Management 29 (2001).

⁹ Federal Advisory Committee Act, 5 U.S.C. App. §§ 1-16 (1997).

¹⁰ Tomas M. Koontz and Katrina Smith Korfmacher. “Community collaboration in farmland preservation: how local advisory groups plan.” Paper delivered at the association for public policy analysis and management annual research conference. Seattle, WA: November 2000.

¹¹ BLM Resource Advisory Councils, U.S. Bureau of Land Management Office of Public Affairs. 2 April 2006 <<http://www.blm.gov/rac/>>.

National Park Service, National Park System, and programs administered by the National Park Service.”¹² There are also advisory councils used throughout the Environmental Protection Agency, such as the American Indian Advisory Council, which serves as “an advisory group to the Administrator of EPA to recommend actions that address concerns of American Indians in the EPA workforce and of the Indian tribes.”¹³

Agencies form advisory councils for several reasons. Councils typically offer recommendations on the ongoing management of specific local or regional natural resources. Council participants are chosen because of their relevant expertise or their ability to represent community interests or groups. Brought together, these individuals have the potential to create common ground, develop a sense of ownership in the natural resource, avoid future problems, and broaden both the agency and communities understanding of public concerns.¹⁴

Although advisory councils have become a common tool in natural resource management, they have not been extensively studied.¹⁵ Some researchers have used surveys, interviews, and observations to gain an understanding of individual councils.¹⁶ Research that looks across a group of councils, such as this study, is less common. Past studies have gained insight into council processes and documented the importance of several factors including: the council’s relationship with the associated agency, council members’ perception of their purpose and role, the natural resource being managed, what interests are represented, and whether leadership exists.¹⁷ In general, research has found that advisory councils vary widely in both participant satisfaction and ability to fulfill their missions. Despite the studies to date, the factors that lead to these variations are unclear.

Collaboration in Natural Resource and Environmental Management

The number of land management agencies, community leaders, interest groups, and private citizens using collaborative approaches has proliferated as natural resource

¹² National Park System Advisory Board. U.S. Department of the Interior. 5 April 2006 <<http://www.nps.gov/policy/advisory/advboard.htm>>.

¹³ EPA NE: Tribal Program. Environmental Protection Agency. 9 April 2006 <<http://www.epa.gov/region1/govt/tribes/progstructure.html>>.

¹⁴ Tamara Laninga. Collaborative Planning in BLM Field Offices: Where it’s happening and what it looks like: Analysis and Recommendations. University of Colorado, Boulder, CO: 2004.

¹⁵ Tomas Koontz and Katrina Korfmacher. November 2000.

¹⁶ Brett Ingles. In-Depth Interviews with Forest Service Officials, RAC members, and County Officials. Boise State University: Environmental Science and Public Policy Research Institute. November 2004. Jim Burchfield. Reconciling Multiple Levels of Authority in Collaborative Decisions: The Case of the Upper Missouri River Breaks National Monument. University of Montana, Missoula, MT: November 2002. Dirk Manskopf. A Systematic Assessment of Collaborative Resource Management Partnership: Northwest Resource Advisory Council. University of Michigan, Master’s thesis. April 1999.

¹⁷ Brett Ingles. 2004, Tomas Koontz and Katrina Korfmacher. November 2000, and Manskopf, Dirk. April 1999.

professionals and the public recognize that public participation is vital to resolving many resource management issues.¹⁸

A Growing Trend

The rise in collaboration has been a response to the changing social, ecological, and political contexts of natural resource management.¹⁹ The initiation of collaboration can occur for a wide range of reasons, both reactive and proactive. Often, collaborative projects begin when traditional methods of decision-making fail to resolve a management issue.²⁰ This situation is becoming more common as pressures on natural resources diversify and laws, such as the National Environmental Policy Act (NEPA), are created that allow individuals outside of agencies to influence, and at times halt, the decision-making process.²¹ Collaborative groups may also form when the natural resource issue being addressed is larger than any one organization or agency can solve alone.²² As understanding of natural systems grows, it has become clear that many resources fall in this category, often spanning geographical and political boundaries.²³ Use of collaboration has also increased as government agencies recognize the benefits of learning from and engaging communities to gain a greater understanding of the area's resource issues.²⁴ This has prompted many agencies and community groups to promote collaborative efforts as a way to take advantage of the opportunity to create inclusive, flexible, and legitimate decisions that can be implemented.²⁵

The Challenges of Collaboration

Collaboration often involves organizational and interpersonal challenge. Both government agencies and non-government groups can face organizational challenges. At the most fundamental level, institutional barriers, such as conflict managing procedures, can be a significant barrier to a group's ability to work together.²⁶ In addition to connecting and creating working relationships, groups in a collaborative effort must also define clear and shared goals; this can be difficult when organizations' missions, which

¹⁸ P.D. Smith, M.H. McDonough, and M.T. Mang. "Ecosystem management and public participation lessons from the field." Journal of Forestry. 97 (1999): 32-38.

B. Cestro. Beyond the hundredth meeting. A field guide to collaborative conservation on the West's public lands. 1999. Sonoran Institute, Tuscon, Arizona.

¹⁹ Julia M. Wondolleck and Steven L. Yaffee. Making Collaboration Work: Lessons from Innovation in Natural Resource Management. Washington D.C. Island Press, 2000.

²⁰ R. B Reich. "Regulation by confrontation or negotiation." Harvard Business Review 59 (1981): 82-93.

²¹ Jay O'Laughlin, Wyatt R. Hundrup, and Philip Cook. "History and Analysis of Federally Administered Lands in Idaho; Report no. 16." Idaho Forest, Wildlife, and Range Policy Analysis Group. June 1998. University of Idaho. 12 April 2006 <<http://www.uidaho.edu/cfwr/pag/pag26es.html>>.

²² H. Aldrich. "Resource dependence and interorganizational relations." Administration and Society. 74 (1976): 419-454.

²³ Franklin E. Dukes and Karen Firehock. Collaboration: A Guide for Environmental Advocates. 2001. The University of Virginia Press.

²⁴ Barbara Gray. "Conditions facilitating interorganizational collaboration." Human Relations 38 (1985): 911-936.

²⁵ Franklin E. Dukes and Karen Firehock. 2001.

²⁶ Paul Lachapelle, Stephen F. McCool, Michael E. Patterson. "Barriers to Effective Natural Resource Planning in a 'messy' world." Society and Natural Resources. 16 (2003): 473-490.

are often inflexible, differ.²⁷ Bringing together multiple parties also brings inevitable interpersonal challenges. Two interrelated problems that block effective communication and cooperation are a lack of trust between groups and detrimental stereotypes held by groups.²⁸

Factors Facilitating Collaboration

When collaborative processes succeed, they have several traits in common. Many successful groups build on a shared sense of place, or relationship with their environment, which can connect people despite differing positions or negative stereotypes.²⁹ No matter what strategy is used, key ingredients for successful collaboration include strong working relationships, willingness to work together, ownership of the problem and the collaborative process, and a commitment to finding a solution.³⁰ It is difficult to create this group dynamic when attention is not paid to the process of collaboration. Along with recognizing interpersonal dynamics, productive collaborative processes include deciding who is at the table and what will be discussed.³¹ To have legitimacy, a collaborative group must be representative of the range of interests concerning a resource or issue.

The attitudes and personalities of the individuals involved can also assist groups in overcoming challenges. The idea and experience of collaboration is new to many participants; successful participants are those who are open to trying new approaches to natural resource management, able to look past traditional roles of agencies and groups to create innovative solutions, and engage in forward thinking that enables them to find and take advantage of existing opportunities.³² In addition to having this mental framework to approaching issues, participants of successful groups are often dedicated, energetic, and deeply committed to the group's mission.³³

Benefits of Successful Collaboration

Not only is collaboration often necessary for effective natural resource management, it also provides broad benefits for all parties involved. Collaboration can bridge seemingly insurmountable differences to build working relationships, craft agreements that are creative and stable, and develop on-the-ground improvements for the environment.³⁴

²⁷ Julia M. Wondolleck and Steven L. Yaffee. 2000.

²⁸ Julia M. Wondolleck and Steven L. Yaffee. 2000.

²⁹ Antony Cheng, Linda Kruger, and Steven Daniels. "Place as an integrating concept in natural resource politics: Propositions for a social science research agenda." *Society and Natural Resources*. 16 (2003): 87-104.

³⁰ Michael Schuett, Steve Selin and Debroah Carr. "Making it work: Keys to successful collaboration in natural resource management." *Environmental Management*. 27 (2001): 587-593.

³¹ Barbara Gray. 1985.

³² Julia M. Wondolleck and Steven L. Yaffee. 2000.

³³ Julia M. Wondolleck and Steven L. Yaffee. 2000.

³⁴ Franklin E. Dukes and Karen Firehock. 2001.

The Sanctuary Advisory Council Experience

This study sought to understand the Sanctuary Advisory Council experience, both practically for NMSP and more generally for those interested in advancing collaborative approaches to public natural resource management. In particular, this study asked the following questions:

- What have been the range of experiences and accomplishments of the Sanctuary Advisory Councils?
- What challenges have they encountered and how have they been overcome?
- What have been the benefits to individual participants, the NMSP, and individual sanctuaries?
- What factors facilitate the effectiveness of an advisory council process?
- What potential do Sanctuary Advisory Councils have to promote collaboration, communication, and cooperation in resource management?
- What advice can be offered to the NMSP to improve Sanctuary Advisory Council effectiveness?
- What lessons from the Sanctuary Advisory Council experience can be extended to advisory council processes in other agencies?

To answer these questions, this study distributed two comprehensive surveys. One survey probing Sanctuary Advisory Council members' experiences was sent to all current council participants. The second survey asked for NOAA staff's perceptions and experiences and was sent to sanctuary staff who work most closely with the advisory councils. Each survey asked questions about the roles of advisory councils, meeting dynamics, the relationship between staff and council, council accomplishments, council challenges, and factors that promote their effectiveness. In addition, case studies were conducted on the councils of Channel Islands, Monterey Bay, and Stellwagen Bank to develop a more in-depth understanding of the inner workings of an advisory council process, the types of issues and challenges they confront, and the ways in which they vary.

As detailed in the following report, Sanctuary Advisory Councils have demonstrated considerable value both to NOAA and to its council members. There has been across-the-board satisfaction with council processes and a growing list of notable accomplishments. Within Sanctuary Advisory Council experiences are many lessons for the NMSP, NOAA, and other agencies considering an advisory council approach to promoting collaboration in the management of natural resources.

Organization of Report

Chapters 2 gives background information on the National Marine Sanctuary Program. Chapter 3 discusses the results and analysis from the advisory council survey, followed by the results and analysis for the sanctuary staff survey in Chapter 4.

Chapter 5 is comprised of three advisory council case studies for Channel Islands, Monterey Bay, and Stellwagen Bank as well as vignettes on the nine other sanctuaries and their councils. Finally, Chapter 6 contains conclusions from the study and gives several recommendations to other agencies seeking to utilize advisory councils.

Chapter 2

Background

THE NATIONAL MARINE SANCTUARY PROGRAM AND THE SANCTUARY ADVISORY COUNCILS

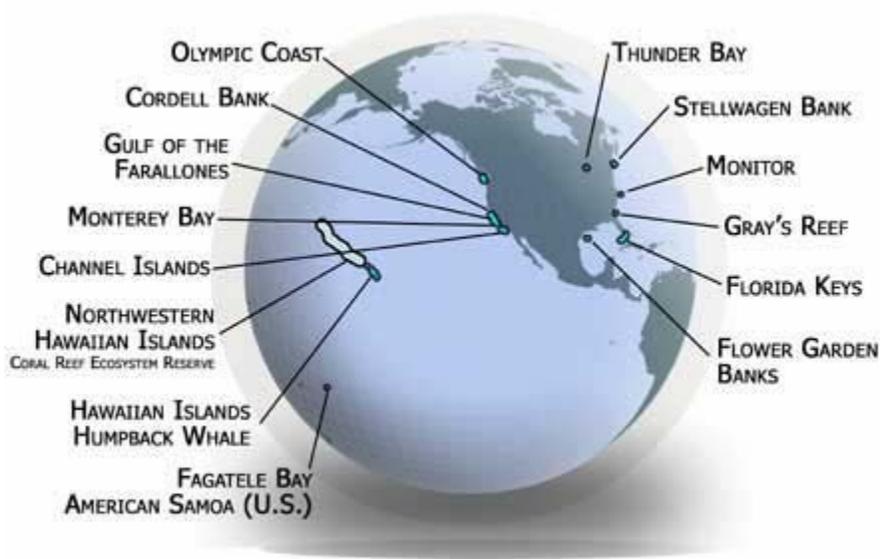


Figure 2.1: The National Marine Sanctuaries¹

National Oceanic and Atmospheric Administration

The National Oceanic and Atmospheric Administration (NOAA) is a federal agency within the Department of Commerce. Its mission is to “understand and predict changes in the Earth’s environment and conserve and manage coastal and marine resources to meet our nation’s economic, social and environmental needs.”² According to the agency’s FY2005-2010 strategic plan, one of its primary goals is to “protect, restore, and manage the use of coastal and ocean resources through an ecosystem approach to management.” This NOAA objective recognizes that “the transition to an ecosystem approach must be incremental and collaborative.”³ While several performance objectives refer to the need to increase fish populations and protected species, one objective in particular is to

¹ The National Marine Sanctuaries. 27 December 2005. National Oceanic and Atmospheric Administration. 12 April 2006 <[http:// www.sanctuaries.nos.noaa.gov/visit/welcome.html](http://www.sanctuaries.nos.noaa.gov/visit/welcome.html) >.

² About NOAA. 21 December 2005. National Oceanic and Atmospheric Administration. 12 April 2006 <<http://www.noaa.gov/about-noaa.html>>.

³ New Priorities for the 21st Century: NOAA Strategic Plan FY2005-FY2010. (2004). 26 October 2005. National Oceanic and Atmospheric Association. 12 April 2006 <[.http://www.spo.noaa.gov](http://www.spo.noaa.gov)>.

enhance ocean literacy in the general public as well as a sense of stewardship about coastal and marine resource issues. The National Marine Sanctuary Program and Sanctuary Advisory Councils play a key role in this objective. The Sanctuary Program and most advisory councils were created through the passage of the National Marine Sanctuaries Act.

National Marine Sanctuaries Act

The National Marine Sanctuaries Act (NMSA) of 1972 sought to protect marine areas of special significance. The Act "authorizes the Secretary of Commerce to designate and manage areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational or aesthetic qualities as National Marine Sanctuaries."⁴ The NMSA defines "marine environment" as "those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States exercises jurisdiction, including the exclusive economic zone, consistent with international law."⁵ The purpose of the system is to:

- Improve the conservation, understanding, management, and wise and sustainable use of marine resources;
- Enhance public awareness, understanding, and appreciation of the marine environment; and
- Maintain for future generations the habitat and ecological services of the natural assemblage of living resources that inhabit these areas.⁶

The 1992 reauthorization added a provision for councils limiting them to 15 members. Since its inception in 1972, the NMSA has been reauthorized by Congress several times with the last reauthorization occurring in 2000.

National Marine Sanctuary Program

The National Marine Sanctuary Program (NMSP) is a federal program administered by the National Ocean Service (NOS), one of five line offices within NOAA. Thirteen sanctuaries have been designated under this Act (Figure 2.1). Two sanctuaries have been designated with the primary purpose of protecting cultural resources, such as shipwrecks, and others have been established to manage both cultural and natural resources.⁷

Site-specific guidelines form a sanctuary's management plan, a formal document that summarizes programs and regulations, guides annual operating plans, articulates goals, guides future planning, and ensures public involvement in the designation process and

⁴ National Marine Sanctuaries Act and Legislation. 4 January 2006. National Oceanic and Atmospheric Administration. 12 April 2006 <<http://www.sanctuaries.noaa.gov/about/legislation>>.

⁵ Section 302. [16 U.S.C. 1432] Definitions. National Marine Sanctuaries Act.

⁶ Section 301. [16 U.S.C. 1431] Findings, Purposes, and Policies; Establishment of the System. National Marine Sanctuaries Act.

⁷ National Marine Sanctuary Program. 10 April 2006. National Oceanic and Atmospheric Administration. 12 April 2006 <<http://www.sanctuaries.nos.noaa.gov/welcome.html>>.

future management. According to the National Marine Sanctuaries Act, management plans are required to be reviewed periodically. Most management plans are over 10 years old and are thus currently being reviewed.

The Sanctuaries

To date, thirteen sanctuaries around the country have been formally designated as National Marine Sanctuaries. A fourteenth site, the Northwestern Hawai’ian Islands Coral Reef Ecosystem Reserve, was established through Executive Order in 2000 and is in the process of formal sanctuary designation (Table 2.1).

Table 2.1: The National Marine Sanctuaries

Sanctuary	Designation	Size (square nautical miles)	Location
Monitor	1975	0.75	North Carolina
Channel Islands	1980	1,252	California
Gray’s Reef	1981	17	Georgia
Gulf of the Farallones	1981	948	California
Fagatele Bay	1986	0.19	American Samoa
Cordell Bank	1989	397	California
Florida Keys	1990	2,800	Florida
Hawai’ian Islands Humpback Whale	1992	1,057	Hawai’i
Monterey Bay	1992	4,019	California
Stellwagen Bank	1992	638	Massachusetts
Flower Garden Banks	1992	42	Gulf of Mexico
Olympic Coast	1994	2,499	Washington
Thunder Bay	2000	448	Michigan
Northwestern Hawai’ian Islands Coral Reef Ecosystem Reserve*	2000	101,941	Hawai’i

*Executive Order, in designation process

The National Marine Sanctuaries vary in size from one quarter to over 4,000 square nautical miles. Monitor National Marine Sanctuary, located off the coast of North Carolina, was the first sanctuary designated for federal protection in 1975. The most recent sanctuary designation was Thunder Bay in 2000, located in northern Michigan in Lake Huron. Both of these sanctuaries are dedicated solely to the preservation, management, and education of historic shipwrecks. Most of the other marine sanctuaries, located off the Atlantic and Pacific coasts and the Gulf of Mexico, are tasked to protect marine wildlife, fragile habitat, and shipwreck sites as well. The sanctuaries are each unique and face a variety of challenges respective to their special qualities. For example, Stellwagen Bank and Florida Keys National Marine Sanctuaries face the challenge of reducing marine mammal entanglements in fishing gear and vessel strike incidents.

The Sanctuary Advisory Councils

The NMSA authorizes the creation of Advisory Councils to provide advice to NOAA on designation and management of the sanctuary (Table 2.2). All 13 National Marine Sanctuaries currently have advisory councils; Northwestern Hawai’ian Islands Coral Ecosystem Reserve has a Reserve Advisory Council. These councils offer comment and advice to sanctuary staff on managing the sanctuary, protecting resources, and identifying issues and ways to resolve conflict.

Table 2.2: The Sanctuary Advisory Councils

Sanctuary	Year Council Established	Total Members
Florida Keys	1991	19
HI Humpback Whale	1992	31
Stellwagen Bank	1992	21
Monterey Bay	1994	24
Olympic Coast	1995	20
Thunder Bay	1997	16
Channel Islands	1998	24
Gray’s Reef	1999	11
Gulf of the Farallones	2001	8
Cordell Bank	2001	11
Northwestern HI Coral Reef Ecosystem Reserve*	2001	25
Fagatele Bay	2005	19
Flower Garden Banks	2005	N/A
Monitor	2006	11

*Executive Order, in designation process

Each council maintains a charter which is the legal document that sanctions the existence and responsibility of the council. Charters vary in language but they all detail the objectives, membership, and operational procedures of the council.⁸ Refer to Appendix E to view a sample charter. Membership depends on what seats are on the council and may include government agency staff.

Councils are composed of member representatives of several specific groups including tourism, recreation, fishing, conservation, citizen-at-large, education, and research. The councils vary in their membership type. Olympic Coast has tribal government representatives and Hawai’ian Islands Humpback Whale and Stellwagen Bank have whale-watching seats. Monterey Bay has an agriculture seat in its council. Alternates are also chosen and substitute for the member if the member cannot attend a meeting. Having alternates also enables broader participation and outreach to constituents that council participants represent.

⁸ Sanctuary Advisory Council Implementation Handbook. National Marine Sanctuary Program. May 2003.

While advisory councils are exempt from the Federal Advisory Committee Act (FACA), guidelines in the NMSA ensure that the process is open to the public. Specifically, council meetings are open to the public and announced beforehand in local media. The public is also granted an opportunity to provide written or verbal comment during meetings. Council meetings are typically held three to four times per year. Meeting frequency and duration varies among the councils. If a council is helping to advise sanctuary management on a long term project such as the site's management plan, for example, meetings may be held more often, and working groups and subcommittees may be established so that members can focus on specific tasks.

Prior Research on the Advisory Councils

An assessment of the advisory councils conducted by the National Academy of Public Administration in 1998 was fairly critical of the councils.⁹ While the NMSP's advisory councils are exempt from FACA, authors concluded that the council charters are too restrictive and hinder progress in collaboration between agency and council members. This study focused heavily on the shortcomings of certain councils such as poorly facilitated meetings. The authors also suggested that the basic structure of the councils in representing diverse user groups invites conflict. Final recommendations included enhancing grassroots efforts in fundraising and congressional support.

A 2001 University of Massachusetts research study examined public participation in four advisory council processes. Results were more favorable than the former study, showing that council members felt they had been given adequate opportunity to participate in the management process.¹⁰ Most council members also responded favorably when asked about the nature of the relationships between members and the level of NOAA support.

A site-specific research effort yielded apparent differences in experience between representative participant groups at the Florida Keys National Marine Sanctuary.¹¹ In 1995, a research team from the University of Miami conducted several surveys of constituent groups to shed light on social and economic attributes of these groups and the challenges involved in establishing marine reserves. The area's community of fishermen, divers, and environmentalists were surveyed about their views on a proposed zoning plan. Findings suggested that fishermen respondents did not feel that the process of workshops and meetings to develop sanctuary regulations was fair and open to all groups as much as did dive operators and environmental groups. The authors recommended that the agency consider alternative tactics to engaging and gaining support of the broader public such as providing bilingual documents that would be understood by the non-English speaking community that made up a significant portion of some sanctuary user groups.

⁹ Protecting our National Marine Sanctuaries. Center for the Economy and the Environment, National Academy of Public Administration. February 2000.

¹⁰ Morin, Tracy. "Sanctuary Advisory Councils: Involving the Public in the National Marine Sanctuary Program." Coastal Management 29 (2001): 327-339.

¹¹ Suman D., Shivlani, M., and Milon, J. "Perceptions and attitudes regarding marine reserves: a comparison of stakeholder groups in the Florida Keys National Marine Sanctuary." Ocean and Coastal Management 42 (1999): 1019-1040.

Chapter 3

Advisory Council Member Survey

Results and Analysis

SURVEY METHODOLOGY

A web-based survey was used to collect current data on the Sanctuary Advisory Council experience. An online survey was chosen over a paper survey because of its higher response rates, increased convenience for respondents, and ability to streamline the data collection and management process. However, respondents could request a paper copy if they preferred that format, and seven individuals did so. A complete copy of the survey can be found in Appendix A.

The survey was e-mailed to the advisory council participants from 12 sanctuaries: Channel Islands, Cordell Bank, Fagatele Bay, Florida Keys, Gray's Reef, Gulf of the Farallones, Hawai'ian Islands Humpback Whale, Northwestern Hawai'ian Island Coral Reef Ecosystem Reserve, Monterey Bay, Olympic Coast, Stellwagen Bank, and Thunder Bay. Flower Garden Banks and Monitor Sanctuaries did not receive the survey because Sanctuary staff were still in the process of recruiting council participants.

The survey was e-mailed to the entire population of 315 advisory council participants, including both members and alternates. It was sent to the population as opposed to a sample in order to include all viewpoints and gather the most data and information from the broadest range of experiences.

Survey Timeline

The first survey draft was pretested in order to gain feedback and uncover any irregularities or unclear terminology. Twelve individuals pretested the first draft including five graduate students and three faculty at the University of Michigan's School of Natural Resources and Environment. Pretesters were chosen based on their knowledge of collaborative processes. Ellen Brody, the NMSP Great Lakes and Northeast Regional Coordinator, and Karen Brubeck, the National Advisory Council Coordinator, also reviewed and provided feedback on the survey draft. The survey was revised to incorporate this feedback and a second draft was sent to 12 former Sanctuary Advisory Council members, seven of whom provided comments.

After another round of revisions, the final survey link was e-mailed to all Sanctuary Advisory Council members on October 26, 2005. Respondents were asked to respond by November 18, 2005. Those who had not responded by November 9 were sent a reminder e-mail. However, the survey was not taken off-line until January 1, 2006 to accommodate responses delayed by the holidays and Hurricane Wilma in the Florida Keys.

Survey Organization

The online survey contained 10 pages and 28 questions. The questions were a mix of multiple choice, open-ended, and Likert-scale questions. Respondents could fill out the survey in stages by saving their responses and returning to the partially completed survey at a later date. The first two pages provided an introduction to the survey, the purpose of the study, and instructions on how to answer the questions.

In order to capture the broad range of advisory council experiences, understand the decision-making process, determine whether the processes are effective, and discover what would further assist councils, the questions were grouped under eight sections:

- Background information;
- Roles and functions of the advisory council;
- Meeting dynamics and management;
- Relationship between sanctuary staff and advisory council;
- Advisory council accomplishments;
- Advisory council challenges;
- Factors that promote advisory council progress; and
- Final thoughts and advice to NMSP.

The first four questions (Table 3.1) inquired about background information including sanctuary affiliation, membership type, length of membership, and participant group.

Table 3.1: Background survey questions

<p>Question #1: <i>In which Sanctuary Advisory Council are you involved?</i> (All twelve sanctuaries were offered in a drop-down menu)</p> <p>Question #2: <i>Are you a:</i></p> <ul style="list-style-type: none">• Member• Alternate <p>Question #3: <i>How many years have you served on the Advisory Council?</i></p> <ul style="list-style-type: none">• Less than 1 year• 1-2 years• 2-3 years• More than 3 years <p>Question #4: <i>Which interest or organization do you represent?</i></p> <ul style="list-style-type: none">• Conservation• Education• Research• Citizen at Large• Recreation• Commercial Fishing• Recreational Fishing• Tourism• Business/Industry• Local Government• State Government• Tribal Government• Scuba Diving• Cultural Resources• Other (Respondents could type in a different response)
--

Survey Responses

178 of the 315 advisory council participants responded to the survey, indicating a 57% response rate.

Responses by Sanctuary Advisory Council

Nine out of the 12 councils had over a 50% response rate. Table 3.2 shows how many surveys were sent, how many were returned, and the response rate for each sanctuary.

Table 3.2: Responses by Sanctuary Advisory Council

Sanctuary Advisory Council	Number Sent	Number Returned	Response Rate
Channel Islands	38	17	45%
Cordell Bank	10	6	60%
Fagatele Bay	10	7	70%
Florida Keys	34	20	59%
Gray's Reef	14	7	50%
Gulf of the Farallones	13	4	31%
Hawai'ian Islands Humpback Whale	39	20	54%
Northwestern Hawai'ian Island Coral Reef Ecosystem Reserve	23	9	39%
Monterey Bay	42	31	50%
Olympic Coast	32	17	53%
Stellwagen Bank	34	18	53%
Thunder Bay	26	16	62%

Responses by Membership Status

- Members: 114
- Alternates: 59

Responses by Tenure on Advisory Council

- Less than one year: 37
- 1-2 years: 31
- 2-3 years: 31
- Over 3 years: 75

Responses by Participant Group

Instead of being restricted to selecting the council seat they represented, respondents had the option of selecting more than one participant group that best described their interests.

As a result, the sum of the responses for participant group (n=191) exceed the total number of respondents (n=178).

- Federal Government: 29
- Conservation: 23
- Citizen at Large: 21
- Education: 19
- Fishing: 16
- State Government: 16
- Research: 13
- Business/Industry: 12
- Local Government: 12
- Recreation: 10
- Tourism: 10
- Cultural Resources: 2
- Tribal Government: 1
- Other: 7

Because many fishing representatives indicated both commercial and recreational interests, these two categories were combined. Scuba diving was combined with the recreation category due to the small number of responses. Several of the “other” responses were re-categorized. For example, charter fishing was included with fishing, shipping was included with business/industry, charter boating was included with business/industry, and whale watching was included with recreation.

Chapter Organization

The remainder of this chapter is organized around the eight overarching themes:

- About the council participants;
- Roles and program focus;
- Meeting dynamics and management;
- Relationship between sanctuary staff and advisory council;
- Advisory council accomplishments;
- Issue and process challenges;
- Factors that promote advisory council progress; and
- Advisory council members advice to NMSP.

Each section details the survey results and analyzes their implications.

ABOUT THE COUNCIL PARTICIPANTS

A wide variety of people choose to participate in advisory councils and we were interested in learning about the SAC members' characteristics and motivations for involvement on their SAC. Question #5 sought to determine why respondents chose to join the advisory council. Question #6 asked how worthwhile their participation has been from their perspective. Question #27 sought to determine the nature of the individuals that make up the advisory councils.

I. Main Reason for Joining the Sanctuary Advisory Council

Question #5 was an open-ended question that probed the major reasons why advisory council participants chose to become involved in the council.

Question #5: *What was your main reason for joining the Sanctuary Advisory Council?*

This question is commonly asked in studies of collaborative public processes. It was asked in order to assess participants' motivations for being involved in the process, to understand the range of objectives at play in the process, and to gain some insight that might help explain the tone and dynamic observed in the process.

Main Reason for Joining: Results

168 respondents answered this question, some providing more than one reason for their participation in the council. Consequently, the total number of responses, or reasons why they joined, is greater than the number of individual respondents. Responses fell into five major categories:

1.	To make a contribution to the sanctuary	51%, n=86
2.	To advocate on behalf of a particular interest or organization	29%, n=49
3.	To advance an issue or objective	16%, n=27
4.	To fulfill a job responsibility	13%, n=21
5.	To keep informed of sanctuary activities	4%, n=7

1. To Make a Contribution to the Sanctuary

The majority of respondents (51%, n=86) expressed that they joined the council because they wanted to contribute to the sanctuary and its management. These respondents clearly care about the sanctuary and the issues involved in its management, and feel a responsibility or desire to contribute to it. There were slight variations in responses within this category, representing five subcategories:

- a) *I want to help* – 36 responses contained an explicit statement about wanting to contribute, help, assist, or to give back to the sanctuary. For example:
- "I hoped that I could contribute to a worthwhile effort."
 - "I would like to contribute to the success of the Sanctuary."
 - "It was my way of paying back a resource that I have used recreationally for the past two decades."
- b) *I am interested in the issues* – 20 respondents implied an interest in sanctuary issues, suggesting that the respondent not only cares about these issues, but wants to be involved in addressing them as well. For example:
- "The SAC addresses issues that I care about."
 - "An interest in the issues facing the Sanctuary—at the time, the update of the Management Plan and the consideration of marine reserves."
 - "Interest in conservation and fisheries."
- c) *I have something to offer* – 18 responses contained an explicit statement about having something specific to contribute, most often knowledge or expertise. For example:
- "I can help with oil spill issues."
 - "I am a long-term researcher on humpback whales."
 - "As a retired marine and fishery biologist and author I felt that I could use this area of my expertise and knowledge to enhance the information base of the Council during deliberations."
 - "I wanted to lend my experience and expertise in ocean issues to the sanctuary."
- d) *I care about this sanctuary* – 13 responses contained an explicit statement of personal support for the sanctuary or caring about the sanctuary, implying a desire to be involved in its management. For example:
- "Fundamentally, I care about what happens to this place."
 - "I am a firm believer in supporting our marine sanctuaries."
 - "I was involved in creating the legislation and gaining the support to establish the Sanctuary."
- e) *I was asked and agreed* – 6 respondents commented that they were asked and agreed to serve, suggesting a sense of responsibility and willingness to contribute. For example:
- "Request of a valued colleague."
 - "Strongly encouraged to join by former Sanctuary Manager."

2. To Advocate on behalf of a Particular Interest or Organization

49 (29%) respondents stated that they joined the council specifically to represent or advocate on behalf of a particular organization or interest. Some of these responses implied a level of distrust or wariness about the SAC process and hence a strategic motive for becoming involved in order to ensure that their interests were attended to.

Most of these respondents, however, simply indicated a role as a representative of an organization. The prime motivation in these responses seems to be to influence the council process, in contrast to contribute to the council process. For example:

- "A desire to make sure needs of tourism industry and tourists are represented."
- "I wanted to represent the local communities' interests in the Sanctuary."
- "To contribute the opinions of the small, but growing tourism population of non-motorized water craft (paddlers and sailors)."
- "At the time I joined I did not feel that my views as a diver were adequately being represented."
- "To represent the Marine Industry."
- "I wanted to be sure that the commercial fishing industry would be represented at the council in a rational manner."
- "To represent the Army Corps of Engineers."

3. To Advance an Issue or Objective

27 (16%) respondents commented that they joined the council to advance a particular issue or objective that they cared about. While these members did not express a personal or organizational stake like those who joined explicitly to advocate in the category above, they were nonetheless similarly interested in influencing the focus of the process. For example:

- "Interest in bringing shipwrecks and environmental issues into the classroom."
- "To help change and improve the way we harvest crawfish. And to try and get the sanctuary to use artificial habitat to enhance the fisheries and the economy."
- "To promote educational materials that could be used by Interpretive Centers, teachers, and the general public that would enhance their understanding of 'what is out there' in order to promote their interest in protecting natural resources."

4. To Fulfill a Job Responsibility

21 (13%) respondents noted that their participation was part of a job assignment, suggesting a potentially more neutral involvement. Of these 21 respondents, three added that they were personally interested in the sanctuary and the issues involved in its management. For example:

- "It was considered part of my position."
- "Responsibility was transferred to me when I started my job."
- "Part of official duties as well as interest in what the Channel Islands National Marine Sanctuary does;"
- "This was a job assignment but I also have a professional interest in Marine Protected Area policy."

5. To Keep Informed of Sanctuary Activities

Finally, seven (4%) respondents noted that one reason for their involvement, but not their primary reason, was to keep themselves and/or their stakeholder groups informed of council and sanctuary activities. For example:

- "Informs of their agenda."
- "To keep informed of the activities affecting this vital resource."

Main Reason for Joining: Analysis

The question of "why did you become involved" is a standard question asked of participants by researchers. Responses typically fall into categories such as "because I don't trust the agency or decision maker;" "because I want to make sure my interests are addressed;" "because I have a stake in the decisions that will be made;" "because I am a party to the pending lawsuit;" etc.¹ In other words, most responses tend to be strategic and often adversarial in nature. In contrast, the responses by council participants were markedly different, suggesting the potential for a very different dynamic in these advisory council processes.

It is worth noting that the responses to this question parallel the responses received to Question #27, discussed later, in which over 90% of respondents answered that they care about their sanctuary, enjoy solving problems, like to find common ground on issues, and enjoy working with others.

Taken together, the responses to Questions #5 and #27 would suggest that council processes contain the key ingredients for a promising collaborative interaction. Those involved share a common concern regarding the sanctuary, want to contribute to its management, have a problem-solving orientation, try to find common ground on issues but, at the same time, are attuned to and represent the interests and concerns of key groups. Not all collaborative processes have such an auspicious foundation.

II. Perceived Value of Sanctuary Advisory Council Participation

Respondents were asked how worthwhile their participation in the council has been, both for themselves and the organizations or interest they represent.

Question #6: *To what extent has your participation in the Advisory Council been:*

- Personally worthwhile.
- Worthwhile for the organization or interest you represent.

¹ Julia M. Wondolleck and Steven L. Yaffee. Making Collaboration Work: Lessons from Innovation in Natural Resource Management. Washington D.C. Island Press, 2000.

Responses to this question were rated on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Perceived Value: Results and Analysis

The majority of respondents perceive their participation in the advisory council as worthwhile, both personally as well as for the organization or interest they represent. As a group of diverse participants with differing goals and expectations, an impressive percentage of participants perceive that their time on the advisory council is well spent.

The stacked column chart (Figure 3.1) depicts the percentage of responses in strong agreement with each statement. It places those who responded with “agree,” on top of those who responded with “strongly agree.” Thus, the chart displays the two highest choices combined.

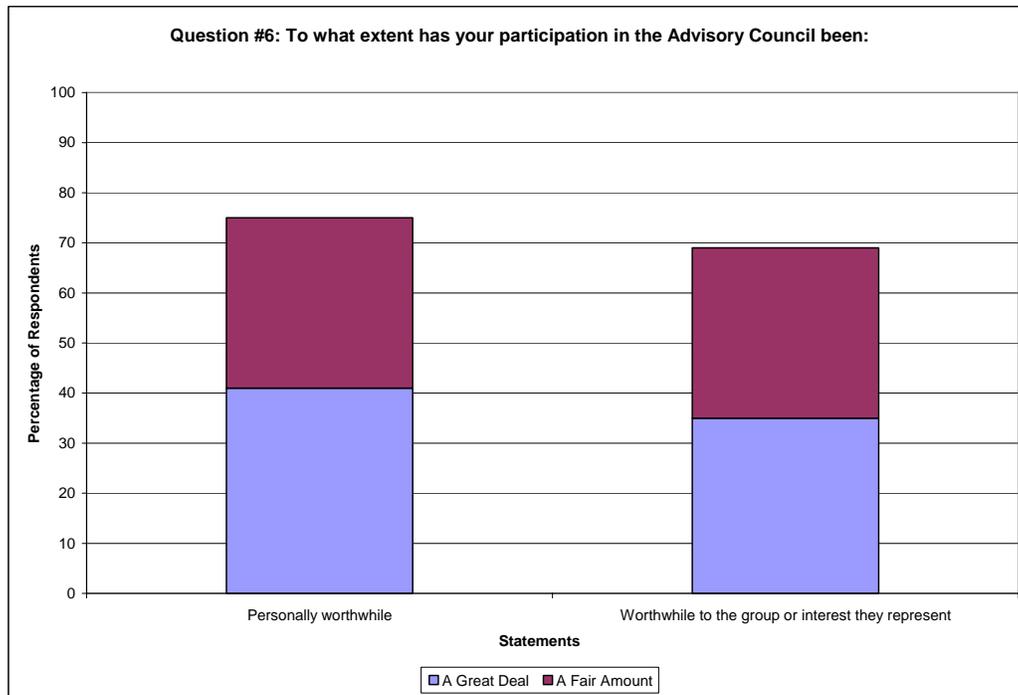


Figure 3.1: How worthwhile the advisory council experience has been

75% (n=126) of respondents perceived the value of their participation as personally worthwhile as either “a great deal” or “a fair amount” with 41% (n=69) perceiving that their participation has been “a great deal” worthwhile. The remaining respondents (20%, n=33) typically chose to describe their participation as “somewhat” worthwhile. Only one respondent felt that their participation was “not at all” worthwhile.

69% (n=111) of respondents perceive their participation as either “a great deal” or “a fair amount” worthwhile to the group or organization they represent, with 35% (n=56) perceiving their participation as “a great deal” worthwhile. 9% (n=15) of respondents felt

that their participation was “not at all” or “minimally” worthwhile to the group or interest they represent.

III. Advisory Council Participant Interests

Little has been done to discover what kinds of people comprise the Sanctuary Advisory Councils. What drives individuals to join? What motivates them to stay involved? Question #27 sought to discover what kind of individuals make up the Sanctuary Advisory Council system.

Question #27: *To what extent do the following statements accurately describe you:*

- I care deeply about my National Marine Sanctuary.
- I am passionate about protecting the environment in general.
- I enjoy working with other people.
- I enjoy solving problems.
- I feel a personal responsibility to be involved in civic activities like the Advisory Council.
- I like to try to find common ground on issues.
- I prefer to represent my own interests, not be represented by others.

Respondents were asked to rate the accuracy of each statement on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Participant Interests: Results and Analysis

Six out of the seven statements garnered very strong support with 85-95% of respondents agreeing (Figure 3.2). Looking at these six, and the distinction between “a fair amount” and “a great deal,” the vast majority of responses were “a great deal.” In addition, none of the respondents chose “not at all” for any of these six statements. The exception is “I prefer to represent my own interests,” which had the least support with 32% (n=50).

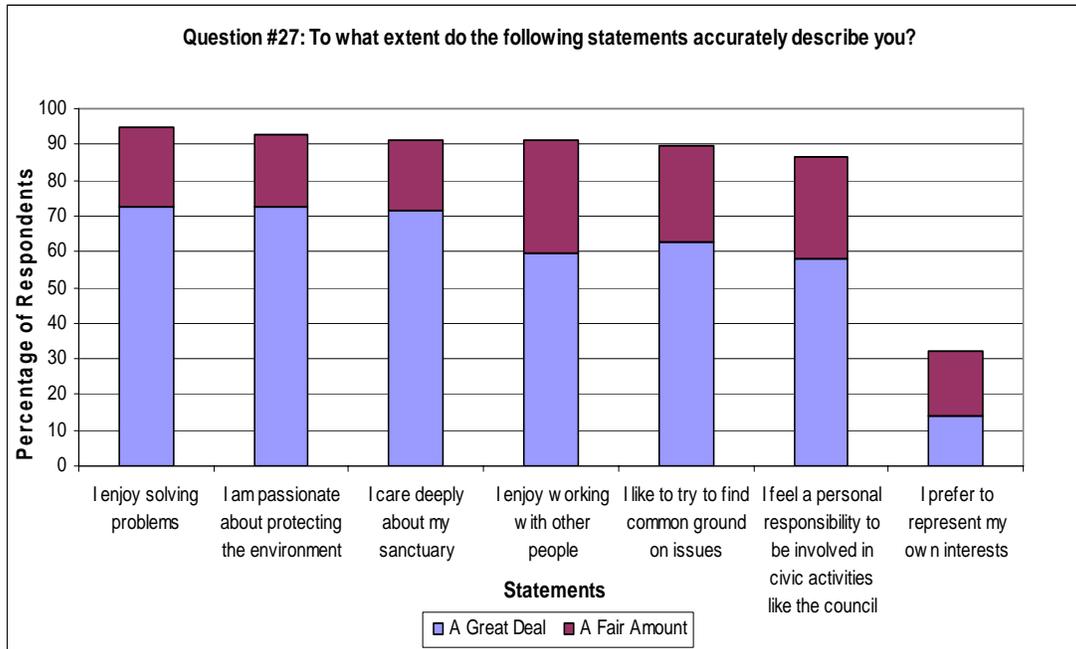


Figure 3.2: Attributes that describe advisory council members

Advisory council participants felt very strongly about their desire to protect the environment (93%, n=149) and their sanctuary (91%, n=144), with over 70% responding with “a great deal.” They are problem-solvers (95%, n=149), and especially enjoy working with others in order find solutions to difficult challenges (91%, n=144). They like to try to find common ground on issues (90%, n=140). The desire to be a part of the council appears to be driven by interests along with the feeling that they have a personal responsibility to be involved in civic activities (87%, n=137).

Only 32% (n=50) of respondents answered positively to the statement that they “prefer to represent their own interests.” This was the only statement where most of the respondents (29%, n=45) chose “somewhat.” This was also the only statement where respondents chose “not at all” (18%, n=28). The low level of support with this statement further confirms that those involved in councils are not acting in self-interest; they want to work together for the good of the sanctuary.

Overall, advisory council participants represent the type of personality that would work well in a team environment. These findings are important because advisory councils are designed to bring people together for a common purpose and create a collaborative working atmosphere. The results are also encouraging to the NMSP. At the time of council system establishment, NMSP sought individuals that wanted to work together across participant groups and that wanted to help the sanctuary. The NMSP appears to be attracting and retaining these types of individuals on the advisory councils.

ROLES AND PROGRAM FOCUS

The National Marine Sanctuary Program has described specific roles and activities for advisory councils such as serving as a liaison between the community and staff, providing advice to staff, helping to identify sanctuary issues and conflicts, helping to review agency plans and proposals, and validating the accuracy of information used in decision-making.

While these are the stated and initial roles for Sanctuary Advisory Councils, several questions were asked to determine which roles have been adopted and whether other roles and functions may have emerged. Consequently, this survey section probed participants' perceptions of how they are assisting the sanctuary (Question #8), in what programmatic areas (Question #9), and what they consider to be the most important functions of their council (Question #10).

I. Advisory Council Roles

The NMSP Sanctuary Advisory Council Implementation Handbook provides guidance to sanctuary staff on delegating advisory council responsibilities.⁴⁷ Question #8 asks respondents the degree to which their council carries out the roles from this operational document.

Question #8: *To what extent do you agree that your Advisory Council:*

- Advises the Sanctuary Manager or Superintendent on agency-prepared plans, proposals or projects.
- Helps to identify Sanctuary issues and conflicts.
- Ensures the accuracy of information used in decision-making.
- Influences the Sanctuary's Management Plan review.
- Provides a forum for voicing concerns, asking questions, and getting information.
- Informs the public of Sanctuary activities.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Advisory Council Roles: Results and Analysis

Survey responses suggest that advisory councils are fulfilling multiple roles (Figure 3.3). The vast majority of respondents (93%, n=155) “agreed” or “strongly agreed” that their advisory council provides a forum for voicing concerns, asking questions, and getting information. 61% (n=101) “strongly agreed” with this statement. The results are

⁴⁷ "Sanctuary Advisory Council Implementation Handbook" prepared by National Marine Sanctuary Program, NOAA, May 2003.

encouraging in that having the opportunity to communicate openly enables other essential council roles to be played out.

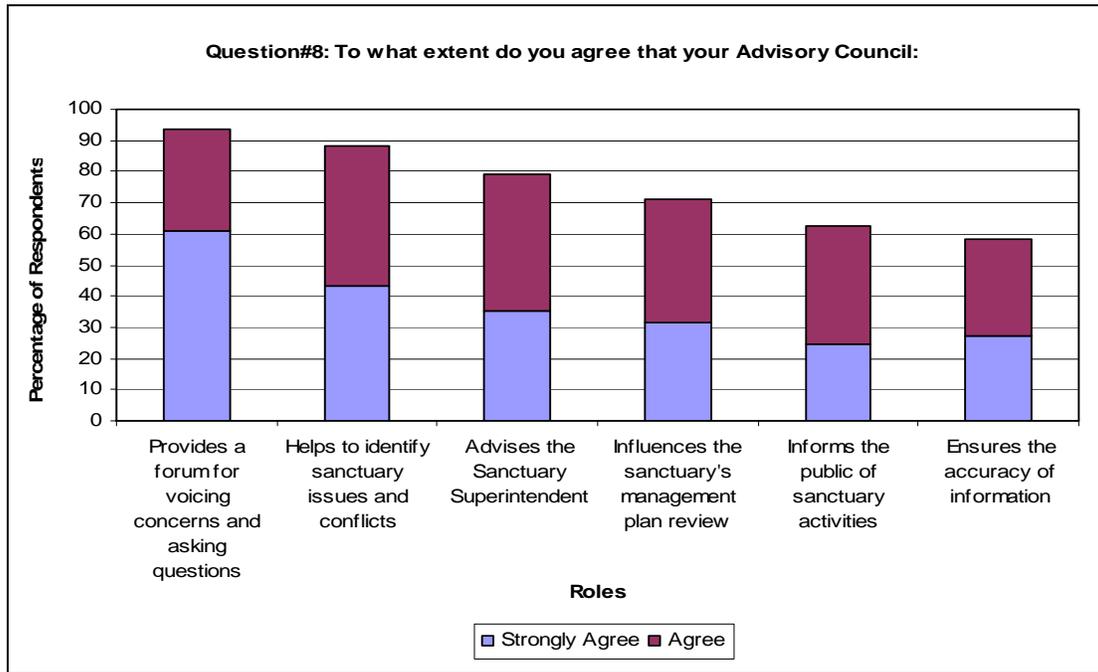


Figure 3.3: Advisory council roles

Respondents indicated that their council often identifies issues and conflicts relating to the sanctuary (88%, n=147). It appears that the diversity of the group is not only introducing different perspectives, but is also able to identify issues that may have been otherwise overlooked.

79% (n=132) of respondents agreed that the advisory council advises the Sanctuary Manager or Superintendent on agency-prepared plans, proposals, or projects. 71% (n=118) of respondents agreed that the council influences the sanctuary's management plan review.

63% (n=104) of respondents believe that the advisory council informs the public of sanctuary activities. One of the roles of each council member is to represent a specific participant group and bring their viewpoints to the table. However, this finding indicates that councils are also increasing public awareness of sanctuary programs and decisions.

58% (n=97) of respondents agreed that the council ensures the accuracy of information used in decision-making. 25% (n=41) of respondents answered with “neutral.”

II. Advisory Council Discussion of Program Areas

The Sanctuary Advisory Councils provide advice on in order to assist sanctuary management in identifying issues, building partnerships, and planning future initiatives in

agency program areas. Question #9 sought to determine the amount of time the council spends on five NMSP program areas.

Question #9: *To what extent does your Advisory Council discuss issues in the following Sanctuary program areas?*

- Education
- Research
- Resource Protection
- Enforcement
- Management Plan Review

Respondents rated each statement on a scale from 1-5 (1 = *never*, 2 = *rarely*, 3 = *sometimes*, 4 = *often*, and 5 = *very often*).

Education involves increasing public awareness of the existence of the sanctuary and enhancing marine science knowledge in the community through channels such as classrooms and interpretive facilities.⁴⁸ Research activities include gathering data and recommending ways to monitor the condition and health of the sanctuary. Resource protection concerns developing ways to assess and maintain the integrity of the sanctuary's geologic, ecological, and cultural resources.⁴⁹

Several sanctuaries are currently revising their management plans, thus enforcement may be a topic area that has been and may be discussed with greater frequency in the future within the councils. Management plan review (MPR) is an intensive process for both the sanctuary and advisory council. It involves updating a sanctuary's site-specific planning and management document. While the plan is typically revised every five years, the actual timing of the update may vary between sanctuaries and thus may or may not be a current area of focus.

Program Areas: Results and Analysis

Issues related to resource protection and research are most discussed, followed closely by management plan review and education. Issues related to enforcement were discussed the least (Figure 3.4).

⁴⁸ National Marine Sanctuary Education Plan. August 2000. National Oceanic and Atmospheric Administration. 12 April 2006 <<http://www.sanctuaries.nos.noaa.gov/education/ref/program.html>>.

⁴⁹ Research. 28 December 2005. National Oceanic and Atmospheric Administration. 12 April 2006 <<http://www.sanctuaries.nos.noaa.gov/science/research/welcome.html>>.

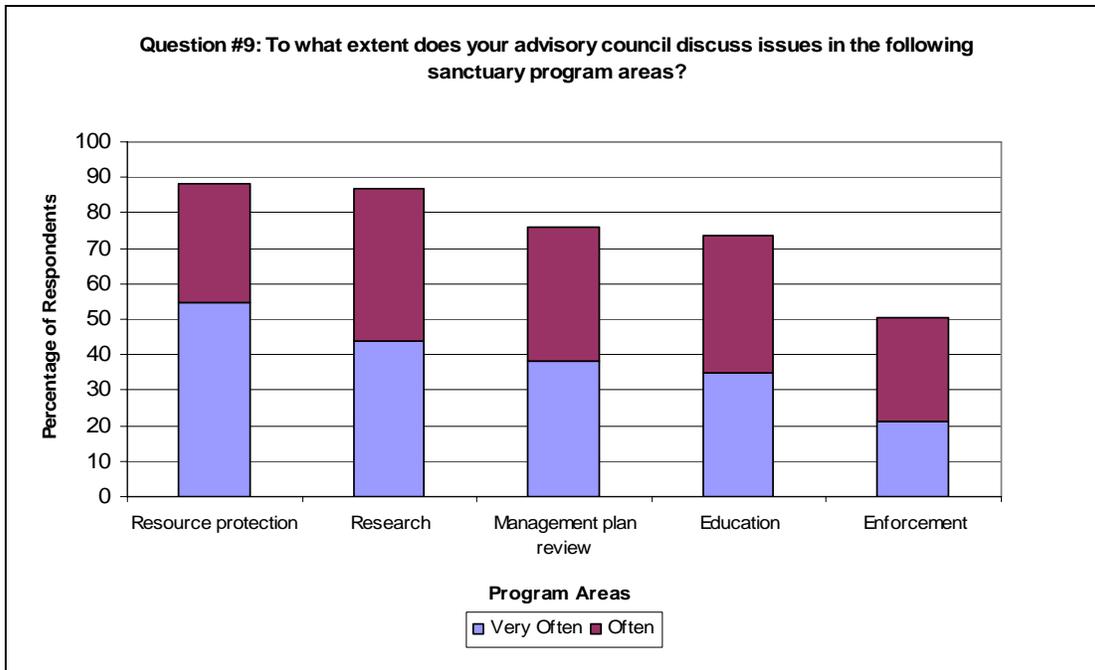


Figure 3.4: Advisory council involvement in sanctuary program areas

88% (n=147) of respondents “often” or “very often” spend time discussing issues related to resource protection. 87% (n=146) of respondents indicated that they frequently discuss research-related issues.

76% (n=127) of respondents indicated that issues related to management plan review are frequently discussed. 20% (n=33) of respondents answered “sometimes.” The high percentages affirm the significance of this task for council members.

74% (n=124) of respondents indicated that issues related to education were a frequently discussed. 51% (n=85) of respondents answered that they frequently discussed enforcement issues. 10% (n=17) indicated that their council “almost never” talks about enforcement issues.

III. Advisory Council’s Most Important Function

Question #10 was an open-ended question that asked participants about what they thought was the council’s most important function.

Question #10: *What would you say is the most important function of the Advisory Council?*

Most Important Function: Results

156 respondents answered this question. Respondents sometimes offered more than one function, thus the total number of responses was 162. Responses fell into six major categories:

1.	Support sanctuary management and staff	34%, n=55
2.	Connect the sanctuary to the community	22%, n=37
3.	Provide a forum for discussion	21%, n=34
4.	Ensure proper management and protection of sanctuary resources	11%, n=18
5.	Educate the public	7%, n=12
6.	No important function	4%, n=6

1. Support Sanctuary Management and Staff

55 (34%) respondents indicated that the most important function of the council is to support the staff. There were three types of support mentioned:

- A. *Advise sanctuary management and staff* – 44 respondents commented about providing management advice and recommendations to sanctuary staff. For example:
 - “Advising sanctuary manager on all issues.”
 - “Advise sanctuary officials of the opinions, desires and intentions of the represented groups, agencies and populations.”
- B. *Provide a wide range of expertise and interests* – 6 respondents discussed how members provide input to the staff based on multiple points of view. For example:
 - “Provide a wide range of input by diverse stakeholders to the management of the sanctuary.”
 - “Provide sanctuary decision makers with thoughts/issues/input from the various user groups.”
 - "Providing multiple views to allow manager to make a well-informed decision."
- C. *Assist in management plan review* – 5 respondents commented on the council’s assistance with the sanctuary’s management plan. For example:
 - “Guiding management plan review process.”
 - “Making recommendations to sanctuary staff with regard to management plan revisions.”

2. Connect the Sanctuary to the Community

37 (23%) respondents indicated that the most important function of the council is to serve as a connection between the sanctuary and the community. There were two subgroups in this category:

- A. *Serve as a liaison* – 22 respondents commented on the council’s role as an intermediary between the community, participant groups, and sanctuary staff. For example:
- “Provides connections between sanctuary management and stakeholders.”
 - “Serving as a liaison between the sanctuary and the community.”
 - “To maintain community relations with the general public and the local units of government. Also, to provide community feedback to the staff of the sanctuary.”
- B. *Represent public interests* – 15 respondents stated that the council ensures representation of the public and constituent groups. Examples include:
- “Representing diverse constituencies.”
 - “Ensuring all concerns/interests are allowed a voice. So that the sanctuary is better served.”
 - "Represent the various groups that provide input to the management team and provide education and outreach."

3. Provide a Forum for Discussion

34 (21%) respondents indicated that the council enables the public and participant groups to come together and communicate on various issues, express opinions, offer and receive information, and try to resolve conflict. For example:

- “Give all stakeholders an opportunity to participate and have a voice in management decisions.”
- “Forum for input from broad cross-section of stakeholders.”
- “We serve as a sounding board for both the sanctuary staff and the public on issues that affect the sanctuary and on ideas for change.”

4. Ensure Proper Management and Protection of Resources

18 (11%) respondents indicated that the council assists in proper sanctuary management and resource protection. For example:

- “I believe the SAC is responsible for ensuring the proper use and management of the sanctuary now and for generations to come.”
- “Keep our islands and coastline clean and safe for the enjoyment of future generations.”
- “The most important function should be to make sure the sanctuary does what it was created to do: resource protection.”

5. Educate the Public

12 (7%) respondents indicated that educating and involving the public on sanctuary activities was an important function. Responses often indicated how the councils increase public awareness of the sanctuary. For example:

- “Public awareness, support, community connection.”
- “I believe the SAC is responsible for educating the public about the sanctuary and how they impact the environment.”
- “Provide outreach to the surrounding communities.”

6. Council Has No Important Function

Six (4%) respondents suggested that the council does not have a significant function or has no purpose. For example:

- “I think that its most important function--to provide information to management for informed decision making and action--is almost never carried out because management provides only token attention to our input and recommendations while focusing on empire building.”

Most Important Function: Analysis

According to respondents, advisory councils play many different roles in addition to advising sanctuary management. Councils bridge communications between the public, constituent groups, and sanctuary staff. In addition, they serve as a forum for groups and staff to discuss and learn about sanctuary issues.

MEETING DYNAMICS AND MANAGEMENT

The goal of advisory councils to serve as a forum for discussion is particularly sensitive to meeting dynamics. Creating a space where all individuals feel free to contribute requires a dynamic that supports open communication. Important factors range from the general atmosphere of a meeting to whether participants feel respected. When there is a dynamic that allows for successful communication, creative solutions and greater insights are often produced.

Questions #11 and #12 asked members about their personal feelings and impressions about meetings and their management. Question #13 addressed respondents' impressions about meeting outcomes and what factors lead to the outcomes. Question #14 asked how decisions are made and Question #15 asked about communication between meetings.

Responses to questions in this section will aid in understanding the potential of advisory council meetings to act as places for productive discussion and what meeting management factors are needed to realize this potential.

I. Meeting Dynamics

Question #11 asked respondents about their perceptions of meetings and meeting outcomes. The 10 statements can be divided into two categories. The first seven statements sought to understand how council participants perceive group meeting dynamics. The last three statements address how council participants view the decisions of the council.

Question #11: *To what extent do you agree with the following statements regarding Advisory Council meetings?*

- I feel free to ask questions and make suggestions.
- I feel free to express disagreement.
- My ideas are respected.
- My concerns are understood by others.
- I feel Advisory Council members work as a team toward a shared goal.
- I feel Advisory Council members try to achieve consensus.
- I feel Advisory Council members trust one another.
- I feel satisfied with how the Advisory Council makes decisions and recommendations.
- I feel satisfied with the substance of the Advisory Council's final decisions and recommendations.
- I feel that Advisory Council final decisions and recommendations are fair.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Meeting Dynamics: Results and Analysis

The responses to these statements were generally positive with more than 70% of respondents “agreeing” or “strongly agreeing” with all but two statements (Figure 3.5).

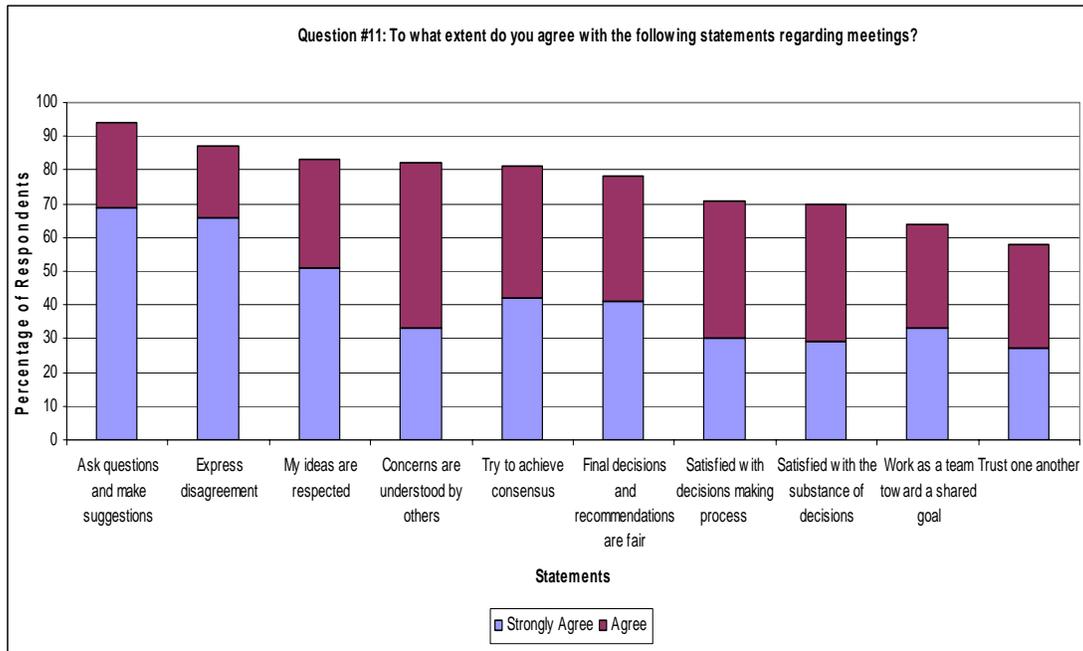


Figure 3.5: Respondents' impressions of meeting dynamics

It appears that advisory councils are successfully creating environments that promote open discussions and cooperation. In addition, these environments are able to produce decisions that more than 70% of respondents are satisfied with and feel are fair.

The most agreed upon statements relate to interpersonal dynamics. The majority of respondents agreed that they feel free to ask questions (94%, n=156) and express disagreement (87%, n=144). Over 65% of respondents “strongly agreed” with these two statements, and only 1-2% “strongly disagreed.” Respondents also agreed that their ideas are respected (83%, n=137), that their concerns are understood by others (82%, n=135), and that council members try to achieve consensus (81%, n=134).

A safe space for people to communicate and interact is one of the first steps to creating a successful collaborative group. Without respectful and open meeting dynamics, effective discussions and solutions are difficult to achieve. Along with being a basic component of collaboration, this open and communicative environment is also one of the more easily influenced aspects of meeting dynamics. Looking at the first grouping of four statements, it is clear that council members and sanctuary staff have successfully created productive atmosphere; more than 80% of respondents agreed that their councils have the open and respectful environment described in these statements.

The second group of statements involves the decisions of advisory councils, both the process of reaching decisions and the substance of decisions. Although these statements garnered less support than the first group, the percentage of respondents in agreement is still high. A large majority of respondents (71%, n=117) agreed that they felt satisfied with how the council makes decisions and the final substance of those decisions (70%, n=111). 78% (n=117) of respondents “agreed” or “strongly agreed” that council decisions and recommendations were fair. If the analysis of these three statements is expanded to include respondents who were “neutral,” the rates jump to 90%.

Considering the wide array of participant groups and the varied interests represented in advisory councils, it is impressive that such a high percentage of members are satisfied with the decision-making process and subsequent outcomes. Having participants who are able to agree that decisions are satisfactory and fair, even if those decisions run counter to their interests, can be an indicator of successful collaboration. These results imply that participants have had the chance to add their input into the process and are at least satisfied that their interests have been understood, discussed, and fairly weighed during the decision-making process. Not only does this sentiment reflect on the open and respectful communication vital to collaboration, it also increases the legitimacy of the council’s final decisions.

The last grouping of statements with which respondents had the lowest level of agreement were that council members work as a team toward a shared goal (64%, n=107) and that council members trust one another (58%, n=97). If the analysis is expanded to include respondents who were “neutral,” the percentage increases to about 80% for both statements. Despite these mostly positive results, it is worth noting that unlike the other statements which had less than 1% of respondents who “disagreed” or “strongly disagreed,” these statements about trust and shared goals had more detractors. 15% (n=25) of respondents either “disagreed” or “strongly disagreed” that advisory council members trust one another and 13% (n=22) “disagreed” or “strongly disagreed” that advisory council members work toward a shared goal.

One interesting observation is that feelings of trust between advisory council members do not appear to be required in order to have positive interpersonal meeting dynamic or be satisfied with decisions.

II. Meeting Characteristics

In order to obtain a thorough impression of council members’ perceptions of meetings, it is important to understand their experiences during meetings and how they perceive the dynamics at play. Some of the statements in Question #12 probed more objective measures of a meeting experience, such as meeting logistics, while others inquired about more emotional and interpersonal aspects.

Question #12: *To what extent do you agree a typical Advisory Council meeting is:*

- Well managed
- Held often enough
- A sufficient length
- Informative
- Productive
- Satisfying
- Frustrating
- Emotional
- Cooperative

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Meeting Characteristics: Results and Analysis

Responses to Question #12 varied widely (Figure 3.6). Results ranged from 94% (n=153) of respondents “agreeing” or “strongly agreeing” that meetings are informative to 24% (n=38) of respondents agreeing that meetings are emotional.

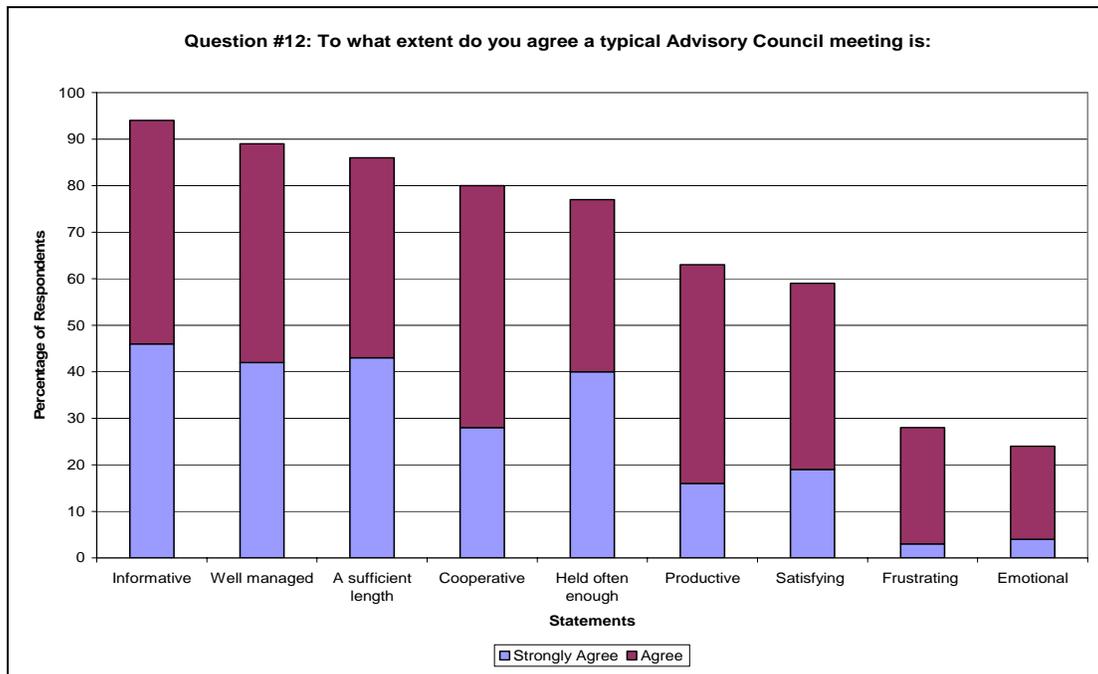


Figure 3.6: Meeting characteristics and atmosphere

In general, respondents expressed very positive attitudes about advisory council meetings. Most perceive meetings as informative (94%, n=153), well-managed (89%, n=146), a sufficient length (86%, n=139), and held often enough (77%, n=127). Furthermore, most respondents agreed that meetings are cooperative (80%, n=129),

productive (63%, n=104), and satisfying (59%, n=94). Few respondents agreed that meetings were frustrating (28%, n=45) or emotional (24%, n=38). In fact, 43% (n=69) of respondents “disagreed” or “strongly disagreed” that meetings were frustrating and 35% (n=58) that they were emotional. Only 10% (n=16) of respondents “disagreed” or “strongly disagreed” that meetings are productive and only 11% (n=18) that they were satisfying.

There are many factors that affect the productivity and accomplishments of an advisory council and the structure and dynamic of the actual meeting is foremost among them. It appears that the NMSP has found a solid formula for scheduling and managing council meetings. It is never easy to bring together a diverse set of interests to discuss issues that are scientifically and technically complex and where disagreements between participants are inevitable. The fact that so many survey respondents have such positive attitudes toward this aspect of their advisory council speaks well for the efforts of the NMSP and council members who participate in them.

III. Meeting Processes

Question #13 addressed two areas of interest: how advisory councils function and the advisory council’s relationship with the general public.

Question #13: *To what extent do you agree that:*

- Creating smaller groups (i.e., subcommittees, working groups) to address issues is essential to the functioning of the Advisory Council.
- Advisory Council members have access to the information necessary to make informed decisions.
- Advisory Council members are able to influence the meeting agendas.
- Advisory Council membership terms are appropriate in length.
- Advisory Council meetings are sufficiently publicized.
- Members of the public have an opportunity to voice their opinions at Advisory Council meetings.
- Advisory Council recommendations are decided upon in public.
- Advisory Council meeting notes are made available to the public.
- It is easy for the public to learn about Advisory Council activities.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Meeting Processes: Results and Analysis

The level agreement for these statements ranged from 88% (n=146) for “members of the public have an opportunity to voice their opinions at advisory council meetings” to 58% (n=95) for “it is easy for the public to learn about advisory council activities” (Figure 3.7).

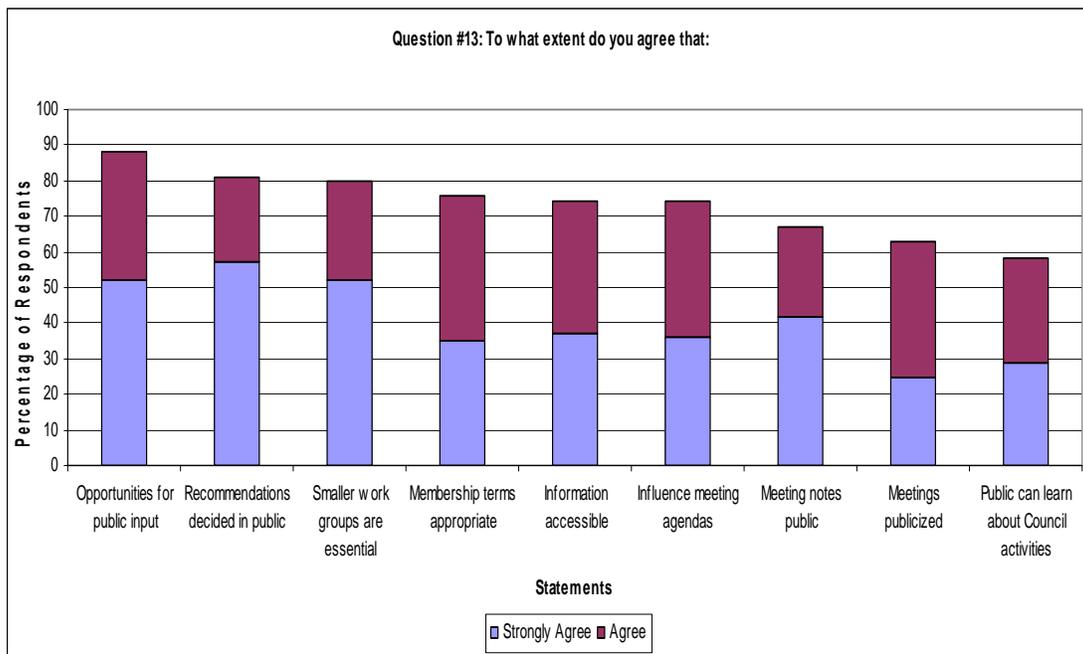


Figure 3.7: Meeting processes

The statements with the highest percentage of respondents in agreement involve the public’s role in the advisory council process. 88% (n=146) of respondents “agreed” or “strongly agreed” that the public has an opportunity to speak during meetings and 81% (n=134) felt that council decisions were decided on in public. In addition, there were virtually no respondents who “strongly disagreed” with these two statements. This result suggests that advisory council meetings are successfully acting as a conduit for public input and outreach. Citizens are listened to and council decision-making processes are open for viewing.

Statements concerning the council’s relationship with the public had relatively lower levels of agreement. These statements include whether meeting notes are public (67%, n=110), meetings are sufficiently publicized (63%, n=104), and council activities are easy to learn about (58%, n=95). When combined with results discussed above, this suggests that when the public engages with the council, they are welcomed and incorporated into council discussions and activities. However, this opportunity is only open to public citizens who know about and attend meetings.

In general, responses suggest that participants are satisfied with how their council functions. The majority of respondents agreed creating smaller groups is essential to council functioning (76%, n=131), council membership terms are appropriate in length (76%, n=126), members have access to necessary information (74%, n=122), and members are able to influence meeting agendas (74%, n=122).

IV. Communication between Meetings

Communicating outside of meetings is one way to maintain strong connections and strengthen working relationships. Question #15 asked how often council members communicate with different groups.

Question #15: *Between Advisory Council meetings, to what extent do you communicate with:*

- The people or organization you represent.
- Sanctuary Manager or Superintendent.
- Other Sanctuary staff.
- Other members of your Advisory Council.

Respondents rated each statement on a scale from 1-5 (1 = *never*, 2 = *rarely*, 3 = *sometimes*, 4 = *often*, and 5 = *very often*).

Communication between Meetings: Results and Analysis

Overall, the results show that the majority of respondents communicate with the people or organization they represent between meetings (Figure 3.8).

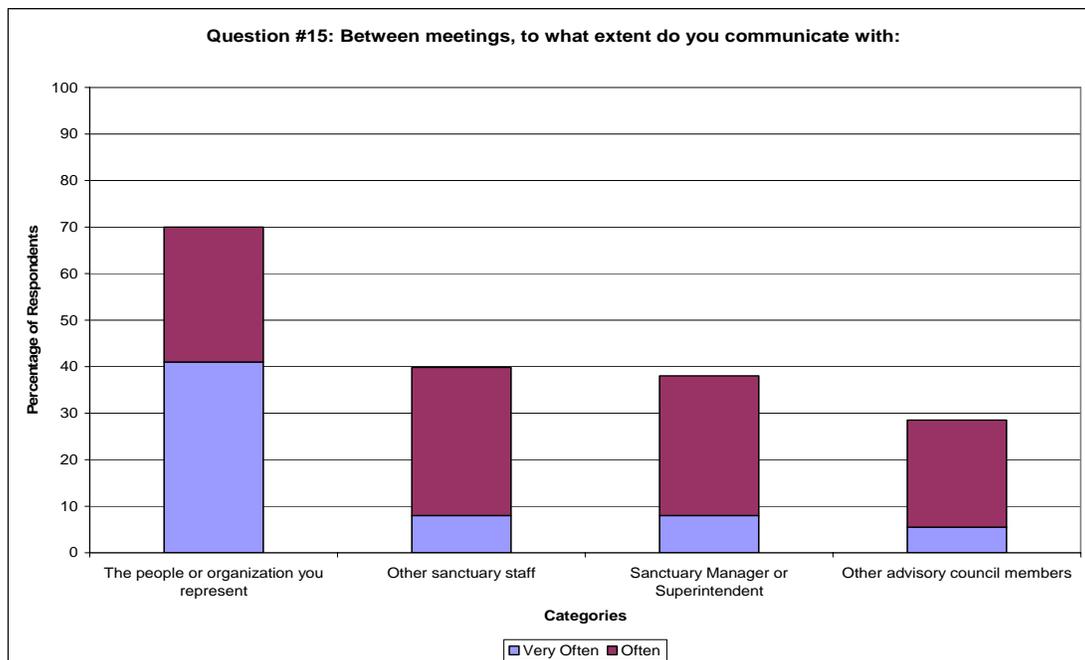


Figure 3.8: Level of communication between meetings

Respondents often communicate with their constituent group between meetings (70%, n=115). These results suggest that respondents are fulfilling one of their primary advisory council member roles.

Many respondents also often communicated with the Sanctuary Manager or Superintendent (48%, n=63) and other sanctuary staff (38%, n=79). Such a large percentage may suggest that staff readily respond to member inquiries when needed.

A relatively low percentage of respondents (28%, n=47) communicate “often” or “very often” with other council members. This percentage may have been higher had the question specifically asked about communication among members in subcommittees or other working groups. However, these results suggest that council meetings are bringing together diverse individuals who would otherwise not have an opportunity to interact and communicate.

RELATIONSHIP BETWEEN SANCTUARY STAFF AND ADVISORY COUNCIL

The sanctuary staff are the “faces” of the sanctuary: they represent the sanctuary and are the link between the NMSP and advisory council participants. Staff are also the conduit through which information is passed. Since sanctuary staff are the NMSP representatives that council participants contact most frequently, how staff are viewed often colors how participants view the NMSP as a whole. This section seeks to determine how advisory council participants view sanctuary staff and what they believe to be the most important aspects of the staff’s responsibilities. Question #16 and #17 were designed to determine how respondents perceive the staff’s roles.

I. Relationship with the Sanctuary Staff

Question #16 attempted to discern how advisory council participants perceive the sanctuary staff’s involvement with the council. The question focused on subjective factors, such as providing enthusiasm and leadership, as well as objective factors, such as providing information and feedback.

Question #16: *To what extent do you agree that Sanctuary Staff:*

- Is receptive to Advisory Council advice.
- Adopts Advisory Council recommendations.
- Provides helpful feedback throughout Advisory Council decision-making.
- Provides leadership to the Advisory Council.
- Provides necessary information to the Advisory Council.
- Responds to Advisory Council recommendations in a timely manner.
- Provides enthusiasm and encouragement to the Advisory Council.
- Is an active participant in Advisory Council discussions.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Relationship with Staff: Results and Analysis

The results are very positive, indicating that sanctuary staff have a positive working relationship with the council (Figure 3.9). Over 75% of respondents either “agreed” or “strongly agreed” with all the statements. The number of respondents who “disagreed” or “strongly disagreed” was less than 6%.

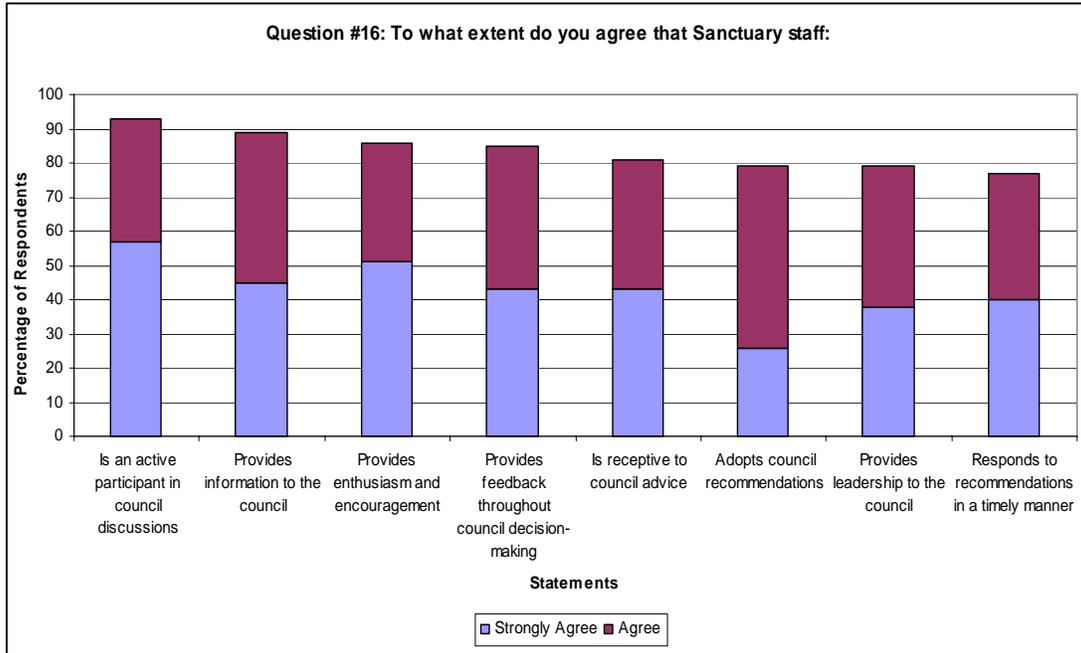


Figure 3.9: Advisory council relationship with sanctuary staff

Respondents agreed most strongly that staff are active participants (93%, n=148), provide information (89%, n=144), provide enthusiasm (86%, n=138), and provide helpful feedback (85%, n=136).

Respondents also agreed that staff are receptive to advisory council advice (81%, n=131), adopt council recommendations (79%, n=128), provide leadership to the council (79%, n=127), and respond to recommendations in a timely fashion (77%, n=122).

II. Staff’s Most Important Roles

Question #17 is open-ended and sought to learn what advisory council participants considered to be the most important roles of those staff associated with the advisory councils. These insights can help inform sanctuary staff about what actions council participants particularly need or appreciate.

Question #17: *What are the 2-3 most important things that Sanctuary staff do? Is there anything else that you would ask them to do?*

Staff’s Most Important Roles: Results and Analysis

133 total respondents offered comments in response to Question #17. However, while this question was asked in order to understand what roles staff play *related to the advisory council process*, the wording of the question was ambiguous and led some respondents (30%, n=40) to comment instead on the staff’s role *in the management of the*

sanctuary. These 40 responses were removed from this analysis, leaving 93 respondents who offered insights about the staff’s most important roles *related to the advisory council*.

There were four staff roles associated with advisory councils that respondents most valued:

1.	Providing information and understanding about sanctuary issues	62%, n=58
2.	Providing guidance, leadership, and facilitation	37%, n=34
3.	Taking care of logistics	30%, n=28
4.	Being responsive and appreciative	13%, n=12

1. Providing Information and Understanding About Sanctuary Issues

By far the greatest proportion of respondents highlighted the staff roles of providing the advisory council with the necessary information and helping the council understand the issues in order to have productive discussions (62%, n=58). Respondents felt that the full array of staff activities, from distributing information and background materials before meetings, to answering questions and providing technical and legal advice to the advisory council, all help members to understand the issues and each other’s perspectives. For example:

- “Provide information essential to informed ‘advice-giving’.”
- “Keeps information flowing. Provide subject matter expertise.”
- “Give straight answers to issues and clarify tough governmental procedural issues.”

2. Providing Guidance, Leadership, and Facilitation

Over one-third of respondents felt that one of the most important roles of staff is to provide the leadership, direction, facilitation, and overall general guidance, which helps to keep the council focused, on-track, and working on the issues of most importance to the sanctuary (37%, n=34). For example:

- “Provide direction to the Council throughout the meetings, keeping them on track.”
- “They keep things focused.”
- “They keep communication and organization open and ongoing between council members.”

3. Taking Care of Logistics

Not surprisingly, 30% (n=28) of respondents suggested that the myriad logistical and general background support provided by staff to the council is a key function of the staff. For example:

- “Great at logistics and record keeping.”
- “Organize effective SAC meetings.”
- “Coordinate meeting dates and venues.”

4. Being Responsive and Appreciative

Finally, 13% (n=12) of respondents felt that the staff's efforts to demonstrate appreciation, interest, and respect for the advisory council is an important staff function and is evident in how staff listens to council members and is responsive to their requests. For example:

- “They show interest, respect, care, concern.”
- “They are always available to listen to your thoughts.”
- “They respond to requests quickly. They are willing to consider any and all suggestions. They seem to want to work with the Advisory Council.”
- “They are very grateful and enthusiastic in regards to advisory council member contributions.”

Staff Compliments

16% (n=15) of respondents provided additional compliments of the staff in their responses, saying such things as:

- “Our sanctuary staff is so busy! There is not a single one among them who know the meaning of a ‘40-hour’ work week. They all work above and beyond the call of duty.”
- “They do a great job.”
- “Our staff is terrific.”

What Else Would You Ask Them to To?: The Member’s “Wish List”

In response to the second part of Question #17 which asked “*Is there anything else that you would ask them to do?*”, 19% (n=18) of respondents identified a number of tasks that they wished staff would fulfill for the advisory council, including such things as:

- Providing more feedback and updates between meetings;
- Seeking more specific advice from the council;
- Enhancing public outreach and assisting with constituent communication; and
- Providing more hands-on educational field trips and informal get-togethers between staff and council members.

ADVISORY COUNCIL ACCOMPLISHMENTS

Responses to an earlier survey question indicated that council participants believe the process is worthwhile both personally and for the organizations or interests they represent. Identifying some of the accomplishments may help explain why. This section sought to identify and better understand the specific procedural, perceptual, and substantive accomplishments of the council. Questions #18 and #7 asked respondents what they considered to be the council's notable accomplishments and successes. Question #19 asked respondents about the benefits of the council.

I. Advisory Council Accomplishments

This question focused on ways advisory councils have enhanced various aspects of the sanctuaries and members personal understanding of sanctuary issues. These enhancements range from subjective characteristics, such as trust, to more concrete aspects, such as knowledge of sanctuary resources.

Question #18: *To what extent do you agree that the Advisory Council has enhanced:*

- Your trust in Sanctuary staff.
- Your understanding of the issues facing the Sanctuary.
- Your knowledge of the Sanctuary's natural and cultural resources.
- Your understanding of the concerns and interests of fellow Advisory Council members.
- Collaboration between the Sanctuary staff and the public.
- Your satisfaction with Sanctuary programs.
- Management of the Sanctuary resources.
- Coordination between the Sanctuary and other governmental agencies.
- Public support for Sanctuary decisions.
- Public understanding of how Sanctuary management decisions are made.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Advisory Council Accomplishments: Results and Analysis

Respondents generally felt that their council was benefiting the sanctuary and enhancing their personal appreciation of the Sanctuary Program (Figure 3.10). Over 60% of respondents "agreed" or "strongly agreed" with every statement, except for "public understanding of how management decisions are made" (48%, n=111).

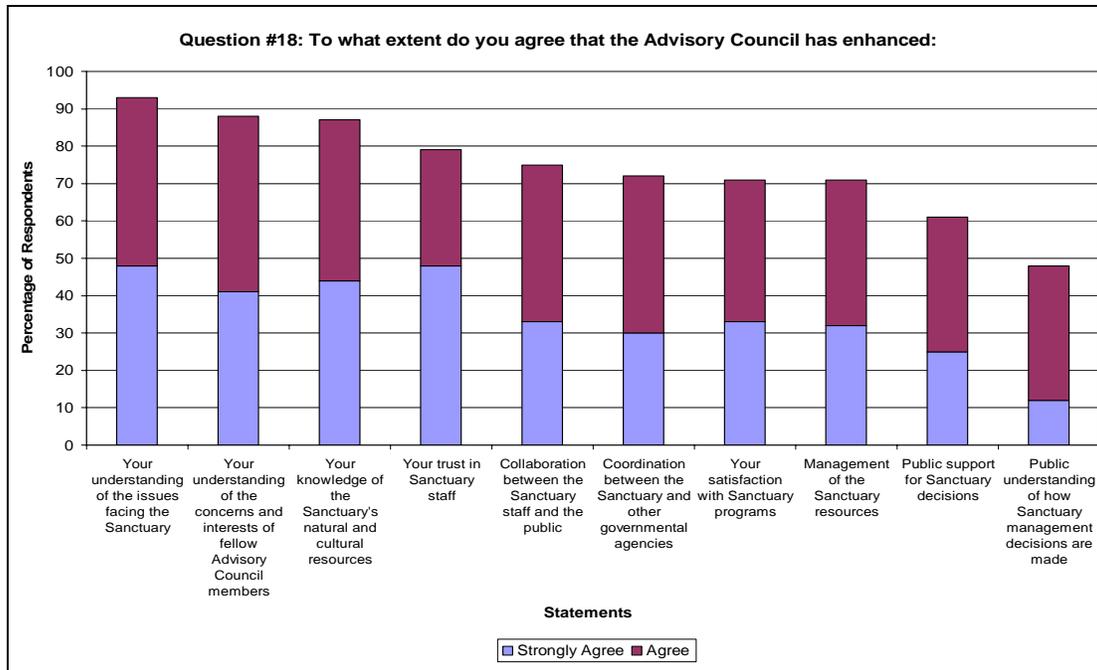


Figure 3.10: Advisory council accomplishments

The three statements that generated the most affirmative responses were those that related to individual participants gaining knowledge: knowledge about the issues facing the sanctuary (93%, n=149), understanding of the issues and concerns of other participants (88%, n=140), and understanding of the sanctuary's natural and cultural resources (87%, n=139).

Advisory councils also seem to bring the public and the staff together. Respondents “agreed” or “strongly agreed” that the advisory council process enhanced their trust in sanctuary staff (79%, n=126), collaboration among staff and the public (73%, n=126), and coordination between the sanctuary and other governmental agencies (72%, n=114).

Respondents also agreed that the council experience improved their satisfaction with sanctuary programs (70%, n=112), and moreover, that it enhanced management of the sanctuary resources (70%, n=111).

Conversely, responses show that council processes are not as strong at enhancing public support (61%, n=97) or helping the public understand how sanctuary management decisions are made (48%, n=76). Less than 30% of respondents “strongly agreed” with these two statements.

II. Most Important Accomplishments

Question #7 is an open-ended question that probed members' perceptions of which accomplishments of their advisory council were particularly notable.

Question #7: *What would you say are the 2-3 most important accomplishments of your Advisory Council?*

Most Important Accomplishments: Results and Analysis

157 respondents answered this question, providing 238 accomplishments. They fall into nine different categories representing a range of both procedural and substantive accomplishments:

1.	A forum for communication and issue resolution	40%, n=62
2.	Substantive impact on sanctuary	34%, n=54
3.	Assistance with sanctuary planning	28%, n=44
4.	Increased public awareness and support	21%, n=33
5.	Educating and assisting NOAA/NMSP	13%, n=20
6.	Designation of sanctuary and its boundaries	9%, n=14
7.	Research and monitoring	6%, n=9
8.	Too soon to tell	5%, n= 8
9.	No impact	1%, n=2

1. A Forum for Communication and Issue Resolution

The most often highlighted accomplishment of the advisory councils was the forum or place that it provides where diverse groups can regularly communicate, resolve issues, encourage coordination between agencies, and connect the sanctuary staff and management to a broader community of interests (40%, n=62). Respondents commented on the learning that occurs through this dialogue and the opportunity to establish productive working relationships that benefit the sanctuary. For example:

- “Being a forum for communication between various diverse governmental and non-governmental agencies and organizations.”
- “A communication link with agencies and the State of Florida to act in collaborative support on objectives at the local and federal level.”
- The AC has provided a forum for various stakeholders to be involved and become enfranchised in the management of this area.”

2. Substantive Impact on Sanctuary

The second most frequently mentioned accomplishments were quite specific and substantive in nature (34%, n=54). These accomplishments were things that have happened in individual sanctuaries specifically because of advisory council recommendations and activities. Five of these responses referred generally to “improved resource protection in the sanctuary.” 49 responses pinpointed specific accomplishments such as:

- “Wrote K-8 shipwreck curriculum.”
- “Whale-vessel collision avoidance workshops.”

- “Adoption of vessel traffic lanes.”
- “Established the Dry Tortugas Marine Reserve.”
- “Helped get an ocean-going tugboat at Neah Bay to assist foundering vessels.”
- “Educated the agricultural community to reduce discharges.”

3. Assistance with Sanctuary Planning

Not surprisingly, the third most frequently mentioned accomplishment was the advisory councils contribution to the development of sanctuary management plans (28%, n=44). Many Sanctuary Advisory Councils were specifically established to help with Management Plan Review and all have been involved in some form of planning-level activities. Examples include:

- “Assisting manager and staff in formulating their management plan.”
- “Development of Action Plans for priority issues.”

4. Increased Public Awareness and Support

21% (n=33) of respondents perceived that the advisory council has increased the level of public understanding and awareness of the sanctuary and has led to increased public support. For example:

- “Acceptance by the public of the sanctuary programs.”
- “Good working relations with Sanctuary staff and the public.”
- “Public has been somewhat informed about issues, concerns, possible actions, increased overall awareness about complexity of ecosystem and management strategies.”

5. Educating and Assisting NOAA/NMSP

13% (n=20) of respondents felt that one of the most important accomplishments of the advisory council was enhancing the agency's understanding of issues in the sanctuary and helping them to make and implement better informed decisions. This accomplishment was enabled by both the diversity of perspectives brought together in council discussions as well as members' willingness to volunteer, or organize other volunteers, for various sanctuary-related activities. For example:

- “Improved perception by Sanctuary management at the headquarters level of the issues of concern to Sanctuary constituencies.”
- “To assist and help inform the sanctuary manager and staff.”
- “Volunteer staffing for special events.”
- “Inform Sanctuary officials of the public's concerns.”

6. Designation of Sanctuary and its Boundaries

Several respondents felt that their most important accomplishment was the role of the advisory council in the actual designation of the sanctuary and/or the determination of sanctuary boundaries (9%, n=14). For example:

- “Helping to get the Sanctuary approved by the Governor. Helping to define Sanctuary boundaries.”
- “Getting the Sanctuary established.”

7. Research and Monitoring

A few respondents suggested that the advisory council’s assistance with research and monitoring activities was an important accomplishment (6%, n=9). For example:

- “A focus on research and monitoring of resources in the Sanctuary.”
- “Adaptive management research to assist in sustainable management of the sanctuary and industries dependent on the sanctuary area and surrounding waters.”
- “SIMON -- integrated research projects and sharing of information.”

8 & 9. “Too Soon to Tell” or “No Impact”

Finally, a few respondents felt that it was simply too soon to tell what accomplishments might be achieved by the council's activities (5%, n=8). 2 (1%) respondents felt that the advisory councils have had no impact because they are a “puppet organization” or a “rubber stamp” for the sanctuary and consequently had not accomplished anything that NOAA had not already pre-determined.

III. What Would Be Different Without the Advisory Council?

Another approach to identifying accomplishments is to probe participants’ perceptions of what would be different if the advisory council had never been established. By focusing on what might be different, respondents emphasize what they feel have been the important impacts of the council.

Question #19: *What do you think would be different in the management of the Sanctuary if the Advisory Council did not exist?*

What Would Be Different: Results

139 respondents answered Question #19, some listing multiple factors. The 150 responses broke down into seven categories:

1.	Less public awareness and support; more distrust and conflict	42%, n=58
2.	Less well-informed sanctuary management	30%, n=41
3.	More politicized, bureaucratic, and insulated decision-making	16%, n=22
4.	No difference	9%, n=13
5.	More work for the staff	5%, n=7
6.	Staff could work on more important tasks	4%, n=6
7.	Sanctuary would not exist	2%, n=3

1. Less Public Awareness and Support; More Distrust and Conflict

By far the largest category, 58 (42%) respondents believed that if the advisory council did not exist, the public would be less aware of the sanctuaries. Respondents commented that sanctuary management would receive less public support and there would be considerably less interest in sanctuary programs and activities. Many felt that there would be more distrust of sanctuary management as a result, and that conflict associated with sanctuary management would be greater. For example:

- “I think this sanctuary would be having more difficulties with public acceptance of sanctuary management decisions, particularly from fishermen, therefore community relations would be more confrontational than they are.”
- “There would be significantly more misconceptions/rumors and less public trust, especially since the Sanctuary is not only a governmental agency, but part of a big federal agency/monolith based in Washington (and perceived often as largely inaccessible, especially to the ordinary, local persons).
- “Public distrust of management decisions.”
- “Fewer people would know and understand Sanctuary issues and the value of the resources.”
- “I think the frustration level would be much higher as varying points of view would not be as easily heard.”
- “Lack of public involvement would leave the public feeling isolated and wary.”
- “They would have less local support and would be seen as the heavy hand of government.”

2. Less Well-Informed Sanctuary Management

30% (n=41) of respondents felt that the council provides valuable information to sanctuary management and without this information the sanctuaries would make less well-informed decisions. Examples include:

- “The advice would not be as complete or accurate.”
- “Uninformed decisions would be made.”
- “They would be operating somewhat blindly. The Advisory Council provides input from experts in key fields of concern to the Sanctuary. To be able to have this genuine, knowledgeable, and free advice is priceless to the management of the Sanctuary.”
- “Management would operate in a vacuum and would make mistakes due to being out of touch with the local community.”
- “It would lose a broad base of information and input by government, public, recreation and other community interests that are key to informed decision making.”

3. More Politicized, Bureaucratic, and Insulated Management

22 (16%) respondents felt that without the advisory council, sanctuary management would be more politicized, procedure-bound, and insulated from the broader set of communities and interests concerned about the sanctuaries. For example:

- “The staff could easily become isolated in a world of government agency protocol, unrelated to the real world around them, where policy and reports were the main focus of all their activities.”
- “State would strangle the sanctuary management in bureaucracy and mediocrity.”
- “Advisory Council provides a buffer against the predations of WESPAC.”
- “They’d get out on a limb and some powerful interest group would cut it off.”
- “It would be paralyzed by concern for political repercussion.”

4. No Difference

13 (9%) respondents believed that there would be no difference if the advisory councils did not exist, 4 of these respondents suggesting that there would be no difference because the advisory councils are currently only “puppet” entities that make no difference anyway. For example:

- “Absolutely nothing.”
- “Not much.”
- “I’m not sure that there is a link. I tend to think the sanctuary does what it sets out to do and we don’t really affect much change.”
- “Not much. The SAC has become a Sanctuary puppet.”
- “Almost nothing, because in fact the decisions and recommendations of the SAC have only minor impact, at best, on management activities and functions.”

5. More Work for the Staff

7 (5%) respondents felt that lack of an advisory council would create more work for the staff. For example:

- “More work for staff as the volunteer base would be diminished.”
- “They would have a heck of a lot more work to do!”

6. Staff Could Work on More Important Tasks

In contrast to those who felt there would be more work for the staff, 6 (4%) respondents felt that loss of the advisory council process would actually enable staff to focus on more important tasks and get more work done. For example:

- “Staff would have more time to deal with actual issues.”
- “Staff might be more efficient.”
- “They would have more time to spend on actual programs and resource management.”

7. Sanctuary Would Not Exist

Finally, 3 (2%) respondents stated that the sanctuary would never have been established without the existence of the advisory council. For example:

- “The sanctuary probably would not have been approved to begin with.”

What Would Be Different: Analysis

Respondents believed that without advisory councils, sanctuaries would lose their connection to the community and public support for the Sanctuary Program. Respondents felt that the public would lose their main avenue for learning about the sanctuaries and for understanding why management decisions were made. Participants suggested that without councils, there would be a “lack of transparency” in sanctuary decisions, resulting in an inherent “distrust” in allowing “the heavy hand of government” to control sanctuary decisions. As one respondent stated, “the public would not feel as though they had anyone to listen to and act on their concerns. Who really trusts government anymore? The SAC works as a great listening device.”

Similarly, respondents felt that sanctuaries would suffer from considerably “more interference from Washington,” indicating that NMSP headquarters would impede sanctuary work. Another fear was that “the staff could easily become isolated in a world of government agency protocol, unrelated to the real world around them.” Without the connection to the “real world” that the councils provide, respondents felt that staff members would not be able to make well-informed decisions.

ISSUE AND PROCESS CHALLENGES

The process of managing a federally protected body of water involves an array of challenges for both the agency and the advisory council. In addition to resource concerns like pollution, fish stock depletions, and endangered species, the advisory council process itself may be challenging. Questions #20 and #21 asked about the challenges facing advisory councils.

I. Advisory Council Challenges

Question #20 asks members how challenging certain factors have been to the council. Factors considered range from issue complexity to member or sanctuary staff turnover.

Question #20: *To what extent have the following factors posed challenges for the Advisory Council?*

- Complexity of Sanctuary issues.
- Individual time commitment.
- Inadequate representation on the Advisory Council by affected interests.
- Low level of media coverage.
- Lack of support from NOAA.
- Lack of cooperation between Advisory Council members.
- Council members' personal agendas.
- Conflicting views of Advisory Council authority.
- Poor attendance of members at Advisory Council meetings.
- Advisory Council member turnover.
- Sanctuary staff turnover.

Respondents were asked rate how much each factor was a challenge on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Challenges: Results and Analysis

The results were very positive. None of the factors listed appear to be an especially significant challenge for advisory councils (Figure 3.11).

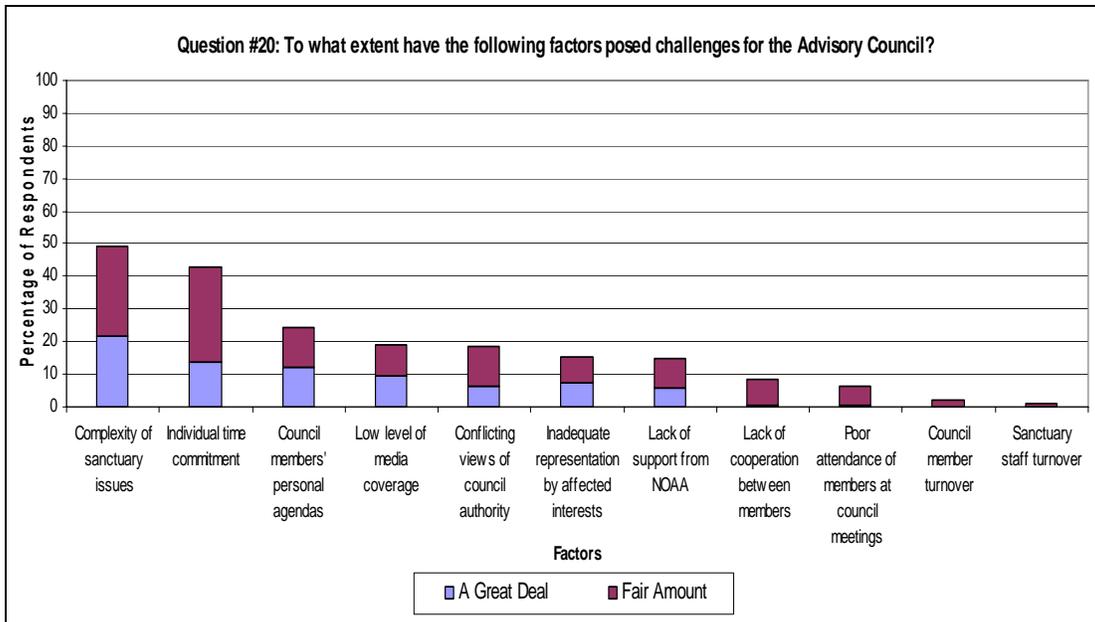


Figure 3.11: Factors that pose as challenges for the advisory council

At least 60% of respondents believed that all but three of the factors were either “not at all” or only “minimally” challenging (Figure 3.12).

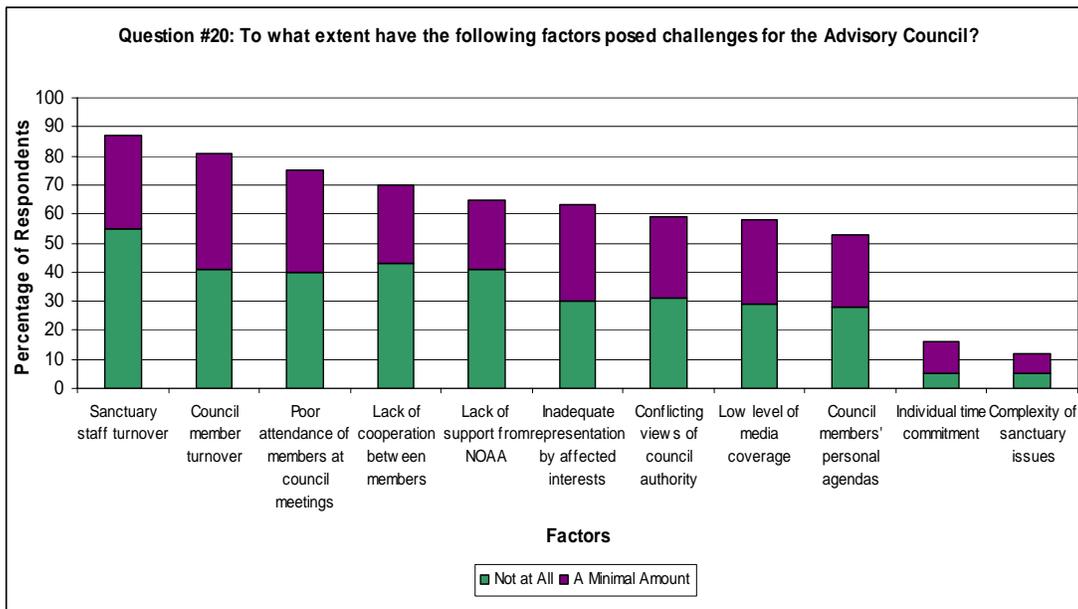


Figure 3.12: Factors that do not pose as challenges for the advisory council

The challenges that respondents most commonly felt posed “a great deal” or “a fair amount” of a challenge were the complexity of sanctuary issues (49%, n=76) and the personal time commitment required (43%, n=68). These results are typical of many advisory councils. Managing any resource is difficult and complex, even for professionals in resource management. Therefore, it is not surprising that the complexity of sanctuary issues presents a challenge to council participants. Because many council

participants are volunteers with other obligations, the time commitment needed is another logical challenge.

Factors that were viewed as relatively less challenging included council members' personal agendas (24%, n=38), low levels of media coverage (20%, n=30), and conflicting views of advisory council authority (18%, n=29). Personal agendas include individuals who tend not to work toward a shared goal and instead use the council as a platform to promote personal goals. This problem can affect any type of advisory council, but appears relatively uncommon in Sanctuary Advisory Councils.

Factors considered least challenging included inadequate representation by interested parties (16%, n=24), lack of support from NOAA (15%, n=23), lack of cooperation between council members (9%, n=13), poor attendance of members at meetings (7%, n=10), council member turnover (2%, n=3), and sanctuary staff turnover (1%, n=2). In addition, a significant number of respondents felt strongly that these factors were "minimally" or "not at all" challenging. For example, a strong majority of respondents indicated that the following factors were "minimally" or "not at all" challenges: sanctuary staff turnover (87%), council member turnover (81%), poor attendance at meetings (75%), lack of cooperation between council members (70%), and lack of support from NOAA (65%).

III. The Greatest Challenges

Question #21 is an open-ended question probing members' perceptions of the greatest challenges facing their advisory councils. Its purpose was to gain insights about additional challenges not covered in the list provided in Question #20, as well as to determine which challenges members consider to be the "greatest."

Question #21: *What would you say have been the 2-3 greatest challenges facing the Advisory Council?*

Greatest Challenges: Results and Analysis

126 respondents answered this question, highlighting 166 challenges. These challenges can be grouped into eight categories:

1.	Complexity and contentiousness of issues	39%, n=49
2.	Working with a government agency	28%, n=35
3.	Council dynamics	19%, n=24
4.	Lack of public awareness and understanding of sanctuary	15%, n=19
5.	Understanding the role of the advisory council	11%, n=14
6.	Meeting location, length, frequency	6%, n=8
7.	Insufficient funding for the sanctuary	5%, n=6
8.	Relationship with Tribal Governments	3%, n=4
9.	Other	2%, n=3

1. Complexity and Contentiousness of Issues

Not surprisingly, the most frequently mentioned challenge related to the complexity and contentiousness of the issues to be addressed by the advisory council members (39%, n=49). The issues are not easy; they are scientifically complex and uncertain, and often contentious because different groups and individuals have differing perspectives on the issues and differing stakes in how these issues are resolved. The presence of an advisory council forum where these issues can be discussed in an inclusive and deliberate manner does not magically make the issues easy. Some of the comments included:

- “Dealing with region-wide declines in populations of certain fish species, related to past overfishing practices, and the reluctance of Sanctuary management and some stakeholders to come to grips with the implications of these declines within Sanctuary waters and on Sanctuary resources.”
- “The amount of information presented that we need to understand in the few times we meet during the year.”
- “Complexity of issues involving many different interest groups.”
- “Consensus building on some contentious issues, i.e. marine reserves.”
- “Complexity of issues and a lack of general understanding of these issues by members of the SAC.”
- “The challenge is the near to impossible one: curbing the human impact on everything that lives with a committee that includes those whose livelihoods depend upon preying on them.”
- “Developing agreement among Council members on difficult issues.”
- “A lack of standards, benchmarks or thresholds that would indicate at what point additional protection is needed and how much is needed.”

2. Working with a Government Agency

The second most frequently mentioned category of challenges (28%, n=35) had to do with the reality of an advisory council charged with advising a government agency. Governmental entities have their own set of norms, culture, procedures, and political pressures. The NMSP’s internal procedures often cause delay or uncertainty in response to advisory council needs or recommendations and this reality can be frustrating for council members. For example:

- “Dealing with NOAA headquarters. Lack of communication between NOAA headquarters and SAC.”
- “Organizing and running the meetings in a way that makes it clear that the sanctuary director and staff are keeping track of the ‘advice’ and making an attempt to seriously rely upon it in making decisions.”
- “Understanding why NMS staff have taken so long to finalize acceptance of the Draft Management Plan.”
- “Maintaining a timely schedule for completion of the Management Plan Review process that will facilitate public participation in upcoming public hearings, when those hearings are constantly being delayed for months at a time.”
- “Understanding the ‘inner workings’ of NOAA, its regulatory/review procedures, and its slowness, especially at the DC level – much less having to explain this!”
- “Slow response of NOAA to finalizing the JMPR.”
- “Frustration with ‘Big NOAA’ and bureaucracy.”
- “Red-tape in seating council members.”
- “Finishing the JMPR – the timing issue. Waiting for the necessary pieces to be completed at NOAA headquarters.”

3. Council Dynamics

19% (n=24) of respondents cited challenges associated with council dynamics. These comments spotlighted the inherent challenge of working with a diversity of interests, personalities, personal agendas, and variations in level of attendance and preparation for meetings. For example:

- “The turnover of SAC members, and their failure to get up to speed on the history and past policies that have been adopted – members who don’t participate in working groups.”
- “By far the biggest challenge is for current SAC members who have been appointed by the Superintendent to self-reflect as to if they actually have the support of the stakeholder organizations which they are to represent. Related to this, there must be a method by which SAC members can be held accountable to their constituents for their votes/actions. Generally, the SAC must embrace democratic principles.”
- “There are so many people with vested economic interests on the advisory council that it is hard to fulfill the mission, especially on the subcommittees where we operate by consensus and not by voting.”
- “I do think the council tries to stay informed and be fair, yet there are sometimes members whose agendas may sway the body, which doesn’t tend to want to enter into conflicts with each other.”
- “The fact that half of the Advisory Council has no vote and therefore are marginalized in discussion and impact.”
- “Getting comfortable working as a group.”
- “Staying focused and getting something done as opposed to just talking.”

- “There are strong personalities on the council.”
- “Some SAC members’ (and past SAC members’) efforts to use the SAC to advance a political agenda at the expense of productive meetings.”

4. Lack of Public Awareness and Understanding of the Sanctuary

19 (15%) respondents felt that a lack of public awareness and understanding of the Sanctuary and broader public engagement in its management, posed a significant challenge for the advisory council. For example:

- “Getting a participatory, involved public.”
- “Selling the Sanctuary to area residents.”
- “Making people aware of what we have when it is mostly underwater!”
- “Ignorance or lack of education of the public; divers who think the Sanctuary will hurt instead of actually helping them”
- “Maintaining community support.”
- “Difficulty on the part of the public to grasp the mission of the sanctuary since it is largely not visible.”
- “Informing the public of the issues and trying to get them to see the bigger picture.”

5. Understanding the Role of the Advisory Council

14 (11%) respondents felt that a lack of clarity among members about what the specific roles of the advisory councils were, in relation to sanctuary management, was a significant challenge. Some highlighted the need to have both clarity about roles and expectations and, moreover, ensuring that the roles were tangible, motivating, and appropriate for the council. Examples include:

- “Accepting that they are an ‘Advisory’ Council, and can only give advice, not direction.”
- “For the SAC to be effective, NOAA and the site need to challenge us with a goal.”
- “Focusing on a small number of programs and to move those forward. There is so much that could be done, we want to ‘bite off more than we can chew.’ Remembering the role of the advisory council is to advise – because all council members are excited about the Sanctuary – there is a feeling that we should do it versus we are advising the staff. The staff is excellent about reminding the council of the advisory role in a positive and productive manner but it is a reminder they have to give us at almost every meeting.”
- “Do we just advise? What difference do we really make?”
- “Determining a role or what objectives to meet.”

6. Meeting Location, Length, and Frequency

8 (6%) respondents commented that either the location, length, or frequency of advisory council meetings posed a challenge for the group. For example:

- “Trying to get all the agenda items covered in 5 hours. Getting members to attend regularly, especially when the location requires travel.”
- “Vast geographic area of membership resorting to decreased personal meetings and increased time between working groups, general discussions, etc. Time gap between meetings does not allow more ‘work’ to be accomplished in a timely manner.”
- “Time commitment. It is difficult for many of the members to attend all day meetings.”

7. Insufficient Funding for the Sanctuary

6 (5%) respondents commented on challenges associated with the constrained budgets of the sanctuaries, and hence their inability to capitalize on the full potential of the advisory councils. For example:

- “Communication between individual staff members and council members due to inadequate staffing.”
- “Budget constraints.”
- “Helping to move the Sanctuary forward without funding for research.”

8. Relationship with Tribal Governments

4 (3%) respondents felt the nature of the relationship with Tribal Governments posed a unique but important challenge for the advisory councils. Examples include:

- “Getting an effective working relationship with the coastal tribes”
- “The SAC is NOT the forum that should be used to deal with tribal governments. They are sovereign and should be dealt with as the U.S. would with Canada. A more formal government to government committee is necessary”

9. Other

Finally, 3 (2%) respondents offered comments that did not fit into any of the above categories and were specific to implementing projects in their sanctuary. For example:

- “To design and open the heritage center; to get buoy markers out; to get out on the water.”

FACTORS THAT PROMOTE ADVISORY COUNCIL PROGRESS

After understanding what Sanctuary Advisory Councils do and all the dynamics at play, the next important step is discovering how all these pieces fit together to influence the effectiveness of the council.

Knowing specifically what factors promote advisory council progress will help establish what does and does not make an advisory council a productive and legitimate source of information and advice. This information can help the NMSP, NOAA, or other agencies to further develop and enhance their advisory council program.

Question #22 asked respondents to rate the importance of a list of factors by the extent to which they help promote progress. Question #23 was an open-ended question that allowed respondents the opportunity to add or further comment on factors that they perceive as helpful to advisory council progress. Finally, Question #24 asked about the influence of council charters.

I. Factors that Contribute to an Effective Advisory Council

Responses to Question #22 give insight to what components contribute to a functioning and effective advisory council. It asked 1) what components are needed and 2) how important they are to helping councils become a source of advice and to promoting communication and collaboration across participant groups. Knowing what factors are considered important will help the Sanctuary Program discover what it can enhance, what should be maintained, what should be encouraged, and where resources should be allocated.

Respondents were asked to rate the influence of 18 factors. Factors include council management logistics, relationships and support, external forces, and advisory council development opportunities.

Question #22: *To what extent have the following factors contributed to the Advisory Council's ability to function effectively?*

- Clear Advisory Council objectives.
- Well-organized and managed meetings.
- Committed Advisory Council members.
- Leadership of Sanctuary Manager or Superintendent.
- Leadership of the Advisory Council Chairperson.
- Leadership of the National Marine Sanctuary Director.
- Support from Sanctuary Advisory Council coordinator.
- Support from other Sanctuary staff.
- Trust between Advisory Council members.
- Public support.
- Elected official support.
- Readily available information.
- Formal recognition of accomplishments (awards, honors, etc.) for Advisory Council members.
- Field trips.
- Retreats.
- Training opportunities.
- Informal socializing.

Respondents were asked to rate the importance of each factor on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Factors Contributing to Effectiveness: Results and Analysis

Committed advisory council members and leadership of the advisory council chairperson received the highest level of support with 87% (n=138 and 137, respectively) of respondents answering positively. Training opportunities had the lowest percentage of respondents in support (27%, n=42).

Respondents considered all of the factors to be at least “somewhat” important. No factor had “not at all” as the majority. There was no especially notable distinction in separating “a fair amount” and “a great deal;” the responses are relatively evenly split between the two (Figure 3.13).

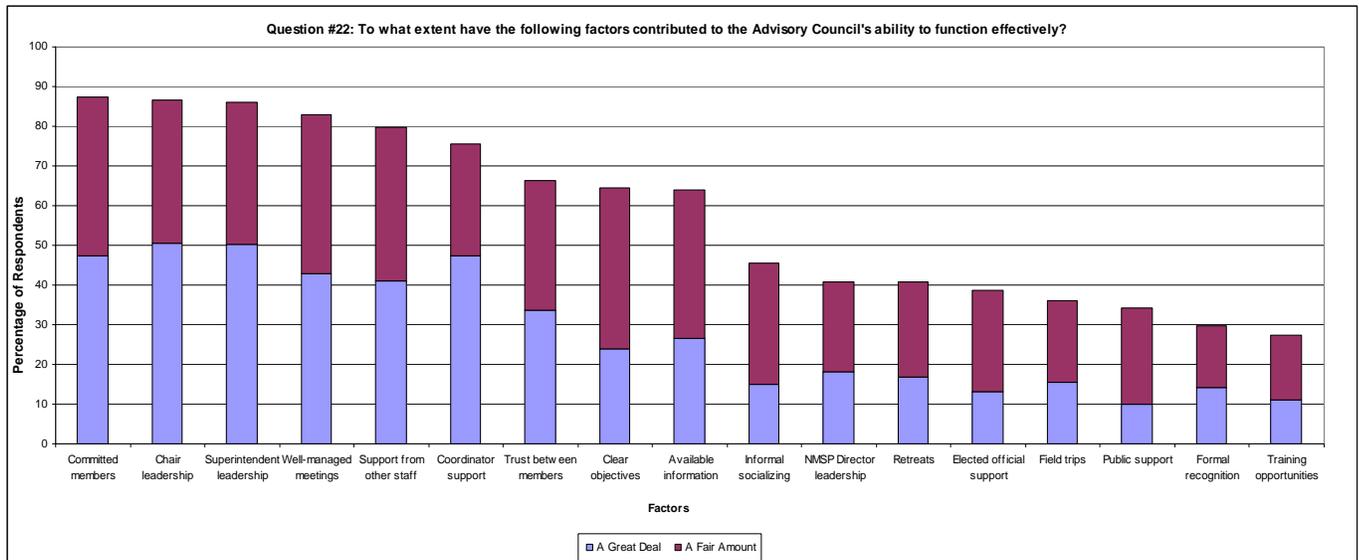


Figure 3.13: Factors that contribute to council effectiveness

By clustering the six factors with the highest percentage, (those receiving over 75% support), a common theme emerges: the people involved are what make the Sanctuary Advisory Council system work. The well-organized and managed meetings factor (82%, n=132) is the exception to the six-factor cluster theme. The remaining five factors include the support, commitment, dedication, and leadership of the staff and council members. Specifically, respondents believed that the commitment of council members (87%, n=138), leadership of the chairperson (87%, n=137), and leadership of the Superintendent (86%, n=135) to be the factors that most contribute to council effectiveness. Support from other staff (80%, n=126) and support from the council coordinator (76%, n=118) were also considered to be important contributing factors. It appears that sanctuary staff are both assisting the council and taking the work of the council seriously. In turn, the council is looking up to and seeking staff support. The council is acquiring high quality members and council leadership is effective.

The next cluster of factors was composed of three factors within the 60-70% range. The cluster does not have a common theme, other than they directly affect the work of the council. Respondents believed that trust between members (66%, n=104), clear council objectives (65%, n=102), and providing readily available information (64%, n=101) were factors to effectiveness. When including the “somewhat” responses for all three factors, the results rise to 90% of respondents in support.

There was a noticeable 20% drop from the three-factor cluster down to the remaining eight factors. The last eight factors received the lowest percentages and were in the 30-45% range. These eight factors involve opportunities that bring people together, such as informal socializing (31%, n=47), retreats (41%, n=63), field trips (36%, n=56), and

training opportunities (27%, n=42). Or, they involve outside influences, such as leadership of the NMSP Director (41%, n=63), elected official support (39%, n=59), public support (34%, n=54), and formal recognition (30%, n=46). In addition, many of the eight factors would generally occur infrequently. Most respondents believed the eight factors were “somewhat” or “fairly” important in promoting council effectiveness, rather than “a great deal” important. Out of all the factors, training opportunities received the most “not at all” responses (17%, n=26).

Where respondents did not respond as positively, it is difficult to determine whether this is because the factor listed contributes to the council functioning *ineffectively*, or whether because it is simply *not* a factor contributing to effectiveness.

It is interesting to note that all factors were considered important; none of the factors had a majority of respondents choosing “not at all.” The results can help NMSP determine where to allocate resources and what should be prioritized.

II. The Most Important Factors that Contribute to Progress

Question #23 is open-ended and designed to compliment Question #22 discussed above. This question asked respondents to list what they perceived to be the *most important* factors contributing to the progress made by their advisory council. This understanding of what factors are *most important* could not have been obtained within the constraints of the previous survey question.

Question #23: *What would you say have been the 2-3 most important factors that enable your Advisory Council to make progress?*

Most Important Factors: Results

121 respondents answered this question. However, since the question asked for 2-3 items, a total of 226 factors were provided. Responses fell into nine major categories. Three respondents offered factors that fell outside these major categories.

1.	Quality and commitment of members	41%, n=49
2.	Respectful, supportive, cooperative relationship between members	37%, n=45
3.	Staff and NMSP commitment and support	31%, n=38
4.	Leadership of chairs, vice-chairs, coordinators, and Superintendents	25%, n=30
5.	Well-run and managed meetings and working groups	19%, n=23
6.	Clear objectives and purpose	16%, n=19
7.	Informal socializing, trainings, and retreats	7%, n=8
8.	No progress made yet	6%, n=7
9.	Membership size and composition	3%, n=4

1. Quality and Commitment of Members

41% (n=49) of respondents suggested that at the heart of council effectiveness was the commitment, dedication, and professional competence of its members. For example:

- “Council is comprised of bright and dedicated people mostly with a common goal and logical approach to solving problems.”
- “Very talented and intelligent members.”
- “Commitment of members to attend and be part of the SAC.”
- “The professionalism of the individual council members.”
- “Committed and knowledgeable members who take their SAC roles seriously.”

2. Respectful, Supportive, and Cooperative Relationship between Members

37% (n=45) of respondents commented that one of the most important factors facilitating progress was the nature of the relationships between members and with staff. Comments highlighted the open, respectful, supportive, cooperative, and consensus-seeking dynamic that exists between those involved in the advisory councils. Respondents commented on how these relationships enabled them to express ideas and emotions openly, without fear of judgment or criticism. For example:

- “Open minded SAC membership. SAC members speak openly and attempt to reflect ideas of their participant groups.”
- “Mutual respect among SAC members and with Sanctuary staff.”
- “SAC members feel open to agree or disagree with each other without animosity.”
- “Willingness to work hard for consensus.”
- “Teamwork!!!”
- “Desire of Council members to work together.”

3. Staff and NMSP Commitment and Support

31% (n=38) of respondents highlighted the commitment of sanctuary staff and the NMSP, and the various ways in which they support the advisory councils. Sanctuary staff and the NMSP can be involved with the advisory council in a variety of ways, ranging from simply supporting and appreciating the work of the council, to providing information and coordinating council efforts. Many respondents spoke very highly of their sanctuary’s staff and their level of involvement. Examples include:

- “I believe that our Sanctuary Manager does a terrific job with all of his responsibilities. He has a top notch staff and they work well with each other and the Advisory Council.”
- “Sanctuary staff knows what we are supposed to be doing and keeps us on top of things.”
- “The sanctuary manager and advisory council manager have worked very hard to make members feel that their input is valued, thus making it rewarding to work hard on sanctuary issues.”

- “Dedicated staff that make things happen so that interest is high among SAC members.”

An additional eight respondents commented on the support and commitment of the NMSP. For example:

- “NOAA’s support of the council concept and involvement.”
- “Support of the National Marine Sanctuary Program Director.”
- “Feeling that the Sanctuary program does consider and take Council recommendations, i.e. the effort and time spent is more than just checking a box for the Sanctuary.”

4. Leadership of Chairs, Vice-Chairs, Coordinators, and Superintendents

One-fourth of all respondents (n=30) highlighted the important role that strong leadership has played in their advisory council. In particular, the leadership of chairs, vice-chairs, coordinators, and managers/superintendents was spotlighted. Examples include:

- “Strong leadership from council chair and sanctuary management.”
- “Leadership and knowledge from chair.”
- “Strong leadership by the Council Chair and the sanctuary manager and coordinator.”

5. Well-Run and Managed Meetings and Working Groups

23 (19%) respondents made comments about the well-organized and structured advisory council process. They particularly commented on the management, frequency, and agendas of meetings and the use of working groups. For example:

- “Well organized meetings and effective facilitation.”
- “Breaking into smaller working groups has been essential to progress.”
- “Allowing the SAC, as a whole, to direct the agenda of meetings rather than being told what the meeting focus will be.”
- “Meeting prep and organization.”
- “Clear meeting agendas.”

6. Clear Advisory Council Objectives and Purpose

19 (16%) respondents pointed to clarity about the advisory council’s purpose and objectives as an important contributor to its progress. For example:

- “The group goal to honestly evaluate and provide feedback on difficult issues facing the management of the Sanctuary.”
- “Clear statements of objectives.”
- “A clear and decisive vision.”
- “Clear tasks assigned.”

7. Opportunities for Informal Socializing, Trainings, and Retreats

8 (7%) respondents felt that the functioning of their advisory councils has been facilitated by periodic opportunities for informal socializing, including retreats and trainings. Such gatherings have enabled productive working relationships to be established. Examples include:

- “The SAC Luncheons and Coffee’s have allowed informal exchanges resulting in the Advisory Council members becoming better acquainted and understanding each other.”
- “2-day retreats.”
- “Informal socializing is also very important.”

8. No Progress Made Yet

7 (6%) of respondents offered no facilitating factors and instead commented that their advisory council had yet to make progress. For example:

- “Waiting to find out....”
- “I’m not sure we have actually made any progress, although we have produced lots of reports from working groups.”

9. Membership Size and Composition

4 (3%) of respondents commented that the manageable size, composition, and minimal turnover among the membership has facilitated their progress. For example:

- “Continuity of membership – low turnover.”

Most Important Factors: Analysis

Notably, over 80% of respondents highlighted factors relating to the nature of the people involved and how they interact with one another. It is clear that those involved in the advisory council process feel that it is the people – both members and staff – that make the difference in the ability of their councils to make progress. Respondents highlighted that members and staff are knowledgeable and committed; they are open-minded, respectful, supportive, and cooperative; they strive to find consensus on mutually acceptable recommendations and they demonstrate the leadership qualities that are essential to the advisory councils’ functioning. When well-run meetings with clear objectives are added to this critical foundation, the advisory councils are positioned to

III. Value of Advisory Council Charter

Like most federal advisory committees, Sanctuary Advisory Councils are governed by formal charters that detail the requirements of membership and the parameters of council deliberations. Unlike most federal advisory committees, the National Marine Sanctuaries Act of 1972 exempts Sanctuary Advisory Councils from the provisions of the Federal Advisory Committee Act of 1972, which outlines a process that some feel constrains the formation and functioning of federal advisory committees addressing natural resource

management issues. Consequently, it was useful to investigate the role of Sanctuary Advisory Council charters. In particular, are members familiar with their council’s charter? Does it provide useful guidance? Does it constrain the operation of the council in any way? Question #24 had two purposes: to provide feedback to NOAA about the advisory council experience with the charters; and to provide a potential basis for comparison with FACA-chartered councils. Sanctuary Advisory Councils may provide insights into ways to implement the principles of FACA without imposing the associated constraints.

Question #24: *To what extent do you agree that:*

- You are familiar with the details of the Advisory Council charter.
- The charter provides important guidance to the Advisory Council.
- The charter clarifies roles and expectations of the Advisory Council.
- The charter unnecessarily complicates Advisory Council activities.
- The charter makes no difference to the functioning of the Advisory Council.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Value of Charter: Results and Analysis

In general, respondents agreed that the charter is an important document for councils (Figure 3.14).

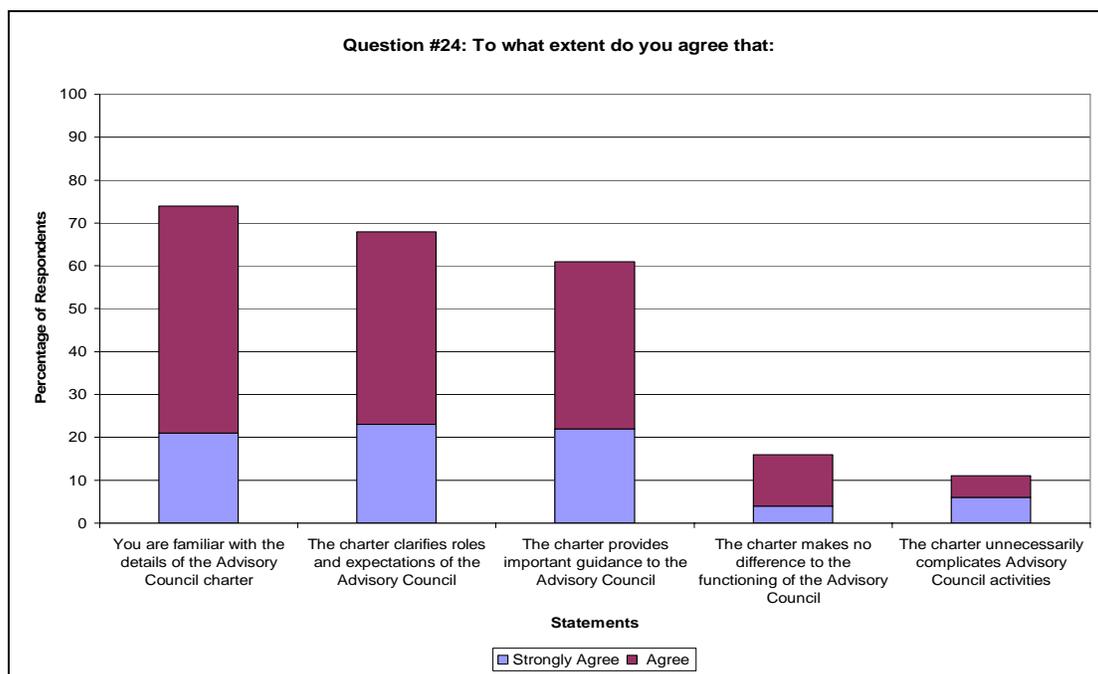


Figure 3.14: Value of the advisory council charter

While FACA charters are often viewed as formal legal documents used merely to satisfy a legal requirement, Sanctuary Advisory Council charters appear to play an important role in their functioning. 74% (n=117) of respondents are familiar with the details of their charter, 61% (n=97) believe that it provides important guidance to their council, and 68% (n=106) believe that it clarifies council roles and expectations. Only 16% (n=26) of respondents believed the charter makes no difference to the council and only 11% (n=17) felt the charter unnecessarily complicates council activities. In fact, about 50% of respondents “disagreed” or “strongly disagreed” that the charter made no difference or interfered with their council's functioning (Figure 3.15). In general, the charter appears to be a valued document for Sanctuary Advisory Councils.

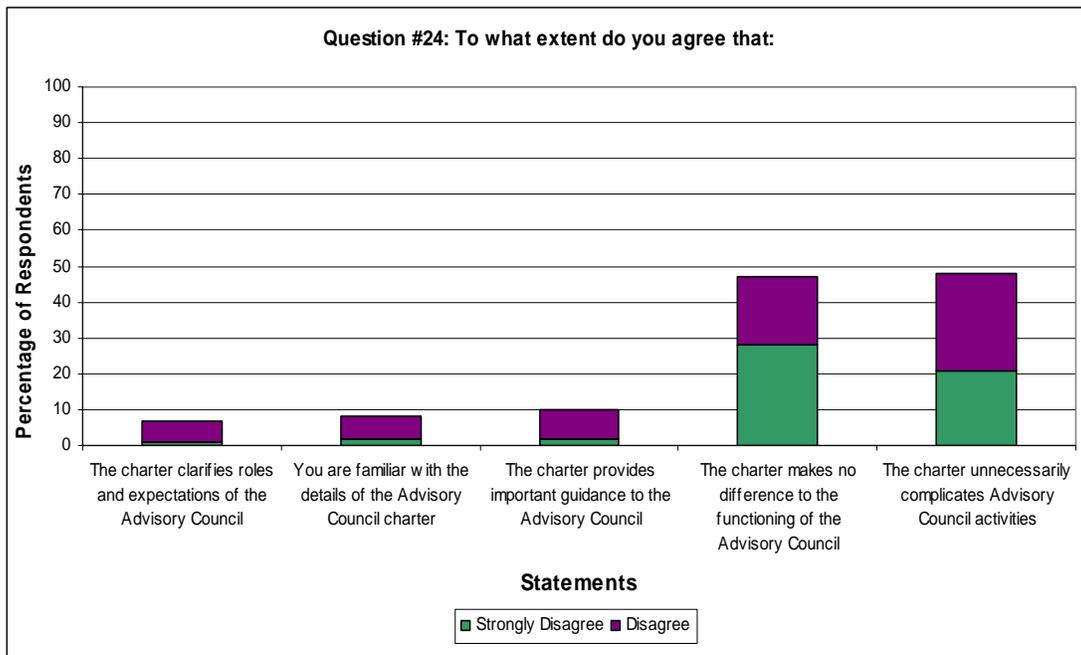


Figure 3.15: Level of disagreement with statements regarding council charter

ADVISORY COUNCIL MEMBERS ADVICE TO NMSP

This section asked respondents to synthesize what they have learned from their advisory council experience in order to provide insights and recommendations for the advisory council program.

This section contains two questions. Question #25 asked respondents to rate several suggestions and the importance of each one to improving their council. Question #26 allowed for open-ended responses to enable respondents to add or emphasize any other suggestions they might have.

I. Suggestions to Improve Advisory Council Productivity

Question #25, asked respondents to consider a wide range of suggestions on how to help their advisory council become more productive. If sanctuary staff know what council members want and consider worthwhile, staff can apply this knowledge to enhance or develop programs and allocate resources more effectively. This information can also be used to assist other agencies who are currently involved with or wish to establish an advisory council.

Question #25: *To what extent do you think the following could help the Advisory Council be more productive?*

- Training workshops (communications, negotiation, facilitation, etc.).
- Professional external facilitation of Advisory Council meetings.
- Greater public awareness of the Advisory Council.
- Greater awareness of other Sanctuary Advisory Council activities.
- Greater involvement in the activities of other Sanctuary Advisory Councils.
- More expert presentations on Sanctuary issues.
- More opportunities to informally socialize with Advisory Council members and Sanctuary staff.
- More recognition from the Sanctuary of the Advisory Council's accomplishments.
- Greater clarity about the Sanctuary's expectations and objectives for the Council.
- Greater clarity about how the Sanctuary makes management decisions.
- Greater understanding of relevant laws and regulations.

Respondents were asked to rate how helpful each suggestion could be to council productivity on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Question #25 is closely linked with Question #22, which asked about the factors that contribute to council effectiveness. There is a fine distinction between what currently is

making an advisory council function effectively, and what might help the council to continue functioning effectively. All the factors listed in Question #22 could also be included as a suggestion for improvement. While several of the ideas listed do double as both a factor and a suggestion, several do not. One reason that not all factors were also included as a suggestion was based on what the NMSP or sanctuary could feasibly do. For example, while additional elected official support may be needed, the NMSP has relatively little power to control what elected officials prioritize.

Some factors doubled as suggestions in order to determine both whether a factor was important to the council, and whether it *should be* a factor. For example, members were asked if “training opportunities” were a factor contributing to council effectiveness and also whether they were needed to increase council effectiveness. If a member answered that “training opportunities” were not a factor, and then answered that they would help their council, it could be determined that offering training opportunities should be considered. Alternatively, if a respondent answered that “training opportunities” would not provide additional assistance, it could be concluded that resources being used for training should be assessed and possibly directed elsewhere.

It is important to note that many of the suggestions ask members whether “more,” “increased,” or “greater” levels of something would be needed. Negative responses may indicate that either the level is just right or that the suggestion would not help the council.

Suggestions to Improve Productivity: Results and Analysis

Few suggestions received enthusiastic support from respondents (Figure 3.16). However, members were not opposed to these suggestions either. The majority of respondents believed these suggestions would “somewhat” improve productivity. These results are surprising in that one would expect respondents to strongly agree that more of anything would be beneficial. On the other hand, the results are consistent with the positive responses throughout the entire survey. The results are further indication that the program is running smoothly.

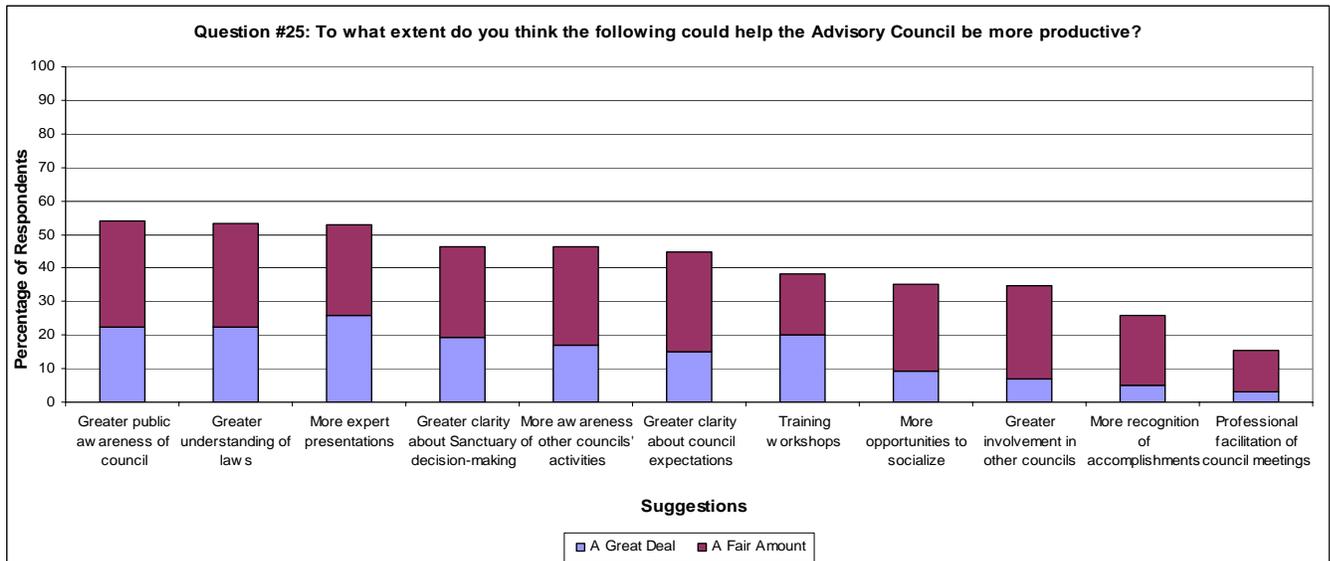


Figure 3.16: Suggestions to improve council productivity

Many members chose to be on the council and they understand the tremendous responsibility it entails. Based on the suggestions that received the highest percentages, members appear to want to be as well educated, informed, and knowledgeable as possible. 53% of respondents believed that greater understanding of laws (n=83) and more expert presentations (n=82) would be beneficial. Of all the suggestions, having greater understanding of laws also received the fewest number of respondents who believed that it would be “not at all” helpful (3%, n=5). Respondents also supported outer-council learning experiences, such as having greater clarity about how the sanctuary makes decisions (46%, n=72) and more awareness of other council’s activities (46%, n=71). 45% (n=69) of respondents believed that greater clarity about the sanctuary’s expectations of the council would improve council productivity.

Members also have the dual role as concerned constituents, which may explain why having greater public awareness received the most support with 53% (n=83). Members want to share their commitment, knowledge, and interest in the sanctuary with fellow members of their community. They understand the potential of the community to make positive contributions to the council and help the sanctuary fulfill its goals. Proper information and an educated and engaged public will help the council be more effective and increase their support of sanctuary staff.

Having training workshops (38%, n=59), informally socializing (35%, n=54), recognizing accomplishments (26%, n=40), and using a professional facilitator (16%, n=24) were considered relatively less helpful. Less than 10% of respondents believed that any of these suggestions would help the councils “a great deal.”

Having professional external facilitation was the only suggestion where the majority of respondents chose “not at all” or “a minimal amount” (65%, n=101). It also had the lowest percentage of respondents who chose “a great deal” (3%, n=5). These results

suggest that members are satisfied with how the meetings are run and are comfortable with the shared facilitation of advisory council chairs and Sanctuary Superintendents.

There was an interesting difference between increased awareness of other Sanctuary Advisory Councils versus increased involvement with them. While the two are related, having “more awareness” (46%, n=71) was considered more important than having “more involvement” (35%, n=54). There appears to be an interest and curiosity in knowing what other councils and sanctuaries are doing. However, members perceive less value in actually participating in the activities or meetings of other councils.

In many cases, respondents were asked to consider whether a “factor of effectiveness” from Question #22 was also needed to promote council productivity. The most notable difference between “factors promoting effectiveness” responses and the “suggestions” responses is with public awareness and support. While public support was rated low as a contributing factor (34%, n=54), it is considered to be the one thing that could most help advisory councils be more effective (54%, n=83).

Other differences between the responses to these two questions were not so apparent. Training workshops had a relatively low percentage as a factor (27%, n=42) and as a suggestion (38%, n=59). Despite the value that training opportunities provide, it may have received a low percentage because of the extra time commitment required to attend them combined with the time constraints members already face.

45% (n=70) of respondents agreed that opportunities to socialize was a factor promoting effectiveness and 35% (n=54) agreed that it was needed for the council to be more productive. 65% (n=102) of respondents believed that clear advisory council expectations was a factor and 45% (n=69) believed that “greater clarity” was needed. This difference indicates that understanding goals is indeed important to council members. For the most part, objectives are being made clear, but more clarity would help. 30% (n=46) of respondents believed that formal recognition of accomplishments was a factor and, similarly, 26% (n=40) believed that more was needed.

II. Advice to the NMSP

Question #26 is an open-ended question designed to compliment Question #25, which asked members what would help the council be more productive. Recognizing the limitations that rating a list of choices may bring to such a potentially important question, Question #26 gave members the opportunity to speak directly to the NMSP on what they believed was most needed to improve the advisory council program.

Question #26: *What advice would you give the National Marine Sanctuary Program for how to help the Advisory Council be more productive?*

Advice to NMSP: Results and Analysis

116 respondents provided 157 wide-ranging suggestions to the NMSP in response to this question. The responses to this question echo many of the themes highlighted throughout this study and are relevant to any government agency considering instituting an advisory council process. On the one hand, respondents reiterated their belief that the Sanctuary Advisory Councils are functioning well and hence that the NMSP should continue doing the array of things that have contributed to this reality. At the same time, respondents offered many suggestions that might further enhance the advisory councils and address some of the challenges that they face. Responses fell into nine categories:

1.	Clarify objectives, roles, and tasks	23%, n=27
2.	Enhance capacity: staff support, member training, and field trips	23%, n=27
3.	Be responsive and recognize council efforts	19%, n=22
4.	Stay the course	19%, n=22
5.	Process management suggestions	13%, n=15
6.	Buffer the councils from political interference	10%, n=12
7.	Membership and composition suggestions	10%, n=11
8.	Enhance public awareness and outreach	9%, n=10
9.	Increase interaction between the councils and with the NMSP	7%, n=8

The first four categories above are inter-related; they are focused on how the NMSP might enhance what it is already doing, not on what it should change. These comments highlighted greater clarification, responsiveness, recognition, and enhanced capacity to do what the program is already doing. More than half (52%, n=60) of the respondents provided suggestions that fell into one or more of these four categories:

1. Clarify Objectives, Roles, and Tasks

27 (23%) respondents encouraged the NMSP to provide clarity in objectives and roles, and focus on tangible, high priority tasks for the council. These respondents encouraged the NMSP to help the councils be focused and effective by providing clear and issue-driven goals, as well as well-thought-out tasks that account for NMSP priorities. Doing so will help the advisory councils be more effective in providing timely, useful, and pertinent advice for the program. For example:

- “Develop a set of explicit issue driven goals with the idea that they will result in on the ground conservation. Otherwise this is simply a process for people to vent about issues.”
- “Assign specific tasks, goals, and objectives for council members.”
- “Set yearly agenda; prioritize issues.”
- “Have manager discuss what his/her needs are for the SAC and with the SAC.”
- “Set goals and work towards them. Meetings spend way too much time discussing the process of doing something rather than actually doing it.”

2. Enhance Capacity: Staff Support, Member Training, and Field Trips

27 (23%) respondents believe that the NMSP should take steps to enhance the capacity of both staff and members to productively work together in the council process. Their responses fell into three specific categories relating to strengthening the staff's capacity for involvement by providing more resources (including more staff) and latitude to be involved; providing training opportunities for members; and providing information and learning-focused field trips and retreats. For example:

A. Enhance staff capacity (n=12)

- “Give them the resources they need to carry out their commendable goals.”
- “Send money to the Sanctuary for research to get the facts.”
- “Provide additional resources for publications, meeting support, travel, and training.”
- “Fund the program adequately.”
- “Recognize the good work of the Sanctuary Manager and staff in giving us professional, knowledgeable presentations and allowing them to continue to do so.”

B. Enhance member capabilities (n=10)

- “Staff or longtime member ‘coaching’ of new members.”
- “Be aware that not all members of the council may have the advanced skill and knowledge levels to address the issues placed before them. When an issue is particularly complex, provide a briefing sheet to the members in advance so they can understand the issue in more depth.”

C. Provide learning-focused field trips and retreats (n=8)

- “Continue the retreat which is a good source of information on marine issues.”
- “Annual retreats would aid info exchange and ‘team’ attitudes.”
- “Increase opportunities to allow members to get out on the water.”

3. Be Responsive and Recognize Council Efforts

22 (19%) respondents encourage the NMSP to be responsive to the needs and advice of the council, to recognize their efforts, and to provide feedback and updates. For example:

- “Provide timely feedback to council on national and local activities. Provide feedback on council work. Recognize council efforts.”
- “Timely responsiveness to SAC actions (like the JMPR effort).”
- “NMSP must insure that Council recommendations are given real consideration and are implemented. While we are volunteers, we are professionals in our own right and we cannot be marginalized or treated as merely window dressing.”
- “Recognition – local volunteer of the year; awards for time served; certificate of thanks upon exit from Council. Don’t forget about us until you need volunteers to put on an event.”

4. Stay the Course

22 (19%) respondents suggested that the councils are working relatively well and hence the NMSP should keep doing the things that it is already doing. For example:

- “Continue to ensure productive and respectful meetings populated by well-informed SAC members who are familiar with the issues and resources involved with Sanctuary management.”
- “I believe the Sanctuary Program already does a great job and the Advisory Council is very productive.”
- “I believe that the staff is doing a wonderful job and I’m not sure that we can be more productive than we already are.”
- “Find superintendents as good as Billy Causey for all the other sanctuaries and each Council would work extremely well!”
- “Continue to show appreciation and interest in advisory council members as individuals.”

5. Process Management Suggestions

Several respondents (13%, n=15,) offered specific process suggestions. For example:

- “Play a stronger role in seeing that the view of one or two members don’t overwhelm other views.”
- “More focus on establishment and conduct of working groups on specific areas and then more time at full Council meetings to discuss the results of the working groups’ efforts.”
- “Make presentations and then sit back and be quiet unless called upon. Have the Sanctuary Superintendent sit in the audience. There is a reason he does not have a vote. The SAC is there to provide advice, not be bullied.”
- “Move the JMPR process along.”
- “Give realistic timelines.”

6. Buffer the Councils from Political Interference

12 (10%) respondents encouraged the NMSP to try to buffer politics from the functioning of the advisory councils. The perception is that political interference or influence on the NMSP can introduce bias into decision-making, affect membership decisions, and diminish program attentiveness to council recommendations. For example:

- “Separate the members and the objectives of the council from the NOAA purse-strings that influence council decisions on the site and national level.”
- “Somehow, someday, help us get past the ‘Paneta Promise’ debate and the AMBAG debate over changes to the charter (specifically, how SAC members are chosen). These two issues are blocking more real progress.”
- “The National program should step back from its heavy oversight of and influence on individual sanctuary decisions.”
- “The key is whether the SAC’s recommendations and concerns are incorporated into management decisions and whether management is truly

focused on the whales and not their own personal development and being politically correct.”

- “Describe why NMS higher echelon might not be in favor of some SAC recommendations (i.e., political, financial, impractical, non-scientific, or other reasons.)”

7. Membership and Composition Suggestions

Membership composition and characteristics were the focus of advice from 11 (10%) respondents. For example:

- “Have more balanced SAC membership; have experts and information on both sides of an issue.”
- “Fill SAC vacancies quicker when openings arise so meetings are always a cross-section of constituency representation.”
- “Start by seeking council members for each sanctuary program that don’t have a financial relationship with either the sanctuary or NOAA programs.”

8. Enhance Public Awareness and Outreach

10 (9%) respondents felt that the NMSP should be doing more public outreach in order to broaden public awareness and support for the sanctuary, and that the Sanctuary Advisory Council could play an important role in doing so. For example:

- “Use the Council more to reach the public.”
- “Develop a model of what we should do to get the public involved with our sanctuary.”
- “In general, most of the US population doesn’t even know that there are marine sanctuaries. The sanctuary program needs to better educate the public about the sanctuaries and thereby galvanize interest in sanctuary issues. When there’s more public interest in the sanctuary, supposedly there will be more enthusiastic people applying to be a council member, and existing council members will be more energized in helping the sanctuary make sound decisions in its management of marine resources.”

9. Increase Interaction between the Councils and with the NMSP

Finally, 8 (7%) respondents suggested that the NMSP find ways to provide greater interaction between different Sanctuary Advisory Councils, their members, and the NMSP.

- “Allow for field trips and/or conferences so that members from one area can learn from those in another.”
- “Increase communication between SACs at different Sanctuary sites.”
- “The Advisory Councils have played very different roles in various locations. If there is a desire to have any individual Council be more productive, the most active ones should be analyzed as models.”
- “An occasional field trip to other Sanctuaries would be good in order to see what else is going on, realize and appreciate different perspectives, and

provide background and generate ideas in Council members. Opportunities for members to visit other Sanctuaries, when it fits with their schedules, could be used to recognize, reward, and improve Council commitments. For example, seasonal ‘internships’ or similar opportunities might encourage and facilitate Council members to visit other Sanctuaries in conjunction with family vacations or similar trips.”

- “Have NOAA officials participate in some local SAC activities to brief/explain programs and current issues.”

Chapter 4

Agency Staff Survey Results and Analysis

SURVEY METHODOLOGY

The Sanctuary Advisory Council experience is multidimensional and encompasses the experiences of more than just council members, but also the staff who interact most closely with them. The sanctuary staff, including the Superintendent or Manager and coordinator, are integral to making advisory councils function. Knowing their input and insights on the council program is essential to understanding what makes councils work. In addition, hearing staff perspectives on the councils, as opposed to just council members', can give the council program a more comprehensive understanding of the advisory council experience. As a result, a survey was also sent to sanctuary staff in order to complement the advisory council survey results.

Like council participants, the staff were asked to respond to an online survey. A complete copy of the survey can be found in Appendix C. The survey was e-mailed to 37 staff members who interact most often with the advisory council. They included Superintendents or Managers, coordinators, and other staff recommended by the NMSP.

The survey was e-mailed to staff from ten sanctuaries: Channel Islands, Cordell Bank, Fagatele Bay, Florida Keys, Gray's Reef, Northwestern Hawai'ian Island Coral Reef Ecosystem Reserve, Monterey Bay, Olympic Coast, Stellwagen Bank, and Thunder Bay. Due to an administrative oversight, staff from Gulf of the Farallones and Hawai'ian Islands Humpback Whale were not surveyed.

Survey Timeline

After surveys were sent to advisory council members on October 26, 2005, the same survey was modified for the staff in order to gain a clearer understanding of how staff perceive the councils and how staff relate with council members. In order to allow for easily comparable results, the agency survey closely resembled the advisory council survey. Ellen Brody, the NMSP Great Lakes and Northeast Regional Coordinator, offered feedback on the survey draft and provided the names and e-mail addresses of survey recipients.

After a round of revisions, the survey link was e-mailed to the designated sanctuary staff on November 21, 2005. They were given a month to respond, and the survey was closed on December 25, 2005.

Survey Organization

The online survey contained 12 pages and 29 questions. The questions were a mix of multiple choice, open-ended, and Likert-scale questions. Respondents could fill out the survey in stages by saving their responses and returning to the partially completed survey at a later date. The first two pages provided an introduction to the survey, the purpose of the study, and instructions for how to answer the questions.

The questions were grouped into nine sections:

- Background information;
- Roles and functions of the advisory council;
- Meeting dynamics and management;
- Relationship between sanctuary staff and advisory council;
- Advisory council accomplishments;
- Advisory council challenges;
- Factors that promote advisory council progress;
- Sanctuary staff questions; and
- Final thoughts and advice to the NMSP.

The first few questions inquired about background information including how long the staff have worked for the NMSP and how much time they spend interacting with the councils (Table 4.1).

Table 4.1: Sanctuary staff background questions

<p>Question #1: <i>In which Sanctuary Advisory Council are you involved?</i> (All twelve sanctuaries were offered in a drop-down menu).</p>
<p>Question #3: <i>How many years have you worked with the Sanctuary program?</i></p> <ul style="list-style-type: none"> • Less than 1 year • 1-2 years • 3-4 years • More than 4 years
<p>Question #4: <i>On average, how much time do you spend per week on tasks related to the Advisory Council?</i></p> <ul style="list-style-type: none"> • Less than 2 hours • 2-3 hours • 4-5 hours • 6-7 hours • 8 or more hours
<p>Question #5: <i>Do you feel this amount of time is:</i></p> <ul style="list-style-type: none"> • Not enough • Sufficient • Too much

Survey Responses

28 of the 37 sanctuary staff responded to the survey, indicating a 76% response rate.

Responses by Sanctuary

The survey was sent to between two and five staff members from each sanctuary. Staff from all the sanctuaries responded. Table 4.2 shows how many surveys were sent to each sanctuary and how many were returned.

Table 4.2: Responses by sanctuary

Sanctuary	Number Sent	Number Returned
Channel Islands	2	2
Cordell Bank	3	1
Fagatele Bay	3	3
Florida Keys	4	3
Gray's Reef	5	4
Northwestern Hawai'ian Island Coral Reef Ecosystem Reserve	4	3
Monterey Bay	4	3
Olympic Coast	4	4
Stellwagen Bank	4	2
Thunder Bay	4	3

Responses by Years Worked with the NMSP

- Less than 1 year: 2
- 1-2 years: 2
- 3-4 years: 9
- More than 4 years: 15

Responses by Time Spent with Advisory Council

- Less than 2 hours: 8
- 2-3 hours: 10
- 4-5 hours: 5
- 6-7 hours: 0
- 8 or more hours: 5

Responses by Sufficiency of Time Spent:

- Not enough: 6
- Sufficient: 22
- Too much: 0

Chapter Organization

The remainder of this chapter is organized around these nine overarching themes:

- Perceived value of council;
- Roles and functions of the advisory council;
- Meeting dynamics and management;
- Relationship between sanctuary staff and advisory council;
- Advisory council accomplishments;
- Issue and process challenges;
- Factors that promote advisory council progress;
- Sanctuary staff roles; and
- Staff advice to the NMSP.

Each section details the survey results, analyzes their implications, and compares staff and advisory council results.

PERCEIVED VALUE OF COUNCIL

Sanctuary staff were asked about their perceptions of the value of the advisory council and whether this perception has changed over time.

Question #2: *What was your perception of the value of the Advisory Council to the Sanctuary:*

- When you first started working with the Advisory Council.
- After you had worked with it for some time.

Responses to this question were rated on a scale from 1-5 (1 = *low value*, 2 = *fair value*, 3 = *moderate value*, 4 = *considerable value*, and 5 = *high value*).

Perceived Value of Council: Results and Analysis

There is strong agreement that advisory councils are valuable to the management of sanctuaries and that this perception only increases with time (Figure 4.1). 53% (n=15) of respondents perceived the value of advisory councils to be “considerable” or “high” when they first started working with them. After having worked with councils for some time, the perceived value jumps to 89% (n=25).

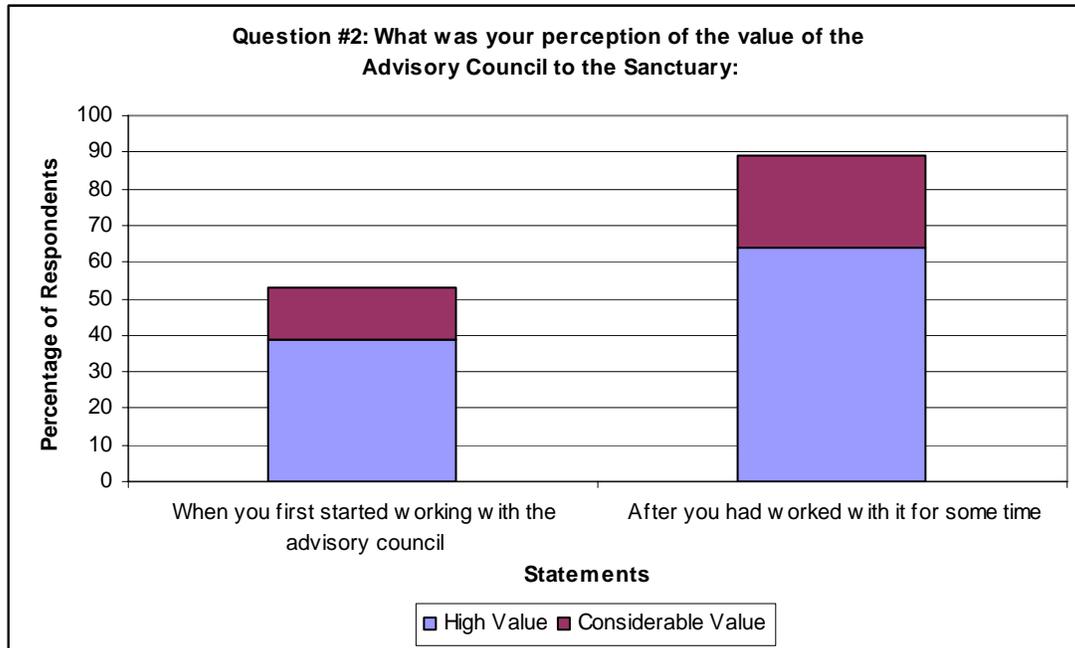


Figure 4.1: Perceived value of advisory councils

ROLES AND FUNCTIONS OF ADVISORY COUNCIL

This survey section explored both staff respondent's perception of the council's various roles and also which role they viewed as most important.

I. Advisory Council Roles

According to the National Marine Sanctuary Program, advisory councils were created to provide advice and assistance to the Sanctuary Superintendents. Question #7 considered a few of the specific tasks for which councils were created.

Question #7: *To what extent do you agree that the Advisory Council:*

- Advises the Sanctuary Manager or Superintendent on agency-prepared plans, proposals or projects.
- Helps to identify Sanctuary issues and conflicts.
- Ensures the accuracy of information used in decision-making.
- Influences the Sanctuary's Management Plan review.
- Provides a forum for voicing concerns, asking questions, and getting information.
- Informs the public of Sanctuary activities.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Advisory Council Roles: Results and Analysis

The majority of respondents agreed that the councils fulfill each of these roles (Figure 4.2).

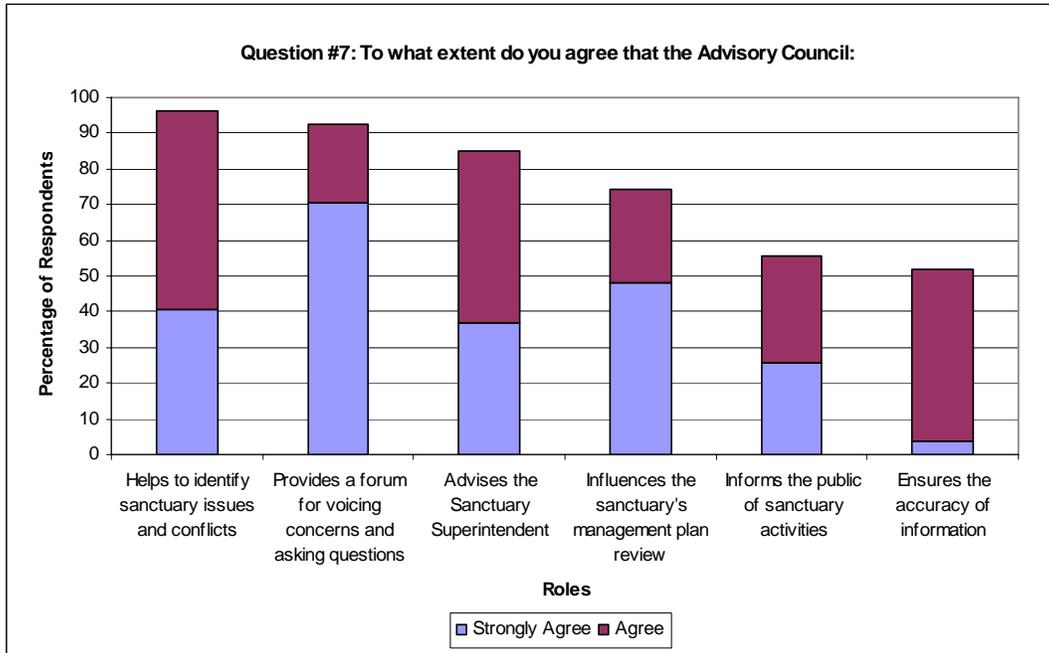


Figure 4.2: Advisory council roles

An overwhelming majority of respondents “agreed” or “strongly agreed” that advisory councils help identify sanctuary issues and conflicts (96%, n=26), provide a forum for communication (92%, n=25), and give advice to the Sanctuary Superintendent (85%, n=23).

Relatively fewer respondents agreed that advisory councils influence the sanctuary’s management plan review (69%, n=20), inform the public of sanctuary activities (56%, n=15), and ensure the accuracy of information used in decision-making (52%, n=14).

II. Advisory Council Discussion of Program Areas

Sanctuaries focus their efforts on education, research, resource protection, and enforcement. Question #8 examined the extent to which council discussions involved issues in these program areas.

Question #8: *To what extent does the Advisory Council discuss issues in the following Sanctuary program areas?*

- Education
- Research
- Resource protection
- Enforcement
- Management Plan Review

Respondents rated each statement on a scale from 1-5 (1 = *never*, 2 = *rarely*, 3 = *sometimes*, 4 = *often*, and 5 = *very often*).

Program Areas: Results and Analysis

The most commonly discussed program areas are resource protection (89%, n=24), research (70%, n=19) and management plan review (70%, n=19). The least discussed areas are education (48%, n=13) and enforcement (37%, n=10) (Figure 4.3)

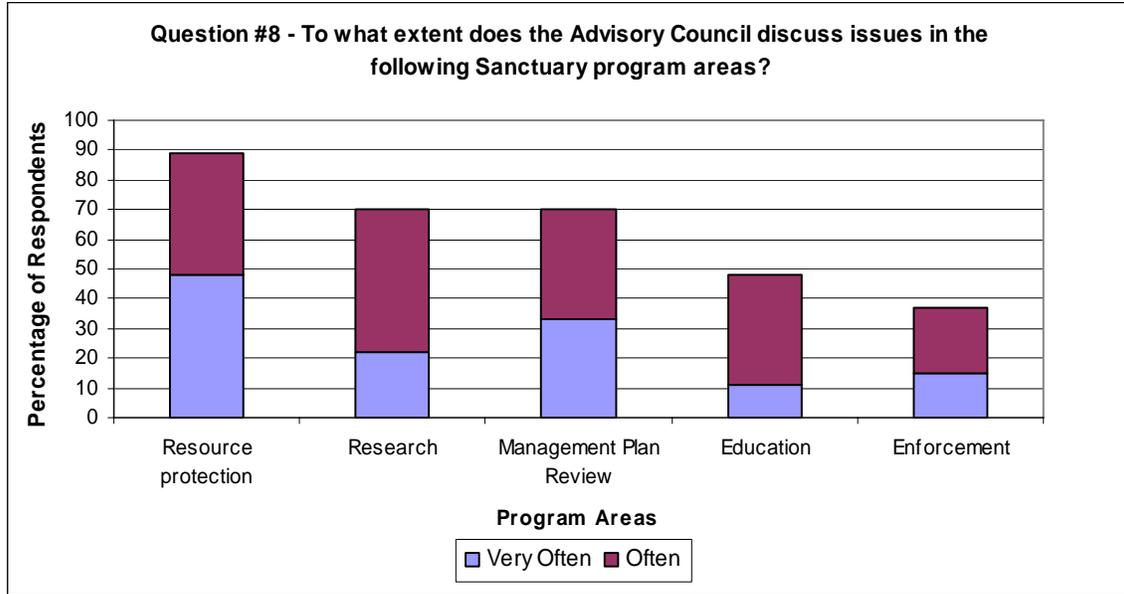


Figure 4.3: Advisory council involvement in sanctuary program areas

III. Advisory Council’s Most Important Function

Question #9: *What would you say is the most important function of the Advisory Council?*

Most Important Function: Results

Question #9 was an open-ended question that asked staff what they perceived to be the most important function of the advisory council. 26 staff members responded to this question, offering ideas that fell into four interrelated categories:

1.	Providing a forum	48%, n=12
2.	Giving advice	44%, n=11
3.	Building connections	32%, n=8
4.	Enhancing sanctuary staff understanding of issues	28%, n=7

1. Providing a Forum

48% (n=12) of staff respondents perceived that the most important function of the advisory council is to provide the sanctuary with a forum that brings together a representative set of interests in a legitimate process and on a regular basis. For example:

- "Provide forum where different interest groups can engage in a dialogue, hopefully constructive; provide a forum that can engage the public in local marine conservation issues."
- "To provide a public forum for voicing concerns, asking questions, and getting information and, in doing so, helping CINMS to conduct better outreach to a wide array of constituents."
- "Providing a regular forum for the public and stakeholders to raise issues directly with sanctuary management."
- "To serve as a representative body for important constituent groups. It is very helpful when the sanctuary can endorse a proposal or recommendation of the AC which advances the conservation objectives of the site."

2. Giving Advice

Not surprisingly, 44% (n=11) of staff respondents suggested that providing advice to the sanctuary and NMSP is the most important function of the council. For example:

- "To provide sanctuary management, and often NOAA levels above that, with advice on handling resource protection issues."
- "Communicating advice and concerns about resource protection issues to the superintendent and the national headquarters staff."

3. Building Connections

32% (n=8) of staff respondents felt that the most important function of the advisory council is to establish connections with the broader community of agencies, groups, and individuals interested in the sanctuary. For example:

- "Networking sanctuaries into constituent groups."
- "Connection between the federal government and the general public; a trusted, respected connection to both parties within the community."
- "Providing the sanctuary with personal contacts within user groups. Providing the sanctuary with a direct means of communicating information to user groups."

4. Enhancing Sanctuary Staff Understanding of Issues

Finally, 28% (n=7) of staff respondents pointed to the advisory council's role in expanding staff understanding and awareness of issues and possible ways to address these issues. For example:

- "To identify and help the agency better understand new and emerging issues."
- "The SAC serves as the means for issues to be raised in the community and conveyed to Sanctuary managers. The SAC also brings the local knowledge to

the table and provides the strong link to the Sanctuary staff to make sure practical approaches to issues are considered."

- "It helps the sanctuary staff learn concerns and questions from the different constituencies and address them. The council also provides ideas and expertise on projects being conducted by the sanctuary."

Most Important Function: Analysis

Staff recognize multiple dimensions of value associated with advisory councils. They appreciate the reality that having an advisory council provides a place – a forum – where the full spectrum of agencies and others interested in the sanctuary can interact on a regular basis. They value the advice gained through the advisory council process and how the councils enable broader connections to other agencies and the public. Staff also highlight the learning benefit associated with their interaction with the councils, one that enhances their understanding of issues associated with the sanctuary.

MEETING DYNAMICS AND MANAGEMENT

The goal of advisory councils to serve as a forum for discussion is particularly sensitive to meeting dynamics. Creating a space where all participant groups feel free to contribute requires a dynamic that supports open communication. Important factors range from the general atmosphere of a meeting to whether participants feel respected. Questions in this section asked staff respondents about their perceptions of meeting atmosphere, management, and outcomes.

I. Meeting Dynamics

Question #10 probed staff members' perspectives of advisory council meeting dynamics and decisions.

Question #10: *To what extent do you agree with the following statements regarding Advisory Council meetings?*

- I feel Advisory Council members work as a team toward a shared goal.
- I feel Advisory Council members try to achieve consensus.
- I feel Advisory Council members trust one another.
- I feel satisfied with how the Advisory Council makes decisions and recommendations.
- I feel satisfied with the substance of the Advisory Council's final decisions and recommendations.
- I feel that Advisory Council final decisions and recommendations are fair.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Meeting Dynamics: Results and Analysis

All responses to these statements were notably positive. Agency respondents are satisfied with council decision-making and final decisions. In addition, they feel that council members are working together and have developed cooperative relationships (Figure 4.4).

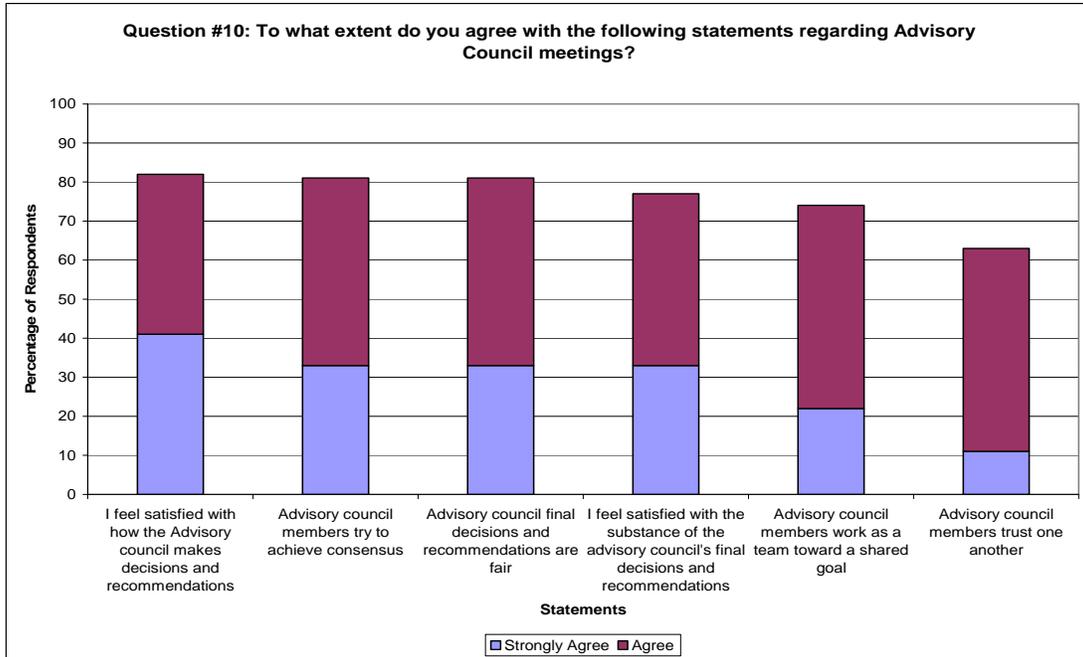


Figure 4.4: Respondents impressions of meeting dynamics

An overwhelming majority of agency respondents “agreed” or “strongly agreed” that they are satisfied with the council’s decision-making process (81%, n=22), members try to achieve consensus (81%, n=22), council decisions are fair (81%, n=22), and they are satisfied with the substance of final decisions (78%, n=21).

There were conflicting opinions on whether council members work toward a shared goal or trust each other. 74% (n=20) of respondents agreed that council members work as a team toward a shared goal. However, 19% (n=5) of respondents “disagreed” or “strongly disagreed” with this statement. 63% (n=17) of respondents agreed that members trust one another while 19% (n=5) disagreed.

In general, council members and agency respondents had similar results (Figure 4.5).

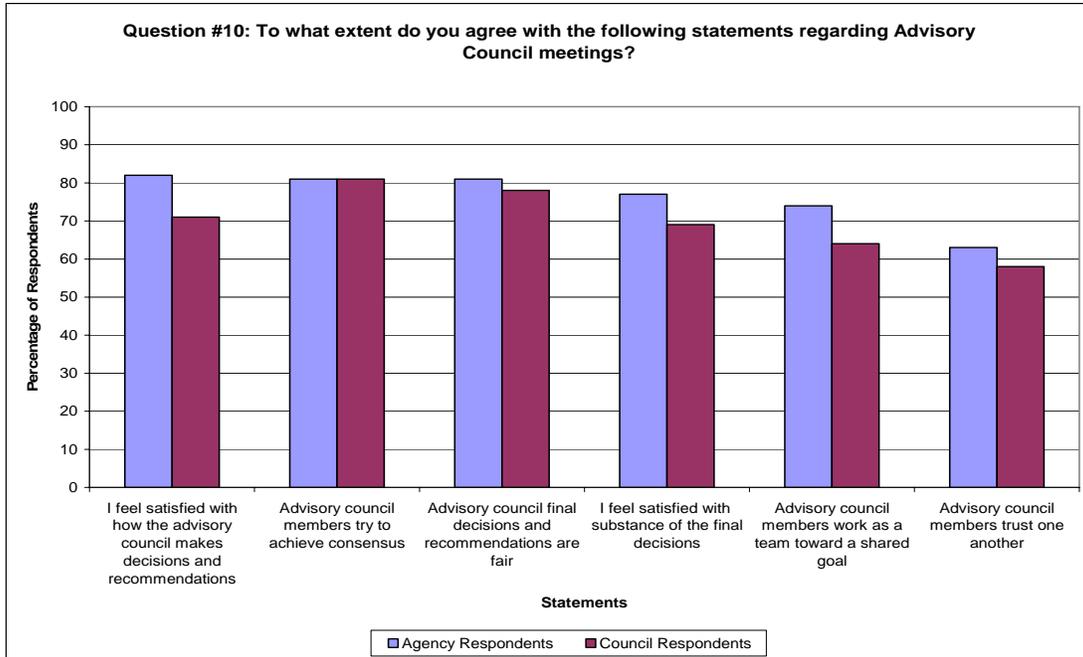


Figure 4.5: Agency and council comparison of meeting dynamics

II. Meeting Characteristics

Question #11 asked sanctuary staff about their perceptions of advisory council meetings, including their logistics and more emotional or interpersonal aspects of the meeting experience.

Question #11: *To what extent do you agree a typical Advisory Council meeting is:*

- Well managed
- Held often enough
- A sufficient length
- Informative
- Productive
- Satisfying
- Frustrating
- Emotional
- Cooperative

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Meeting Characteristics: Results and Analysis

Responses varied from 100% (n=27) of respondents “agreeing” or “strongly agreeing” that meetings are a sufficient length to 26% (n=7) of respondents “agreeing” or “strongly agreeing” that meetings are emotional (Figure 4.6).

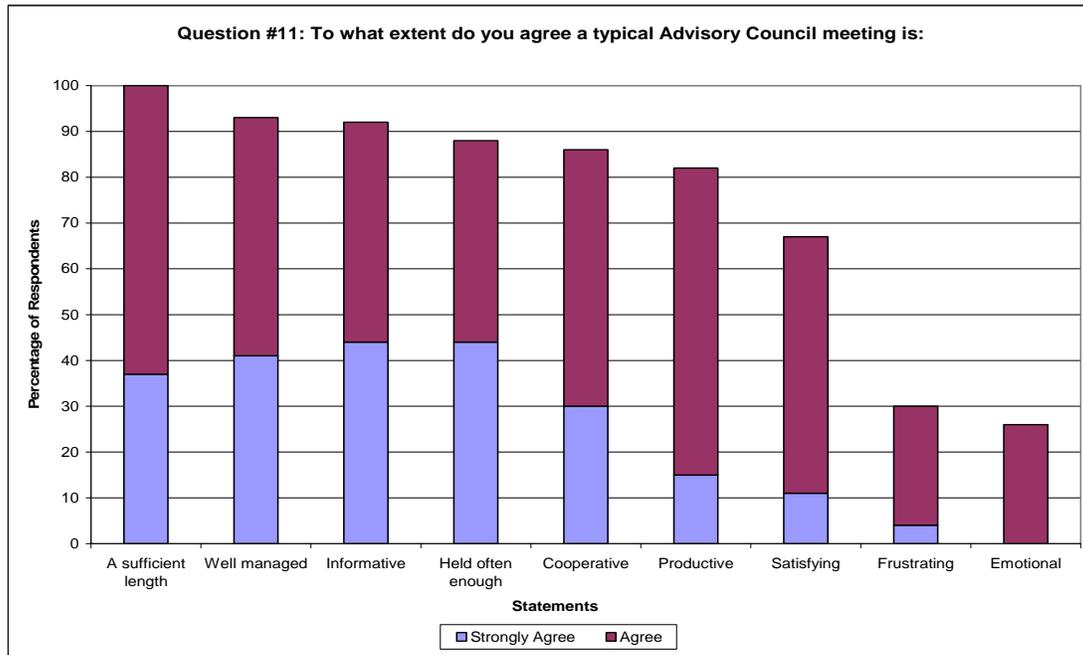


Figure 4.6: Meeting characteristics and atmosphere

Responses were overwhelmingly positive about the logistical management and interpersonal dynamic of advisory council meetings.

The vast majority of respondents agreed that meetings are a sufficient length (100%, n=27), well managed (93%, n=25), informative (92%, n=25), held often enough (88%, n=24), cooperative (86%, n=23), productive (82%, n=22), and satisfying (62%, n=18).

Respondents were more divided on their perception of whether council meetings are frustrating or emotional. 39% (n=8) of respondents agreed that meetings are frustrating, while 44% (n=12) “disagreed” or “strongly disagreed.” 26% (n=7) agreed that meetings are emotional, while 41% (n=11) disagreed.

In general, staff and council participant responses were quite similar with only marginal variation in perceptions of meeting length and productivity (Figure 4.7).

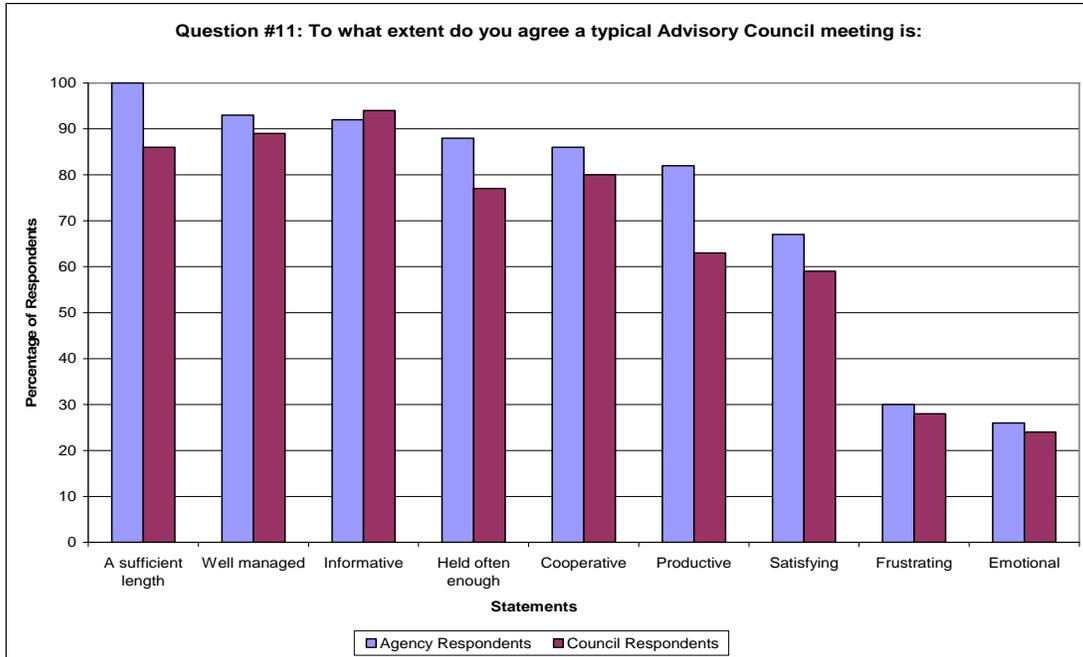


Figure 4.7: Agency and council comparison of meeting characteristics and atmosphere

III. Meeting Processes

Sanctuary staff were asked about statements regarding how advisory councils function and the transparency and accessibility of the process to the public.

Question #12: *To what extent do you agree that:*

- Creating smaller groups (i.e., subcommittees, working groups) to address issues is essential to the functioning of the Advisory Council.
- Advisory Council members have access to the information necessary to make informed decisions.
- Advisory Council members are able to influence the meeting agendas.
- Advisory Council membership terms are appropriate in length.
- Advisory Council meetings are sufficiently publicized.
- Members of the public have an opportunity to voice their opinions at Advisory Council meetings.
- Advisory Council recommendations are decided upon in public.
- Advisory Council meeting notes are made available to the public.
- It is easy for the public to learn about Advisory Council activities.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Meeting Processes: Results and Analysis

Respondents had high levels of agreement with statements regarding the functioning of councils and slightly lower levels of agreement with statements addressing the transparency of council processes (Figure 4.8).

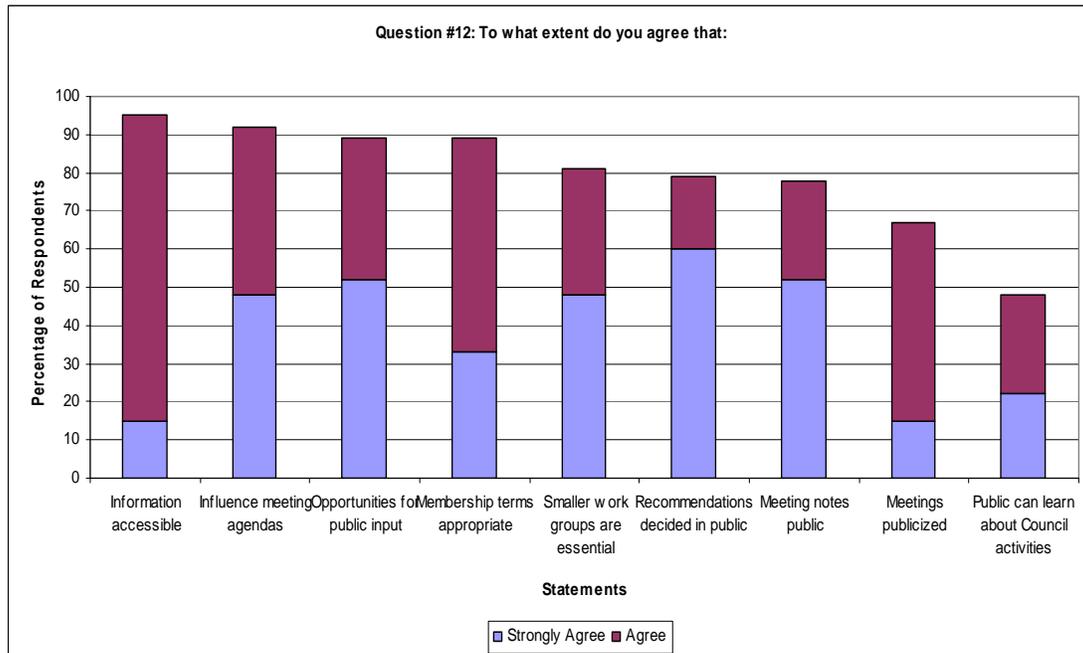


Figure 4.8: Meeting processes

Staff agreed that council members have access to sufficient information (94%, n=24), members are able to influence meeting agendas (92%, n=25), the public has an opportunity to speak during meetings (89%, n=24), the membership terms are appropriate in length (89%, n=24), and smaller working groups are essential (81%, n=22).

79% (n=21) of respondents “agreed” or “strongly agreed” that council decisions are made in public, 78% (n=21) that meeting notes are publicized, 67% (n=18) that council meetings are publicized, and 48% (n=13) that the public can easily learn about council activities.

Agency staff and council participants had similar responses (Figure 4.9). The two main differences are that staff respondents agreed more strongly that council members have access to information and influence over the agenda.

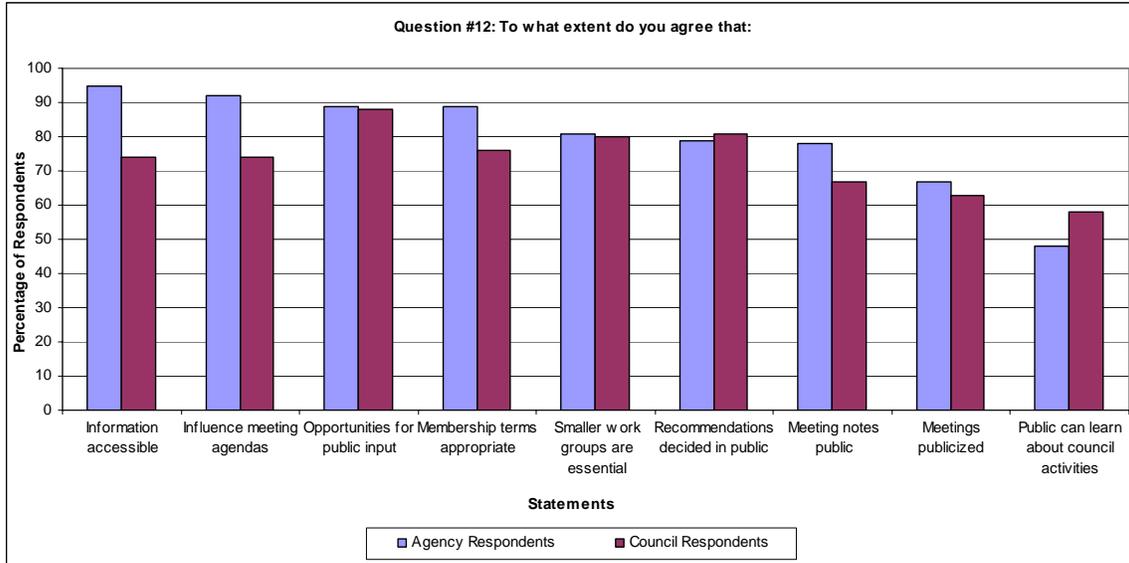


Figure 4.9: Agency and council comparison of meeting processes

IV. Communication between Meetings

Question #13 asked about the frequency of communication between sanctuary staff and council members between meetings.

Question #13: *Between Advisory Council meetings, to what extent do you communicate with:*

- Advisory Council chair.
- Members of subcommittees or workgroups.
- Other Advisory Council members.

Respondents rated each statement on a scale from 1-5 (1 = *never*, 2 = *rarely*, 3 = *sometimes*, 4 = *often*, and 5 = *very often*).

Communication between Meetings: Results and Analysis

Extensive communication is occurring between meetings among sanctuary staff and council participants (Figure 4.10).

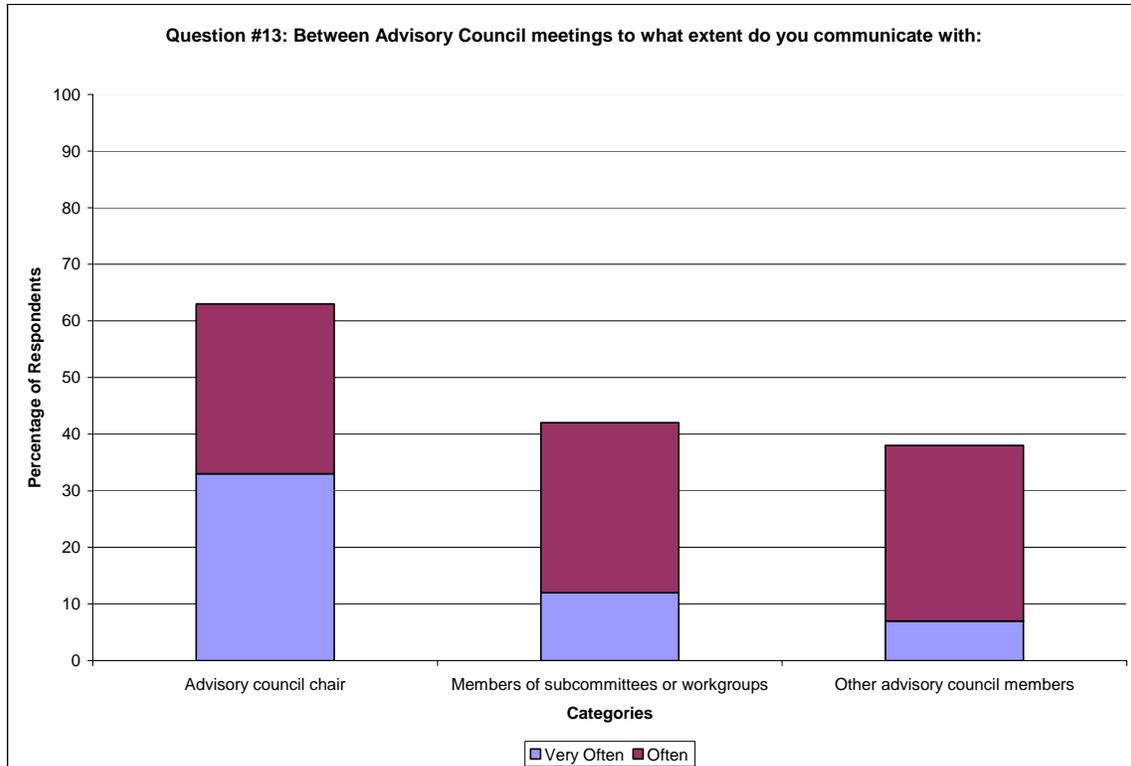


Figure 4.10: Level of communication between meetings

Between meetings, 63% (n=17) of sanctuary staff respondents communicate “often” or “very often” with the council chair. Relatively fewer respondents (43%, n=11) communicate “often” or “very often” with members of working groups. However, 100% of respondents communicate with working group members at least “sometimes.” Although staff respondents communicate with other council members relatively less (37%, n=10) than chairs and subcommittee members, 80% of respondents communicated with other council members between meetings at least “sometimes.”

RELATIONSHIP BETWEEN SANCTUARY STAFF AND ADVISORY COUNCIL

This survey section sought to understand staff perceptions of their relationships and activities associated with the advisory council. Questions were asked about the extent to which staff engage in certain activities and which activities they view as most important.

I. Relationship between Staff and Advisory Council

Question #14 probed the nature of staff interactions with the advisory council.

Question # 14: *To what extent do you agree that Sanctuary Staff:*

- Is receptive to Advisory Council Advice.
- Adopts Advisory Council Recommendations.
- Provides helpful feedback throughout Advisory Council decision-making.
- Provides leadership to the Advisory Council.
- Provides necessary information to the Advisory Council.
- Responds to Advisory Council recommendations in a timely manner.
- Provides enthusiasm and encouragement to the Advisory Council.
- Is an active participant in Advisory Council discussions.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Relationship between Staff and Council: Results and Analysis

A consistently high percentage of respondents “agreed” or “strongly agreed” with these statements (Figure 4.11).

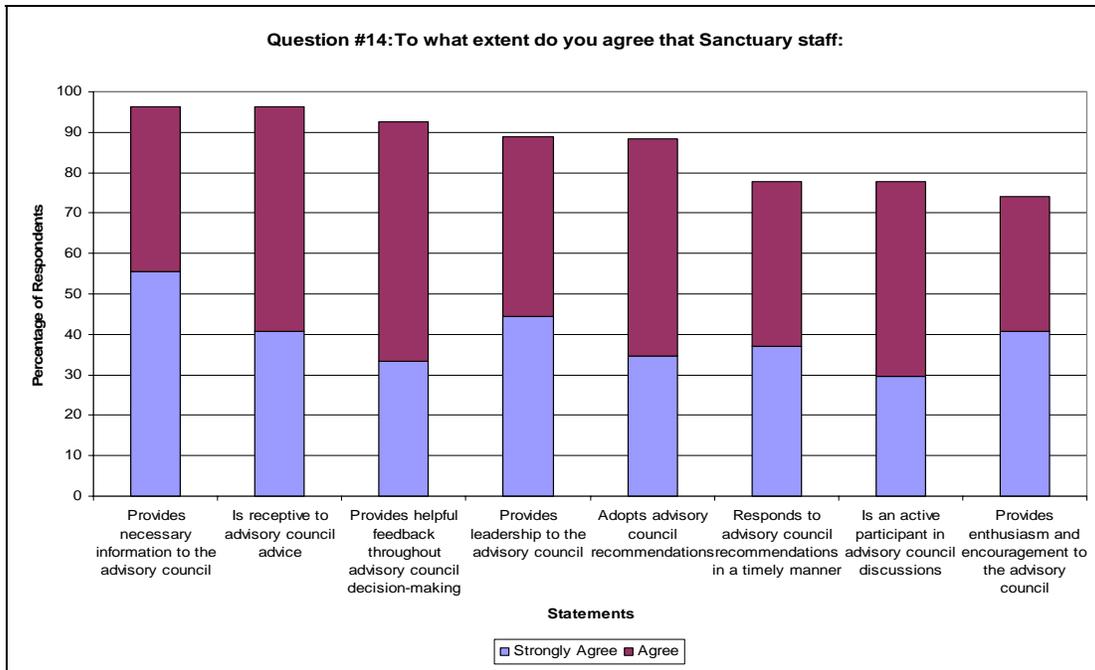


Figure 4.11: Advisory council relationship with sanctuary staff

Staff agreed most strongly that they provide necessary information (96%, n=26), are receptive to council advice (96%, n=25), provide helpful feedback throughout decision-making (93%, n=25), provide leadership (89%, n=24), and adopt council recommendations (88%, n=23).

Relatively fewer respondents agreed that staff are an active participant in council discussions (78%, n=21), respond to recommendations in a timely manner (78%, n=21), and provide enthusiasm and encouragement (74%, n=20).

In some cases, agency respondents agreed more strongly with statements than council respondents (Figure 4.12). Staff perceived higher levels of staff support and responsiveness to the council. A notably higher percentage of staff respondents also agreed that staff provide necessary information, provide helpful feedback throughout decision-making, are receptive to council advice, adopts council recommendations, and provides leadership to the council. In other cases, the opposite is true. Around 10% more council participants agreed that staff are active participants in the council discussions and that they provide enthusiasm to councils.

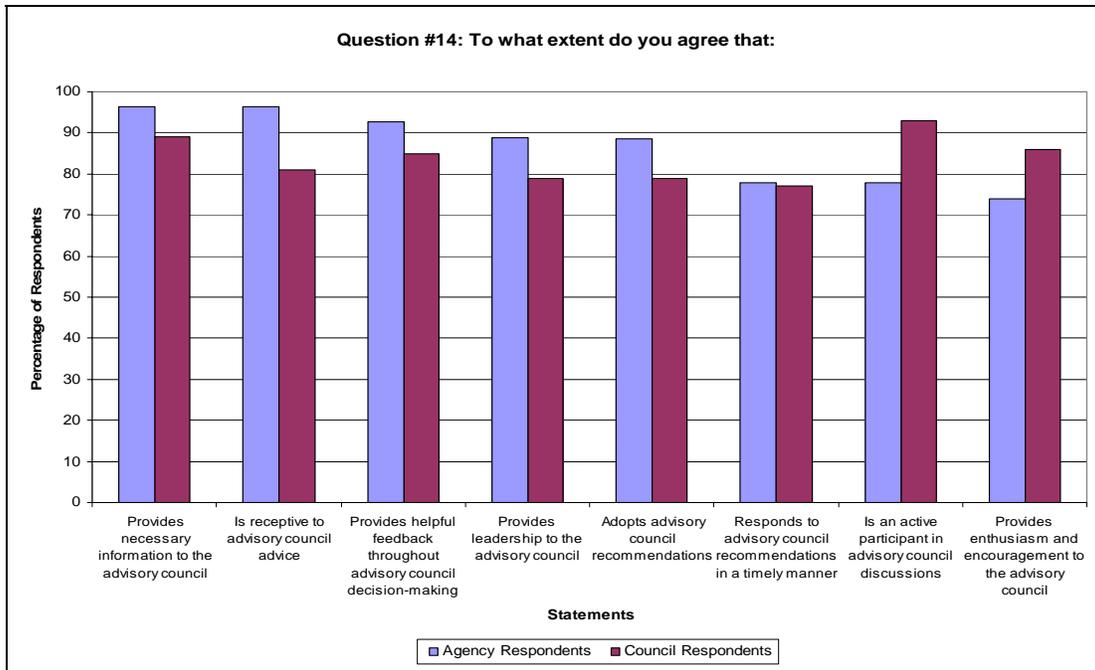


Figure 4.12: Agency and council comparison of relationship with staff

II. Staff's Most Important Roles

Question #15: *What are the 2-3 most important things that the Sanctuary Staff do for the Advisory Council? Is there anything else you believe the staff should do?*

Staff's Most Important Roles: Results

25 staff members responded to this question providing 41 roles. These responses can be divided into five categories of roles fulfilled in their relationship with the advisory councils:

1.	Keeping the council informed and prepared	72%, n=18
2.	Facilitating council interactions	48%, n=12
3.	Providing logistical support	25%, n=6
4.	Demonstrating respect and appreciation	25%, n=6
5.	Identifying issues or opportunities for council involvement	20%, n=5

1. Keeping the Council Informed and Prepared

Most respondents (72%, n=18) suggested that the most important thing staff do for the council is help keep members prepared for meetings and informed of sanctuary issues and activities. For example:

- "Provide the SAC with up-to-date information on the status of the resource. Provide the SAC with status of emerging issues (e.g. LNG deepwater ports). Provide the SAC with relevant documents to review."
- "Keep the SAC abreast of sanctuary activities and issues."
- "Brief them on tough to understand concepts prior to meeting. Provide them with the material they need prior to meetings."
- "Provide information for the subcommittees and the council. Provide regular information to the council via e-mail (to keep them up to date). Keep the council as well informed as possible to assist in the advice giving process."

2. Facilitating Council Interactions

48% (n=12) of staff respondents indicated that they "facilitate" the involvement and interaction of council members, both during and between meetings. These responses capture the whole array of actions that help council members organize their efforts, interact with each other, and make progress, in addition to managing and facilitating actual meetings. For example:

- "Keep them organized -- help them focus their agenda -- help facilitate constructive discussions and resolve conflicts."
- "Work with subcommittees to bring recommendations to the full council for discussion."
- "Link each other; initiate and continue communications."
- "Give support wherever possible to facilitate decision-making."

3. Providing Logistical Support

25% (n=6) identified logistical support as another important task. For example:

- "Arrange meetings, provide notes, and respond to requests that the Advisory Council might have."
- "Provide logistic support."

4. Demonstrating Respect and Appreciation

25% (n=6) of respondents believed that demonstrating respect and appreciation for the council and its efforts is an important role. For example:

- "Make sure the SAC feels that it is a valuable resource to the program and staff."
- "The site superintendent sits at the table with the Advisory Council, next to the chair, reflecting it is a "we" thing and not an "us and them" thing."
- "Show appreciation."

5. Identifying Issues for Opportunities for Council Involvement

Finally, 20% (n=5) felt that the most important thing staff do for the council is help identify issues and opportunities for the council to consider and act upon. For example:

- "Identify issues on which the Advisory Council should focus attention. Identify overlap in concern and jurisdiction held by sanctuary and other groups or agencies."
- "Provides leadership on what important issues need to be addressed. The Sanctuary should provide a framework for the AC to provide an assessment of the highest risks to OCNMS resources and prioritize which ones the sanctuary should be addressing."

Staff's Most Important Roles: Analysis

Staff are "a jack of all trades" when it comes to assisting the advisory councils, doing almost everything necessary to enable the councils to be a productive contributor to the sanctuary. Most responses focus on communicating information to keep the council informed and prepared via written materials, presentations, and answering questions. Other responses focused on facilitating the organization and communication during meetings so that members can deliberate on issues in an interactive, organized, and informed way. Additionally, staff do all of the logistical legwork associated with organizing and running a public meeting four to six times a year, at the same time recognizing the significant value of the councils to the sanctuary and demonstrating this respect and appreciation for members' efforts.

Many staff wish that they had more time to spend on council-related tasks. In response to the question "is there anything else you believe the staff should do?", one respondent provided a comprehensive comment, one that captured the concerns of others expressed throughout the survey:

"Other staff need to be connected to the SAC as well to help them understand Sanctuary programs and to respect and when appropriate implement Sanctuary Advisory Council recommendations. Staff support areas that need improvement: (a) helping the public engage with the SAC; (b) more public relations and media work on behalf of the SAC; (c) more one-on-one connections between staff and SAC members; (d) more follow-through on staff's part after receiving SAC advice; (e) when engaged in planning activities, more consideration across all departments as to how the SAC should or might be involved in planned activities."

Yet another respondent succinctly captured a parallel reality expressed by many staff members: "On what budget?"

ADVISORY COUNCIL ACCOMPLISHMENTS

This survey section sought to identify and better understand the specific procedural and substantive accomplishments of the council.

I. Advisory Council Accomplishments

Sanctuary staff were asked about how advisory councils have contributed to enhancing sanctuary management and developing relationships among participant groups.

Question #16: *To what extent do you agree that the Advisory Council has enhanced:*

- Management of the Sanctuary resources.
- Collaboration between the Sanctuary staff and the public.
- Public support for Sanctuary decisions.
- Coordination between the Sanctuary and other governmental agencies.
- Public understanding of how Sanctuary management decisions are made.
- Your understanding of the issues facing the Sanctuary.
- Your trust in Advisory Council members.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Advisory Council Accomplishments: Results and Analysis

In general, staff respondents perceive the advisory council as assisting in all of these areas (Figure 4.13).

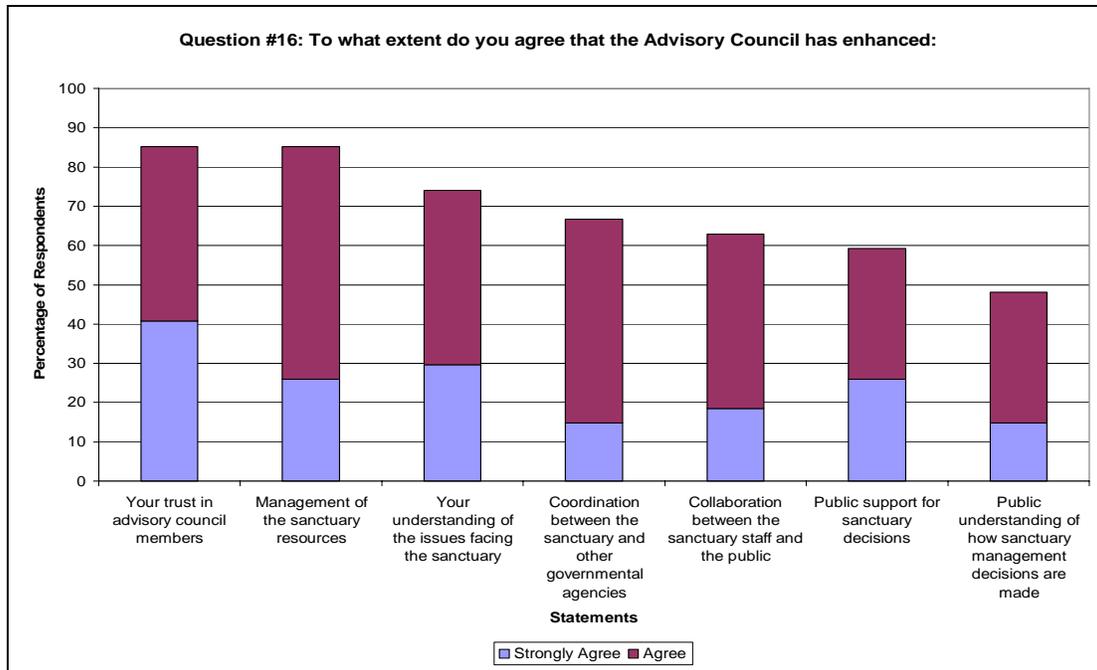


Figure 4.13: Advisory council accomplishments

85% (n=23) of respondents agreed that their work with the council has increased their trust in advisory council participants. 85% (n=23) also agreed that the councils have enhanced management of sanctuary resources, suggesting that council involvement is translating into tangible management improvements. Compared with council participants, 15% more staff respondents agreed that the council enhanced sanctuary management. This could be because staff have more knowledge of the sanctuary's inner workings, so they are in a better position to discern when the council's work is making a difference.

Nearly 75% (n=20) of staff respondents felt that the advisory council had enhanced their understanding of the issues facing the sanctuary. Advisory councils appear to be effective in helping the staff gain differing perspectives and insights. This result is similar to council participant responses.

The majority of respondents agreed that the council enhanced collaboration between the staff and the public (63%, n=17) and coordination between the sanctuary and other governmental agencies (67%, n=18). These results are slightly lower than the participants' responses.

59% (n=16) of respondents perceived that the council has enhanced public support of sanctuary decisions and 48% (n=13) that it has enhanced public understanding of how decisions are made. Figure 4.14 compares agency results with the council results.

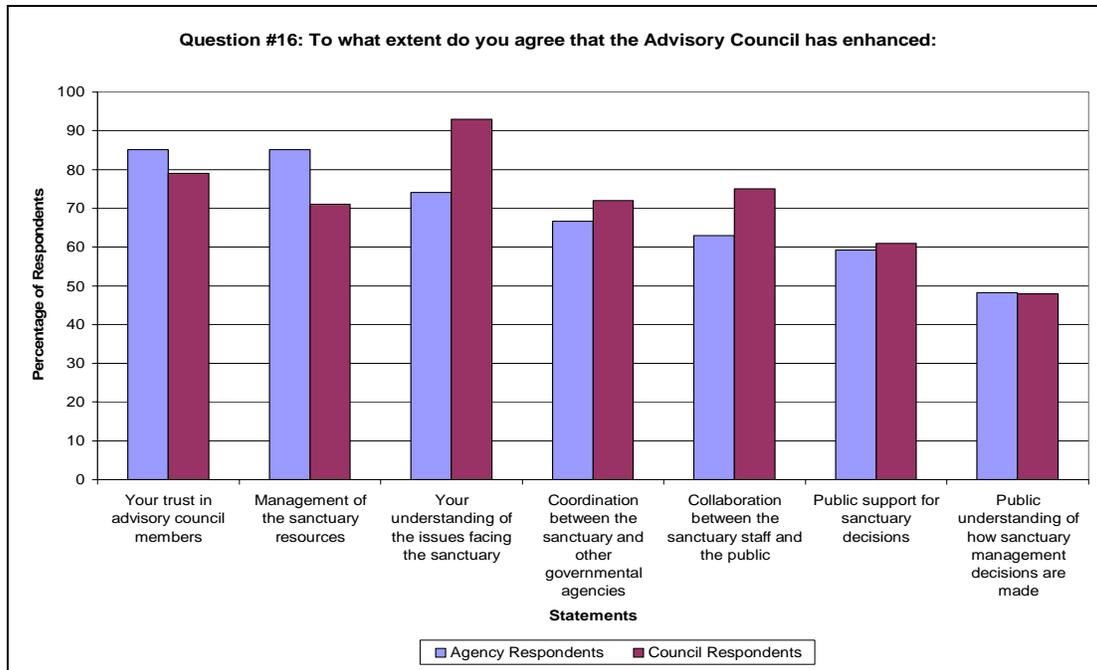


Figure 4.14: Agency and council comparison of advisory council accomplishments

II. Most Important Accomplishments

Question #6: *What would you say are the 2-3 most important accomplishments of the Advisory Council?*

Most Important Accomplishments: Results

24 staff members answered this question, providing 46 responses. The responses were inter-related, all speaking either generally or specifically to the ways advisory councils contribute to sanctuary management. Half of the responses were about substantive accomplishments ranging from specific activities occurring in the sanctuaries because of advisory council efforts, to more general statements about providing advice and input to sanctuary Superintendents and contributing to management plan reviews. The remaining responses were more process-related accomplishments: providing a regular mechanism or venue that links the sanctuary to external communities and other agencies, acquiring advice from wide-ranging perspectives, and having productive working groups. Responses fell into seven categories:

1.	Influence on specific sanctuary activities	46%, n=11
2.	Contributions to sanctuary management plans	46%, n=11
3.	Providing a mechanism linking the sanctuary, communities, and other agencies	38%, n=9
4.	Advice and input from differing perspectives	29%, n=7
5.	Productive working groups	21%, n=5
6.	Coalescing as a group	12%, n=3
7.	Generating public interest	4%, n=1

Two-thirds of staff respondents (63%, n=15) highlighted accomplishments related to the advisory councils' influence on specific activities that are occurring in the sanctuaries and/or on sanctuary management planning. These responses are captured in the first two categories in the table above, and are discussed below.

1. Influence on Specific Sanctuary Activities

Almost half (46%, n=11) of staff respondents identified numerous specific sanctuary activities that are occurring because of advisory council influence. For example:

- “The SAC’s 1999-2002 process on considering marine reserves within the Sanctuary and the fact that their recommendations led to actual results. The SAC’s 2005 comprehensive recommendations on improving and protecting water quality within and adjacent to CINMS. The SAC’s 2004 comprehensive recommendations on understanding and mitigating sources of human noise within the Sanctuary.”
- “Recommendations regarding the creation of a network of intertidal marine reserves, work on oil spill issues, commenting on major projects/policies (fiber optic cable fair market value study, alternative energy proposal, energy policies).”
- “Provided key recommendations on the management of kelp harvesting to resolve a user conflict.”
- “Helping to put forward the sanctuary’s plan to move shipping lanes for whale protection.”
- “Helped to formulate recommendation to increase protection for Cordell Bank by restricting bottom contact fishing gear on the Bank.”

2. Contributions to Sanctuary Management Plans

Similar to the category above, almost half (46%, n=11) of staff respondents highlighted that one of the councils' most important accomplishments was the contributions they made to management plan reviews and other sanctuary planning efforts. For example:

- “Provided enormous input into the Draft and Final Management Plans for FKNMS.”
- “Collaboration on the revision of the management plan.”
- “Joint Management Plan Review – they helped us determine the 20 some odd issues that we will be covering the next 5-10 years.”

- “Helped to prioritize the key areas to be addressed in the site’s management plan.”
- “Input into the reserve operations plan.”

3. Providing a Mechanism Linking the Sanctuary, Communities, and Other Agencies

The next two categories are inter-related, and highlight the significant accomplishments of the advisory councils in providing a forum or regular mechanism that easily links the sanctuary to external groups, communities, and other agencies, thereby enabling sanctuary Superintendents to hear advice from a range of perspectives. Nine (38%) staff respondents identified the link that advisory councils provide to the external world as a significant accomplishment. For example:

- “Providing a public forum for access to the Sanctuary Program during regular operations and during management plan reviews. The SAC members engage their various constituencies, thereby providing a “force multiplier” in the program’s outreach activities.”
- “Providing a regular avenue of community involvement.”
- “Providing an opportunity for gaining insight into differing constituencies and communities and how they operate and view the sanctuary. Improving communications with other agencies and organizations.”
- “The most important accomplishment that the AC has made is the personal relationships and sharing of perspectives that it has facilitated among the different agencies and constituencies. This has been an important venue for representatives of diverse interests to get together and attempt to articulate a common goal/role for the OCNMS.”
- “Provides a regular mechanism for the public and the stakeholder seats to give input directly related to the management of the MBNMS.”

4. Advice and Input from Differing Perspectives

7 (29%) staff members considered the sanctuary’s ability to receive valuable advice and input from various perspectives and sources of expertise via the councils to be an important accomplishment. For example:

- “Providing knowledgeable but outside perspectives regarding the site’s programs and operations.”
- “Providing advice and comment to the superintendent and others relating to protecting sanctuary resources.”

5. Productive Working Groups

Five (21%) staff respondents spotlighted the working groups or subcommittees that supplements formal advisory council meetings and enables more in-depth attention to specific issues as one of the most important accomplishments. For example:

- “The SAC working groups have been very effective.”
- “Working groups that develop action plans.”

- “Marine reserves working group process.”
- “Developing a working group to examine the concept of a Research Area within sanctuary boundaries.”

6. Coalescing as a Group

Three (12%) staff respondents suggested that the simple fact that the advisory councils have coalesced into productive, focused, and enthusiastic groups is a notable accomplishment. For example:

- “An accomplishment is their development from a group that was briefed by the sanctuary staff to one that actively provides advice and guidance.”
- “Its establishment, and the enthusiastic engagement by the council members.”
- “Developing a vision.”

7. Generating Public Interest

Finally, one staff respondent suggested that a major accomplishment of their advisory council has been generating public interest in the sanctuary.

Most Important Accomplishments: Analysis

Sanctuary staff clearly believe that the advisory councils are achieving significant accomplishments that benefit sanctuary management and sanctuary resources. Most staff respondents to this question spotlighted substantive accomplishments that have had, or will have, a direct positive impact on the sanctuaries. Many comments mirrored those of the council members, noting the procedural accomplishment of simply having a regular mechanism that accommodates communication between the sanctuary and external groups, that enables in-depth examination of some issues via working groups, and that allows the sanctuary to receive insights and recommendations that help inform decisions.

III. What Would be Different if the Advisory Council did not Exist?

Question #17: *What do you think would be different in the management of the Sanctuary if the Advisory Council did not exist?*

What Would be Different: Results

24 staff members provided 40 responses to this question. Responses fell into four categories:

1.	Diminished agency understanding and awareness of issues	67%, n=16
2.	Increased conflict, less public support	50%, n=12
3.	Fewer connections between the sanctuary and public	37%, n=9
4.	Diminished public understanding and awareness of issues	13%, n=3

1. Diminished Agency Understanding and Awareness of Issues

Most respondents (67%, n=16) expressed a strong belief that the sanctuary and NMSP would have a less comprehensive understanding and information base about the issues facing the sanctuary and, consequently, that effective, informed decision-making would be hampered. For example:

- "Management would be making more decisions in a vacuum of public input and would not have the sounding board function that the AC provides for proposed sanctuary programs and decisions. Management would not always be aware of some of the new and emerging issues that AC members bring to the council and provide guidance on."
- "Decisions would be made in more of a void; sometimes sanctuary staff can't see all the possible options and AC involvement helps creativity in decision framing and making."
- "Staff would have to work harder to connect with stakeholders and other agencies before taking a management action, and as a result far fewer such communications would probably take place. That would probably make decision-making faster for the Sanctuary, but not necessarily based on the best of more complete information."
- "We would be making decisions with a lower comfort zone in that we wouldn't have the formal mechanism available to get real time reaction from a broad spectrum of interests. Without the council I think our ears would be more attuned to the squeaky wheels on an issue and not recognize that other interests may have very different and often equally strong opinions on a topic."
- "Having the advisory council is crucial for us to understand the concerns of the public. Without advisory council members acting as voices for their individual constituencies, I believe it would be very difficult for us to know what the public's concerns are."

2. Increased Conflict, Less Public Support

Half (n=12) the staff respondents believed that the absence of an advisory council would create more distrust and conflict and considerably less support for sanctuary decisions in the surrounding communities. For example:

- "Conflicts would be intensified. Without the SAC as an ongoing public forum, key stakeholders would not get to know each other as well when dealing with Sanctuary issues, so I think they would perpetuate misunderstandings about each other and that might lead to intensified conflicts among users."
- "There would be a good deal of distrust in the operations and management of the MBNMS. There are always going to be parties who are distrustful of the government and decision making by the MBNMS, but the Advisory Council provides a legitimate forum for public dialogue directly with sanctuary management."
- "There would be no public support."

- "It would appear to the public that we are acting on our own desires and whim."
- "Credibility of management plan would be less."

3. Fewer Connections between the Sanctuary and the Public

37% (n=9) of staff respondents believed they would lose an important connection with other agencies and the public that enable staff to obtain and share information. For example:

- "Management would not have the same opportunity to have good lines of communications to other government agencies, tribal and non-tribal communities, and other stakeholder groups that the AC now provides."
- "Less and more difficult connection to constituent groups -- more difficult to identify point of contact within other government agencies or constituent groups -- weaker connections."
- "It also has helped government agencies talk and identify needed partnerships, which would have been more difficult without the Advisory Council."
- "It would be more difficult to quickly provide key information to user groups through their own meetings."

4. Diminished Public Understanding and Awareness of Issues

While public understanding and awareness is an undercurrent theme embedded in the above categories, three (13%) staff respondents explicitly highlighted this loss if the advisory council did not exist. For example:

- "Importantly, without the SAC there would probably be less public understanding and trust in the Sanctuary and its intent as a regulatory authority because there would be much less explanatory information being shared with the public prior to Sanctuary management actions being taken."

What Would be Different: Analysis

Staff responses to the question of "what would be different if the advisory councils did not exist" are quite revealing about the extent to which staff perceive these councils to be an essential element in sanctuary management. Staff feel that advisory councils are enabling them to make better informed decisions, to more easily communicate with other agencies, groups, and individuals with an interest in the sanctuary, to enhance public understanding and support, and to minimize avoidable conflicts. Notably, all respondents suggested that the sanctuary and the NMSP would be worse off without an advisory council; no one suggested that the sanctuary or the NMSP would be better off. One staff respondent offered the simple, overarching response: "My job would be less interesting" without the advisory council.

ISSUE AND PROCESS CHALLENGES

The process of managing a federally protected sanctuary involves an array of challenges for both the agency and the advisory council. In addition to resource concerns like pollution, fish stock depletions, and endangered species, the advisory council process itself may be challenging. This survey section asked about factors that have posed challenges for advisory councils.

I. Advisory Council Challenges

Question #18: *To what extent do you think the following factors pose challenges for the Advisory Council?*

- Complexity of Sanctuary issues.
- Individual time commitment.
- Inadequate representation on the Advisory Council by affected interests.
- Low level of media coverage.
- Lack of support from NOAA.
- Lack of cooperation between Advisory Council members.
- Council members' personal agendas.
- Conflicting views of Advisory Council authority.
- Poor attendance of members at Advisory Council meetings.
- Advisory Council member turnover.
- Sanctuary staff turnover.

Respondents rated how much each factor was a challenge on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Challenges: Results and Analysis

Few staff members perceived that these factors are posing notable challenges to advisory councils (Figure 4.15).

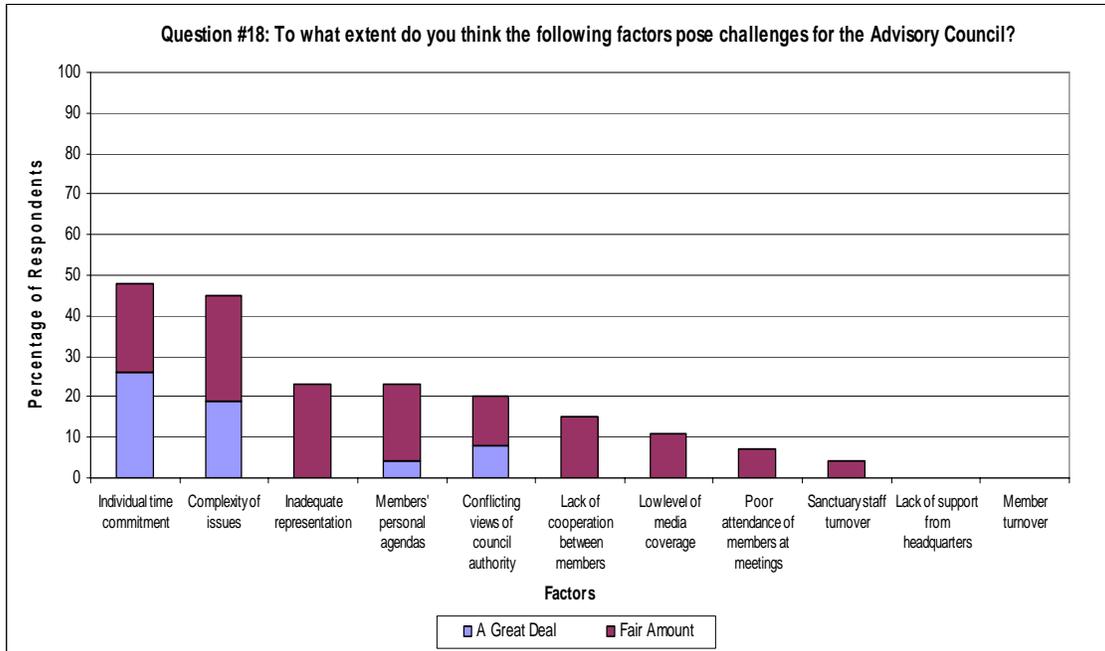


Figure 4.15: Factors that pose as challenges for the advisory council

Staff respondents perceived member time commitment (48%, n=13) and complexity of sanctuary issues (45%, n=12) to be “a great deal” or “fairly” challenging.

Factors less frequently perceived as challenges were inadequate representation on the council (22%, n=6), council members’ personal agendas (22%, n=6), conflicting views of council authority (19%, n=5), lack of cooperation between members (15%, n=4), and low level of media coverage (11%, n=3). The factors perceived as least challenging were poor attendance at meetings (7%, n=2), sanctuary staff turnover (4%, n=1), lack of support from headquarters (0%, n=0), and member turnover (0%, n=0). This suggests staff perceive that council members work together, understand their council’s role, and strive for group goals. In addition, councils have adequate representation and sufficient meeting attendance. Figure 4.16 displays which factors were viewed as least challenging.

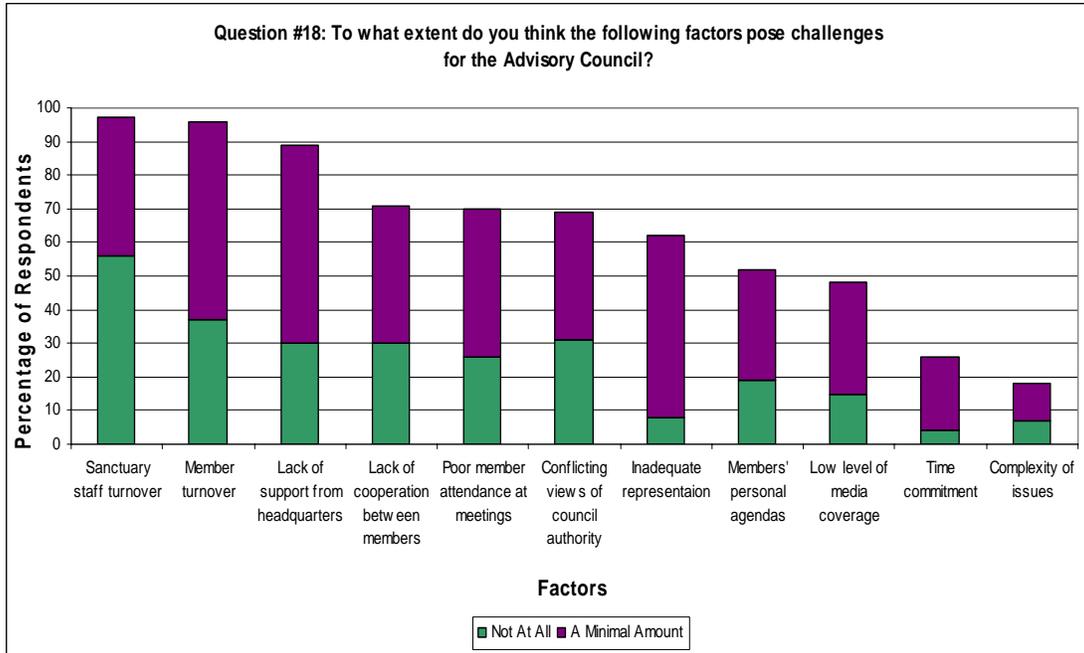


Figure 4.16: Factors that do not pose as challenge for the advisory council

Advisory council members' perception of factors that pose challenges were closely aligned with the staff responses (Figure 4.17).

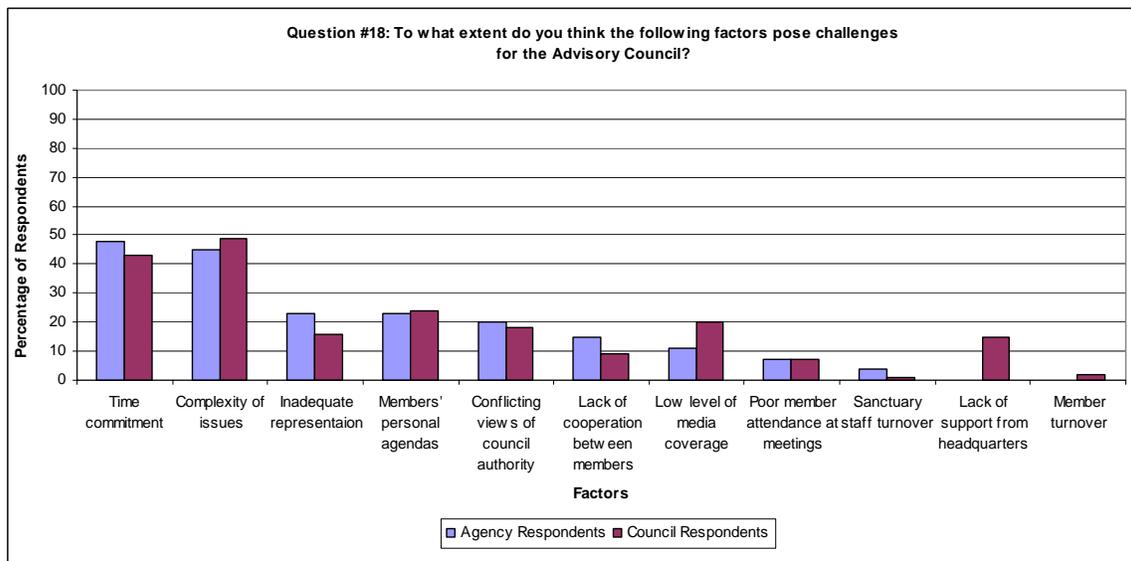


Figure 4.17: Agency and council comparison of factors that pose as challenges for the advisory council

II. The Greatest Challenges

Question #19: *What would you say have been the 2-3 greatest challenges facing the Advisory Council?*

The Greatest Challenges: Results

25 staff members provided 48 challenges facing the advisory council. Responses fell into seven categories:

1.	Maintaining member interest and involvement	40%, n=10
2.	Discovering ways to manage conflict	36%, n=9
3.	Understanding the complexity of issues	36%, n=9
4.	Communicating with constituents	20%, n=5
5.	Meeting logistics	16%, n=4
6.	Determining their role and capturing their potential	16%, n=4
7.	Other	28%, n=7

1. Maintaining Member Interest and Involvement

Many staff respondents (40%, n=10) expressed concerns about how some members lose interest and enthusiasm, which then effects on their level of participation and their attendance at meetings. The most common explanation for waning member interest was the sluggish government response to council and sanctuary actions. Examples include:

- “Much of the challenge comes from the slow pace of government decision-making at the federal level. It is difficult to maintain the public's attention and enthusiasm for an issue over multiple years.”
- “Getting all/any of the fishing representatives to attend the meetings - their attendance changes the group dynamic at the meetings drastically.”
- “We have some members, mostly federal agencies, who because of our statutory limitation can't take votes on issues. While we do strive for consensus and they do fully participate in council discussions, they do not feel fully equal to the voting council members.”

2. Discovering Ways to Manage Conflict

Nine (36%) staff respondents commented on the difficulties that arise when members have personal agendas, when controversial issues divide the group, and other sources of conflict are present. Examples include:

- “Learning how to deal with conflict in a productive way.”
- “Getting past the personal agendas of a few of the members.”
- “The misleading, very influential, and often disruptive comments by a few members of the public.”

3. Understanding the Complexity of Issues

Nine (36%) respondents indicated that the complexity of sanctuary issues was one of the major challenges facing the council. For example:

- “Getting people to understand complex issues in a relatively short amount of time.”
- “Addressing the broad amount of information and issues that are brought to them.”
- “Getting up to speed on Sanctuary issues; we are a relatively young SAC.”

4. Communicating with Constituents

Five (20%) staff respondents commented that council members should be more active in communicating and interacting with their constituent groups. It is implied that lacking this input posed as a challenge for both the council and sanctuary management. For example:

- “Council members commitment to council work outside the meeting. We would like to see more interaction with their constituent groups between meetings.”
- “Actually getting out there to inform their constituents.”
- “Some members/seats do not accomplish enough in terms of reaching out to those that they represent outside of the Advisory Council meetings, while most do a very good job of this.”

5. Meeting Logistics

Some staff (16%, n=4) answered that determining the meeting place and time was a challenge since it is difficult to find a time that suits everyone and because some members have to travel far distances. Examples include:

- “Setting meeting dates for all to attend.”
- “Travel is a major challenge since we hold most of our meetings in remote rural areas far from major urban centers. No matter where we hold a meeting, some members will have to travel an average of 3 hours or more to get to the meetings.”
- “The scheduling of meetings around each other's schedules.”

6. Determining the Council’s Role and Capturing Its Potential

Four (16%) staff respondents expressed uncertainty on how to tap into the resources and expertise the council provides, how to define their role, and how to ensure the council understands its purpose. For example:

- “Learning exactly what their role is and how it can be effective; understanding how they can make a difference to the resource and to the sanctuary.”
- “Conflicting views of the purpose of AC meeting (public education/involvement versus decision making).”
- “Ensuring that all opinions are heard and that all views are valued.”

- “Identifying opportunities to provide advice to sanctuary; defining their role as an independent but sanctuary sponsored body.”

7. Other

Seven (28%) staff responses did not fit in any of the categories. Three of the respondents commented that they were not aware of any challenges. The remaining five referred to specific membership or procedural issues. For example:

- “Haven't been around long enough to answer with confidence.”
- “Lack of true representation of the various stakeholder groups they represent.”
- “Member-alternate communication. We often get alternates attending meetings that are ill-informed of the current events having to do with the council and the sanctuary.”
- “The never-ending arguments about which user groups should have seats on the SAC. Lumping of certain user group categories into general seats such as ‘business’ is difficult but necessary in order to keep the SAC roster from getting too large.”

The Greatest Challenges: Analysis

Many of the issues the staff found challenging included how to take full advantage of what the council has to offer sanctuary management. Staff believed that discovering ways to keep members engaged, manage conflict, perform more constituent outreach, and clearly define their roles were especially challenging. Staff and council members differed in their response to this question. While staff focused on challenges that hindered the ability for the council to maximize their potential, council members focused on challenges that came with the nature of their position. Members highlighted difficulties in understanding sanctuary issues and government decision-making processes, time commitment, and working toward consensus. Council members also noted how lack of public awareness was a challenge, while staff noted how lack of council member outreach to constituents was challenging.

FACTORS THAT PROMOTE ADVISORY COUNCIL PROGRESS

After understanding sanctuary advisory council roles, how members and sanctuary staff work together, and their accomplishments and challenges, the next important step is discovering how all these pieces fit together to influence the effectiveness of the council.

Knowing the factors that promote advisory council progress will help establish what does and does not make an advisory council a productive and legitimate source of information and advice.

I. Factors that Contribute to an Effective Advisory Council:

Question #20 asked staff the extent to which 22 factors contributed to a functioning and effective advisory council.

Question #20: *To what extent have the following factors contributed to the Advisory Council's ability to function effectively?*

- Clear Advisory Council objectives.
- Well-organized and managed meetings.
- Committed Advisory Council members.
- Leadership of Sanctuary Manager or Superintendent.
- Leadership of the Advisory Council Chairperson.
- Leadership of the National Marine Sanctuary Program Director.
- Support from Sanctuary Advisory Council coordinator.
- Support from other Sanctuary staff.
- Headquarters' support for Advisory Council activities.
- Headquarters' support for Sanctuary staff working with Advisory Councils.
- Trust between Advisory Council members.
- Public support.
- Elected official support.
- Readily available information.
- Annual Advisory Council Coordinator meetings.
- Annual Advisory Council Chairperson meetings
- Formal recognition of accomplishments (awards, honors, etc.) for Advisory Council members.
- Field trips.
- Retreats.
- Training opportunities.
- Informal socializing.

Respondents were asked to rate the importance of each factor on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Factors to Effectiveness: Results and Analysis

The strongest level of support was expressed for those factors involving the people who participate in the council process (Figure 4.18).

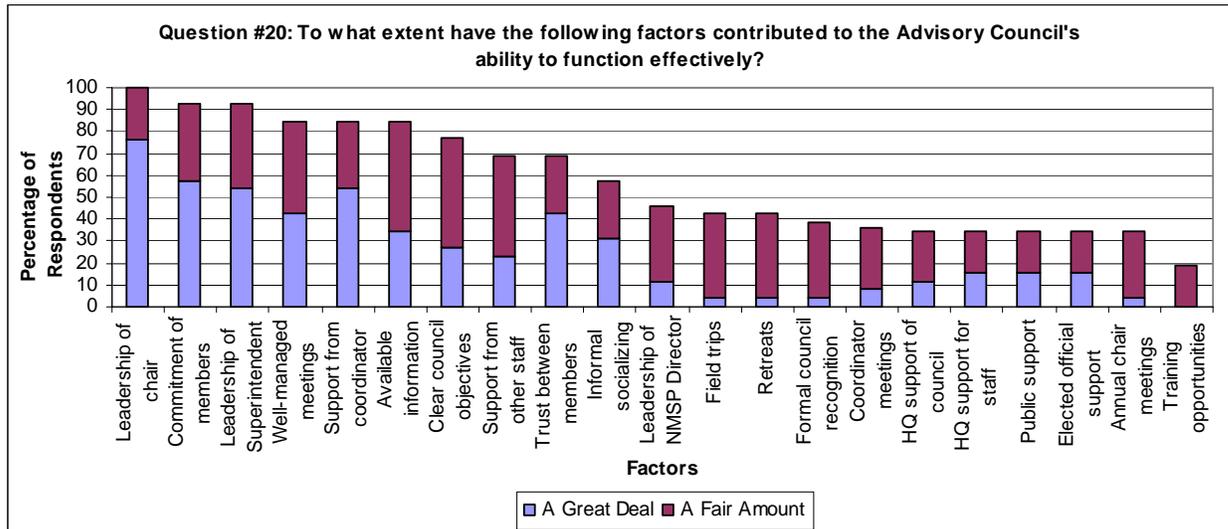


Figure 4.18: Factors that contribute to council effectiveness

100% (n=25) of staff respondents believed that leadership of the chair has contributed “a great deal” or “a fair amount” to the ability of the council to function effectively. Leadership of the chair not only received the highest level of support, but a full 75% (n=19) of respondents chose “a great deal.” Staff respondents also felt strongly about the importance of committed council members (92%, n=24), leadership of the Sanctuary Superintendent (92%, n=24), and support from the coordinator (85%, n=22).

The importance of factors related to management of council meetings and the interactions between members was also highlighted. Staff respondents attribute council effectiveness to well managed meetings (85%, n=22), available information (85%, n=22), clear council objectives (77%, n=20), trust between members (69%, n=18), and support from staff other than the coordinator or Superintendent (69%, n=18).

Relatively less support was expressed for those factors that are not a direct element of council meetings: informal socializing (58%, n=15), leadership of NMSP Director (46%, n=12), field trips or retreats (42%, n=11), coordinator meetings (42%, n=9), headquarters’ support of council or staff, public or elected official support, and annual chair meetings (all 35%, n=9). Only 19% (n=5) of staff felt that training opportunities have been an important contributor to advisory council effectiveness.

Staff responses to this question closely resemble those of council members (Figure 4.19).

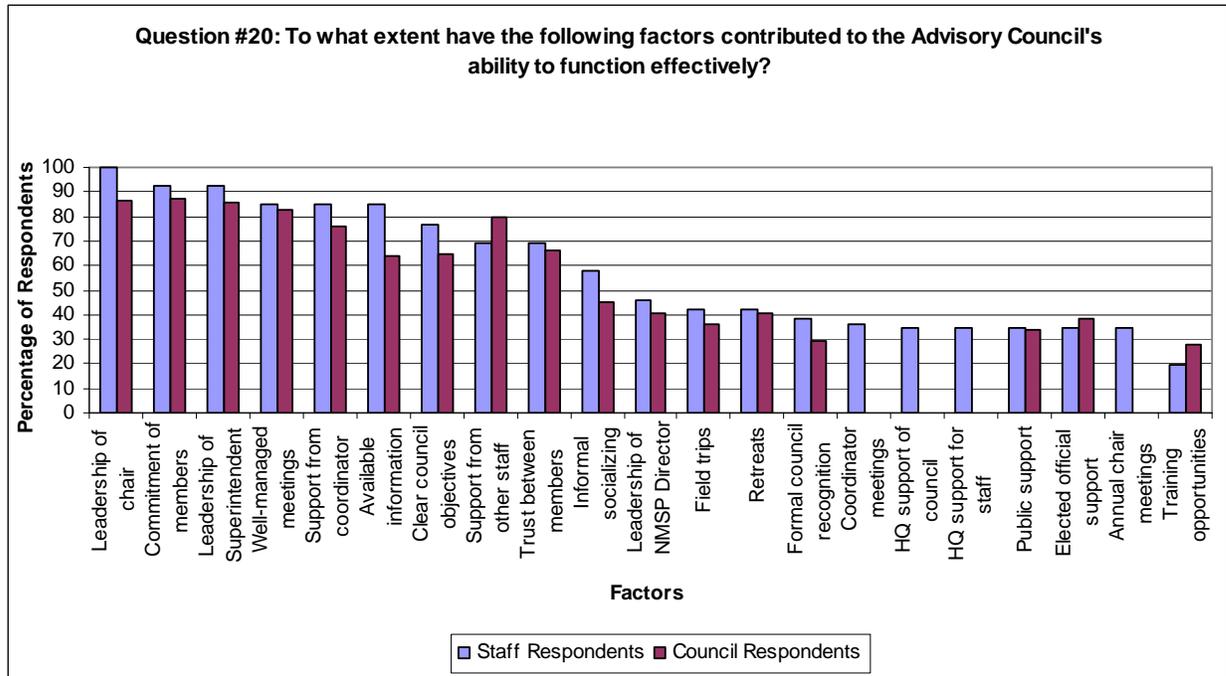


Figure 4.19: Comparison of agency and council results for factors that contribute to effectiveness

II. The Most Important Factors that Contribute to Effectiveness

Question #21 is open-ended and complements Question #20; however it asked staff members to list the *most important* factors enabling progress of their advisory councils.

Question #21: *What would you say have been the 2-3 most important factors that enable your Advisory Council to make progress?*

Most Important Factors: Results

23 respondents answered this question, identifying 53 factors that they believe contribute to the advisory councils' ability to make progress. One striking aspect of these responses is that all but two respondents spotlighted factors related to the people, including members and staff, who are involved in the advisory council process. Almost half of the respondents also identified process attributes that they felt made a difference.

1.	The Nature of the People Involved	91%, n=21
	<i>a) Committed, engaged, and open-minded members</i>	65%, n=15
	<i>b) Leadership of chair, vice-chair, and Superintendent</i>	39%, n=9
	<i>c) Supportive, respectful, and appreciative staff</i>	26%, n=6
2.	Aspects of the Advisory Council Process	48%, n=11
	<i>a) Focused agenda and clear objectives</i>	22%, n=5
	<i>b) Readily available and quality information</i>	17%, n=4
	<i>c) Well-managed meetings and meeting structure</i>	17%, n=4
	<i>d) Comfortable, open, and fair process</i>	13%, n=3
	<i>e) Informal socializing</i>	13%, n=3

1. The Nature of the People Involved

As noted above, all but 2 (91%) of the staff respondents believe that the people involved made the difference in enabling their advisory councils to make progress. Their comments spotlighted the committed, enthusiastic, respectful, and open-minded members comprising the councils; the leadership and respect demonstrated by the chairs, vice-chairs, and sanctuary Superintendents; and the supportive, respectful, and appreciative staff working with the councils. For example:

A. *Committed, engaged, and open-minded members (n=15)*

- “Commitment by all advisory council members.”
- “They can agree to disagree and still get a lot done by looking for areas of mutual interest and finding ways to handle areas of disagreement in an efficient and respectful manner.”
- “Proactive and involved members.”
- “Honesty, trust, will.”
- “They are considered leaders in the community...There is good attendance at their meetings; they are viewed with respect in the community.”
- “Advisory Council members try very hard to reach consensus and to listen to each other, especially on the tough issues...The members care passionately about the ocean and the resources protected by the Sanctuary...Commitment to resource protection for future generations.”
- “The trust the members have for each other, their interest and dedication to the council goals, and their respect for the Sanctuary staff.”

B. *Leadership of chairs, vice-chairs, and superintendents (n=9)*

- “Strong leadership skills and experience of the SAC Chair.”
- “It would be the great leadership of the chair and vice chair.”
- “Strong leadership from the superintendent.”
- “Strong, enthusiastic, respectful, genuine presence and involvement of the Sanctuary manager.”

- C. *Supportive, respectful, and appreciative staff (n=6)*
- “Fully committed SAC Coordinator that is unbiased (there to help every SAC member).”
 - “Commitment of staff and HQ to nurturing the council.”
 - “The manager and the sanctuary program as a whole listens to what they say and demonstrates through its actions that it cares about what the council has to say.”
 - “Providing feedback to the councils after a decision has been made so they understand the value of their input.”
 - “Recognition from staff for their involvement and achievement.”

2. Aspects of the Advisory Council Process

11 (48%) staff respondents highlighted specific aspects of the advisory council process as important factors enabling progress. In particular, staff felt that having a focused agenda with clear objectives, quality information available, well-managed meetings, and a process that was comfortable and fair for members all contributed to the advisory councils’ progress. Additionally, some felt that opportunities for informal socializing are helpful. For example:

- A. *Focused agenda and clear objectives (n=5)*
- “Having a clear agenda at the meetings.”
 - “Pairing an issue ‘ripe’ for decision-making with adequate information with which to make a decision.”
 - “Agenda item selection. We have developed agendas that progressively take the Council from less contentious to more heated topics. This worked very well in the evolution of the management plan.”
 - “Setting agendas and timelines force the councils to make decisions and move on.”
- B. *Readily available and quality information (n=4)*
- “Having all necessary information to make decisions available at the meetings.”
 - “Providing relevant information pertaining to issues.”
 - “Timely information.”
- C. *Well-managed meetings and meeting structure (n=4)*
- “Well-organized meetings with advance materials and agenda.”
 - “Providing the AC with challenging decisions and interesting discussion topics make for a more engaged council.”
- D. *Comfortable, open, and fair process (n=3)*
- “Providing a comfortable and relatively open forum for discussion and sharing information.”
 - “Members are selected through an open, fair and objective process.”

E. Informal socializing (n=3)

- “Our council has a great working relationship with each other, which I feel was created by allowing them more informal social activities.”
- “Socializing in an informal manner to create a more cohesive working relationship among members.”

Factors Enabling Progress: Analysis

Responses to this question again highlight the reality that it is *the people* involved that are making the difference in the advisory councils. Progress is being made because those involved are dedicated; they are committed to the sanctuaries and contributing to their management. They are respectful, open-minded, and appreciative of each others’ contributions. The leadership of key individuals keeps the councils on-track and moving forward. The staff has been able to harness this notable “people resource” through well-managed meetings with clear objectives and thoughtful agendas, and by providing sufficient supporting information to enable productive discussions.

III. Advisory Council Charter

Advisory council charters explain how members are selected, the councils’ roles, and the protocols and requirements for meetings. Question #22 probed staff’s perception of the value of the charter to the functioning of the advisory council.

Question #22: *To what extent do you agree that:*

- You are familiar with the details of the Advisory Council charter.
- The charter provides important guidance to the Advisory Council.
- The charter clarifies roles and expectations of the Advisory Council.
- The charter unnecessarily complicates Advisory Council activities.
- The charter makes no difference to the functioning of the Advisory Council.

Respondents rated their agreement with each statement on a scale from 1-5 (1 = *strongly disagree*, 2 = *disagree*, 3 = *neutral*, 4 = *agree*, and 5 = *strongly agree*).

Value of Charter: Results and Analysis

Staff clearly believe that charters benefit the councils (Figure 4.20). 96% (n=25) of staff respondents “agreed” or “strongly agreed” that the charter provides important guidance and 92% (n=24) that it clarifies council roles and expectations. 81% (n=22) of staff respondents agreed that they were familiar with their council’s charter. Notably, no staff respondents “agreed” or “strongly agreed” that the charter unnecessarily complicates council activities or that the charter makes no difference to the functioning of the advisory council.

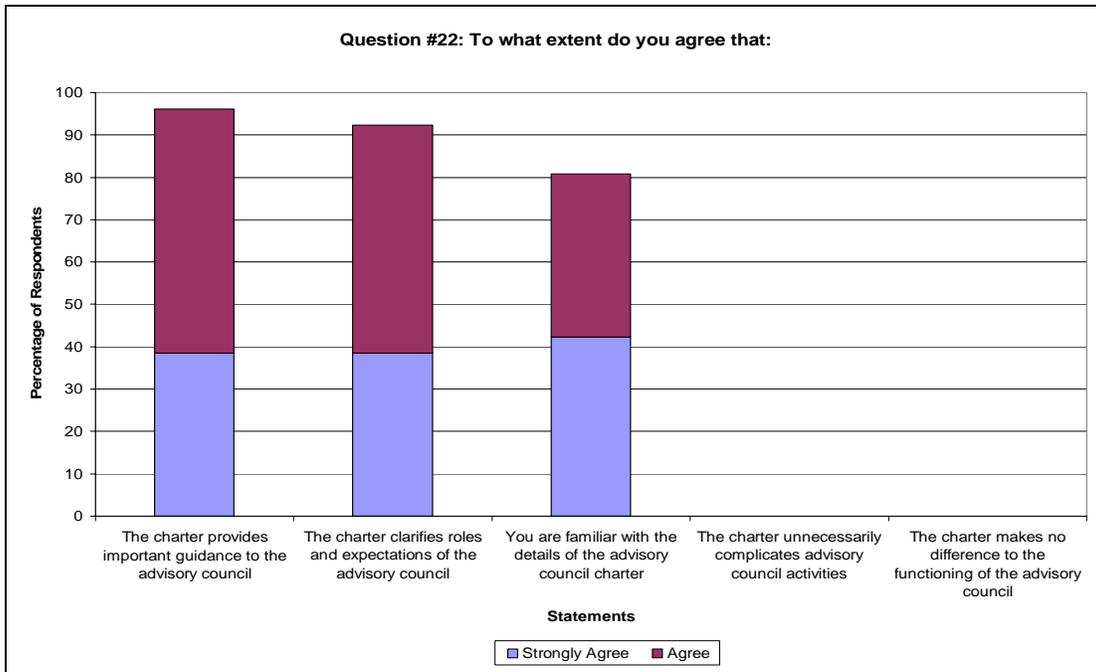


Figure 4.20: Perceived value of the advisory council charter

Most respondents (92%, n=24) “disagreed” or “strongly disagreed” that the charter makes no difference, and 73% (n=19) disagreed that it complicates council activities (Figure 4.21).

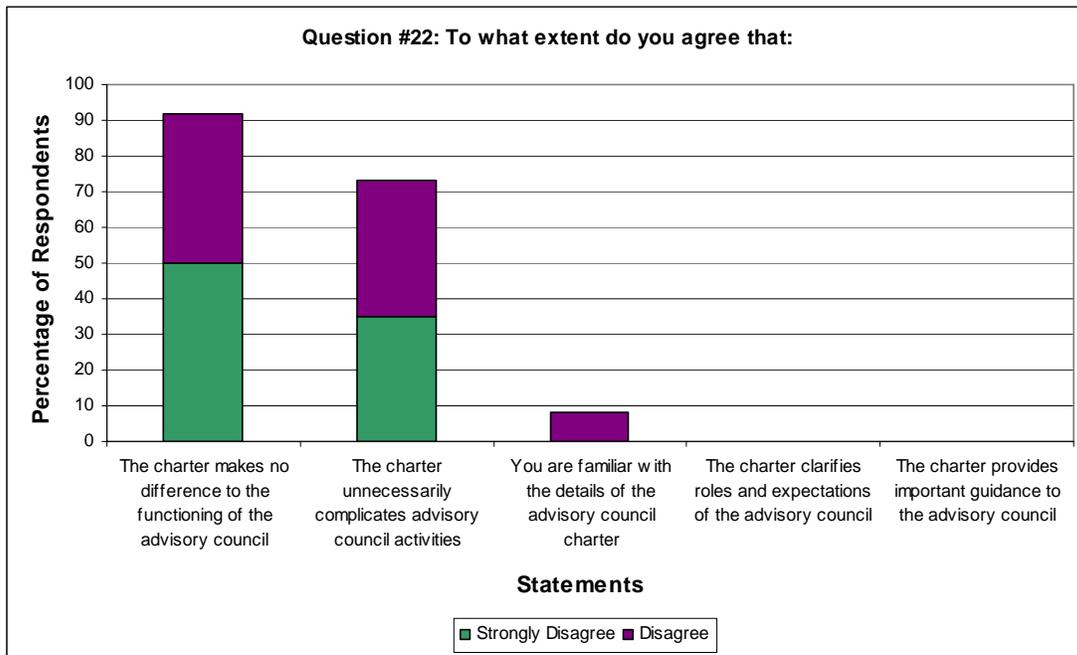


Figure 4.21: Level of disagreement with statements questioning the charter’s value

Figures 4.22 and 4.23 compares agency results with advisory council results.

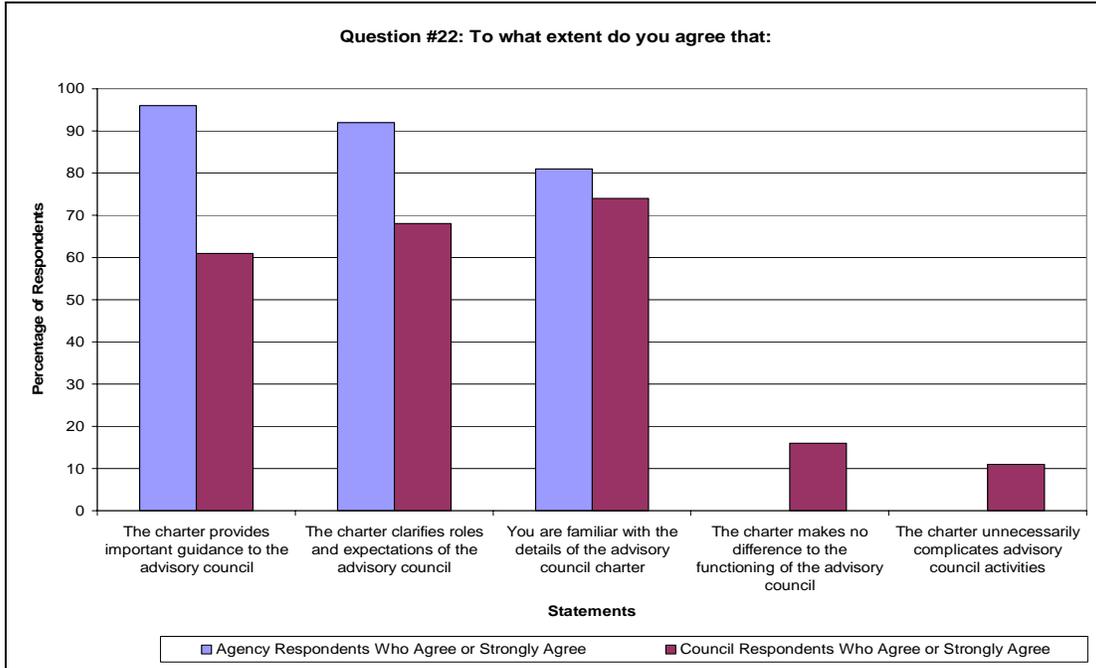


Figure 4.22: Comparison of agency and council results for perceived value of the advisory council charter

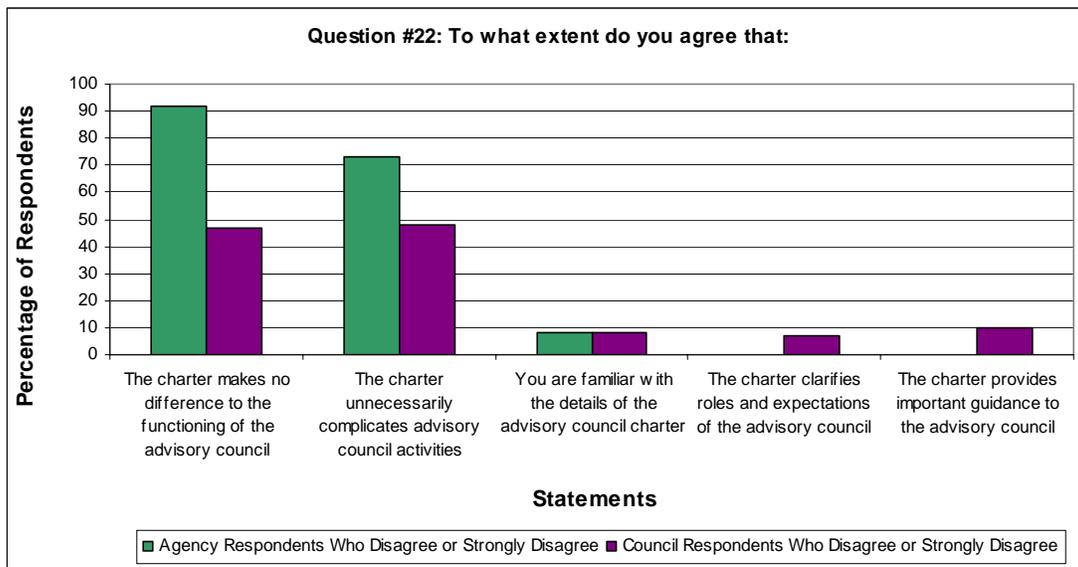


Figure 4.23: Comparison of agency and council levels of disagreement with statements questioning the charter's value

SANCTUARY STAFF ROLES

This survey section asked what sanctuary staff do to assist advisory councils and maximize their potential.

I. Sanctuary Staff Tasks

Question #23 asked to what extent sanctuary staff devote time to a specific set of tasks, either during or between advisory council meetings.

Question # 23: *To what extent do you spend time on the following tasks connected to the Advisory Council either during or between meetings?*

- Logistical support.
- Providing information.
- Answering questions.
- Delivering presentations
- Attending meetings.
- Facilitating meetings.
- Offering ideas or suggestions.
- Providing encouragement.
- Easing tensions between council members.
- Ensuring that the Advisory Council stays within the bounds of authority.

Respondents rated each statement on a scale from 1-5 (1 = *never*, 2 = *rarely*, 3 = *sometimes*, 4 = *often*, and 5 = *very often*).

Sanctuary Staff Tasks: Results and Analysis

The time staff spend on these tasks varies widely (Figure 4.24).

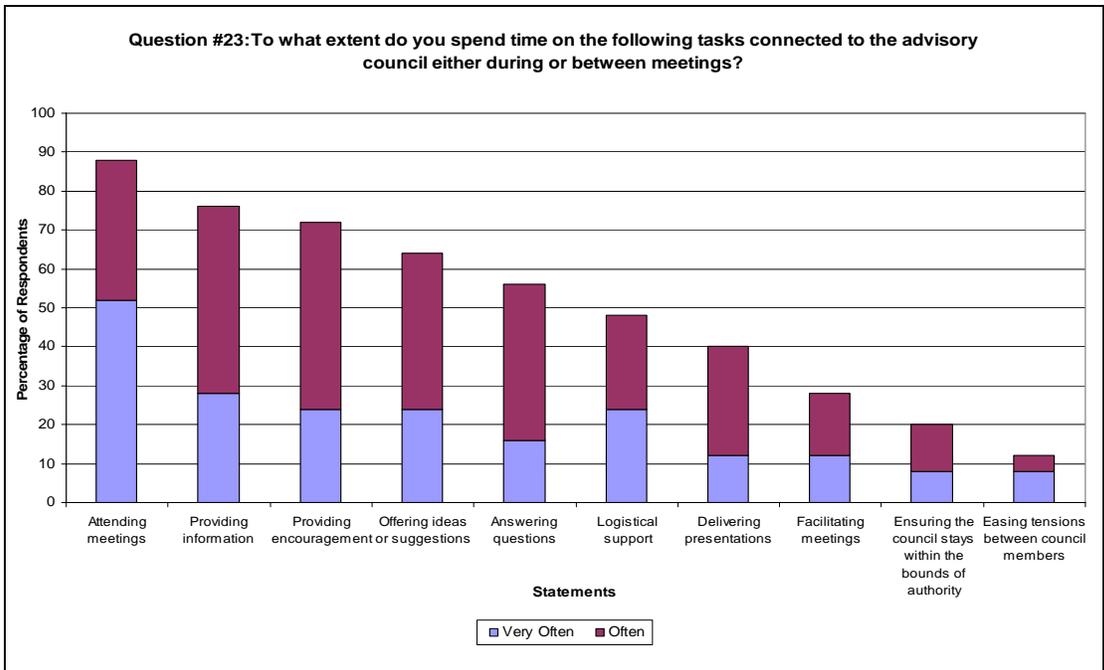


Figure 4.24: Staff tasks associated with advisory councils that often occur

The majority of staff “often” or “very often” spend time attending meetings (88%, n=22), providing information (76%, n=19), encouraging council members (72%, n=18), offering suggestions (64%, n=16), and answering questions (56%, n=14). Staff “never” or “rarely” spend time easing tensions between members (56%, n=14), ensuring that the council stays within its bounds (40%, n=10), or facilitating meetings (36%, n=9) (Figure 4.25).

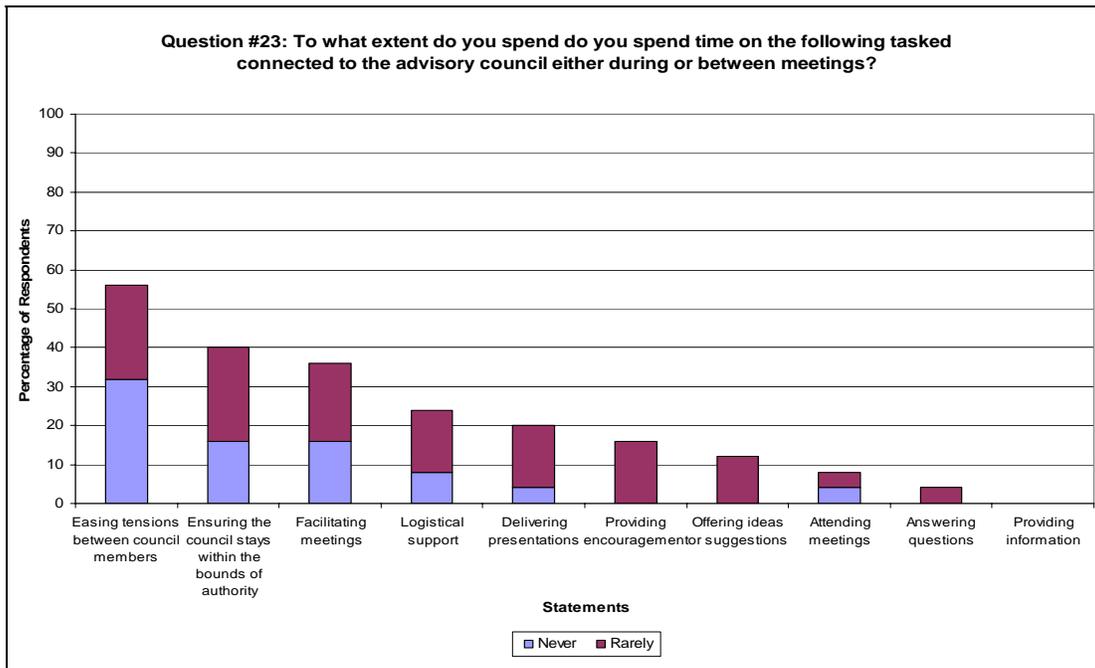


Figure 4.25: Staff tasks associated with advisory councils that occur infrequently

II. Maximizing Advisory Council Potential

Question #24: *Is there anything else you do for the Advisory Council to help maximize their potential?*

Maximizing Council Potential: Results and Analysis

Not surprisingly, there was considerable overlap in the responses to this question and with related questions asked earlier in the survey. However, the unique new dimension that emerged from the context in which this specific question was asked might be best cast as "nurturing productive working relationships."

50% (n=9) of those responding highlighted a range of things they do for the council with the objective of recognizing and sustaining the human interactions that are essential to the council process. These things include providing ongoing feedback, making phone calls periodically just to connect, demonstrating respect, providing food, and making it fun. The responses leave a clear impression that staff recognize and appreciate the efforts of council members and want to nurture and sustain their involvement. For example:

- "Make an effort to follow up on their agenda items so that they see how their advice is addressed -- i.e., provide good feedback so they see that they're not just talking to a brick wall."
- "Empower them to offer advice and make sure they understand that their advice is valuable to the FKNMS."
- "Hold lots of informal meeting and phone calls. Engage council members in related but not direct activities to build relationships."
- "Clear feedback process for use of advice or non-use of advice."
- "Make sure people have fun with each other in addition to doing work."
- "#1: Thanking members at every opportunity for giving of their time and expertise."
- "May seem simple, but providing a working lunch; in our case we would lose about 2 hours in a meeting day if we had to leave the meeting for lunch."
- "I try to be the point of communication between AC members and the rest of the Reserve staff. This eases the burden on Reserve staff and helps me build relationships with the members."
- "Feed them."

The other half of responses were meeting, information, or learning related. For example:

“We vary the location of meetings to be more accessible to the public and even out the commute factor for a group that is spread geographically. We have held meetings aboard research ships to get them into the sanctuary environment.”

III. Satisfaction with Sanctuary Involvement in Advisory Council Activities

Survey Question #25 asked staff how satisfied they are with the advisory council process and their involvement with the council.

Question #25: *To what extent are you satisfied with:*

- The role you play in Advisory Council meetings.
- Your involvement in Advisory Council activities.
- What is asked of the Advisory Council.
- Council member’s level of recognition for Sanctuary staff’s efforts.
- The frequency, structure, or management of Advisory Council meetings.
- Level of NMSP headquarters’ involvement.
- The composition of Advisory Council membership.

Respondents were asked to rate the importance of each factor on a scale of 1-5 (1 = *not satisfied*, 2 = *minimally satisfied*, 3 = *somewhat satisfied*, 4 = *fairly satisfied*, and 5 = *very satisfied*).

Satisfaction: Results and Analysis

Overall, the results were extremely positive (Figure 4.26).



Figure 4.26: Staff satisfaction with the advisory council

The largest percentage of respondents were “fairly” or “very” satisfied with the composition of advisory council membership (88%, n=22) and the role they play in meetings (84%, n=21). Only one respondent was “not satisfied” with council composition. This was the only time “not satisfied” was chosen for statements in Question #25.

Staff are not only satisfied with how the council is working, they are pleased with their level of involvement and interaction with the council. 76% (n=19) of staff respondents were satisfied both with the role they play in meetings and with their involvement in council activities. Staff were also satisfied with what is asked of the council (76%, n=19), council member’s level of recognition for sanctuary staff’s efforts (68%, n=17), and with the level of NMSP involvement in the advisory council (68%, n=17).

IV. The Role of Staff

Question #26: *What, if anything, would you change about the role you play in Advisory Council meetings?*

The Role of Staff: Results and Analysis

1.	Nothing to change	68%, n=13
2.	Less time on logistics, and more time interacting with members	16%, n=3
3.	Other	16%, n=3

1. Nothing to Change

19 staff members answered this question, with 13 (68%) responding that they would not change anything about their role.

2. Less Time on Logistics, and More Time Interacting with Members

3 (16%) staff members expressed the desire to be able to spend less meeting time on logistical tasks and more time interacting substantively with the council members:

- "I would like to be freed up from some of the straight-forward logistical parts of my role, i.e. handling room reservations, meal planning, setting up and operating a-v equipment, etc. I find that members really want to interact with me at the beginning of meetings and during breaks and at the end of meetings. My current logistical responsibilities make this very difficult."
- "I need support for the logistical aspects so that I can concentrate on the substance and preparing our manager and council chair while thinking through the objectives of each meeting and long-term goals."
- "I would spend more time and energy providing the SAC with updates from the various FKNMS management programs and I would encourage more

exchange between the FKNMS staff and the SAC members on the various management programs."

3. Other

The remaining 3 (16%) staff members provided these varied responses:

- "After being a SAC Coordinator for six years (longer than any other in the program) I would like to begin training another staff person to take on this role. However, we just have not had the funding to pursue that."
- "Spend more time engaging with council leadership between meetings; be more strategic in setting the agenda and shaping meeting outcomes."
- "I'd like to see more financial support for AC's; our coordinator is only 20 hours and it's not enough time, but all the site can afford."

V. Changes to Advisory Council Composition

Question #27: *What, if anything, would you change about the composition of Advisory Council membership?*

22 staff members responded to this question. Nine suggested sanctuary specific changes. Six commented that they would not change anything and two commented that they have recently made or will be making changes to broaden composition. The remaining five responses referenced member selection and agency roles.

1.	Sanctuary-specific changes	41%, n=9
2.	No change	27%, n=6
3.	Modify member selection and involvement	14%, n=3
4.	Reevaluate agency roles	9%, n=2
5.	Just made or will soon make changes	9%, n=2

1. Sanctuary-Specific Changes

- "We need a diver rep and an archaeologist."
- "Maybe add a recreational fishing seat."
- "I would like to see a recreational fishing seat on the council, which is currently lacking."
- "Considering replacing the National Science Foundation governmental, non-voting seat (they never come) with a State of Hawai'i, Office of Hawai'ian Affairs representative."
- "Florida Keys demographics have changed drastically since the Sanctuary was formed, and some powerful groups in the community are not represented on the Council. (This is probably a good thing for the resource!) They have been invited to participate, but choose not to in a constructive fashion. It would probably be better to have them at the table."

- "I would do what is necessary to attract the conservation/environmental community back to the NMSP. Their support is essential and we have generally lost that support."
 - "I would add an additional member for the community."
 - "Need to add more public members."
 - "Less members."
2. Modify Member Selection and Involvement
- "More control to approve alternate selections by agencies."
 - "A few members could be more involved, so they could be encouraged to become more active or replaced when their term ends."
 - "Increase the number of allowable voting members; the cap is artificial and has limited participation to 15 and required the creation of non-voting seats which tends to disenfranchise people."
3. Re-evaluate Agency Roles
- "I think some of our agency seats need to be re-evaluated. Some have not been participating much, and might be interested in (or more comfortable with) switching to an ex-officio non-voting seat. If that were done, then a few additional non-government seats could be added that I feel could be helpful."
 - "I am opposed to SAC membership including agency representatives. I think other agency reps should attend but not be on the membership roster."

STAFF ADVICE TO THE NMSP

This survey section asked sanctuary staff to synthesize what they have learned from their advisory council experience in order to provide advice to the NMSP.

I. Suggestions to Promote Council Productivity

In Question #28, respondents were asked to consider a wide range of suggestions on what might help their advisory council be more productive.

Question #28: *To what extent do you think the following could help the Advisory Council be more productive?*

- Training workshops (communications, negotiation, facilitation, etc).
- Professional external facilitation of Advisory Council meetings.
- Greater public awareness of the Advisory Council.
- Greater awareness of other Sanctuary Advisory Councils' activities.
- Greater involvement in the activities of other Sanctuary Advisory Councils.
- More expert presentations on Sanctuary issues.
- More opportunities to informally socialize with Advisory Council members and Sanctuary staff.
- More recognition from the Sanctuary of the Advisory Council's accomplishments.
- Greater clarity about the Sanctuary's expectations and objectives for the Council.
- Greater clarity about how the Sanctuary makes management decisions.
- Greater understanding of relevant laws and regulations.

Respondents were asked rate the value of each suggestion on a scale of 1-5 (1 = *not at all*, 2 = *a minimal amount*, 3 = *somewhat*, 4 = *a fair amount*, and 5 = *a great deal*).

Suggestions to Improve Productivity: Results and Analysis

Staff believed that greater understanding of laws (72%, n=18), more informal socializing (64%, n=16), and more recognition of accomplishments (60%, n=15) would be especially helpful to the productivity of the advisory councils (Figure 4.27)

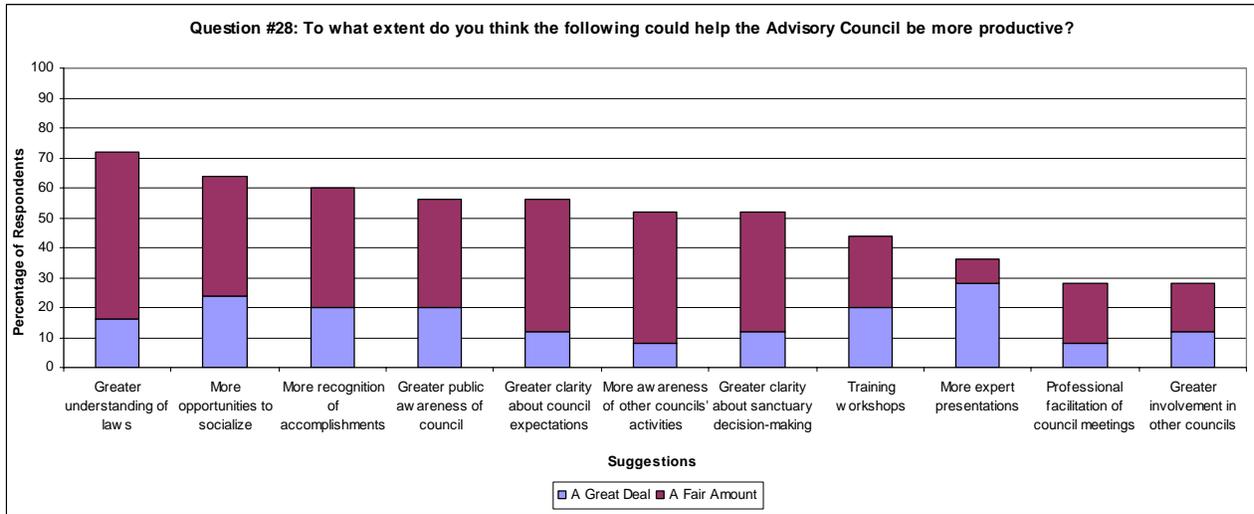


Figure 4.27: Suggestions to improve council productivity

44% (n=11) of staff thought that training workshops would assist the council, while 36% (n=9) suggested that training would be “somewhat” helpful. Only 36% (n=9) of staff thought that more expert presentations would be beneficial, while 32% (n=8) believed that the presentations would be “somewhat” helpful.

Staff and council members felt similarly about the value of greater understanding of laws, public awareness, clarity about expectations and sanctuary decision making, and the awareness of other council’s activities. They had differing perceptions of the value of socializing, recognition, and presentations (Figure 4.28).

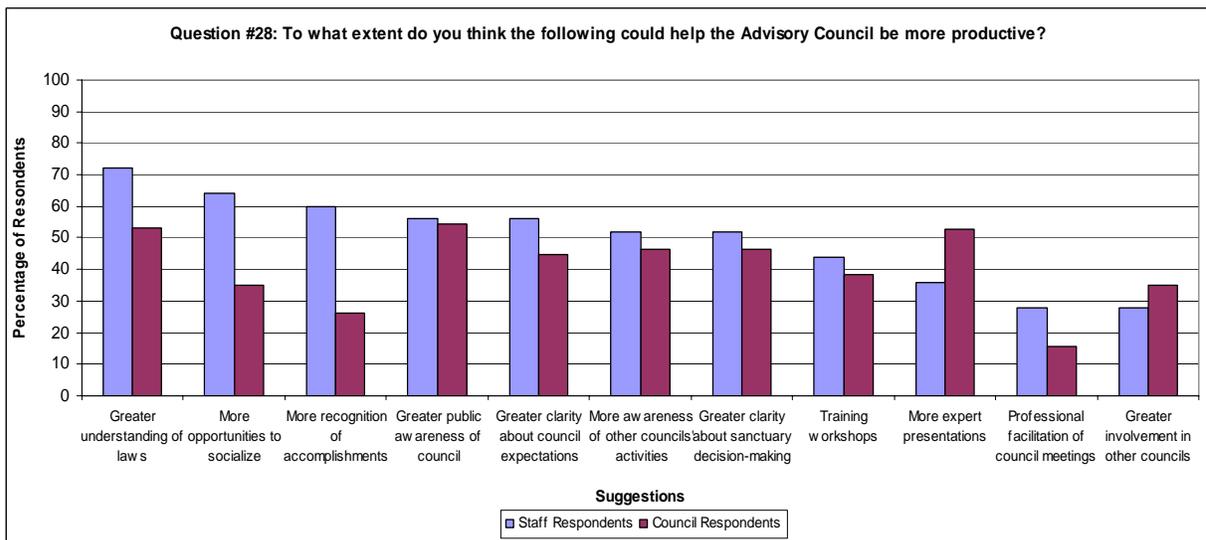


Figure 4.28: Comparison of agency and council suggestions to improve productivity

17% more council respondents than staff believed that more expert presentations would help the council be more productive. This follows the trend in council responses where information-based suggestions received strong support.

Only 28% of staff thought that professional external facilitation and greater involvement in the activities of other councils would help councils be more productive. Council responses were more negative with a significant percentage of respondents perceiving that professional facilitation (40%) and greater involvement in other councils (32%) would be only minimally helpful.

II. Advice to Enable Council Productivity

Question #29: *What advice do you have that would enable the Advisory Councils to be more productive?*

Advice: Results and Analysis

18 staff members responded to this question, offering 20 ideas for enabling advisory councils to be more productive. Much of the advice echoes comments cited in earlier sections of the survey, however 50% were focused on steps that might be taken to enhance member participation in the council process through better participation and interaction with their constituents. Their comments were spread across eight different categories. All pieces of advice are included in the analysis.

1.	Encourage and enable member preparation, participation, and constituent communication	50%, n=9
2.	Broaden role to raise public, NOAA, and Congressional support	11%, n=2
3.	Demonstrate appreciation and commitment	11%, n=2
4.	Provide council with more tangible tasks	11%, n=2
5.	Help offset council members' costs of participation	11%, n=2
6.	Be open to their feedback and suggestions	6%, n=1
7.	Connect with other councils	6%, n=1
8.	Socialize informally	6%, n=1

1. Encourage and Enable Member Preparation, Participation, and Constituent Communication
 - "Attend the meetings, and come prepared, meaning, to provide good recommendations that will benefit the Sanctuary's goals and mission. Also, make sure that they read the meeting notes and information that is provided for them."
 - "More advance provision of materials to be discussed at the upcoming meeting; inter-meeting updates on emerging issues and what's to be discussed next meeting."
 - "Try to come to the meetings better prepared."
 - "Members to do their homework between meetings; read and review materials distributed by Sanctuary staff; talk to constituents."
 - "To really make an effort to get the work out to their constituents so we get broad public input."

- "Raise awareness about the Sanctuary within their community."
 - "Be more picky in member selection -- make sure people understand the time commitment and agree to it!"
 - "Once selected, individual members should do their best to maintain the enthusiasm for their duties as they have when they start. It is a tough role to play, that takes time, which the MBNMS greatly appreciates!"
 - "Members to help foster a culture where 100% participation is a goal and less than 80% attendance is not acceptable. Staff can be encouraging on this, but members can help shape the culture of the SAC in such a way that new members fall into line or leave."
2. Broaden Role to Raise Public, NOAA, and Congressional Support
- "Greater flexibility in communicating with other bodies like Fisheries Management Councils and state regulatory bodies. The ability to lobby Congress. Within the FKNMS, more freedom to address the press as advisory council members."
 - "I would like to see the council be more assertive in advancing the interests of the sanctuary to NOAA and Congress. This is double-edged in that they may wish to advance agenda that the site disagrees with. Our site has not encouraged the council to move more forcefully in this direction but it would be a way to build on their effectiveness."
3. Demonstrate Appreciation and Commitment
- "Site managers to show the Advisory Council more respect -- communicate with them more often, always be genuine with them, remember to say thank you often, and get back to them about decision made and how SAC advice made a difference. All site staff please respect the Councils more, and embrace them as a value-added body that can enhance what we do rather than treat or think of them as a necessary evil."
 - "Take full advantage of the wealth of expertise and knowledge that we have in these individuals and make sure they know we appreciate their enormous contributions. In the FKNMS, I attribute the turn-around of attitudes and support in the community as a direct result of the credibility that the SAC has brought to the Sanctuary. The public realizes that the Sanctuary managers seek and utilize the recommendations from the SAC members and this has in turn helped gain respect for the Sanctuary in the community."
4. Provide Council with More Tangible Tasks
- "One option would be to consider whether there are certain areas where advisory councils could actually be more empowered to go beyond giving advice. For example, non-regulatory issues like volunteer programs or educational priorities could perhaps be delegated to the council for their decision, with perhaps a "veto" authority retained by the manager, but in general their advice would be taken either 100% or 0%. Feeling that they had relative autonomy to structure decisions in certain less controversial areas of sanctuary management could make them feel more important and connected."

On other issues, the manager should retain the ability to view their input strictly as advice."

- "Form working groups and subcommittees to take on work-based tasks, and make sure that these groups clearly understand their charge and deliver on it."
5. Help Offset Council Members' Costs of Participation
 - "Some type of (approved to purchase) compensation for time spent, especially on subcommittee work. Not money, but other perks."
 - "Get the NMSA or whatever agency rules are necessary changed so that SACs can be provided with meals!"
 6. Be Open to Their Feedback and Suggestions
 - "(1) Let us know what they feel they need to be more productive. (2) see that the venue exists for them to meet goal number (1)."
 7. Connect with Other Councils
 - "Better communication and networking among members of different councils could help in obtaining some program wide understanding and useful information on resource issues affecting other councils that might also affect this council."
 8. Socialize Informally
 - "Embrace the importance of informal socializing as a powerful tool in forging working collaborations and fostering trust among members."

Chapter 5

Advisory Council Case Studies and Vignettes

Each National Marine Sanctuary is unique; each exists in a differing ecological, political, and cultural context and encounters different issues. In order to fully assess the experience of the Sanctuary Advisory Councils and to understand the survey results, it is important to examine the ways in which the sanctuaries and their councils vary and the unique issues and challenges that they face. While quantitative surveys are helpful in acquiring large amounts of information, in-depth case studies reveal a historical context, the personal experiences, and a detailed understanding of advisory council relationships. This chapter presents three case studies that examine the operation, challenges, and accomplishments of the Channel Islands, Monterey Bay, and Stellwagen Bank National Marine Sanctuaries. These case studies were developed following site visits and interviews with 8-10 council members and 2-4 sanctuary staff at each site. The chapter concludes with nine brief vignettes that describe the resources, designation, issues, programs and advisory council role for the remaining sanctuaries in the NMS system.

The three National Marine Sanctuary Advisory Councils chosen for case studies are some of the older councils in the system, represent differing historical contexts, and have dealt with varying resource protection issues, therefore, they have much to tell about their experiences.

Channel Islands National Marine Sanctuary Advisory Council

The Channel Islands National Marine Sanctuary is located off the coast of Southern California. The Sanctuary was designated in 1980 and protects 1,252 square nautical miles of ocean surrounding the northern Channel Islands and Santa Barbara Island. The Advisory Council was established in 1998 to assist in revising the Sanctuary's management plan and designing Marine Reserves. This case study illustrates the challenges associated with discussing issues and making recommendations on particularly controversial issues. The case highlights the Council's adaptive decision-making protocol, which is an appendix to their charter and serves as an innovative and effective method for managing conflict.

Monterey Bay National Marine Sanctuary Advisory Council

The Monterey Bay National Marine Sanctuary, designated in 1992, is directly off the coast of central California and is the largest sanctuary within the NMSP, covering 4,019 square nautical miles. It is one of the few sanctuaries that contend with the diversity of ecological issues and contrasting stakeholder interests that arise at the coastline-ocean interface. The Advisory Council aided in the Sanctuary's early management amidst a tumultuous political time. This case study highlights how Monterey Bay was the first Sanctuary to instate an advisory council concurrently with sanctuary designation and how Sanctuary staff and founding Council members had few to turn to for guidance and direction. This case study discusses how some dedicated members, a committed Sanctuary staff, and an involved public propelled the Council out of its chaotic beginnings, to form a Council that others turn to for leadership and advice.

Stellwagen Bank National Marine Sanctuary Advisory Council

The Gerry E. Studds Stellwagen Bank National Marine Sanctuary was designated in 1992 and is located off the coast of Massachusetts between Cape Ann and Cape Cod. This 638-square nautical mile sanctuary was established to protect Stellwagen Bank from dredging and other activities that may harm its unique geological features and marine mammal populations. Since 2002, the Stellwagen Bank Advisory Council has been heavily involved in the Sanctuary's management plan. This case study focuses on experiences of the Advisory Council throughout this demanding process. It draws on themes of public involvement, Council representation, and issue complexity as Council members and agency officials seek to present a unified vision for the future of New England's sole National Marine Sanctuary.

CHANNEL ISLANDS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Prepared by Josh Kweller



Figure 5.1: Channel Islands National Marine Sanctuary

*Those who live by the sea can hardly form a single thought
of which the sea would not be part.
-Hermann Broch, *The Spell**

Introduction

The Channel Islands National Marine Sanctuary is one of the oldest and most established sanctuaries in the National Marine Sanctuary Program (Figure 5.1). Contained within its boundaries are many ancient Native American artifacts and one of the most ecologically diverse environments in the Sanctuary Program. The Sanctuary's primary goal is to protect these natural and cultural resources contained within its boundaries.

The Channel Islands National Marine Sanctuary Advisory Council is particularly interesting to examine for multiple reasons. Unlike several other sanctuaries, this Advisory Council did not help in the formation of the Sanctuary and was formed many years after its establishment. As a result, when the Council was finally established, both the Council members and Sanctuary staff had to go through a learning process about how to work together. Additionally, the Advisory Council was born in a highly political atmosphere and has continued to function within a political context since its inception.

Finally, the Council has utilized a particularly innovative and effective method for dealing with conflict. They have created a living document of protocols as an appendix to

their charter. After any troublesome episode, Council members and Sanctuary staff analyze what went wrong and add protocols to help prevent such problems from occurring again.

Background of the Channel Islands National Marine Sanctuary

The Channel Islands National Marine Sanctuary encompasses 1252 square nautical miles of nearshore and offshore waters surrounding the northern Channel Islands (San Miguel, Santa Rosa, Santa Cruz, and Anacapa Islands) and Santa Barbara Island. The Islands themselves are a National Park. The Sanctuary extends from the mean high tide line to six nautical miles offshore around each island. The Sanctuary, located between 8 and 40 nautical miles off the Southern California mainland, was established in 1980 in accordance with Title III of the Marine Protection, Research and Sanctuaries Act.⁵⁰

The waters surrounding California's Channel Islands represent a globally unique and diverse assemblage of habitats and species. The Sanctuary is a subset of the larger ecosystem known as the Southern California Bight ranging from Point Conception in the north to Punta Banda, Mexico in the south. Cold waters from the north mix with warm waters from the south to create a transition zone within the island chain. This transition zone combines with upwellings to create a nutrient rich environment around the islands.⁵¹

As a result, the area is unusually high in species and habitat diversity. Nestled around the Islands are vast giant kelp forests that provide food, attachment sites, and shelter for numerous fish and invertebrate species. There are an estimated 5,000 invertebrate species and over 480 species of fish, including numerous commercial species such as albacore, bass, mackerel, salmon, shark, and swordfish.⁵² Every year over 27 species of whales and dolphins visit or inhabit the Sanctuary, including the rare blue, humpback, and sei whales. On the islands there are seabird colonies and seal, sea lion, and sea otter rookeries. Brown pelicans and Western gulls often search the water for food.

An important aspect of the Sanctuary is a network of Marine Reserves contained within its boundaries. Currently there are ten no-take and two limited-take zones located within portions of the Sanctuary's State waters. These extend from the islands' mean high tide to three miles offshore, with the goal of extending these reserves out to the Sanctuary's Federal waters (3-6 miles offshore) in the near future. The aim of these Reserves is to ensure that the unique biological diversity of the region is not diminished by consumptive recreation and commercial fishing.

The Sanctuary is also historically and culturally significant. Skeletons of various prehistoric animals have been found in the area and Chumash Native American societies resided in the region for thousands of years, leaving behind numerous cultural artifacts.

⁵⁰ Channel Islands National Marine Sanctuary Management Plan. 1983. Channel Islands National Marine Sanctuary. 22 September 2003. 13 April 2005 <<http://channelislands.noaa.gov/marineres/mphome.html>>.

⁵¹ CINMS Management Plan, 1983.

⁵² CINMS Management Plan. 1983.

In addition, the treacherous waters surrounding the islands caused many early ships to run aground, leaving behind hundreds of shipwrecks, most still undiscovered.

The Sanctuary's location in Southern California and the unique nature of the waters has attracted many commercial and recreational users. Recreational uses include sport fishing, whale watching, diving, pleasure boating, kayaking, surfing and sightseeing. Commercial uses include fishing and kelp harvesting. There has been oil and gas exploration and development within the Santa Barbara Channel, although new development is prohibited by law within the Sanctuary. The Sanctuary and the Channel Islands are also the subject of a myriad of scientific studies.

History of the Region

For thousands of years, humans have regarded the Channel Islands and its surrounding waters as a special place. As far as 13,000 years ago, the Chumash Native American Societies inhabited the Channel Islands region, with known sites on Santa Rosa and San Miguel Islands.⁵³ These people relied upon the ocean for food and transportation among the various coastal settlements. The Chumash invented the tomol, or plank canoe, 2,000 years ago, which allowed them to make regular visits to the Islands. The Spanish missionized the Chumash during the 18th Century, resulting in their abandoning subsistence practices in favor of agriculture, but the water and the Islands are still significant among the Chumash people. The bond between the people and the Islands can still be seen today as many Chumash still go through a ritual of passage involving a free-dive, and traditional tomol paddle events still occur across the Santa Barbara Channel to reach the Channel Islands and unite Chumash people with their ancestral homeland and indigenous seafaring culture.

As California achieved statehood and the population continued to grow throughout the 19th Century, more activity came to the Channel Islands. A particularly thriving network of shipping routes to the Far East and along the California coastline developed. Passage around the Islands proved to be treacherous due to difficult currents and weather conditions. As a consequence, many ships, including a Gold-Rush-era side-wheel steamer, Chinese junks, European sailing vessels and steamers, and many others have been lost in these waters.⁵⁴ All told, over 140 shipwrecks have been documented within the Sanctuary, with twenty sites having been located.

As the 20th Century progressed, Southern California continued to grow in population, particularly after World War II. With this growth came increased use of the Channel Islands region, both commercially and recreationally. With its extremely productive fishing grounds, the waters attracted commercial and recreational fishermen and divers searching for abalone. Meanwhile, the Los Angeles-Long Beach Harbor grew to be the busiest harbor on the West Coast with numerous ships daily traversing the Santa Barbara

⁵³ 13,000 Years of Change Along the Central Coast. The Santa Barbara Museum of Natural History. 13 April 2006 <<http://www.sbnature.org/research/anthro/chumash/timel.htm>>.

⁵⁴ Bridging the Historic Past Through Shipwrecks. 16 September 2005. The Channel Islands National Marine Sanctuary. 13 April 2006 <<http://www.channelislands.noaa.gov/shipwreck/cinms.html#data>>.

Channel and portions of the Sanctuary. Furthermore, the population boom led to increased interest in oil and gas exploration. During the 1960's various oil development facilities were situated in the Santa Barbara Channel. In 1969 an underwater well blew out causing a major ecological disaster and resulting in more than \$1 billion in damage suits.⁵⁵ Today, under Federal regulations no new oil or gas activity is allowed in the region, but many old facilities continue to operate.

Sanctuary Designation

In 1972 Congress passed the National Marine Sanctuaries Act as part of the Marine Protection, Research, and Sanctuaries Act, in response to a growing national desire to protect our ocean resources.⁵⁶ Five years later President Carter implored Congress to invest special attention to reserving marine areas, and in 1977 California and NOAA selected the Channel Islands as a potential National Marine Sanctuary. On September 22, 1980, President Carter formally designated the Channel Islands to be protected as the third National Marine Sanctuary.

The Federal Register announcement of the Sanctuary designation is rather straightforward. Citing the “exceptionally rich and diverse biota,” the President declared that a Marine Sanctuary was necessary to preserve and protect this unique and fragile ecological community.⁵⁷ Thus, to protect the region’s ecological, recreational, and aesthetic value, prohibitions were created for: discharging of any substance, dredging or altering the seabed, removing or harming cultural or historical items, and most importantly, hydrocarbon operations. Fishing and fishing vessels were allowed within the Sanctuary, provided they obeyed the ban on discharging. Large vessels were also allowed within the Sanctuary, provided they traveled within specially designated routes.

The Establishment and Functioning of the Advisory Council

Despite the popularity of the newly formed Sanctuary, not everyone was pleased with its creation. Two years after the Sanctuary’s designation, a group of major oil companies went to Federal court to demand the nullification of the Sanctuary so that oil and gas leasing, development, and extraction could be conducted in the Sanctuary’s boundaries.⁵⁸ The companies claimed that the impact of oil operations on the environment and the impact of the ban on national energy supplies were inadequately assessed. Ultimately the case was resolved against the oil companies, citing the desire to preserve and protect the biological diversity.

By 1983, the Channel Islands National Marine Sanctuary staff had completed the Sanctuary’s first Management Plan. The Management Plan described the goals and

⁵⁵ Hill, Gladwin. “Test Set on Powers to Bar Oil Drilling.” New York Times 1 September 1980, 6.

⁵⁶ About Your National Marine Sanctuaries. 27 December 2005. National Oceanic and Atmospheric Administration. <<http://www.sanctuaries.nos.noaa.gov/about/history/welcome.html>>.

⁵⁷ 45 Federal Register 193 (1980).

⁵⁸ Hill, Gladwin. “Oil Group Sues for Exploration of Sea Preserves.” New York Times. 26 December 1980, 1.

objectives for the Sanctuary and prescribed its programs for the next five years. The Plan reaffirmed resource protection as the highest management priority, followed by research, interpretation, and visitor use. Specified action plans were laid out to achieve these goals. Advisory councils were not being used at the time by the National Marine Sanctuary Program and thus the Channel Islands did not establish one. Unfortunately, this five year plan, envisioned to be renewed and modified in 1988, was never updated, leaving the Sanctuary with an out-of-date plan.

In the late 1990s it became apparent that the Management Plan needed to be revised. The National Marine Sanctuary Program wanted all plan reviews to be very open and transparent to the public and contain extensive community input. To achieve this goal, it became an expectation that all management plan reviews would use Sanctuary Advisory Councils.

While the Sanctuary lacked a council of its own, Sanctuary management was not inexperienced in the functioning, benefits and challenges of advisory councils. The Monterey Bay National Marine Sanctuary had utilized an advisory council since 1992 and the Channel Islands Sanctuary Manager had always held a non-voting governmental agency seat on that Council. Through this experience the-then Manager, Ed Cassano, had become accustomed to advisory councils and had a first-hand view of how these councils worked and what they meant to the Sanctuary. Additionally, this close relationship with an established advisory council allowed for a smoother initial period, with the young Channel Islands Council avoiding some of the pitfalls that might have befallen them otherwise.

One driving force behind the establishment of the Council was the issue of Marine Reserves. In 1998, prior to the Advisory Council's formation, the California Fish and Game Commission had received a proposal from a small group of recreational fishermen asking the Fish and Game Board to protect 20% of the waters around the Channel Islands as Marine Reserves, or no-take zones. This proposal upset many commercial fishermen who understandably felt that their livelihood was under attack. It was a controversial issue that involved many vocal stakeholders. Cassano regularly attended the Department of Fish and Game meetings and realized that this was precisely the type of issue that a Sanctuary Advisory Council was designed to handle. Knowing that the Channel Islands Sanctuary was planning to establish a council to assist with the Management Plan, he volunteered the Sanctuary to determine the merits of Marine Reserves and return with a proposal. Accepting the issue would motivate the Council to begin functioning. Thus was born the Department of Fish and Game/Channel Islands National Marine Sanctuary Marine Reserves partnership.

One final, and possibly surprising, impetus for the formation of an advisory council was encouragement from the local commercial fishing community. While fishermen have always been wary of sanctuaries and the perceived (and sometimes real) threat to their livelihood, in this case, various members of the fishing community approached the Sanctuary and specifically requested the formation of a Council. (These were different fishermen from those who sought the formation of the Marine Reserves). The reasoning

for this request was their desire to have the opportunity to give input on the Management Plan Review. They felt that if changes were going to be made, they wanted the ability to voice opinions in the early stages rather than at the end of the planning process.

Functioning of the Advisory Council

The Advisory Council consists of 21 voting and three non-voting seats. The 21 voting seats consist of ten local, state, and federal government partners, and eleven community interests.

Government Partners

- National Marine Fisheries Service
- National Park Service
- U.S. Coast Guard
- Minerals Management Service
- U.S. Department of Defense
- California Department of Fish and Game
- California Resource Agency
- California Coastal Commission
- County of Santa Barbara
- County of Ventura

Community Partners

- Tourism
- Business
- Recreation
- Recreational Fishing
- Commercial Fishing
- Education
- Research
- Conservation
- Public At Large (2 seats)
- Chumash Community

Non-Voting Members

- Channel Islands NMS Sanctuary Manager
- Monterey Bay NMS Superintendent
- Gulf of the Farallones NMS Sanctuary Manager

The government partners represent their respective agencies. Their participation helps promote inter-agency cooperation and foster communication among various levels of government.

While all community members on the Advisory Council share a common goal of protecting and properly managing the resources of the Sanctuary, each community

partner has its own particular interests and concerns which are related to the constituency that it represents. For example, the conservation seat focuses on ecosystem protection and water quality, while the tourism seat ensures that related businesses are represented. The Chumash community representative works to enhance Sanctuary programs toward the revival and interpretation of their indigenous cultural heritage while the education and research seats provide the council with a public education and scientific community perspective. The recreational and commercial fishing seats work closely, as their interests often align, although it is not unusual for the two seats to hold different opinions. The public-at-large seats have no specific constituency except to try to represent the community at large. The business seats work to make sure that local business' interests are represented, while non-consumptive recreation representatives ensure that recreation interests such as SCUBA divers and kayakers have a voice.

The Council meets on a bimonthly basis. Meetings are full-day affairs that are held at either the Channel Islands National Park Visitors Center in Ventura, California or at various public meeting facilities in Santa Barbara, California. They are commonly held in an auditorium. Multiple tables are set up in a U-shaped configuration. The Chairperson and Sanctuary Manager occupy the center positions at the head table, while the various members are seated immediately adjacent and at the side tables. A separate table for alternates is set up in the front row of the audience section, opposite the head table. The meeting rooms are set up with a full array of audio-visual equipment, such as video projectors and stereo and microphone systems, to allow for presentations and audio recording.

According to the Advisory Council Charter, the Chairperson, with the concurrence of the Sanctuary Manager, schedules and establishes the agenda for all council meetings. Agenda planning is also open to input from the Vice Chair and Secretary. If the Chair is unable to perform this duty, the Vice-Chair may assume the Chair's duties. While the council does spend time engaging in projects that require action, i.e. votes or letter-writing, a majority of time is spent trying to educate themselves about the issues that concern the Sanctuary. For example, the council will often hear presentations by graduate students or university professors regarding issues such as marine acoustics or water quality. The goal of these presentations is to allow the council to make informed recommendations to the Manager. The meeting agenda is sent out at least 10 days before the meeting. Items may be added to the agenda after its distribution. However, the council must receive advance notice of any "action" item, i.e. a vote, a letter or other conveyance of substantive advice to the Manager, at least three days before the meeting.

Currently, some of the most important tasks are biological and socio-economic monitoring of the Marine Reserves and educating the public about the Draft Management Plan. These tasks involve learning about studies done by others and helping their constituents better understand the Draft Management Plan. While these tasks are hardly "resolved," major steps have been made towards their completion. In 2002, the council submitted comments on the initial stages of the Draft Management Plan to NOAA, and in 2001 formally forwarded their recommendations on marine reserves establishment to the Sanctuary Manager and California Department of Fish and Game. While still dealing

with related issues, the council has shifted some of its focus to other issues, such as water quality, marine acoustics, and aquaculture.

Roles

There are various roles within the council and all are important. There are members, alternates, Sanctuary staff, and the public. Members control the voting right for their seat (if their seat carries a vote),⁵⁹ except when they are absent for a meeting, in which case those voting rights pass to the alternate. While alternates may not vote (unless a member is absent) and are not eligible for officer positions, at the Channel Islands advisory council both members and alternates can engage in discussions at the meeting, may have different and independent opinions from one another, and are generally included in all Advisory Council functions (retreats, field trips, etc.).

Among members, there are three elected positions: Chair, Vice-Chair, and Secretary. The Chair and Vice-Chair serve two year terms, although the initial term of the Vice-Chair is only one year. They may serve a maximum of two consecutive terms. The Secretary serves a one year term.⁶⁰ These three officers comprise the Council's Executive Committee.

According to the charter, the Chair schedules and sets agendas for all Council meetings with the concurrence of the Manager. The Chair also presides over all meetings of the full Council, signs all correspondence and documents authorized by the Council, and generally represents the Council's interest and concerns to the public.⁶¹ The current Chair is Dianne Meester, who represents the County of Santa Barbara. Meester characterized her job as "making sure that [she] runs a fair meeting and that everyone can express their opinions in a meaningful way." In fact, Meester believes that making sure all opinions are expressed is the single most important job as Chair. Should the Chair be absent or need assistance with the responsibilities, the Vice-Chair can serve as Chair or provide necessary assistance. The Secretary sometimes assists the sanctuary staff in performing administrative tasks as requested by the Chair or Vice-Chair.⁶²

Alternates are granted many of the same rights as members. If a member is absent for a meeting, and the alternate officially substitutes for the member, the alternate is granted the rights of the member.⁶³ Alternates are allowed to express their opinion, petition for action and write letters just as members. However, alternates may vote only if the Chairperson and Sanctuary Manager have been notified in advance that the alternate will be officially substituting.⁶⁴ Non-governmental alternates may express views and cast votes that are of their own opinion, (i.e. alternates are *not* appointed to merely serve as

⁵⁹ Channel Islands National Marine Sanctuary, Sanctuary Advisory Council Charter. 3 November 2003. Channel Islands National Marine Sanctuary. 13 April 2006
<<http://channelislands.noaa.gov/sac/pdf/charter.pdf>>.

⁶⁰ CINMS Sanctuary Advisory Council Charter, 2003.

⁶¹ CINMS Sanctuary Advisory Council Charter, 2003.

⁶² CINMS Sanctuary Advisory Council Charter, 2003.

⁶³ CINMS Sanctuary Advisory Council Charter, 2003.

⁶⁴ CINMS Sanctuary Advisory Council Charter, 2003.

proxy voters for absent members). While an alternate's views may be influenced by or be in agreement with that of the member's, their opinions and votes are independent.⁶⁵

The Sanctuary staff play a large and varied role in the operation of the council. Many staff members have little interaction with the council outside of giving presentations and responding to questions. However, the Sanctuary Advisory Council Coordinator, Advisory Council Specialist, and the Sanctuary Manager do have significant responsibilities related to the council. The Advisory Council Coordinator and Advisory Council Specialist ensure that each meeting runs smoothly from a logistics standpoint. The Council Coordinator, with the help of others, oversees all Council operations and planning and is the main Agency contact for the council, fielding all questions from the public regarding the council. The Advisory Council Specialist handles the majority of the logistics of the council meeting, including reserving the room, making sure the necessary audio-visual equipment is present, and, along with others, setting up the meeting room and clearing it afterwards, organizing lunch, providing snacks, and taking meetings notes.

The Sanctuary Manager, currently Chris Mobley, also invests significant time in the Advisory Council. Most Council members feel that his main roles are to provide them with the necessary information to make informed decisions and to help facilitate the meetings. The Manager will often give his advice and occasionally his opinion on the proper course of action. While the Manager does not have a vote, he is required to be present at all meetings and has numerous other responsibilities, including approving all documents, agendas, and requests to hold meetings.⁶⁶

The Manager is highly respected by most Advisory Council members. A large part of this respect comes from the fact that, as one member put it, he is "not a NOAA guy," implying that he is not just a detached government employee doing his job but instead is an individual who, like most Council members, cares more broadly about the Channel Islands. He feels comfortable at times expressing his disagreement or displeasure with Council deliberations, but always does so in a civil and constructive manner.

While the council provides a forum for communication between NOAA and the public, meetings are often not the place for significant general public participation. It is rare for there to be more than 15 members of the public at a typical meeting. The public is usually given two 15-minute blocks of time in which they may express their opinions. At the discretion of the Chair, they may also speak or ask questions during council debates or presentations, though this is not a common practice. This limit helps ensure that the meeting stays on schedule, but it appears that for a constituent to really have input into the process they must find the member who represents his/her views and discuss it with them.

⁶⁵ Channel Islands National Marine Sanctuary, Sanctuary Advisory Council Decision-Making and Operational Protocols. 18 November 2005. Channel Islands National Marine Sanctuary. 13 April 2006 <http://channelislands.noaa.gov/sac/pdf/rev_prot.pdf>.

⁶⁶ CINMS Sanctuary Advisory Council Charter, 2003.

Decisions

The charter specifically states that decisions may be made by majority vote of those present, provided that there is a quorum (i.e. more than half the voting members are present). Either the Chair or the Manager can request that a vote be recorded with individual votes noted in the meeting minutes. However, the current Manager encourages the Council to reach decisions by consensus. More than one member mentioned that, in practice, this means that the Council rarely votes since they often reach, or at least strive to find, a decision with which all can agree.

The Manager notes that he has tried to hold as few votes as necessary. Rather than voting all the time, the Manager would like to hear everyone's opinions, including the minority views. He feels that rushing to votes can make minority members "feel as though their opinions are unimportant, and they will be less likely to offer them in the future." Additionally, he mentioned that there can often be harsh feelings on the side that "lost," which can cause them to become jaded and seek outside pathways to be heard, such as through the courts. The Manager often gives his opinion on the issue in question, which many members feel greatly influences members. On the rare occasion that an issue comes to a vote, any recommendation will include a minority opinion, if one exists. The minority opinion informs those reading the recommendation that consensus was *not* reached and briefly explains the minority's position.

Recommendations

Recommendations are the culmination of the Council's collaborative deliberation process and are the primary method of providing advice to the Sanctuary and NOAA.⁶⁷ As such, the Council takes their recommendations to the Manager very seriously. Opinions vary, but for the most part members feel that their recommendations are followed, especially regarding local issues. One member stated that Sanctuary staff and NOAA really listen to and respect the Council. He feels that if they did not, the Council would feel as though they were wasting their time and would disband. Another member feels that the Council is influential, but could be more so. On a scale of influence, this member feels that the Council has more influence than a community group, but less than a politician. The appointment process, diversity of opinions, and consensus leads to legitimacy. Even with these factors one member feels the NOAA will sometimes "blow you off." Some members agree, stating that they believe that as their recommendations get more national in scope they carry less weight.

Just as important as making recommendations is receiving feedback from the Manager, especially when a recommendation is not followed. Members feel that they are notified why their recommendations were not followed and always expect a reasonable explanation. One member noted that it is not simply a matter of respect, although that is important. More importantly, he suggested, a large group of professionals has put a significant amount of time and thought into the question at hand, and if the advice is turned down, the Agency "better come up with a pretty good reason not to listen to what

⁶⁷ CINMS Sanctuary Advisory Council Charter, 2003.

we say. It just gets down to reasoning.” Another member stated that the Sanctuary Manager and Council Coordinator try to explain the Agency’s decisions, but when the decision comes from headquarters, the explanation is much “fuzzier” than when the decision is made locally. The differences can be quite frustrating for the Council.

For the Manager, recommendations can provide justification for his eventual decision. He recognizes that the Council’s decision allows him to point to a group of highly qualified professionals for support of his decision. He can refute critics with documentation of the decision process the Council went through and the rationale for their recommendation. Should a constituent or advocacy group question a decision, the Manager can refer them to the relevant Council member and see if their position has been considered. Likewise, should a politician criticize a decision, the Manager can remind him/her that this decision was formally argued and decided by a representative body of his/her constituents. This credibility and justification is the Sanctuary Manager’s reward for managing the transparent and open council process. Even when the Manager decides not to implement the Council’s recommendations, he can use them to show that he considered a variety of opinions and chose what he believed to be the best one.

External Influences

The Council occasionally is filmed by local television crews or has local and Congressional representatives attend meetings. The Manager feels that this attention is beneficial to the Council. While other people might feel unduly influenced, the Manager feels as though the Council members are a “savvy bunch” who are keen to politics and are unlikely to be easily swayed. In fact, media and political attention only serve to justify the Council members’ feeling of importance and sense that they are doing significant work. This attention reinforces the Council’s sense of legitimacy and encourages its perseverance.

Most members interviewed feel that, in general, the public is not aware of the Council and most do not even know the Sanctuary exists. However, some members feel that the public is beginning to learn about the Sanctuary and the Council as well. Those who care about the Sanctuary or depend on its resources for their livelihood recognize that the Council is their primary forum for communicating their ideas and concerns with Sanctuary management. As one member stated, “people don’t care until they need something.” Another member noted that some public groups misunderstand the advisory role of the Advisory Council, thinking of it more as a city council that has power as opposed to an advisory council; “activist groups feel like the SAC is something they need to yell at like they would a city council. They don’t understand about seats, etc.”

Working Groups and Subcommittees

Many members feel that one of the most important features of the Council is its ability to address specific issues or topics through working groups and subcommittees. By breaking into smaller groups consisting of members who are particularly experienced with the relevant topic, working groups and subcommittees allow the Council to tackle more

complex and challenging issues in greater depth. Additionally, since these smaller groups meet on their own time, they allow the Council to handle far more issues than if every topic had to be fully discussed by the entire Council at its meetings.

There are two types of smaller groups: working groups and subcommittees/ad hoc groups. Working groups consist of council members as well as people outside the council, and are chaired by a council member.⁶⁸ The flexibility to allow non-members enables working groups to bring in other experts to help explore particularly challenging issues. Working groups are generally established for broad issues or specific constituencies and provide ongoing input. Occasionally, working groups are task-specific and are disbanded once final advice is submitted to the Council. All working group meetings are open to the public.

There are currently six active working groups: the Conservation Working Group, the Commercial Fishing Working Group, the Recreational Fishing Working Group, the Research Activities Panel, the Sanctuary Education Team, and the Chumash Community Working Group.⁶⁹ The Conservation Working Group has focused on such issues as the creation of Federal portion of the Marine Reserves, water quality and marine acoustics. While both fishing working groups have slightly different interests, they generally focus on actions that impact fishing, such as the creation of the Marine Reserves. The Research Advisory Panel reviews and evaluates Sanctuary programs and products from a technical and scientific perspective, while the Sanctuary Education Team focuses primarily on enhancing education and outreach programs of the Sanctuary. The recently formed Chumash Community Working Group seeks to more closely connect Chumash people to the Sanctuary while also enhancing the cultural programs offered by the Sanctuary.

As opposed to working groups, subcommittees and ad hoc groups are formed to address short-term tasks or issues that do not need the continued and focused attention that is obtained in a working group. Subcommittees and ad hoc groups act as official sub-units of the Council and thus are composed exclusively of members and alternates.⁷⁰ The subcommittee or ad hoc group generally disbands once it has submitted its advice to the Council.

The Water Quality Subcommittee and the Ad Hoc Group on Enforcement of Marine Reserves are two examples of formerly established subcommittees and ad hoc groups.⁷¹ The Water Quality Subcommittee provided the Council with information about the water quality programs, organizations and issues along the Ventura and Santa Barbara coasts, the Santa Barbara Channel, and the Channel Islands, as well as providing suggestions with how to address water quality threats.⁷² The Ad Hoc Group on Enforcement of

⁶⁸ CINMS Sanctuary Advisory Council Charter, 2003.

⁶⁹ Sanctuary Advisory Council. 9 January 2006. Channel Islands National Marine Sanctuary. 13 April 2006 <<http://channelislands.noaa.gov/sac/main.html>>.

⁷⁰ CINMS Sanctuary Advisory Council Charter, 2003.

⁷¹ Sanctuary Advisory Council. 9 January 2006. Channel Islands National Marine Sanctuary. 13 April 2006 <<http://channelislands.noaa.gov/sac/main.html>>.

⁷² Working Groups and Subcommittees. 6 March 2006. Channel Islands National Marine Sanctuary. 13 April 2006 <<http://www.channelislands.noaa.gov/sac/wgsub.html>>.

Marine Reserves was composed of a variety of boaters that were instrumental in providing advice on the development of a regulatory brochure about Marine Reserves.

Analysis and Insights

The Channel Islands National Marine Sanctuary Advisory Council has achieved many noteworthy accomplishments, but has also encountered its fair share of challenges along the way.

Accomplishments of the Advisory Council

The Channel Islands Advisory Council was quickly thrust into two complicated and contentious issues within its first year of existence. While they had been established to give advice regarding the Management Plan, they quickly became immersed in the Marine Reserves issues as well. Despite the dizzying amount of work involved, this Council completed both of these tasks within three years.

Marine Reserves

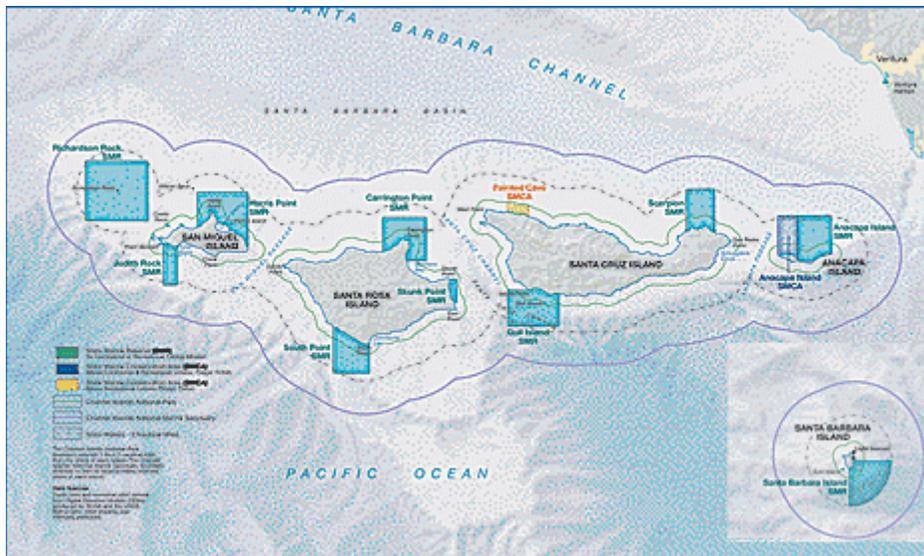


Figure 5.2: Channel Islands Marine Reserve Areas

In 1998, the California Fish and Game Commission received a recommendation from a local recreational fishing group to create marine reserves, or no-take zones, around the northern Channel Islands as a response to dwindling fish populations. The Sanctuary offered to lead a community-based effort to consider marine reserves and thus established a Federal and State partnership. Within this partnership, the Sanctuary (and its advisory council) would debate the merits of various plans and provide a recommended plan to the State, which would then make the final decision.

The issue was complicated by numerous factors, the largest being the delineation between State and Federal waters. The Sanctuary's boundaries extend from the Islands' shores to six miles out. However, as a matter of law, waters within three miles of a State's borders are within the State's jurisdiction. Since the Islands themselves are State land, a large portion of the Sanctuary's water is under State jurisdiction, while the remainder is Federal jurisdiction

Drawing on the experience of other Sanctuaries, the Sanctuary Advisory Council established the Marine Reserves Working Group (MRWG) to seek agreement on a recommendation for the Council's consideration regarding the potential establishment of marine reserves in the Sanctuary.⁷³ In addition, a Science Advisory Panel and a Socio-Economic Team, two subcommittees, were established to support the MRWG and the marine reserve process. For nearly two years the MRWG met monthly to receive, debate, and integrate advice from the public and experts to better develop recommendations for the Council.

After debating over 40 different proposed reserve designs, drawing upon the working group's own experience, the knowledge of experts, and a specially designed geospatial tool, the MRWG finally selected two reserve designs that represented the diverse views of the group.⁷⁴ The MRWG forwarded all of their information and recommendations to the full council for its consideration. After holding two meetings of debate and hosting a public forum, the council voted 17 (yes), 1 (no), 1 (abstention) to forward their recommendation to the Sanctuary Manager and California Department of Fish and Game. The subsequent joint recommendation to the California Fish and Game Commission, crafted by the Sanctuary and California Department of Fish and Game, closely reflected the MRWG's reserve designs, and proposed establishing 10 marine reserves (no take) and two marine conservation zones (limited take). These areas encompass nearly 322 square nautical miles, or 25% of the Sanctuary (Figure 5.2). In April 2003, after a year-long environmental review process by the state, the Channel Islands Marine Protected Areas, which closely mirrored the council's recommendations, were implemented in the State waters of the Sanctuary.

The formation of a cohesive recommendation and the actual establishment of the reserves were made possible by several factors. The most important factor was that the Advisory Council provided structure for the process. By establishing the MRWG, the Council was able to let specially qualified experts debate amongst themselves the merits of various proposals, while giving the Council the flexibility to bring in outside experts to lend their unique knowledge on particular issues. In addition, the Council provided an official public forum where diverse interests could speak on the record and be assured that their opinions were being heard and considered. This process allowed the Council to raise and discuss ideas that they might have otherwise overlooked or ignored. The process also helped establish relationships and build trust between the Council members and ensure that they treated each other respectfully rather than digressing into yelling. The end result

⁷³ Just a few years earlier the Florida Keys National Marine Sanctuary had used a similar process in their establishment of the Tortugas Ecological Reserve, a biologically diverse and unique coral reef ecosystem.

⁷⁴ They had hoped to reach consensus on a single preferred design but were unable.

was that the Council set up a process that was seen by all as a *legitimate* means to accomplish this goal. While a particular member or constituent might not have been pleased with the outcome, they knew that they had their opportunity to be heard and considered by the group.

Another factor that facilitated this success was the composition of the Council. The Council consisted of people who cared about the Sanctuary and had an immense amount of knowledge about the Islands and their surrounding waters. To this end, the Council remained enthusiastic and committed to the project and helped keep the Sanctuary staff motivated. Likewise, when the Council would begin to tire of the project, the Sanctuary staff would work to engage the Council members and keep them motivated. The Council's time investment to the project provided momentum and "buy-in" to see this process through to the end. Without the Council and its relationship to the Sanctuary, it is unlikely that many members would have been willing to see the establishment of the reserves.

It is interesting to note that some people, including some staff, view how the Council accepted this challenging task soon after their formation and saw it through to the end as an accomplishment in its own right. In the words of one staff member, the Council's willingness to try something that had never been done before on the west coast and to "open themselves up, make honest recommendations and thrash through the disagreements" showed what could be accomplished through advisory councils. Many observers believe that without the Advisory Council, the Marine Reserves would not have been established.

Management Plan Review

While it may not inspire the soul like the creation of Marine Reserves, the formal review of the Sanctuary Management Plan was the main impetus for the creation of the Council. The Management Plan details the Sanctuary's program areas, daily operations, and activities. Sanctuary regulations were originally proposed in 1980 and the original Management Plan was finished in 1983. Since that time there had been no formal review or revision of the plan had occurred. However, since 1983 Congress has amended the National Marine Sanctuaries Act (NMSA) numerous times, helping to strengthen and clarify the conservation principles of the program.

The amended NMSA calls for each National Marine Sanctuary to review its management plan in five-year intervals and to revise its plan as necessary to fulfill the purposes and policies of the NMSA. Additionally, several scientific and technological advancements, as well as innovations in marine resource management techniques, have rendered many aspects of the 1983 Management Plan outdated. Finally, the 1983 Management Plan lacked any performance measures that could be used to evaluate the Sanctuary or Marine Sanctuary Program.

The formal management review process started in 1999 with the formation of the council. The Advisory Council was seen as the primary forum for input and announcements about

the Management Plan. Based on public scoping meetings, Sanctuary staff began working with the council to identify a set of priority issues for the Draft Management Plan. A few of these issues included water quality, military activity, and oil and gas activity. For the next two years Sanctuary staff and council members maintained a steady flow of suggestions, advice, and information between each other and in May 2003 the plan was formally submitted to the Sanctuary. For the past two years the Draft Management Plan has been undergoing internal review by the National Marine Sanctuary Program headquarters, the National Ocean Service, NOAA, the Department of Commerce and finally the Office of Management and Budget. Following internal clearance, received in March 2006, the Draft Management Plan will be made available for a 60-day public comment period in the summer of 2006.

The driving force behind this accomplishment was the fact that unlike the Marine Reserves, the Management Plan was required by Congress. The Council was established for this purpose and the Council provided a valuable forum in which to debate the necessary changes. However, the Council was not alone in the process. The Sanctuary itself was playing the lead role in the Management Plan Review and the Council helped facilitate public participation. It was as a public facilitator that the Council contributed the most to the management plan review process in just a few years. Management plans are very complicated and involves a large number of varied stakeholders.

Throughout the entire process the Advisory Council served as the main forum for public updates on the Management Review process. When the review was initiated, Council members were asked to consult with their constituents regarding any management changes they wanted implemented. In this manner, Council members were given the first opportunity to provide input on the new plan. Besides obtaining information, Council members also distributed information regarding the Plan Review to constituents so they could be better informed and provide their input as the management plan evolved. This input from the constituents to the Council helped the Sanctuary prioritize the issues that were important to the community. This ability to quickly disseminate and obtain information from relevant stakeholders greatly aided the process. It prevented the Sanctuary from developing a plan on their own and then having to modify it once the stakeholders had a chance to review it. They were able to quickly determine which issues certain constituencies felt very strongly about and could work to find agreeable solutions. Additionally, by providing a forum with established trust and familiarity, stakeholders were able to converse with one another and explore their differences. This process would have been much more difficult if these relationships between Sanctuary staff, Council participants, and the public were not already established.

In addition to providing a forum for the public, the council aided in updating the management plan by providing their expertise on particular issues. For example, the council was asked to provide a recommendation on whether the Sanctuary should attempt to expand its boundaries. The council came up with 6 viable alternatives, ultimately forwarding two options to the Sanctuary Manager for consideration. While neither alternative ended up being incorporated into the current proposed plan (NOAA decided to revisit this issue in a future supplementary process), the Sanctuary would have had a

much more difficult time devising viable alternatives to consider without the members' knowledge and expertise.

Establishment of the Chumash and Recreational Fishing Seats

The establishment of the Chumash and recreational fishing seats are two accomplishments that the Sanctuary Manager feels are especially important. In response to sentiments that some stakeholders were not given proper representation, in 2004 the Council added a recreational fishing seat and converted one public-at-large seat to a Chumash community seat.

Unlike other Native American tribes who sit on other Sanctuary Advisory Councils, the Chumash community is not a sovereign nation and is not guaranteed a government seat.⁷⁵ However, a Chumash representative had traditionally held one of the three public at-large seats. The Chumash community has shown dedication to the Sanctuary by designing and leading numerous educational and outreach programs. For example, they built a historical replica village for school children to visit and organized canoe crossings to the islands, as their ancestors had.

The Sanctuary Manager felt that the Chumash's dedication to the Sanctuary and the Advisory Council warranted them a permanent seat. The Chumash imparted a sense of stewardship towards the Islands and provided a perspective of thousands of years, rather than looking at the past ten or the next five years. However, rather than forcing the change upon the Council, the Manager laid out his reasoning and asked for their support. The vote was nearly unanimous to add the Chumash seat.

In contrast, the Manager had to lobby hard to convince the Council to accept the addition of a recreational fishing seat. The Manager realized that recreational fishing was very different from commercial fishing and was a very powerful stakeholder. As he put it, "they were a very important player, had asked for a seat" and they deserved one. The Manager convinced the Council that since he sought consensus and deemphasized voting, the addition of one vote to a particular side would not sway his judgment, as he would not hesitate to follow the minority if they had the more convincing argument. As he was trying to stay away from a "numbers game," establishing a relationship with a central stakeholder was more important than a potential "shift" in voting.

These two episodes reveal the importance of having the Sanctuary Manager work with the Council rather than exerting his or her will. The Manager believes that "every time you [force your views], you make [the Council] feel like their voice doesn't matter." Likewise, these episodes reveal the flexibility the Council has to alter its composition to respond to changing circumstances.

⁷⁵ For example, Native Americans represent four seats on the Olympic Coast Sanctuary Advisory Council.

Challenges Encountered

As with any collaborative management process, the Channel Islands Sanctuary Advisory Council has faced numerous challenges. In particular, the Council has had to deal with the challenge of operating in a political context. Delays in the implementation of the Draft Management Plan and the Federal portion of the Marine Reserves constitute the majority of these challenges. Meanwhile, the Council has dealt with numerous process-oriented issues, including how to deal with voting and how to keep minority views involved.

The Challenge of Operating in a Political Context

When operating within the government at any level, political realities play a large role and advisory councils are not exempt from this reality. Despite their best efforts, various Council activities and recommendations have been slowed because of various bureaucratic reasons or political agendas.

Since the recommendations for the Draft Management Plan were submitted in 2003, the Plan has been undergoing internal review at various agency levels both locally and nationally. While politics are not such a problem on the local level, decisions that require approval from headquarters in Washington occasionally encounter political resistance. The lack of a final decision has begun to frustrate many Council members. One member felt that it was “very frustrating” to work on the Management Plan for six years and still not have an approved and operating Management Plan. A staff member concurred, explaining that he felt that it was challenging to keep members involved when they had yet to see the results of their effort on the plan. He was worried that this could lead members to feel as though they had “wasted their time” and could possibly undermine their willingness to put forth a committed effort in the future. The NMSP is striving to return the plan as soon as possible. One staff member feels that when the Council has invested significant time in a recommendation, the NMSP should strive to provide feedback in a timely manner. Additionally, they felt that it is the job of Sanctuary staff to manage the expectations of the Council members so they better understand and are more patient with the process.

Likewise, many Council members have become discouraged with the lack of progress on the establishment of the Federal portions of the Marine Reserves. Soon after the Council had submitted its proposal, California established the state water portions (from the islands to 3 miles offshore) of the reserves in 2003. However, the Federal portions (from 3 miles to 6 miles) have yet to be established. The potential establishment of the Federal portion has triggered the National Environmental Policy Act (NEPA) action, meaning that the Sanctuary, with the help of the Advisory Council, must draft an Environmental Impact Statement (EIS), which documents potential environmental and economic effects of the proposed government action. The EIS process tends to be long and involved. However, Council members note that California has its own version of NEPA, and yet the State portion of the reserves took less than a year to implement.

To further complicate matters, NOAA has mentioned the possibility of the Pacific Fisheries Management Council (PFMC) taking the lead role on the establishment of the Federal portion of the Marine Reserves.⁷⁶ As the Council has fostered the reserve project since its inception, the Council is understandably upset by the possibility of handing control of the marine reserves to another entity. NOAA has yet to decide this issue, but should the Council lose control over this project, it could diminish the Council's sense of worth to the Agency.

It is important to realize that any regulatory decision-making process for the Sanctuary and NOAA will also include oversight and approval by the Office of Management and Budget and the Secretary of Commerce. No matter what the Council says, if some of these other entities want a particular action done, that is the way it must be. Unfortunately this can frustrate the Council, but generally most members understand the nature of government work.

Finally, a few members felt that some Council members have their own agendas and at times do not act in the best interest of the Sanctuary. One member felt that certain members pursue unnecessary measures to benefit their own constituents. Certain seats represent groups that have members, and these groups need to show their members that they are advocating on their behalf.

Process Challenges

There are multiple process-oriented challenges that the Council has faced since its inception. How were these people (both Sanctuary staff and Council participants) going to gel into a group and how was the Council going to manage conflict in its decision-making process? How would these various stakeholders and NOAA representatives react to working together after working separately? While the Council strives for consensus and a unified recommendation, what would the Council do when they simply could not agree?

The Sanctuary Manager often encounters his or her own set of challenges that arise from trying to reach consensus and how to deal with minority viewpoints. Finally, the Chairperson faces the dilemma of ensuring that everyone's opinions are heard while making sure that the meeting stays on schedule.

The Early Years

After holding its first meeting in December 1998, the newly formed Advisory Council, like any newly formed organization, had its share of growing pains. None of the members or the staff, besides the Sanctuary Manager, had ever sat on a federal advisory council and everyone was unsure of the roles they were to play. There was a charter and other established advisory councils that could be referenced, but when it came down to the *Channel Islands* Council, they would have to adapt to their specific needs.

⁷⁶ The PFMC was initially charged with establishing the fishing regulations within the proposed marine reserves.

There was uncertainty among many members, depending on whether the member represented a governmental seat or a non-governmental seat. As Federal agencies are so large and diverse, their representatives to the Council often were unsure of their authority to make decisions and the effects of those decisions. Federal agencies have long had formal agency-to-agency interactions to help clarify any potential issues with a proposed agency action. However, these agency-to-agency interactions often occurred long after the Advisory Council gave their recommendations and agency members worried that their agency's position might change in the meantime. In essence, members of these agencies wondered, "Would our prior advice commit our agency to a particular position? Was my best option just to abstain from voting?"

Local government agencies wrestled much less with these questions because their Council representatives often occupied positions of authority within their agency. Many people representing a local agency on the Council were likely to be the same people who would later authorize the decision at the agency level. As such, they could confidently assert their agency's position.

For most non-governmental members, this was their first experience acting on a federal advisory council and few had the government background that the representatives of Federal and State agencies possessed. Most non-governmental members did not know what was expected of them and they were wary about whether or not the Sanctuary staff would really listen to their recommendations. They had no desire to give the impression of legitimate community input while acting as a "rubber stamp" for agency proposals.

For the staff, while there was uncertainty about how best to utilize this new tool, they were excited and optimistic. They had never operated in such an exposed manner before. Staff members wrestled with such issues as how much information to give the Council, what kinds of questions the Council was suited to address, and how the Council would give the Sanctuary advice. However, Sanctuary staff were well-suited for this change. The Council was established during a period of rapid staff growth in the Sanctuary. The new employees were all young, and many had little to no experience working for the government. As one staff member put it, they "didn't know [the Sanctuary Advisory Council process] was so damn different. It just sounded like a good way to do things." Many staff members quickly became comfortable with the process, since most felt that accepting community input was simply part of managing a Sanctuary. In addition, many staff were excited with the prospect of working with a group "full of VIPs," most of whom they likely would have had to interact with anyway. Despite not knowing how the process would play out, the Sanctuary staff thought working with an advisory council made sense.

While initially there was uncertainty among parties, this dissipated due to the urgency with which the Council had to deal with substantive issues. While the Management Plan Review was a stated objective, the Marine Reserves issue was quickly brought to the forefront. Rather than going through a lengthy new member orientation, the Council was immediately handling difficult tasks such as public scoping. This process of having to

quickly work on challenging tasks forced both members and staff to forget about any trepidations and focus on the task at hand, and learn by doing.

The First Big Vote

Both the Sanctuary staff and the Advisory Council members learned a tremendous amount from their first major vote on substantive advice. The experience led to the development of both explicit decision protocols as well as the establishment of an adaptive learning relationship between the staff and the Council. The Council's first contentious vote occurred during the Management Plan Review when they were determining whether to recommend expanding Sanctuary boundaries. Many members argued that expanding the Sanctuary would be better from an ecosystem management perspective, while others felt that expansion was unneeded and would be usurping the jurisdiction of many other agencies. After nearly a year of discussion, the Sanctuary told the Council that NOAA needed to move forward with the review process and select an Agency-preferred alternative. The Council needed to make a recommendation.

Before the meeting, the Manager told Sanctuary staff that the Council needed to make this recommendation on their own. The Council needed to realize that this was not an easy question to answer, and that meant letting the members struggle with it.

The meeting was difficult. The Chair did his best to hear everyone and let all parties speak, but the Council's views were not coming together. Over half the Council supported expanding the Sanctuary, while less than half supported maintaining the same size. At this point, the Chair held a show-of-hands vote and tensions raised. As soon as voting entered the picture, it became a numbers game. Conversation stopped, and people focused less on the reason *behind* a person's vote, but simply looked at which plan he or she supported. Rather than listening to what people had to say each side focused on swaying the decisive votes to their side. In the end, the Council was unable to come to a decision and voted for a split recommendation.

However, the real problems ensued after the meeting. Many of the members thought "the process was a joke." The Council did not know what it meant to have a split majority. What did it mean to be on the "winning" or "losing" side? Many members felt that the vote did not accurately represent their feelings. Ten members felt so strongly that they wrote a letter to NOAA leadership expressing their concerns, a direct violation of the Council Charter. Understandably the rest of the Council was upset because they felt these members were undermining the official vote. Many people on the "losing" side felt as though their opinion did not matter and participating in the Council was a waste of their time.

The Sanctuary staff was unsure what to do with the split recommendation. What was the staff supposed to tell NOAA leadership? As one staff member commented, "one side had a majority, but it didn't seem right to tell NOAA that the Council supported vast expansion when there was such a large minority." In the end, the staff passed along the full recommendation indicating the split nature of the Council's perspective and the

NMSP ended up slowing down any decision on boundary change and deferring to a supplemental management plan process that will commence in the future.

Learning from the Experience

Sanctuary staff quickly realized that they needed to take measures to deal with the effects of this vote. The staff held a special retreat to try and repair the strained relationships. During this retreat both the Sanctuary staff and Council members reflected what could be done differently next time.

The product of the conflict was a set of amendments to the Sanctuary Advisory Council Charter called the Sanctuary's Decision-Making and Operational Protocols (See Appendix E). These amendments constitute a living document that is constantly being updated to help the Council operate more efficiently. In effect, staff keeps track of what factors or processes tend to "trip up" the Council and then Council and staff members brainstorm to fix those problems. While staff gives input on these protocols, they do not try to steer the formation of the protocols, allowing the majority of the changes to come from the members. For example, the first protocols, which indicate support for building consensus rather than only relying on majority voting, explain what "consensus" means, and limit Robert's Rules of Order, help prevent a repeat of the divisiveness of the first management plan vote. These protocols explain that "consensus" does not mean that everyone agrees with a decision with the same degree of fervor, but that they consent to the decision and agree to support and not undermine it. Additionally, as the Council is not a legal decision-making body, it was felt that Robert's Rules of Order should not apply, and only a few of the concepts, such as being recognized to talk or making a motion to call for a vote, should be used.

From this incident the Council and the staff have learned not to rush to vote, and when they do have a vote, they know not to simply move on afterwards. If there is a 17 to 4 vote, for example, often the staff is concerned for the 4 who did not vote with the majority. Did they have a compelling reason? Should there be a minority opinion? Are they feeling disenfranchised? Council and staff members have learned that it really is in the Sanctuary's best interests to try and answer the questions and work out such issues when they arise.

The Role of the Manager

Chris Mobley, the current Manager, has fully encouraged the process of exploring all opinions and avoiding a rush to vote. He feels that his position is to rule like "a benevolent king," in that he has all of the power, but makes decisions in a fair and balanced manner. He constantly reminds the members that the Council is not a popularity contest and that he reserves the right to make his decisions based on those reasons he feels are most compelling and appropriate. In general he hopes that the Council can come to a unified decision, but when that is not possible his goal is to make sure that everyone's opinion is heard. If Mobley believes that the minority has the better recommendation, he will not hesitate to implement that choice. Members respect this

approach, since they feel that the Manager really pays attention to what they have to say. Members know that each of their opinions are important, regardless of the number of people who agree with them. This process encourages minority views to express themselves rather than feel that they will constantly be outvoted.

This process has been especially critical in how the Manager works with the fishing seats. For certain issues, particularly the Marine Reserves, the fishing seats often constitute the entire minority. It has been difficult keeping these seats interested in other issues when the Council has not gotten anywhere on issues most important to fishing interests. To this end, the Manager has one-on-one meetings with these members to assure them that their attendance and opinions still matter to him. He has made sure to let them know that while the Council has not achieved the precise outcomes they may have wanted, they have had influence on the final recommendations. Additionally, he reminds them that by being a member they have not given up the ability to pursue any outside avenues, such as lawsuits. The Manager is not encouraging them to undermine the Council, but reminds them that the Council is simply another tool they can use to affect change and thus participation is in their best interest.

The Chairperson's Dilemma

The Chair has his or her own particular challenges to manage. A recent Chairperson described her most important job as ensuring that everyone gets to express their opinions in a meaningful way. However, this must be carefully balanced with the need to keep meetings on track and not let debates continue for too long. The Chair must exert enough control over the debate while making sure not to quash the free-flowing nature that is necessary for a full and frank discussion. One member commented that some past chairs have had more difficulty managing discussions because they felt the need to discuss every topic rather than limiting debate to relevant issues. For example, the Sanctuary was not established to extensively debate fishery management, and long debates on such topics can take the Council off track.

Lessons to Be Learned and Advice for Others

There are many valuable lessons and observations that can be taken from the experiences of the Channel Islands National Marine Sanctuary Advisory Council.

Managing Conflict

Differences of opinion about recommendations to the Agency are unavoidable, and they will invariably introduce tension. However, CINMS Advisory Council has done a particularly good job of managing conflict and differences of opinion in the decision-making process. The Advisory Council's objective is to provide a forum where a diversity of perspectives can be aired and discussed, and when possible, resolved. CINMS has met this challenge head-on and has been attentive to finding ways to ease tensions and keep relationships among members constructive.

CINMS has managed to do this through two separate channels. The Council's utilization of their own Decision-Making and Operational Protocols, which exist as a "living document" has been particularly ingenious. After the Council encounters a particularly challenging situation, they take the time to reflect upon what caused the issue to arise and, if appropriate, formulate protocols to prevent a reoccurrence. This process helps the Council learn from its shortcomings and ensures that future members will be less likely to make the same mistakes. In addition, the Council's use of retreats to ease tensions after particularly tumultuous sessions help the Council to later operate more smoothly.

It is also important to recognize that the Council exists at the interface between the Agency and the public, which provides its own set of challenges. For example, while participants may be devoted to improving the management of the Sanctuary, they may also be devoted to the ideals of another organization or agency. While these potential conflicts of interest may be difficult to manage, it is important to recognize that they exist. Encouraging Council participants to be open with their opinions can help expose these conflicts and find potential solutions.

Existing in a Political World

Another lesson to take away from the Channel Islands experience is the challenge of operating in a political context. For example, this Council submitted comments on a revised Draft Management Plan and did not see an Agency decision or public document release for over two years. Likewise, while the State of California established their portion of the Marine Reserves within a year, NOAA has not yet established their portion. These experiences show that while the Advisory Council may do everything they are supposed to, they may not receive the outcomes they desire, or at least not as quickly as hoped. In these situations, it is the job of the Sanctuary staff to provide as much feedback and encouragement as possible to Council participants and to manage their expectations so that they are realistic.

Building Trust

Early on the CINMS Advisory Council was faced with a challenging situation that required members to work together. This immediate challenge helped the Council to overcome confusion and to build trust. In this case, members of the Council did not have time to worry about minor details because they were quickly thrust into challenging situations that required their full attention. These situations required members to rely upon one another, which helped to quickly build trust. However, it must be noted that some groups are better suited to start with a more manageable task and a large job could be overwhelming. Also, trust building is needed on a recurring basis as turnovers in membership regularly bring new faces to the Council each year.

Handling Large Tasks

While not unique to the Channel Islands, this Council has shown that the Advisory Council (and working group) model can be used to find creative solutions to complex

resource management problems and Managers should not be afraid to ask their councils difficult and challenging questions. The Marine Reserves project was extremely complex and controversial, but the Marine Reserves Working Group was able to battle through all the challenges and come up with a series of recommendations that the Council could adopt and which proved highly influential to decision-makers.

Achieving Consensus and Hearing All Viewpoints

Additionally, this Council has shown that the consensus approach can be a valuable tool, provided the Sanctuary Manager remains open to all possibilities. Voting, while sometimes necessary, should not be rushed into, especially since it can fracture a council. When the Council initially tried a “majority rules” approach members quickly broke down and started to play a numbers game. By striving for a unified decision, this strife can be avoided. Likewise, if all members know that the manager is willing to consider any suggestion, they are more likely to give their opinion.

The Right People

Finally, it is important to note that this Council works because its members are particularly devoted to the Sanctuary, often due to long-standing relationships with the area. The composition of this Council has been key to its progress. While it is inevitable that frustrations will arise, people who care about the Sanctuary will be committed to contributing to its management and will be more likely to persevere through the tough times.

The cure for anything is salt water – sweat, tears, or the sea.
- Isak Dinesen

MONTEREY BAY NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Prepared by Camille Kustin

Introduction

The Monterey Bay National Marine Sanctuary is directly off the coast of California and is the largest sanctuary within the National Marine Sanctuary Program. It is one of the few sanctuaries that contend with the diversity of ecological issues and contrasting stakeholder interests as a result of its coastline-ocean interface. The neighboring communities have historically been and continue to be heavily involved in protecting marine resources for recreation, aesthetic, and economic purposes.

The Monterey Bay National Marine Sanctuary Advisory Council was borne out of a politically tumultuous sanctuary designation. Complicating matters, Monterey Bay was also the first sanctuary to utilize an advisory council concurrently with sanctuary designation, so Sanctuary staff and founding Council members had few to turn to for guidance and direction. Luckily, some dedicated members, a committed Sanctuary staff, and an involved public propelled the Advisory Council out of its chaotic beginnings and into a an advisory council others can turn for leadership and advice.

Background Information

Site Characteristics

The Monterey Bay National Marine Sanctuary (MBNMS) was designated in 1992. It is located off of California's central coast. Its northern boundary, Rocky Point, is located seven miles north of the Golden Gate Bridge, and its southern boundary is Cambria in San Luis Obispo County. Monterey Bay is the largest Sanctuary, encompassing a 276 mile shoreline and containing 5,322 square miles of ocean, extending an average distance of 25 miles from shore. Figure 5.3 displays the current boundaries of the MBNMS.



Figure 5.3: Map of MBNMS⁷⁷

Some of the Sanctuary resources include the nation's largest kelp forest, one of North America's largest underwater canyons, a diverse marine ecosystem, which includes 33 species of marine mammals, 94 species of seabirds, and 345 species of fishes, 1,276 reported shipwrecks, and 718 prehistoric sites.⁷⁸ The marine environment is fringed by beautiful coastal scenery, which remains largely undeveloped, despite its proximity to the San Francisco, Santa Cruz, and Monterey Peninsula metropolitan regions. Some visitor activities include kayaking, boating, diving, whale watching, or visiting one of the coastal parks.

Aside from tourism and recreation, the area supports several other economic activities. Commercial fishing has been historically significant and continues to be important to the region's economy. Several aquaculture operations are within the area as well. The area supports many research, education, business, commercial, and industrial facilities. Large commercial vessel traffic often traverse through the boundaries en route to and from San Francisco Bay. The Monterey Bay region also houses several national defense and

⁷⁷ The picture is courtesy of the MBNMS Foundation. It can be accessed through the MBNMS website: http://www.mbnms.nos.noaa.gov/intro/maps/mbfound_lg.jpg.

⁷⁸ Overview of the MBNMS: A Message from the Sanctuary Superintendent. 15 July 2002. Monterey National Marine Sanctuary. 31 March 2006 <<http://www.montereybay.noaa.gov/intro/welcome.html>>.

military sites. Agricultural areas, mostly in the Salinas and Pajaro Valleys, are also found near the Sanctuary, with their agricultural runoff entering the Bay.⁷⁹

The population of Monterey and Santa Cruz counties was 544,000 in 1985; by 2003 it had grown to over 665,000.⁸⁰ The increase in population and subsequent increase in visitation and intensification of uses in the area place growing pressures on the Sanctuary's delicate ecosystem and often create conflicts among the Sanctuary's various user groups.

The MBNMS mission statement is simply to "understand and protect the coastal ecosystem of central California." The staff of about 30 is headquartered in Monterey Bay, with three satellite offices in Half Moon Bay, San Simeon, and Santa Cruz.

History

Californians have long recognized the ecological significance of the state's coastline and ocean waters. The area is also vital to the economy. Commercial fishing and tourism, especially, contribute over \$50 billion to the state's economy annually.⁸¹

In 1969 over 3.2 million gallons of crude oil spilled off the coast of Santa Barbara County. The public and elected officials saw their once pristine beaches covered in a black slime with slick-covered birds and dead sea life washing on shore. This event quickly generated movements to protect the coastline from any such future disasters. In 1969, 1970, and 1971 oil and gas leasing prohibitions were imposed.

The concern spread to the national level, and the federal government responded in 1981 by further protecting United States coastlines from offshore drilling by including a legislative moratorium in the appropriations bill for the Department of the Interior. The moratorium, which has been renewed annually for the past 24 years by bipartisan consensus, protects the coastlines of California, Oregon, Washington, the entire eastern seaboard, and the southwest coast of Florida.

In the spirit of the public's rallying cry to protect the ocean and coast from the threat of oil drilling, in 1977 the State of California, responding to Title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (MPRSA) nominated Monterey Bay, along with 9 other sites, to be considered as a National Marine Sanctuary.⁸² In 1979, NOAA declared Channel Islands, Point Reyes-Farallon Islands, and the Monterey Bay area as Active Candidates deserving further consideration.⁸³

⁷⁹ Department of Commerce. Monterey Bay National Marine Sanctuary Final Environmental Impact Statement and Management Plan. June 1992.

⁸⁰ Data is from MBNMS EIS and United States Census Bureau.

⁸¹ "California Declares Opposition to Offshore Oil Drilling." Speaker pro Tempore Leland Y. Yee Press Release. 11 July 2005. 31 March 2006
<<http://democrats.assembly.ca.gov/members/a12/press/p122005063.htm>>.

⁸² 16 U.S.C. §§ 1431 et seq., (MPRSA) The section authorizes the Secretary of Commerce to designate discrete areas of the marine environment of special national significance as national marine sanctuaries.

⁸³ MBNMS Final EIS and Management Plan, June 1992.

Channel Islands and Point Reyes-Farallon Islands (later renamed the Gulf of the Farallones) became National Marine Sanctuaries in 1980 and 1981, respectively, but designation of the Monterey Bay site was delayed. In 1983, NOAA removed Monterey Bay from the list of Active Candidates because of the existence of two other California sanctuaries, the proposed area's relatively large size, enforcement difficulties, and the many existing marine conservation programs already in place.⁸⁴ However, the 1988 reauthorization of the MPRSA reinstated Monterey Bay as an Active Candidate for sanctuary status.⁸⁵

NOAA held two scoping meetings in the Monterey Bay area during January 1989 to solicit public comments on the proposed Sanctuary. Comments during the scoping period requested that the study area be expanded to include a northern area contiguous with the Gulf of the Farallones National Marine Sanctuary and a southern area to include the California Sea Otter Refuge.⁸⁶

Several environmental groups and concerned citizens formed a coalition, the Monterey Bay Sanctuary Working Group, to promote the larger boundary and push for stronger resource protection.⁸⁷ In response to public interest, and possibly because of presidential election politics at the time, the DEIS/MP included Boundary Alternative 5, which provided the largest area coverage⁸⁸ (Figure 5.4). Many did not expect Congress to approve the designation. An important factor contributing to the support for the Sanctuary's authorization was the so-called the "Panetta Promise." Then-Congressman Leon Panetta made commitments to the fishing community, which were incorporated into the EIS and stated that the "proposed designation should have no negative effects on the fishing industry."⁸⁹ The EIS also outlined a process for addressing fishing issues with fishery managers and affected parties should such concerns arise in the future. In other words, at the time of designation, the MBNMS would not propose any fishing regulations. Nevertheless, approval of Boundary 5 was a huge victory to those concerned with the preservation of the area.

⁸⁴ Information is from 48 Federal Register 56253 and the MBNMS EIS Executive Summary

⁸⁵ Marine Protection, Research, and Sanctuaries Act. Pub. L. 100- 627. 11 July 1988.

⁸⁶ MBNMS Final EIS and Management Plan. June 1992.

⁸⁷ MBNMS Council member. Telephone Interview. 5 October 2005.

⁸⁸ MBNMS Council member. Telephone Interview. 5 October 2005.

⁸⁹ Leon Panetta was a "major factor in establishing the Monterey Bay National Marine Sanctuary." From 1976 to 1993 he was elected to Congress to represent California's then 16th District. He later became President Clinton's Chief of Staff. "Leon Panetta." Wikipedia. 2006. Wikimedia Foundation, Inc. 31 March 2006 <http://en.wikipedia.org/wiki/Leon_Panetta>.

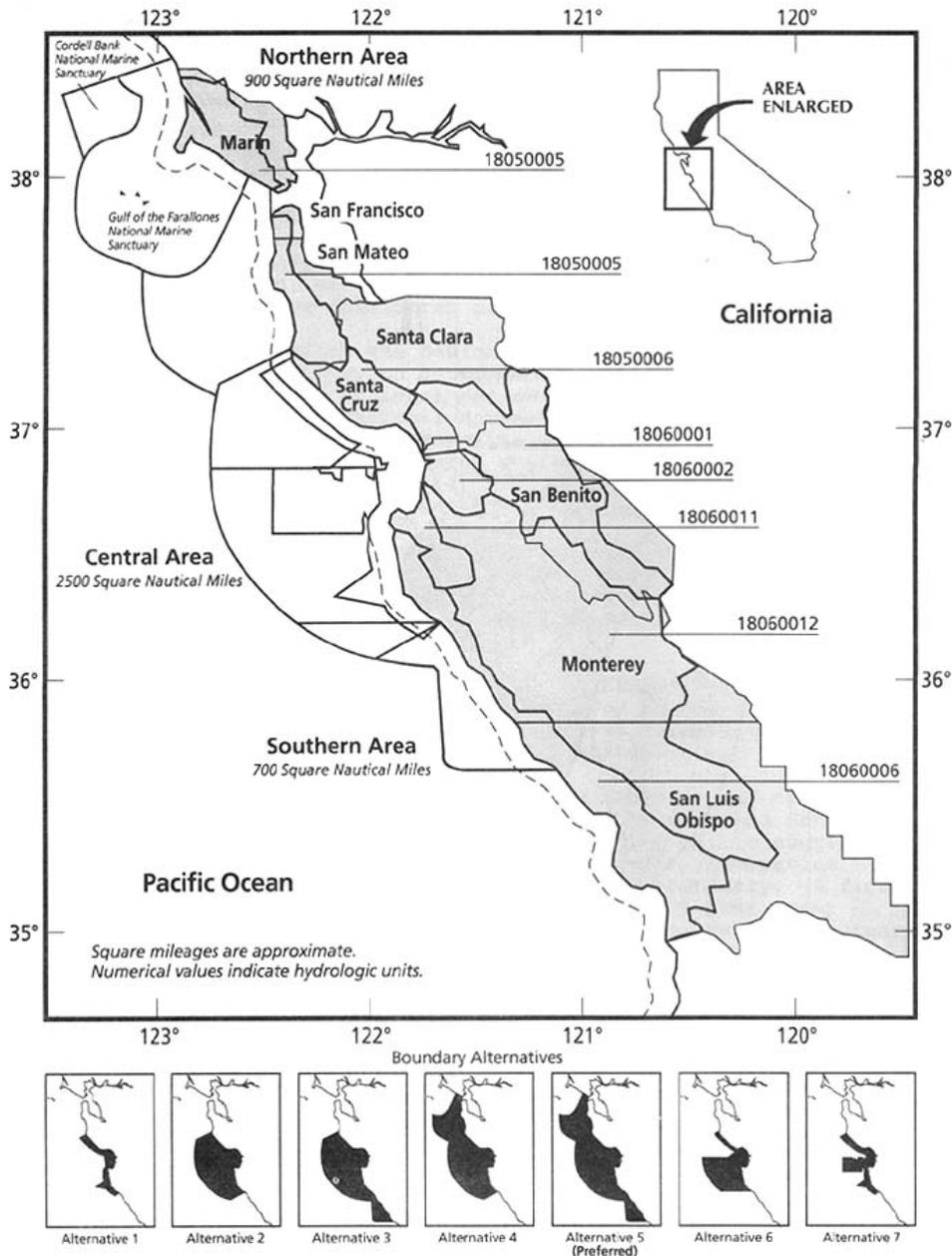


Figure 3. Study Area for Final EIS/MP and Regional Context.

Figure 5.4: Proposed MBNMS Boundaries⁹⁰

NOAA released the Draft EIS and Management Plan in 1990, and the Final EIS and Management Plan in June 1992, thus making the Monterey Bay National Marine Sanctuary the ninth sanctuary in the National Program.⁹¹ Even after the MBNMS was designated, there continued to be public involvement and interest, especially since the EIS recognized that a “Sanctuary Advisory Committee...[would be] a particularly useful mechanism for coordination...and could ensure an exchange of information, advise the

⁹⁰ MBNMS Final EIS and Management Plan, June 1992.

⁹¹ MBNMS Final EIS and Management Plan, June 1992.

Sanctuary manager on permit applications and certifications, research priorities, and regulations.”⁹² Many realized the benefits of an advisory council as a vehicle for their involvement in Sanctuary issues.⁹³

Steps Toward Advisory Council Establishment

The stage was set for public involvement in protecting marine resources before the MBNMS was even established. In many ways, California is synonymous with environmentalism and activism. However, after the Santa Barbara oil spill, protecting California’s coast became more than just an environmental issue, it became a concern for fishing, recreation, and tourism interests as well. Several groups either took up the cause or were founded on the principle of protecting California’s coastal waters. Some of these groups include Save Our Shores, the Ocean Alliance, and the Center for Marine Conservation, later known as the Ocean Conservancy.

These groups, other organizations, and concerned citizens, were very active in the NOAA public scoping meetings when the Monterey Bay National Marine Sanctuary was proposed. As one member noted, while allowing the public to comment “was foreign territory for NOAA,” in many ways local communities led the effort in demonstrating the value of public input and were key in garnering support for designation.⁹⁴ The work of the Monterey Bay Sanctuary Working Group was particularly effective.

The designation of the Monterey Bay National Marine Sanctuary with the large boundary area was considered a success. To ensure that public support for the Sanctuary continued, the communities needed to stay engaged. Section 315 of the National Marine Sanctuaries Act authorizes the establishment of Sanctuary Advisory Councils, which advise and make recommendations to the Secretary of Commerce in the designation and management of the Sanctuaries.⁹⁵ Having such a group involved in the activities and management decisions of the Sanctuary seemed to be a natural fit for Monterey Bay. As a result, the Advisory Council (Council) was established at the time of Sanctuary designation and began formal operations in March 1994. Monterey Bay was treading on new ground as it was the first sanctuary to begin operations with an advisory council already in place. Fortunately however, due to the strong public interest and involvement throughout the initial Sanctuary designation process, finding individuals to sit on the Council was rather easy. At the same time, those who participated in the designation process had also evolved a sense of ownership of the Sanctuary and had strong opinions about how it should be managed. This public-agency dynamic proved to be challenging in the early stages of Council development.

⁹² MBNMS Final EIS and Management Plan, June 1992.

⁹³ MBNMS Council member. Telephone Interview. 10 October 2005

⁹⁴ MBNMS Council member. Telephone Interview. 19 October 2005.

⁹⁵ U.S.C. § 1445(a) Section 315 of the National Marine Sanctuaries Act authorizes the Secretary of Commerce, which has been delegated to the Program Director, to establish Sanctuary Advisory Councils to advise and make recommendations to the Secretary of Commerce in the designation and management of the sanctuaries.

About the Advisory Council

Council Composition

The Charter states that the Council shall consist of no more than 20 voting members (Appendix E). The council consists of two categories of members. The first is governmental members. This group of eight representatives was essential to include because of the shared functional responsibilities across federal, state, and local jurisdictions in the implementation of Sanctuary-related management. They include:

- California Department of Fish and Game;
- California Department of Parks and Recreation;
- California Coastal Commission (Coastal Coordination and Planning);
- California EPA (Water Quality);
- California Resources Agency (State natural resources trustee);
- Association of Monterey Bay Area Governments; and
- Harbor and Port Operating entity.

Next, there are 13 non-governmental members who represent the variety of constituent user groups:

- Research;
- Education;
- Conservation;
- Commercial fishing;
- Recreational fishing;
- Diving;
- Agriculture;
- Business and industry;
- Tourism;
- Non-extractive recreational users; and
- Citizen-at-large (3). Their selection is based on geographic diversity and their experience and knowledge regarding marine issues and practices.

The Council also consists of 6 non-voting members:

- Monterey Bay Sanctuary Superintendent;
- Channel Islands Sanctuary Manager;
- Cordell Bank Sanctuary Manager;
- Gulf of the Farallones Sanctuary Manager;
- Elkhorn Slough National Estuarine Research Reserve Manager; and a
- United States Coast Guard representative.

Monterey Bay's variety of user groups and regional and historical characteristics demand that its Advisory Council reflect these interests. As a result, the council has a large

membership and diverse composition. The diversity of interests becomes apparent when looking at member representation in more detail.

Before sanctuary designation, the Sanctuaries and Reserves Division was responsible for the management of the Elkhorn Slough National Estuarine Research Reserve in cooperation with the State of California Department of Fish and Game. Thus, at the time the Sanctuary was established, Slough managers had a stake in coastal zone management and both Reserve and Sanctuary staff could integrate and contribute to research and education efforts.

A partnership with the Coast Guard was developed at the time of designation due to concerns over vessel traffic and whether additional measures were needed to ensure protection of natural resources. While there were no Sanctuary vessel traffic regulations planned at the time of designation, NOAA has included vessel traffic regulation within the scope of future rulings.

As noted earlier, recreational users include boaters, surfers, personal watercraft users, and scuba divers. These user groups had particular concerns over designation, since the operation of personal watercrafts within the Sanctuary was prohibited in all but four zones.

Monterey Bay is the only council to have an agriculture seat. Runoff from nearby agricultural areas enters the Monterey Bay and poses a threat to the marine ecosystem. Because farmers are located more inland and outside the traditional environmental community, this constituent group has generally been left out of marine-related issues. However, recognizing their importance to the health of the marine ecosystem, the Advisory Council has an agricultural representative and encourages farmers to become educated on the issues and to participate.⁹⁶

Fishing has historical and cultural significance to the area, and is also a major economic force and popular recreational activity. There are several hundred commercial and recreational fishers within Sanctuary boundaries. At the time of designation, fishing regulations were not proposed largely because fish resources were already extensively managed by other authorities.⁹⁷ Recently, Sanctuary staff have questioned their role in regulating fishing, causing fishing representatives to be more active and important in Council deliberations. Due to the popularity and importance of fishing, in 2004 a second fishing seat was added to allow into a recreational fishing seat and a separate commercial fishing seat.⁹⁸

⁹⁶ Results are from the EIS Executive Summary and an advisory council survey response.

⁹⁷ Such parties include the State of California, National Marine Fisheries Service (NMFS), and Pacific Fisheries Management Council.

⁹⁸ MBNMS Council member. Telephone Interview. 5 October 2005, and Council meeting minutes.

Member Appointment Process

The 13 non-government members are expected to serve for a three-year term and may apply to be considered for re-appointment. When a non-government seat becomes vacant, the vacated position is advertised and a replacement is appointed.⁹⁹

The selection process starts when the MBNMS notifies the public of the vacancy through media outlets, the MBNMS webpage, and other sources. Applications are submitted to the Superintendent, who then distributes copies of all applications and nominations to an Advisory Council working group. The group acts as the reviewing body for screening applications for evaluation. Any member who has a conflict of interest abstains him/herself from making a recommendation. Meetings are open to the public in order to allow for public testimony on the candidates.¹⁰⁰ The Superintendent will often conduct interviews with those applicants recommended by the Council or with other individuals he/she wishes to interview. Based on the review process, the Superintendent will make a recommendation and confer with the NMSP Director. If no suitable candidates are identified, the Superintendent may re-advertise the vacant seat.

The Superintendent's heavy involvement in the application and recruitment process has caused some constituent groups and individuals to perceive the process as being biased and undemocratic. However, the MBNMS has recently made several revisions to the process of selecting Advisory Council members to help address this concern.

Reasons for Joining the Advisory Council

Strong public involvement in the area is reflected in why members joined the Council. The majority of members joined because they 1) want to ensure that their stakeholder group was represented; 2) have interest in ocean and coastal conservancy; or 3) are fulfilling a job responsibility.¹⁰¹ Members are often well-networked, have been working in the area and on these issues for quite some time, are committed to the issues, involved in other groups, and have an overall investment in the area. Some like the idea of building coalitions with groups of diverse people, while others are seeking to learn more about the area in which they live and work in.¹⁰²

Council Leadership

The Council elects members to serve as Chair, Vice-Chair, and Secretary. These three individuals serve as the Advisory Council Executive Committee, the Council's leadership body. The Chair facilitates the meetings and helps to plan agendas. The Vice-Chair acts as Chair when the Chair is absent. The Secretary serves a two-year term, and may serve consecutive terms if reelected. The Chair and Vice-Chair also serve two-year terms and

⁹⁹MBNMS Final EIS and Management Plan, June 1992.

¹⁰⁰MBNMS staff. Telephone Interview. 20 October 2005.

¹⁰¹The responses are from the advisory council survey responses.

¹⁰²These answers were gathered from the responses of interviewees.

may serve a maximum of two consecutive terms if reelected. Election for all positions is by majority vote of voting and non-voting Council members.

Aside from the elected leadership, several other members provide leadership for the Council. Often these members have served on the Council for a long time and can provide an institutional memory of what has or has not worked in the past.¹⁰³ In addition, every member has expertise in their specified field, so members look across the Council for leadership depending on the issue.¹⁰⁴

Working Groups

In addition to full Council meetings, there were three working groups created prior to the establishment of the Council. Research, Education, and Conservation Working Groups provide information and advice to the Council on priority issues and respond to Council or Superintendent inquiries concerning the respective interests. A fourth working group for Business and Tourism was officially established in 2001, but only meets when needed. Working Groups are open to the public, permanent, and contain Council members and members of the public. Subcommittees or Task Forces are task-based. Subcommittees are comprised of only Council members while Task Forces are composed of Council members and members of the general public.

Working Group meetings must be conducted in the presence of a Sanctuary staff person. Council members chair all working groups. Meeting agendas are produced in consultation with Sanctuary staff. Any written materials, letters, or reports the groups produce are provided to Sanctuary staff for review and comment prior to finalization and distribution. The working groups may only write to the Advisory Council or Superintendent. Each group has a process that it develops for selecting members and determining how decisions get made during meetings.¹⁰⁵ The public is invited to attend and participate in meetings. Those interested in joining the group, however, must be individuals who are interested in and have expertise and experience in the issue area the Working Group is centered around. Selected working group members review applicants and select future members.¹⁰⁶

The Council also establishes Subcommittees or Task Forces as necessary to provide specific advice to the Council. Subcommittees are official subunits of the Council and are composed solely of Council members. Task Forces are composed of both Council members and members of the public. When requested, reports or advice from a Subcommittee or a Task Force are presented to the Council before they are forwarded to

¹⁰³ MBNMS Council member. Telephone Interview. 6 October 2005.

¹⁰⁴ MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁰⁵ Monterey Bay National Marine Sanctuary, Sanctuary Advisory Council Charter and Protocols. 2004. Monterey Bay National Marine Sanctuary.

¹⁰⁶ MBNMS Conservation Working Group. 10 October 2001. Monterey Bay National Marine Sanctuary, 31 March 2006 <<http://www.montereybay.noaa.gov/intro/advisory/cwg.html>>.

the Sanctuary Superintendent for consideration.¹⁰⁷

Capacity-Building Efforts

Every new member is given a binder of information on the Sanctuary, its issues, the Council, and relevant policies. In addition, new member orientations are provided. However, as one member noted, not all new members attend and it is often brief and can be overwhelming.¹⁰⁸ The Council has had retreats in the past.¹⁰⁹ The agency will sometimes find ways to encourage and reward the work of the Council. For example, in a 2005 meeting, members received briefcases from the MBNMS.¹¹⁰

Functions of the Advisory Council

Overarching Advisory Council Roles

The Council is key in advancing many of the MBNMS's purposes, including:

1. Support of research on and monitoring of the resources;
2. Enhancement of public awareness of the value of this area;
3. Aid in coordinating actions by existing authorities; and
4. Formulation of long-range plans and response to threats that may arise.¹¹¹

The Council is empowered to assist the MBNMS in achieving these goals through its roles as listed in the Council Charter. The major roles can be grouped in three main categories:¹¹²

1. Advise and Assist: The Council is directed to provide advice, assistance, and review to the Sanctuary Superintendent on such issues as prioritization, education and promotion programs, resource management issues, and project coordination.
2. Represent Constituent Groups: The Council is to represent and act as liaison between the MBNMS and their constituent groups. They serve as "good will ambassadors" of the MBNMS and seek to educate the public and promote communication with their groups.
3. Provide a Public Forum: The Council is to serve as a public forum for consultation and deliberation and be sources of expertise that the MBNMS and members of the public can draw on for advice, information, and assistance.

The understanding of these roles appears to be echoed among Council members. Most agreed that one of its purposes is simply "to advise."¹¹³ Other members referred to other

¹⁰⁷ Monterey Bay National Marine Sanctuary, Sanctuary Advisory Council Charter and Protocols. August 2005. Monterey Bay National Marine Sanctuary.

¹⁰⁸ MBNMS Council member. Telephone Interview. 11 October 2005.

¹⁰⁹ MBNMS Council member. Telephone Interview. 12 October 2005.

¹¹⁰ MBNMS Council member. Telephone Interview. 11 October 2005.

¹¹¹ MBNMS Final EIS and Management Plan. June 1992.

¹¹² Monterey Bay National Marine Sanctuary, Sanctuary Advisory Council Charter and Protocols. 2005.

¹¹³ MBNMS Council member. Telephone Interview. 11 October 2005.

purposes such as to “provide a public forum for discussion of Sanctuary issues.”¹¹⁴ Many members consider themselves “ambassadors of the Sanctuary and constituents.”¹¹⁵ In other words, as one member put it, “the SAC may be the only face that’s on the agency. It expands the public face of the Sanctuary in a huge way. The SAC is an excellent mechanism for the Sanctuary to, cost effectively, get its message out there and have ambassadors.”¹¹⁶ According to one member, in terms of usefulness to the agency, the Council is also a “sounding board for the sanctuary management to bring forward different projects and plans that they are working on and gather feedback that is useful to them.”

Many members also agree that while most understand their role and purpose, some do not. The Charter specifically states that there is nothing “that constitutes authority to perform operational or management functions, or to represent or make decisions on behalf of the agency.” However, particularly in the past, some members believed that the Council should play more of a management role.¹¹⁷ As discussed later, this has proven challenging at times.

Meeting Management

Formal Council sessions are scheduled by the Chair with the concurrence of the Superintendent. While the Council meets as frequently as necessary, it is not to exceed once a month and at least once every six months. However, during the 2000-2006 time period, the Council met approximately six times a year. Meetings were dispersed throughout the Sanctuary’s boundaries, and were typically held on Fridays from 9am to 4 or 5pm.

According to Council Protocols, the purpose of Council meetings are to be “informative working sessions designed to educate Council members, the attending public, and the Sanctuary office about issues affecting the Sanctuary, and to provide advice and recommendations to the [Superintendent] regarding the management and protection of the Sanctuary and its resources” (Appendix E).¹¹⁸ Members also use the meetings to communicate constituent concerns.

Meeting agendas are prepared by the Chair and concurred by the Superintendent. They both discuss agenda items, time allotments, and order of items. Agendas include topics such as important Sanctuary issues, reports from the Sanctuary Superintendent, reports from Working Groups, Subcommittees, and Task Forces, as well as allow time for public comment. The proposed agenda is made public at least three business days prior to the meeting. Past agendas and meeting minutes are kept on file and posted on the MBNMS website.¹¹⁹

¹¹⁴ MBNMS Council member. Telephone Interview. 12 October 2005.

¹¹⁵ MBNMS Council member. Telephone Interview. 5 October 2005.

¹¹⁶ MBNMS Council member. Telephone Interview. 6 October 2005.

¹¹⁷ Many interview respondents cited this.

¹¹⁸ Monterey Bay National Marine Sanctuary, Sanctuary Advisory Council Charter and Protocols. 2005.

¹¹⁹ See <http://www.mbnms.nos.noaa.gov/intro/advisory/advisory.html> to see past agendas and meeting minutes.

Members can propose items for the agenda by submitting ideas to the Chair and the Superintendent, who will often contact the members and discuss the issue further. Oftentimes, the Superintendent will ask the Council for specific advice. For example, when the MBNMS was given a new budget, the Superintendent asked the Council what programs should be prioritized.¹²⁰

Meetings are open to the public and the media. Members of the public can present oral or written statements on items on the agenda. In addition, time is allotted in each meeting for the public to introduce and inform the Council about issues not on the agenda. The Chair calls on audience participants and the direction of the discussion is at the Chair's discretion.

The Council also holds Council Work Sessions, which are informal meetings to address internal issues such as strategic planning and administrative matters. Examples include the Council Retreat and the Public Relations Workshop.

Role of Advisory Council Participants

Members and Alternates

Members fulfill the roles specified in the Charter to achieve the MBNMS mission. When members cannot attend meetings, alternates sit in the member's place and have all the rights of the member, including voting privileges. The Chair and the Sanctuary Superintendent must be notified before an alternate officially attends a meeting.

If a primary member resigns, the alternate will be asked to fill in until recruitment for both the primary and alternate seats can be conducted. The alternate may choose to remain the alternate, even if he or she applies and is not selected for the primary seat.

The individuals selected for the conservation, education, research, business, and tourism seats on the Council must also serve as the chair of each respective working group. The alternates selected for those seats serve as vice-chairs.

The Council Chair's duties include scheduling and setting the agendas for full Council meetings with the concurrence of the Sanctuary Superintendent, presiding over Council meetings, signing all correspondence and documents authorized by the Council, and generally representing the Council's interests and concerns to the public. In addition, the Chair has a responsibility to his or her constituency, which at times can be challenging.¹²¹ The Vice-Chair serves as Chair when the Chair is absent and assists as necessary in performing executive duties of the Council.

The Secretary assists Sanctuary staff in recording the minutes for each full meeting. He or she writes correspondence directed by the Council, helps to prepare an annual report

¹²⁰ MBNMS Council member. Telephone Interview. 6 October 2005.

¹²¹ MBNMS Council member. Telephone Interview. 11 October 2005.

on Council activities, and performs other administrative duties as directed by the Chair or Vice-Chair.

Council members are also responsible for recognizing and communicating the issues and events affecting their constituents. In order to achieve this, members are expected to frequently correspond with constituents, notify and remind constituents about the goals, purpose, and activities of the Council and MBNMS, and in turn bring constituent concerns to the attention of the Council.

Relationship between Sanctuary Staff and the Council

One challenge any council may confront is determining the scope of its authority and the nature of its relationship to sanctuary staff. A large council is especially likely to have differing perceptions on priorities and how the council should function and relate to the staff. Monterey Bay is no different. The Council has a history and reputation of being slightly contentious,¹²² particularly concerning its agency to member relations.

For example, in many respects Sanctuary staff provide oversight to Council actions. Any correspondence, press releases, informational releases, meeting minutes, news articles, or other written documents that speak for the Council must be approved by the Chair and the Superintendent before being released and/or made public. In addition, the Council cannot provide recommendations or advice to the Secretary of Commerce unless approved by the Superintendent. Members are directed not to present individual opinions as those of the Council, Superintendent, staff, or NOAA.

While these measures ensure that the Council and staff communicate, accountability of Council actions, and that the Council stays within their bounds of authority, the supervision can be frustrating. While not the majority view, one member felt that the close interaction leads to the MBNMS “cleans[ing] or minimize[ing] the minutes of almost all critical remarks of sanctuary proposals and policies...making the SAC a farce.”¹²³

However, most others believe that the Superintendent has great respect for the Council and the process.¹²⁴ They believe that the Superintendent and staff provide useful guidance and information.¹²⁵ Having agency input “provides the framework in which [the Council] can be effective,” ensuring that the Council does not “provide advice in a vacuum.”

The Council works mostly with the Superintendent and Coordinator and not as much with the other staff. While it is not the other staff’s role or job to work closely with the Council, they are an important resource for Council members,¹²⁶ and many members

¹²² MBNMS Council member. Telephone Interview. 11 October 2005.

¹²³ The statement was according to a respondent from the advisory council survey.

¹²⁴ MBNMS Council member. Telephone Interview. 11 October 2005.

¹²⁵ MBNMS Council member. Telephone Interview. 5 October 2005.

¹²⁶ MBNMS Council member. Telephone Interview. 12 October 2005.

contact them frequently. The staff attend full Council and working group meetings, provide information, reports, and updates, and deliver presentations. Council members agree that the staff are very “patient and giving of their time.”¹²⁷

Making Decisions

Members generally understand that it is possible to work together, find common ground, and still represent their constituency. Over the past four years or so, the Advisory Council has strived to make decisions based on consensus rather than on majority vote.¹²⁸

Conflicts arise most often among user groups, which can hinder the decision-making process depending on the issue. Some community members not familiar with this form of collaboration can feel “that the Council is failing if it is not beating up NOAA and beating up the sanctuary program.”¹²⁹

Council Actions, Implementation, and Perception

Despite its purely advisory role, the Council nevertheless has the ability to undertake several tasks. These tasks fall into four categories:

1. **Correspondence:** The Council may write correspondence to the agency on specific topics or issues. A correspondence is written if the motion to do so is passed during a Council meeting. For example, in December 2003, the Council wrote a letter to the Superintendent, which was later forwarded to headquarters, on the Council’s recommendations on the reauthorization of the National Marine Sanctuaries Act.
2. **Resolutions:** These documents provide formal Council recommendations for action on specific issues or to state formal Council opinions. Any member may make a motion to draft a resolution on an agenda item. For example, in February 2003, the Council adopted a resolution that recommends the development and adoption of a regulation in the MBNMS to prohibit harmful discharges from cruise ships.
3. **Annual Report:** This document highlights the Council’s major accomplishments, projects, correspondence, and resolutions as well as contains a summary of Working Groups’ activities. The Report is drafted by the Secretary and appropriate Sanctuary staff. Draft Reports are given to the Superintendent prior to being made public. A final report is sent to the Superintendent, who forwards it to NMSP.
4. **Comments on Special Reports, Proposals, Legislation, and Other Documents:** Written comments on legislation or documents related to legislation may be forwarded by the Council to the appropriate parties with the concurrence of the Superintendent. Written comments may be requested by the Chair, the Superintendent, or any Council member. After discussion, the Council will vote on whether or not to provide comments. The Council will give guidance on the

¹²⁷ MBNMS Council member. Telephone Interview. 6 October 2005.

¹²⁸ This was according to the majority of advisory council survey respondents.

¹²⁹ MBNMS staff. Telephone Interview. 20 October 2005.

preparation of the comments. For example, in the August 2005 meeting, the Council agreed to draft a letter to the U.S. Bureau of Reclamation in response to a proposed project that could potentially harm Sanctuary waters.

Note that all documents are reviewed and concurred in their draft form by the Chair and Superintendent. After review, it is returned to the Council for final approval, often by taking a vote. The Chair signs all documents and if it is an official document, a disclaimer is placed at the end stating: “The Council is an advisory body to the Sanctuary Superintendent. The opinions and findings of this publication do not necessarily reflect the position of the Monterey Bay National Marine Sanctuary and the National Oceanic and Atmospheric Administration.”

When deciding management direction for the Sanctuary, the Superintendent considers Working Groups’, Subcommittees’, Task Forces’, and Council’s advice. The Superintendent informs the Council of any decisions and proposed actions either at a regular meeting and/or in writing to the Chair and relevant subgroups.

The Council can appeal when the Superintendent or NMSP makes a decision that is different than the Council’s recommendation. In this case, the decision-maker must inform the Council of the difference prior to the decision becoming final. The Council then works with the Superintendent or NMSP to attempt to reach a mutually agreeable resolution. If the issue cannot be resolved, the Council may write a letter to the next higher authority, expressing the Council’s concerns, requesting that the decision-maker re-evaluate the issue, and recommending a course of action.

Regarding actual implementation of their recommendations, some members could not articulate how effective the Council is, even though they believe that Sanctuary staff do take recommendations seriously.¹³⁰ Many were certain that “it is unusual when advice is not taken.”¹³¹ However, the process is not linear and is difficult to generalize because of the variety of tasks in which the Council is involved.¹³² Regardless if recommendations are adopted, members agree that the Superintendent listens to them and respects their opinions.¹³³ The Superintendent tries to do what the Council requests and follow up on recommendations as much as possible, and, as a member put it, if “he can’t, he’ll explain why he or the agency is unable to.”¹³⁴ Agency staff consider the Council to be a “very integral part in how [they] do business.”¹³⁵

Factors Outside the Council

Websites, newsletters, and local papers notify the public of Council vacancies, meeting times and locations, and subgroup meeting times and locations. When it comes to media

¹³⁰ MBNMS Council member. Telephone Interview. 3 October 2005.

¹³¹ MBNMS Council member. Telephone Interview. 5 October 2005.

¹³² MBNMS Council members. Telephone Interviews. 10 October 2005 and 11 October 2005.

¹³³ According to Advisory Council survey results, 85% (n=16) of Monterey Bay respondents “agreed” or “strongly agreed” that staff respond to Council recommendations in a timely manner.

¹³⁴ MBNMS Council member. Telephone Interview. 12 October 2005.

¹³⁵ MBNMS staff. Telephone Interview. 20 October 2005.

relations, Council Protocols direct the Council to assist Sanctuary staff in public relations activities that communicate information about MBNMS programs, special events, and policies. Some communities appear to be more aware of Council activities. For example, when the Council has their annual meeting in Cambria, the meetings are usually well attended because locals “get the word out and their local press does a good job of letting people know.”¹³⁶ However, when it comes to public notification and education of Council and MBNMS activities, members and staff feel that more outreach would be helpful.

Involvement of elected officials and local governments largely depends on the topic at hand, and will be discussed later.

Advisory Council Resources

Members of the Council are volunteers. Their only compensation is for travel expenses and per diem for meals, when travel exceeds 50 miles.¹³⁷ No members of Working Groups receive travel expenses for Working Group meetings or activities.¹³⁸ For some of the governmental members, their respective agency or department will pay for travel expenses.

The Advisory Council Coordinator is an important resource to Council members. The Coordinator is responsible for coordinating the meeting time, date, and place, setting up the food, making copies, and other logistics.

Major Issues Facing the Council

The Council has been involved in a wide variety of topics such as the laying of fiber optic cables in the Sanctuary, kelp harvesting and management, Highway 1 Management Plan, reauthorization of the National Marine Sanctuary Act, jade collecting in Big Sur, and vessel traffic safety. Another issue was determining management jurisdiction of the Northern Management area. While the area is within the MBNMS boundaries, it is being managed primarily by the Gulf of the Farallones. The MBNMS office still handles water quality and agricultural planning for the area though. The issue will be discussed in more detail in later sections.

Marine Protected Areas

A current issue is the designation of Marine Protected Areas. The California Fish and Game Commission is implementing protected areas under California’s Marine Life Protection Act in state waters. The MBNMS is doing the same thing in conjunction with the State for protected federal areas within the Sanctuary.¹³⁹

¹³⁶ MBNMS Council member. Telephone Interview. 12 October 2005.

¹³⁷ This is in accordance with sections 5702 and 5703 of Title 5, U.S.C.

¹³⁸ Monterey Bay National Marine Sanctuary, Sanctuary Advisory Council Charter and Protocols, 2005.

¹³⁹ MBNMS Council member. Telephone Interview. 6 October 2005.

The Joint Management Plan Review

The Joint Management Plan Review (JMPR) process began in 2001. It is a combined effort with Cordell Bank NMS and Gulf of the Farallones NMS to develop a comprehensive management plan for the coastal resources of the area by prioritizing issues, gathering public input, and developing action plans. The NMSP selected the issues to be addressed in the JMPR following extensive public scoping and issue prioritization. Twenty scoping meetings were held between November 2001 and January 2002, and over 12,500 comments were received.¹⁴⁰

The Council dedicated significant time and effort to the management plan. For example, while the Council typically meets about six times a year, they had eleven meetings in 2003.¹⁴¹ Working groups were established for each action plan, and all groups also had several meetings. About 200 members of the public served on these working groups, a Monterey Bay staff member was the agency lead, and each Council member was on at least one group.¹⁴² The Council ended up with 26 action plans, all of which are encompassed in the JMPR.¹⁴³ Some of the bigger issues tackled within the plan include cruise ship discharge, water quality and source management, personal watercraft (PWCs) use, krill harvesting, Davidson Seamount management,¹⁴⁴ and desalination.

Council involvement in the JMPR was very valuable to the MBNMS. The Council developed plans, assisted the MBNMS with prioritizing, sought constituent input, encouraged public involvement, and attended and participated in additional meetings. The challenge now is that the MBNMS, Council, and the public are waiting for NOAA headquarters in D.C. to approve the plan. Timelines have been set and passed and they still have heard no word. The JMPR will be discussed later.

Accomplishments

The Council and staff members consider the major accomplishments of the Council to be the JMPR, increasing public awareness of the Sanctuary, its activities, and its purpose, influencing specific management decisions, and being a liaison and public forum for discussion.

The Joint Management Plan Review

¹⁴⁰ "Joint Management Plan Review: Proposed Action Plans." A Report to the National Marine Sanctuary Advisory Council. June 2003. Sanctuaries Web Group. 31 March 31, 2006
<http://sanctuaries.noaa.gov/jointplan/m_reptoad.html>.

¹⁴¹ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁴² MBNMS staff. Telephone Interview. 20 October 2005.

¹⁴³ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁴⁴ The Davidson Seamount is an inactive underwater volcano. Its unique geologic features make it an ecologically diverse area. The Council and Sanctuary included the area as part of the Sanctuary's protected waters. Fishing was formerly allowed along the Davidson Seamount but is now prohibited.

The JMPR is often cited by staff and Council members as a major accomplishment. As stated previously, the Council dedicated a great amount of time and effort to the management plan. The Council was involved in “identifying issues, prioritizing these issues, and providing invaluable experience, expertise, and perspective from each of our sets of representation.”¹⁴⁵ Members also developed plans, encouraged and sought public input and involvement, and participated in working groups.

From the agency point of view, the Council was integral to the whole process and the relationship has proven to be a “positive partnership.”¹⁴⁶ In return, Council members have valued the work of the staff, who also dedicated considerable time to the JMPR.

The sheer amount of public involvement, participation, and feedback (26 Working Groups with 200 people participating, and 400 people at one meeting) in the whole process is also considered an accomplishment.¹⁴⁷ Some members consider the experience an unprecedented example of public participation. They see “the number of scoping meetings and the level of involvement [as] amazing.”¹⁴⁸ The MBNMS and the Council put in a great amount of effort to tap into every community group that would be affected and ensured they were represented in the working group.

However, while many cite the JMPR as a success, many are reluctant to check it off as a true accomplishment because of the delays at the NOAA office. The Council will consider the JMPR a true accomplishment when it is returned to the MBNMS for implementation.

Enhancing Relationships

The Council has been key in increasing trust between the agency and the public, especially in terms of federal versus local interests. There is the presumption that the federal government, with its bureaucracy and the offices in Washington D.C., is furthest away from the citizen. The MBNMS is no exception, especially since there is only one Superintendent and a staff of about 30. Considering the area’s population, the size of the Sanctuary, and its limited staff, the Council’s communication and liaison roles are very important.¹⁴⁹

At the time the Sanctuary was designated, the relationship between the general public and NMSP was relatively hostile; community unease and discontent spread through the Council. At the time the current Superintendent was hired, MBNMS needed someone who had a vision, was creative, but was also a good manager who could produce results and meet deadlines. The Superintendent has put in much effort and resources in working with Sanctuary staff and the Advisory Council to ensure they are appreciated, supported, respected, and acknowledged. After a couple years, that energy and motivation trickled

¹⁴⁵ This was according to a respondent to the advisory council survey.

¹⁴⁶ MBNMS staff members. Telephone Interviews. 20 October 2005.

¹⁴⁷ MBNMS Council member. Telephone Interview. 5 October 2005.

¹⁴⁸ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁴⁹ MBNMS Council member. Telephone Interview. 5 October 2005.

down to the community, which began to recognize that this was a worthwhile program that was contributing to protecting coastal resources.¹⁵⁰ The agency and Council working relationship is now very positive because of the commitment of staff and members, and the respect both parties have for each other.

The Council has additionally enhanced the relationship with the public in two ways. First, Council participants are respected members of their community who notify their constituents on what is going on and gather feedback. They play an ambassador role.¹⁵¹ Second, they provide a regular place for public engagement. There are several scheduled meetings a year where the public can come and raise concerns and learn about current issues. Meetings are offered at different locations, which is beneficial for the different communities. With other agencies, this type of public meeting is usually sporadic.¹⁵²

An example of the MBNMS responding to constituent interests and having meetings throughout its territory occurred in Cambria. The community is very active, environmentally aware, and wants to be involved in protecting Sanctuary resources. The city is also at the southernmost border of MBNMS. As a result, they felt neglected and local governments were critical of the MBNMS. Recently, however, MBNMS and the Council have made real efforts in supporting community outreach and education programs in Cambria. A new visitor center was established and now Sanctuary staff have a presence in the area. This has helped community relations and a positive partnership has been created.¹⁵³

As a whole, however, the Council has a low profile. To those that are concerned with the issues, it is seen as an open and accessible forum. Since everything is done as part of a public process, it makes the management of the Sanctuary more publicly accepted.¹⁵⁴

Members have a certain level of satisfaction from being on the Council and knowing that this body exists and is respected. Some applaud the NMSP for establishing advisory councils in the first place.¹⁵⁵ Members realize that there would be many consequences if the Council did not exist.¹⁵⁶ While the staff would be able to dedicate more time toward managing the Sanctuary, their management decisions and actions would be disconnected from the community. All the public outreach and participation would not occur and stakeholders' interests would not be heard. Some members express concern that leaving the public out of the decision-making process would result in decisions being biased toward a federal government perspective. The rift would create a wary public, reduce public trust in the NMSP, eliminate the transparency of MBNMS decisions, and generally make stakeholders less likely to accept Sanctuary policy. The Council though "helps the Sanctuary stay balanced in understanding all aspects of its decisions."

¹⁵⁰ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁵¹ MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁵² MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁵³ MBNMS Council member. Telephone Interview. 3 October 2005.

¹⁵⁴ MBNMS Council member. Telephone Interview. 19 October 2005.

¹⁵⁵ MBNMS Council members. Telephone Interviews. 11 October 2005 and 19 October 2005.

¹⁵⁶ This was according to many advisory council survey respondents.

Sanctuary Management Accomplishments

While members realize that the Sanctuary staff manage the Sanctuary, staff understand that the Council is influential by providing advice, recommendations, and the public's perspective. The Council has brought issues to the agency that staff may not have foreseen.

The Council has been successful in pushing some issues forward that NMSP might have been hesitant to take up because of political reasons. NOAA "often wants to step lightly around them, but the Council will take them head on."¹⁵⁷ Some of these issues include military activities, effects of sound, Davidson Seamount, jade collecting, and fishing. A member noted that some of these issues might have been "swept under the rug if it weren't for the Advisory Council."¹⁵⁸

Many of the tasks the Council once faced have turned into accomplishments. For example, the Council has helped to resolve issues such as jade collecting, establishing protection of the Davidson Seamount, developing a policy for cruise ship discharges and for motorized personal watercraft, developing the vessel traffic management plan, and assisting in the creation of SIMoN.¹⁵⁹ The Council has been advising the MBNMS on establishing a visitor's center in Santa Cruz and placing interpretive signage along the coast. They have also addressed the issue of the Sanctuary staff being contract employees. While some members felt that it was not their place to consider the matter, they resolved to write a letter to Dan Basta encouraging him to change the system to have as many full-time employees with benefits as possible. The argument was that this would ensure a more committed, stable organization. The Superintendent did end up making changes to some staff positions.¹⁶⁰

Factors that Contribute to Success

Most members agreed that the most important factor contributing to Council effectiveness is committed Council members.¹⁶¹ Commitment can come in several forms. Most members have a clear sense of the Council's role, they take serious charge in bringing forward and representing stakeholder interests, and they are smart and professional people.¹⁶² There is mutual respect among members; they are "not looking for a fight" and are at the table to find solutions.¹⁶³ While Council members do not always agree among themselves, or with Sanctuary staff, they are typically respectful. Members are willing to compromise and willing to change positions after other views are

¹⁵⁷ MBNMS Council member. Telephone Interview. 19 October 2005.

¹⁵⁸ MBNMS Council member. Telephone Interview. 19 October 2005.

¹⁵⁹ SiMon (the Sanctuary Integrated Monitoring Network) a tool for researchers and scientists that helps to prevent duplication of research efforts.

¹⁶⁰ MBNMS Council member. Telephone Interview. 12 October 2005.

¹⁶¹ 70% (n=15) of MB Council members "strongly agreed" or "agreed" that this was a factor.

¹⁶² MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁶³ MBNMS staff. Telephone Interview. 20 October 2005.

heard.¹⁶⁴ Since the Sanctuary is so large and many Californians are interested in marine resources, there can be some competition for seats. As a result, those chosen consider it an honor. New members take an oath at the beginning of their first council meeting. This tradition helps to educate new members and remind old members of their role and how they value being on the council.¹⁶⁵ Existing members serve as role models for new members as well.¹⁶⁶ The members' personal commitment, openness to opposing views, willingness to work together, and their professionalism are all traits that contribute to Council effectiveness.¹⁶⁷

There is also respect between the Council and staff. The Superintendent has been influential in nurturing this relationship. Since he views the Council as important, the staff values it as well.¹⁶⁸ The staff is responsive to the Council by providing information, responding to questions, and delivering presentations. Members in turn recognize how staff support the Council and how the staff have been instrumental to promoting Council effectiveness.

Because of the critical role the Superintendent plays concerning all Council decisions and actions, as well as the member selection process, he is especially influential. During the rigorous application process, the Superintendent is not looking for "yes people, who are going to do what [the Sanctuary] want[s] to do" or for people "who want to disrupt everything that is going on."¹⁶⁹ Instead, the Superintendent tries to select individuals "who can adequately represent their seat and who are willing to work in a collaborative manner towards common solutions."¹⁷⁰ When it comes to making decisions during Council meetings, the Superintendent will encourage the Council to find common ground.

Additional factors that members noted include the commitment of the Chair, Coordinator, public, and Program Director. Effective chairs ensure that everyone is involved, engaged in dialogue, and working together to support the Sanctuary. The public was especially involved in the JMPR process, which helped improve Council relations with the community, by forcing the Council to be more visible and be more active with their constituents.¹⁷¹ Credit was also given to the Program Director, Dan Basta, for his support for the NMSP.¹⁷²

¹⁶⁴ This was according to many advisory council survey respondents.

¹⁶⁵ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁶⁶ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁶⁷ This was according to many advisory council survey respondents.

¹⁶⁸ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁶⁹ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁷⁰ This was according to a respondent of the sanctuary staff survey.

¹⁷¹ MBNMS Council member. Telephone Interview. 11 October 2005.

¹⁷² This was according to advisory council survey respondents.

Challenges

Past Challenges and Lessons

Learning to Work Together Over Time

Members' expectations of the Advisory Council's roles and responsibilities have evolved over time. When the Sanctuary was established, there were several members who had a sense of ownership of the Sanctuary and believed it was "their baby." They helped create it and had their own idea about how it should be managed. When the MBNMS began to evolve and set management direction, it was difficult for these members to let go and accept their advisory role.¹⁷³ As a result, some viewed the Council as "yes men" and "impotent in general."¹⁷⁴ The Council has had challenges understanding what it can and cannot do, but, for the most part, these times are behind them.¹⁷⁵

Some members believe that NOAA gave the Council "lip service" in the beginning, just so they could say that they included public outreach, but did not take them seriously. The Council continued to remind the agency that their input was meaningful and that this relationship was important. The relationship has grown over time and members now feel that the Council's recommendations and advice are respected.¹⁷⁶ This can be attributed to both how the Council has evolved over time and to the Superintendent and "committed, dedicated, and talented" staff. The Superintendent came with a vision on how to manage the Sanctuary and utilize the Council. As a result, he has put in a great deal of work and energy into the Advisory Council to ensure that it feels supported and respected by the staff and himself. Staff attend and present at meetings, there is a Council website, and staff provide members with information and resources.¹⁷⁷

Through learning, experience, and the Council finding ways to grow into itself, members have also gained a better relationship with their constituency. The public now sees the Council as an open forum where their views are heard and taken seriously. Because of the Council, this interesting mix of constituents, including recreation, fishing, and agriculture, are now coming together to discuss issues. Those who used to believe that they were on opposite sides have come to realize that they share common ground.¹⁷⁸

The Northern Management Area

Another issue was the Northern Management Area, in which some wish the Council had been more involved. The Northern Management Area is still in the Monterey Bay Sanctuary, but it is being managed primarily by the Gulf of the Farallones, even though MBNMS is still doing water quality and agricultural planning for the area. While this

¹⁷³ MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁷⁴ MBNMS Council member. Telephone Interview. 6 October 2005.

¹⁷⁵ MBNMS Council member. Telephone Interview. 19 October 2005.

¹⁷⁶ MBNMS Council members. Telephone Interviews. 12 October 2005 and 19 October 2005.

¹⁷⁷ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁷⁸ MBNMS Council member. Telephone Interview. 19 October 2005.

area was included as part of the Sanctuary at the time of designation, Sanctuary staff was not heavily involved in the community that far north, despite the MBNMS identity of managing the largest sanctuary. Sanctuary staff did not engage or work with local constituents, there were no local offices, and the MBNMS generally lacked a presence in the area. Instead, they stopped at Half Moon Bay. As a result, the community did not feel that they were part of Monterey Bay and felt closer to Gulf of the Farallones. Some members of the community asked for boundary adjustments so that they could be placed with Gulf of the Farallones. NOAA rejected this, but the NMSP Director resolved to have the upper part be managed by the Gulf of the Farallones.

Some consider this decision to be a mistake. As one member commented, the MBNMS should have found ways to “fix the problem” and should not have “given it away for someone else to manage.” Perhaps more resources, programs, and activities that addressed the needs and interests of the area would have helped and made the community feel that they were more a part of MBNMS. As one member emphasized, “the Sanctuary, no matter how big or small, needs to take care of all their constituents.” Despite this controversial issue, a positive relationship between the two Sanctuaries exist.¹⁷⁹

Member Selection

Like most councils, the MBNMS has encountered challenges associated with member selection for its advisory council. In particular, concerns were raised at one point that the members appointed by the Superintendent did not adequately represent their constituent group.¹⁸⁰ Tensions soon arose that needed to be addressed. Some council and community members suggested that each stakeholder group should be able to select their own representative. Doing so, however, would leave potential applicants who are not part of an organized group out of consideration. It would also preclude the Sanctuary from ensuring that its other criteria for member selection were satisfied. While the issue was distracting for a time for the Council, it was eventually resolved through discussions between the MBNMS and the concerned external groups and steps have been taken to make the selection process more transparent.

Current Challenges

Understanding the Council’s Role

Many members also agree that while most understand their role and purpose, some do not. Some members believe that the Council should play more of a management role.¹⁸¹ This has resulted in conflicts between other members and with MBNMS management. It also often results in some members grandstanding and trying to push forward personal agendas. While these issues are still a concern, they were more of a problem in the Council’s early years.

¹⁷⁹ MBNMS Council member. Telephone Interview. 12 October 2005.

¹⁸⁰ MBNMS Council member. Telephone Interview. 11 October 2005 and 19 October 2005.

¹⁸¹ This statement was according to most interview respondents.

The Sanctuary and Fishing

Another challenge is the MBNMS's role as a regulatory agency, and specifically, whether it should control fishing. The MBNMS does not wish to be the primary agency that regulates fishing because the California Department of Fish and Game and the National Marine Fishery Service have these responsibilities. Nevertheless, MBNMS may need to restrict fishing in some fashion in the future. If other agencies do not act, the MBNMS may need to propose regulations to protect habitats or declining populations and to fulfill its mandate for resource protection. This would require a change from MBNMS policy at the time of designation. However, most Council members realize that times have changed. While they are not enthusiastic about the MBNMS stepping in on this issue, they have been somewhat supportive of the Superintendent's position that if necessary, he would consider it.¹⁸² This has the fishing community feeling upset and betrayed; and leaves many others thinking that the MBNMS is overstepping its bounds.¹⁸³

Other Challenges

Some challenges are based on the nature of the area; the Sanctuary is the largest, near urban centers, contains multiple user groups, and has great ecological significance. This creates a diversity of issues to tackle, and necessitates a large council membership. The size of the Council often leads to tension between having adequate representation and needing a manageably-sized group where work can be accomplished.¹⁸⁴ The Council also faces the challenge of having to be structured enough to prioritize issues and produce results, while also being flexible enough to deal with issues that demand immediate attention.¹⁸⁵

The slow pace of government bureaucracy, especially the hold up of the Jmpr process, is also considered a major challenge by some members. The delays are frustrating to both the MBNMS and the Council and are causing the public interest to lose momentum.¹⁸⁶ The delays have also lead to problems for the Council because each time membership changes, the Council needs to repeat discussions about the Jmpr with new members.¹⁸⁷ However, Council members understand that the hold ups have been due to the complex tri-sanctuary process, and at the national level, not locally.

Personal Challenges

There are many challenges that come with the territory of being part of a large, diverse group of people. Several constituent groups are inherently difficult to represent. For example, the research community is not usually attentive to things outside the scientific realm, so capturing their attention to policy and management related issues can be a

¹⁸² MBNMS Council member. Telephone Interview. 12 October 2005.

¹⁸³ MBNMS Council member. Telephone Interview. 11 October 2005.

¹⁸⁴ MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁸⁵ MBNMS Council member. Telephone Interview. 6 October 2005. An example of this type of issue would be the San Luis Drainage EIS.

¹⁸⁶ MBNMS Council member. Telephone Interview. 19 October 2005.

¹⁸⁷ MBNMS Council member. Telephone Interview. 10 October 2005.

challenge.¹⁸⁸ The citizen-at-large seat represents “everybody and nobody,” making it a very large and diverse group to represent.¹⁸⁹ As a result, members may disagree with the personal views and beliefs of some of the public. Regardless of personal biases, the member will take all these views to the table.¹⁹⁰ It can also be challenging to represent the conservation community. There are established environmental groups but also many individuals unaligned with a group who identify themselves as environmentalists that are scattered throughout the Sanctuary.¹⁹¹

The time commitment can also be a challenge for some members; especially as members are often involved in other aspects of the community. Alternates become especially useful in this regard.¹⁹²

From the point of view of agency personnel, it can be difficult to balance the wish of giving the Council freedom and flexibility, with the requirement of following government regulations and processes.¹⁹³

The Superintendent has emphasized to the staff the importance of the Council and the staff has responded. Oftentimes, however, meetings will get behind schedule, and staff presentations will be cut short or postponed. This can be discouraging for staff, and make them feel unappreciated by Council members. The Superintendent has “pumped up the staff,” but now he needs to “pump up the Council to make sure it respects and appreciates the level of effort the staff is putting into it.” According to the Superintendent, eight years ago, the Council would have been flattered with the current level of attention from the staff; now it has become an expectation.¹⁹⁴

It is also difficult to satisfy both national and local expectations. This is especially apparent in Monterey Bay, where the community is involved and has high expectations for the Sanctuary. Fortunately, the Superintendent believes that Dan Basta appreciates this difficulty and is sympathetic to these challenges. This may not be such a challenge for other Sanctuaries where the staff are just trying to get people interested.¹⁹⁵

Recommendations and Conclusions

Council and staff survey respondents and those interviewed offered many suggestions for MBNMS and for other advisory councils.

¹⁸⁸ MBNMS Council member. Telephone Interview. 3 October 2005.

¹⁸⁹ MBNMS Council member. Telephone Interview. 11 October 2005.

¹⁹⁰ MBNMS Council member. Telephone Interview. 6 October 2005.

¹⁹¹ MBNMS Council member. Telephone Interview. 10 October 2005.

¹⁹² MBNMS Council member. Telephone Interview. 5 October 2005.

¹⁹³ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁹⁴ MBNMS staff. Telephone Interview. 20 October 2005.

¹⁹⁵ MBNMS staff. Telephone Interview. 20 October 2005.

Provide Assistance to Members

New members receive a binder of information and are recommended to attend a new member orientation. Unfortunately, the orientation presents a great deal of information, which is often overwhelming, and many new members do not attend. Some members suggested that in order to have a meaningful orientation, the NMSP, in assistance with each Sanctuary, might create a program to ensure that new members are also educated on the National Program and the founding concepts of the Sanctuary.¹⁹⁶ A follow-up meeting could also further the education process. It would be helpful to promote direction and information on how exactly to do outreach to their constituents.¹⁹⁷ Depending on the complexity of the issue, more advance distribution of information may be helpful. Workshops to explain some of the more complicated issues would further the knowledge base.¹⁹⁸

More retreats and teambuilding activities, especially those designed to get new members up to speed on the program could help build productive working relationships among Council members. Such activities would be useful for existing members as well, especially since there is a tendency for members “to go back in their corners.”¹⁹⁹ They also would give members a time to reflect on their work as a Council member and set personal goals.²⁰⁰

Advice to Other Sanctuaries

The relationship between the Council and the staff should be emphasized. It is important for the staff to realize how beneficial the Council is to the staff, and the Council needs to know what a resource the staff are to the Council. The Superintendent is key in fostering this relationship.²⁰¹ If the Superintendent respects the Council and what they produce and has a vision of its role and involvement in the overall management of the Sanctuary, then that vision and enthusiasm will filter through staff.

The role of the Superintendent is significant to the success of the council in other ways as well. The Superintendent must be “very deliberate and thoughtful” during the member recruitment process. He/she needs to be willing to re-advertise the position until the right person is found. When a new council is established, the Superintendent needs to spend time with them individually and as a group, before putting big issues in front of them. The superintendent needs to be patient and allow them to grow into their role and identity. Some staff felt that Superintendents should also visit other sites to see how councils function.²⁰²

¹⁹⁶ MBNMS Council member. Telephone Interview. 3 October 2005.

¹⁹⁷ MBNMS Council member. Telephone Interview. 6 October 2005.

¹⁹⁸ MBNMS Council member. Telephone Interview. 19 October 2005.

¹⁹⁹ MBNMS Council member. Telephone Interview. 10 October 2005.

²⁰⁰ MBNMS Council member. Telephone Interview. 12 October 2005.

²⁰¹ MBNMS staff. Telephone Interview. 20 October 2005.

²⁰² MBNMS staff. Telephone Interview. 20 October 2005.

It was suggested that other advisory councils follow the Monterey Bay tradition of having new members take an oath. It gives members a sense of pride and reminds the Council as a whole of its purpose.

Some members noted that it is critical to work with all stakeholders, especially those with divergent views or views that are not consistent with the MBNMS. It is not the seat that members hold that makes a difference, but rather whether members are willing to be open to new ideas and be even a little altruistic. Members need to be well-networked, able to listen, and have the time to bring information back to the meeting.²⁰³ Members who bring personal agendas can be destructive and prevent the Council from moving forward. The bottom line is that members need to be “willing to work for the best interest of the Sanctuary, and not pursue an agenda that exclusively benefits their stakeholder group.”²⁰⁴ At the same time, some members noted that while working together is important, members should feel free to disagree with each other or staff and be willing to give them information they may not want to hear.²⁰⁵

Especially when a Council is just starting, or in order to keep a Council motivated, pick short-term, achievable, action-oriented undertakings. This will make members see that their time and energy being spent with the Council is worthwhile and that they can achieve results and accomplishments.²⁰⁶

Many members found public outreach to be especially important. Working with the local press, publicizing the meetings and agendas, and informing the public about what the Council is working on will help stimulate public interest and participation. It may also help attract future members. Once people understand the Sanctuary resources, they will be more inclined to protect and preserve it.²⁰⁷

Recommendations to MBNMS and NMSP

Many members commented on how there is not much connection with the National office. As a result, the Council feels distant from what is happening in Washington D.C. Councils are supposed to represent both their area and the nation. Members are usually so focused on what is happening locally, they forget that they are part of a National Program, and are responsible to the general public, not just a single interest. Ways to integrate what is happening on a national level to the local sanctuaries could provide a different perspective and build more connections.

MBNMS and the NMSP should focus on what role the Council plays and its potential, instead of its legal restrictions. For example, some members would like to see the Council play more of a role in improving community relations.

²⁰³ MBNMS Council member. Telephone Interview. 5 October 2005.

²⁰⁴ MBNMS Council member. Telephone Interview. 3 October 2005.

²⁰⁵ MBNMS Council member. Telephone Interview. 5 October 2005.

²⁰⁶ MBNMS Council member. Telephone Interview. 19 October 2005.

²⁰⁷ MBNMS Council member. Telephone Interview. 12 October 2005.

To help foster the Council-agency relationship, MBNMS or the NMSP could find ways to encourage and reward members for their service. For example, at one Monterey Bay Council meeting, members received nice briefcases.²⁰⁸

While it may be difficult, Sanctuary staff should also interact more with the public. As one member stated, “no matter how big or small, [the Sanctuary] needs to take care of all their constituents.”²⁰⁹ Ideally, the “face of the Sanctuary” should be those actually working with the Sanctuary, however in many cases, the Council members serve this role.²¹⁰ In turn, the MBNMS could help the Council have more of a public presence by working with the local press and possibly co-sponsoring public activities. Events co-sponsored by the MBNMS and the Council could make the public more aware of the Council, and how the Council is there to represent their concerns.

²⁰⁸ MBNMS Council member. Telephone Interview. 11 October 2005.

²⁰⁹ MBNMS Council member. Telephone Interview. 12 October 2005.

²¹⁰ MBNMS Council member. Telephone Interview. 12 October 2005.

GERRY E. STUDDS STELLWAGEN BANK NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Prepared by Carolyn Segalini

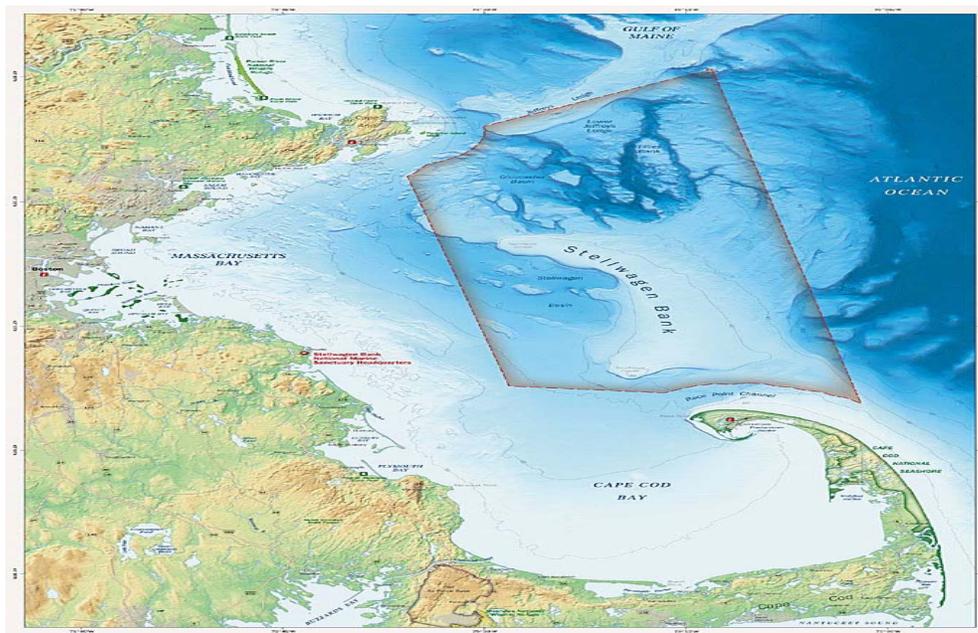


Figure 5.5: Stellwagen Bank National Marine Sanctuary²¹¹

Introduction

The Sanctuary

Gerry E. Studds Stellwagen Bank was officially designated the nation's twelfth National Marine Sanctuary on November 4, 1992. This designation was included in the legislation for the reauthorization of the National Marine Sanctuaries Act. The New England-based sanctuary was named after both Representative Gerry E. Studds, a Massachusetts Congressman who advocated for its designation, and Captain Henry Stellwagen, a hydrographer who mapped this unique geologic formation in 1854.²¹²

Stellwagen Bank NMS encompasses 638 square nautical miles and is situated 25 miles east of Boston between Cape Ann and Cape Cod, Massachusetts. The Sanctuary is centrally located between Massachusetts Bay to the west, Cape Cod Bay to the south and the Gulf of Maine to the north. The bank historically served as a warning marker for

²¹¹ Map image courtesy of Provincetown Center for Coastal Studies

²¹² "Protecting our National Marine Sanctuaries," Report of the Center for the Economy and the Environment. January 2000. National Academy of Public Administration. 3 October 2005.
<[http://bonita.mbnms.nos.noaa.gov/research/techreports/sanctuary report](http://bonita.mbnms.nos.noaa.gov/research/techreports/sanctuary%20report)>.

incoming ships to Boston Harbor. Boat captains would lower a weighted line to determine depth and thus know that they were sailing into Massachusetts Bay.

The geological features of the bank as well as its location at the outer edge of Massachusetts Bay and the Gulf of Maine create the upwelling current conditions that support the rich ecosystem of plant and marine life within the Sanctuary. Stellwagen Bank is home to a wide variety of species including zooplankton, fish, up to 17 whale species including the highly endangered North Atlantic right whale, sea turtles and an assortment of seabird populations. At any given point in time during the year different species may be found. Wildlife may stay in the area permanently, use it as a migration stop-over point or visit seasonally for spawning and nursing activities. Approximately one million people a year visit Stellwagen to see the whales through whale watch tours and the World Wildlife Fund lists the Sanctuary as a top ten whale watching site in the world.



Figure 5.6: Whale Watching at Stellwagen Bank²¹³

The Sanctuary also has noted historical and cultural value as the site of several historic shipwrecks listed on the National Register of Historic Places. In addition to these recognized ecological and cultural values, economic benefits are apparent in public whale watching excursions worth \$20 million in annual revenue, and the commercial fishing industry which nets \$15 million in annual revenue.²¹⁴

Designation

Sanctuary designation was spurred by concerns from both the fishing industry and environmental community over the prospect of oil and gas exploration and the proposed sand and gravel extractions for Boston area construction projects such as the "Big Dig" highway initiative. As the current Sanctuary Superintendent noted:

²¹³People and the Sanctuary. 10 September 2002. Stellwagen Bank National Marine Sanctuary. 13 April 2006. <http://www.sanctuaries.nos.noaa.gov/pgallery/pgstellwagen/human/sb_human.html>.

²¹⁴ National Academy of Public Administration January 2000.

“Fishing interests were fearful that the bank would disappear and the benefits to their interests would be lost so they favored a means or mechanism by which the bank could be protected and the Sanctuary represented their best bet.”

A developer's proposal to build an offshore casino boat in the shallow waters of the Bank also met with opposition.²¹⁵ Starting in the mid-1980s, two organizations championed Stellwagen Bank's Sanctuary designation: the national Defenders of Wildlife and the Provincetown, Massachusetts Center for Coastal Studies. Other community groups also desired formal protection of the Sanctuary's resources. Area conservation groups were especially interested in protecting the humpback whale population that uses the Bank as a nursery and feeding ground.

Despite the desire to have the Sanctuary designated a federally protected area, uncertainty lingered about what future regulation would entail for use of the Sanctuary, particularly fishing. As one Council member noted:

“There was extreme lobbying of Congress and a lot of public input during that period that basically said that the fishing industry would support the designation of the Stellwagen Bank Sanctuary as long as the Sanctuary folks do not regulate fishing activities. They (fishing industry) don't want things to change in terms of regulating fishing; we shouldn't have duplicate or redundant management authorities to fishing.”

The Sanctuary Superintendent also noted that:

“There was a fair amount of trepidation on the part of fishing interests on what might happen down the road and then I think because of the urgency represented with the developments that could occur on the site, Congress went ahead and designated it as a Sanctuary.”

Designation of Stellwagen Bank as a National Marine Sanctuary precludes sand and gravel mining in addition to oil and gas exploration and the taking of marine mammals, turtles, and sea birds. Sanctuary historic resources (shipwrecks) also can not be damaged or disturbed. The Sanctuary does not prohibit fishing and the fishing authority for the area falls under the purview of the National Marine Fisheries Service.

The Sanctuary Advisory Council

The Early Years

Soon after Stellwagen Bank NMS was designated in 1992, a citizen Advisory Council was established. However, there was not a healthy amount of trust and confidence about the direction and purpose of the Sanctuary at that time and the Advisory Council was not active.

²¹⁵ James L. Franklin. “National Refuge seen for Stellwagen Bank.” 23 February 1991. The Boston Globe, 22 November 2005 <<http://web.lexis-nexis.com/proxy.lib.umich.edu/envuniv>>.

When Craig MacDonald was hired as the Sanctuary Superintendent in 2000, the Sanctuary dissolved the existing Council and started over, with a few individuals from the original Advisory Council included. Stellwagen Bank NMS also drafted a new Charter, modeling it after Monterey Bay NMS's Charter:

“I modified it (Charter) in a number of ways that I thought was appropriate. It got approved by NOAA and then we went about recruiting the SAC members in a very formal, public fashion.”

The new 2001 Advisory Council was tasked specifically to help the Sanctuary revise and enhance the original management plan for the Sanctuary which had not been amended since 1993. When asked whether the re-establishment of the Council has made a positive difference for the Sanctuary, one Council member stated:

“The overall process of meetings with the new Council, organization and direction has benefited the Sanctuary and also the public by having this open process to develop the new master plan.”

Composition

Stellwagen Bank's Sanctuary Advisory Council today is comprised of fifteen voting public members who represent an array of community interests.²¹⁶ Some seats are represented by more than one member. The seats represent the following groups:

- Conservation (2)
- Education (2)
- Citizen-at-large (3)
- Research (2)
- Commercial Fishing
 - Fixed Gear (1)
 - Mobile Gear (1)
- Whale-Watching (1)
- Recreation (1)
- Business-Industry (1)
- Marine Transportation (1)

Six non-voting ex-officio seats complete the Council membership. The members in these seats represent state and federal government, including regional and federal fisheries councils, maritime enforcement and coastal zone management. All public seats also have “alternate” members who assume responsibilities of the full member, including voting, if the full member is unable to attend a meeting.

²¹⁶ Stellwagen National Marine Sanctuary. Sanctuary Advisory Council Charter. See Appendix E.

It is apparent in telephone interviews with both Sanctuary staff and Council members that many alternate seat members have played much more than just “substitution” roles for the full member, especially in the management plan review process. The Sanctuary Superintendent explained that alternates may play a more active role, for example in chairing working groups so long as the rest of the Advisory Council approves. The Superintendent is also an ex-officio member who does not vote but attends all Council meetings, provides Sanctuary updates, clarifies issues and decisions and serves as the crucial link between the National Marine Sanctuary Program (NMSP) headquarters office in Washington, D.C and Stellwagen Bank's Sanctuary Advisory Council, as well as the New England community affected by Sanctuary resource decisions.

Representing the Community

Council members represent anywhere from one to more than a dozen organizations and associations. For example, one seat may represent a larger umbrella organization which in turn represents the community of respective interests, as with the New England Fishery Management Council. Sanctuary management and Council leadership both noted the importance of members understanding how to adequately represent the interests of their constituency groups. This involves being conscious of the larger role they play at the table, continuing to serve the dual role of offering issues of concern at Council meetings and reporting back to constituent interests. Representation at the government level is addressed in the Council's Charter through the stated objective of requesting Council designees from the National Marine Fisheries Service Northeast Region, the New England Fishery Management Council, the U.S. Coast Guard, and the Massachusetts Office of Coastal Zone Management, Division of Marine Fisheries, and Division of Law Enforcement.

Motivations for Serving

Members joined the Council for a variety of reasons. Some members were involved in Council activity even before officially serving in their seats, for example, in participating on the management plan review's several “working groups.” Some also have overlapping interests, enabling a stronger understanding of multiple perspectives. For example, the Council Chair is unique in that while he facilitates Council meetings, he has experience in fishing and community matters and also represents one of the “citizen-at-large” seats. As he noted, he is keenly aware of maintaining impartiality, especially in his role as Council leader:

“I have been an active commercial fisherman in several different places in the country in the past. Up until a month ago I served on the New England Fishery Management Council so I have nine years of fishery management background. Since I have my feet in three different camps, fishing, conservation and management, I've been able to step back from having an opinion on fisheries issues. I've tried to see and understand the interests of many of the people around the table. With a base of support on this Council from opposing interests, having

worked on both ends of fishery conservation, including work on protected species; it allows me in the end to maintain a very strict neutrality as chairman.”

The Charter

When new members come on board, they are encouraged to review the Advisory Council Charter, the official document that outlines the purpose of the National Marine Sanctuary Program, the objective of the Advisory Council, and the responsibilities of its members. This document is often tailored to each Sanctuary at the discretion of the Sanctuary Superintendent depending on the unique needs of that site. Stellwagen Bank’s Superintendent modeled the Sanctuary’s current Charter after Monterey Bay’s.

Meetings

The Council holds day-long meetings on a quarterly basis during the year. Meeting agendas are determined by an "Executive Committee," which is comprised of the Chair, Vice Chair and Secretary who are elected officers of the Council. As one member of the Executive Committee noted, their process seems to be effective:

“They (Executive Committee) meet more frequently, and I think our Executive Committee is effective, work well together and like one another – a key ingredient. I have always urged that the (Council) meetings be in pleasant places, i.e., Academy of Sciences in Woods Hole – that was very effective and I think the best use of our time that we've ever spent, or where we can see the water.”

The Executive Committee reviews a draft agenda submitted by the Sanctuary staff and adjusts it as necessary to add items of interest to Council members. Since the Council has been engaged from the outset in Management Plan Review (MPR), combined with the fact that there is a process in place for ensuring that relevant issues get to the table for the Council meetings, the process of creating the agenda seems to work well for both Sanctuary staff and the Advisory Council.

Meetings are facilitated by the Chair, deliberations are tape-recorded, and minutes are published on the Sanctuary’s website. Some members noted concerns about the typical length of the meetings while others felt that the duration was just right. Most members expressed satisfaction in the facilitation of the meetings although there were suggestions for speeding up the Council’s decision-making process. For example:

“There isn't the sense of urgency and we drift, meetings are too long, etcetera. I think that in many cases, the SAC would even welcome the Superintendent saying ‘I need advice on the following, pronto.’ I think that also stems from a certain sense that until we have a management plan we can't do anything.”

Council leadership is aware of the inevitable time constraints on the members, recognizing that most are full time professionals with other responsibilities. The Chair noted that people are busy and are being pulled away from a full day’s work. He

recognized the amount of time members dedicate to Council activities outside of Council meetings. While the Council typically meets a few times a year, throughout its management plan review process, pre-established “working groups” or subgroups of the Council met with varying degrees of frequency.

Decisions made by the Council are by voice vote and those in the working groups for the management plan review's action plans are by consensus. While the process seems to work well for most, some Council members expressed mixed opinions about consensus decision making. One Council member expressed it this way:

“At the working group level, we could sort of keep hashing it out and explore other options. I think the voting works well. We have a lot of discussion about it, revisit things. I think there is a desire on the part of the SAC to try to build consensus in our decision making only because if you have people who don't agree, then they're not buying into decisions and that is not good either.”

Another Council member noted:

“I think that as often as possible, we try to reach some general agreement, meaning that if there is a lot of division on a particular issue, we either table it and move on to something else, or we try to redefine the problem or the issue.”

Management Plan Review

Since 2002, the Stellwagen Bank NMS, along with the Sanctuary Advisory Council, has been involved in revising the site's management plan document. The review was thoughtfully planned and implemented by Sanctuary staff to maximize public involvement and expert contribution and guidance from the Advisory Council. This process involved members participating in working groups to address specific issue areas and produce action reports. These action reports form the future management plan which is now in review at NOAA Headquarters.

The Process

The MPR process started in 1998 with several “public scoping” meetings in the communities around the Sanctuary. Emerging themes were documented in the Sanctuary's 2002 “State of the Sanctuary Report.”²¹⁷ The thematic categories are:

- Alteration of Seafloor Habitat and Ecosystem Protection
- Impacts of Human Activities on Marine Mammals
- Condition of Water Quality
- Lack of Public Awareness
- Effective Enforcement

²¹⁷ State of the Sanctuary Report, June 2002. NOAA Ocean Service. 2 August 2005 <<http://stellwagen.noaa.gov>>.

Following release of the report, the Sanctuary solicited additional public comment through an additional series of “public scoping” meetings at several locations around New England. The public submitted approximately 20,000 comments, which were reviewed by Sanctuary staff. The comments were then consolidated into twelve main issue areas that were subsequently assigned to “working groups” for deliberation and action planning.²¹⁸

This process was complex and iterative between the Advisory Council and agency staff. As described by the Sanctuary Superintendent:

“We reduced the 20,000 comments into what we thought were the essentials, we grouped them into what we thought were issue categories, it was something like 29 issue categories, we ran it through the SAC for them to vote on what they thought were more or less important. Sanctuary staff then did the same thing, at the SAC meeting we compared notes, and then everything the SAC noted as high priority, we adopted and everything the Sanctuary did was accorded high priority.”

The Superintendent went on to explain the process to reduce the 21 priority issues down to 12 issues. The entire process involved considerable interaction with the Council. While over 400 people applied to participate on the working groups, the Sanctuary Superintendent worked with the Council Executive Committee to select the 200 or more members that actually served. Of note, the representative make-up of the working groups was determined by vote of the Council as a whole.

Working Groups and Action Plans

With the exception of the Site Characterization Working Group which gathered data that then informed the other groups, the working groups produced action plans that would form the basis for the new management plan. The working groups varied in size and produced different types of reports with some creating unified vision statements. The working groups established were:

- *Site Characterization*: This group identified data sources for the other working groups. In a summary report, the group also noted data gaps that should be addressed including: a comprehensive research plan, research closure in the Sanctuary, a comprehensive monitoring for determination of baselines and system changes, and a socio-economic analysis of the Sanctuary resources.²¹⁹

²¹⁸ Management Plan Review Process and Calendar. Stellwagen National Marine Sanctuary. 2 August 2005. <<http://stellwagen.noaa.gov>>.

²¹⁹ Site Characterization Working Group Summary. Stellwagen National Marine Sanctuary. 1 March 2006. <http://stellwagen.noaa.gov/management/working_groups/wgpdf/scaction.pdf>.

- *Ecosystem Alteration*: Several issue areas were tackled by this group; these include the effects of certain fishing gear, pollution, marine debris, pipeline cables, exotic species and adverse coastal actions on the system.²²⁰
- *Ecosystem Management*: Through consensus, this group arrived at the following goal statement in their action plan:

“Ecosystem-Based Sanctuary Management (EBSM) integrates knowledge of ecological interrelationships to manage impacts within Sanctuary boundaries. The general goal of EBSM is to protect the ecological integrity of the SBNMS while recognizing that the Sanctuary is nested within GOM (Gulf of Maine) large marine ecosystem. Effective implementation of EBSM should: (1) consider ecological processes that operate both inside and outside Sanctuary boundaries, (2) recognize the importance of species and habitat diversity, and (3) accommodate human uses and associated benefits within the context of conservation requirements.”²²¹

- *Compatibility Determination*: This group addressed the question of how to create a mechanism for assessing the impact of human uses and degree of compatibility with resource protection.²²²
- *Vessel Strikes*: The issue of vessel strikes with marine mammals was addressed by this group. The group noted that mammal strikes have been documented in the Sanctuary and cited specific goals for management of this problem that includes emphasis on commercial ship strikes with the endangered northern right whale and other mammals through enforcing speed restrictions and other methods.²²³
- *Behavioral Disturbance*: This group addressed general concerns about human behavior around marine mammals. The group addressed four issue areas that include the need to establish protocols for vessels, aircraft, noise disturbance, and fishing activities in the vicinity of whales.²²⁴
- *Marine Mammal Entanglement*: The ongoing issue of marine mammals getting entangled in fishing gear was recognized by this group. The group encouraged commercial fishermen to help mitigate the problem and four strategies were suggested. These include aiding in disentanglement efforts, reducing marine

²²⁰ Ecosystem Alteration Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006

<<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/eaaction.pdf>>.

²²¹ GOM refers to Gulf of Maine. Ecosystem-Based Management Action Plan. 1 March 2006.

<<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/ebmaction.pdf>>.

²²² Working Group Problem Statements. Stellwagen National Marine Sanctuary. 1 March 2006

<<http://stellwagen.noaa.gov/management/mpr/pdfs/ProblemStatements.pdf>>.

²²³ Marine Mammal Vessel Strike Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006

<<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mmvsaction.pdf>>.

²²⁴ Marine Mammal Disturbance Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006

<<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mmbdsaction.pdf>>.

mammal interaction with trap or pot and gillnet fisheries, and enforcing measures to reduce interactions between marine mammals and fisheries.²²⁵

- *Water Quality*: Several potential sources of water quality concern derive from coastal and deepwater areas. The group addressed strategies to better assess water quality based on discharges from vessels and sewage outfalls.²²⁶
- *Public Outreach and Education*: The action plan produced by this working group emphasizes the need to raise public awareness of the Sanctuary and its resources and foster a stewardship ethic.²²⁷
- *Maritime Heritage Resources*: The group addressed the importance of protecting historic resources in the Sanctuary, particularly shipwrecks. Issue areas identified for planning include the need for inventory and assessment, a management plan for protection of these resources, and education and outreach programs.²²⁸
- *Administrative Capacity*. This group addressed two issue areas of concern revolving around the capacity of the Sanctuary's administration. These include base-level staffing and program support, and infrastructure development and maintenance. Strategies involve improving site staffing, developing a "Friends" group and also a volunteer organization to enhance visibility of the Sanctuary and assess emerging issues.²²⁹
- *Interagency Cooperation*. This group addressed the need to recognize and clarify overlapping governmental responsibilities, and enhance interagency coordination and effectiveness. They created the following goal statement:

"Given the sanctuary's unique status and its interconnectedness with the GOM, state and federal agencies will actively support the sanctuary's mission through their planning and management actions. Similarly, recognizing that it is a part of the GOM ecosystem, the sanctuary will actively support its partner state and federal agencies' missions if they are consistent with the NMSA. The SBNMS will proactively communicate its purpose and findings to other agencies and seek opportunities to share information, resources, and expertise among agencies."²³⁰

²²⁵ Marine Mammal Entanglement Working Group Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mmeaction.pdf>>.

²²⁶ Water Quality Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/wqaction.pdf>>.

²²⁷ Public Outreach and Education Plan. Stellwagen National Marine Sanctuary. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/poeaction.pdf>>.

²²⁸ Maritime Heritage Resources Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mhraction.pdf>>.

²²⁹ Administrative Capacity, Infrastructure Development and Maintenance Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/admaction.pdf>>.

²³⁰ Interagency Cooperation Action Plan. Stellwagen National Marine Sanctuary. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/icaction.pdf>>.

The working groups were chaired by full members or alternates and staffed by the Sanctuary. The working groups were comprised mostly of non-advisory council members who were identified as having additional expertise in the areas under review. The Sanctuary Superintendent explained his own role in the review process:

“I’m like the project manager of it and see that the process is properly facilitated. I’m ultimately responsible that it be developed. We provide strict guidelines, but leave meeting management pretty much up to the working group chairs. I view the SAC as the means to dialogue on the issues, to identify the issues of greatest importance, and provide information needed to better understand the issues.”

The Council Chair noted some concerns about the consistency in the process among the working groups:

“One of the things we found that wasn’t working well with our working groups was that process standards were being applied inconsistently. People participating on or monitoring progress of more than one Working Group became confused in their expectations. Every Chair ran his or her working group differently; some were strict and some were lax and that inconsistency was not good.”

The Advisory Council Vision: “Restoring Ecological Integrity”

During the plan review process, members and staff decided that the central theme of the new plan needed to be documented and agreed upon by all participants. Stellwagen Bank NMS’s vision statement is as follows:

*“The Stellwagen Bank National Marine Sanctuary is teeming with a great diversity and abundance of marine plants and animals supported by diverse, healthy habitats in clean ocean waters. The ecological integrity of the sanctuary is protected and fully restored for current and future generations. Human uses are diverse and compatible with maintaining natural and cultural resources.”*²³¹

The Sanctuary Superintendent remarked on the success of this visioning process, noting its critical role in creating a shared purpose around which all members could unite:

“We worked with the SAC to fashion a vision statement. One of the primary elements of that vision statement was ‘to fully restore the ecological integrity of the Sanctuary.’ At a very general level that favors everybody’s interests and everybody can chime in and support that. Fishermen feel that restoring the ecological integrity of the Sanctuary will mean more fish for them and environmentalists feel that restoring the ecological integrity of the sanctuary will increase biodiversity and promote conservation value. So at the level of generality that the vision stated, we can get agreement.”

²³¹ Provincetown Center for Coastal Studies. 1 March 2006 <<http://www.coastalstudies.org/what-we-do/stellwagen-bank/policy/htm>>.

Similarly, a Council member noted the importance of having everyone on the same page with respect to the future vision for Stellwagen. The member emphasized the importance that the vote be unanimous stating:

“If we don't have a unanimous accord on the very thing that we are here to do, then those who aren't in accord ought to leave.”

The Council Chair also noted the significance of this vision statement:

“We came up with a vision statement and reached consensus around it. I don't think anybody was expecting us to accomplish that easily or that it would be such a strong statement. The common interests of the people on the Advisory Council is that marine ecological integrity of the Sanctuary be preserved, and where it can be restored, and that it be done with the expectation that we're going to be finding ways for the community of users to be able to continue to use the Sanctuary – we're going to be seeking that win-win situation of ecological protection and restoration with full use, with the full range of human uses.”

The plan review process was structured and guided by Sanctuary staff. The passion, dedication and focus of Council members and agency staff in dealing with the various issues enabled the process to be successfully completed at least in the most crucial phase of the work of the Advisory Council and local Sanctuary staff.

Current Status of the Plan

Working group activity was completed in 2005 and eleven "action plans" have been submitted to the Sanctuary Superintendent, who along with staff and NMSP headquarter personnel are putting together a draft management plan. As the Sanctuary Superintendent explained:

“The working groups are disbanded after they complete their action plans. Pursuant to the Charter, working groups are temporary – they have a starting point and an end point and they are very narrowly charged with addressing or solving a specific problem. This is in contrast to standing committees that may have up to three years tenure which we have none of.”

The new management plan will be submitted to the Council and general public, likely in the Fall of 2006, for comment before the final plan is adopted by NOAA. The Council Chair described the various steps in the process:

“The action plans have been developed by the working groups, reviewed, revised and approved by the Advisory Council. All those action plans were then handed over to the Sanctuary Superintendent – they are now and have been for the last six months or more crafting the draft management plan from that. I understand there

is a great deal of give and take with Silver Spring in creating that draft management plan.”

The Chair also noted other challenges related to uncertainty about how the draft management plan is going to look when it is submitted back from NOAA Headquarters to the Sanctuary and the Advisory Council.

“The biggest thing that we're going to face next, and I'm worried about it, is when the draft management plan hits the streets, there is going to be insufficient staff to manage the concerns and questions that arise from the public. There should be staff investment in preparing the communities for the draft plan when it comes out. Getting people's expectations in line with what is going to come out so they're not shocked or surprised.”

Accomplishments

The Council Members

Sanctuary management noted that since both the original Council and early days of the new Council, there has been a marked improvement in the dialogue and sense of trust among members, a key accomplishment in itself.

The Advisory Process and Management Plan Review

The Chair noted that having procedures in place and clarifying member roles have served as enabling factors for the Council's success. Members have a duty to voice the concerns of the community interest that they represent and should not just go along with Council group decisions for the sake of maintaining accord. He stated:

“The SOPS, procedures for making decisions, make clear what we expect people's role to be. We're going to be striving for consensus but nobody is required to reach consensus. That it's important that we have the full range of interests articulated. I find that by urging people not to join the consensus simply for the sake of joining consensus – but to carry forward the responsibility to articulate the views of their interest group. If they can't join a consensus, they have an absolute responsibility to state why and to offer alternatives around which to craft consensus. That is the responsibility that I'm constantly reminding people of. It sets the stage for consensus.”

Most Council members interviewed noted that getting through the management plan review was an important accomplishment. One member noted that the essential commitment and hard work of members and staff were facilitating factors for this accomplishment. This member stated:

“The dedication of individual SAC and working group members. Staff support did all the work in writing the plan and guiding working groups toward decisions.”

Sanctuary management concurred with the perspective that the dedication of the Council members and working group participants enabled the management plan review process to steadily move forward:

“The most strident accomplishment in the past two years has been this very intensive, scheduled effort toward a management plan. Each of those 12 working groups met 4-6 times per year, in addition to the SAC meetings. Action plans are assembled from working groups, and they voted and prioritized these action plans.”

Future Challenges

Main Issues

The Sanctuary Superintendent noted three main resource issues that will face Sanctuary management and the Council in the near future: shifting a major shipping lane, better protecting shipwrecks, and reducing adverse impacts to whales.

“We are now poised to submit a proposal to the Coast Guard to submit to the International Maritime Organization (IMO) to move the angle of the major shipping lane coming into Boston harbor by 12 degrees which would provide a conservation benefit in a single action that is huge. It would reduce the risk of vessel strike on whales by more than 80%.

How do we protect and manage the historic shipwrecks within the Sanctuary? As part of the management plan, we're preparing a set of management protocols that will ultimately lead to regulation on how to provide protection to shipwrecks of different historic, archeological and public value.

How do we reduce behavioral harassment and risk of whale strike by commercial whale watch boats? We have all the elements in the package, we are looking at certification of operators, certification of naturalists, zones where speed is involved and we're looking at a carrot – we're looking at cross-branding and marketing and outreach in conjunction with those companies that comply with certification and so there's another whole set of initiatives that are going to be integrated into a package to make whale watching here a more appropriate, safer activity for whales.”

Zoning and Fishing

Perhaps one of the most complex issues facing the Council relates to how fishing activity might be affected by zoning decisions. The complexity can be attributed to several factors. Commercial fishing is regulated by the National Marine Fisheries Service so the initial question may be how interagency coordination would best be handled with regard to Sanctuary decisions. However, underlying scientific questions may take precedence

with regard to comprehensively assessing the ecological conditions of certain species and the effects on ecosystems when areas are closed off to human activity. Zoning decisions will likely require some time for debate and deliberation on the Council. Noted the Sanctuary Superintendent:

“Another set of issues that is not being directly handled in the management plan relate to how we conduct management of the Sanctuary that relates to fishing. Apart from the working groups that were initiated to do management plan review, the SAC has just formed an additional working group on zoning within the Sanctuary. The Advisory Council will be faced with such questions whether we should be doing zoning – the major challenge here is how it relates to fishing interests. The thrust is not how we manage fisheries – that is the responsibility of the National Marine Fisheries Service. It has more to do with how do we manage biological communities – how do we restore them, increase diversity, and to achieve those, you have to address predation. In the Gulf of Maine, the codfish was the functional predator, and now its almost non-functional in that role. Its one of these issues that is on everyone's mind within the SAC though it isn't spoken much. It will be discussed over the next 4-5 years in anticipation of the next management plan review.”

Public Awareness – The “Stealthwagen” Challenge

Council members and agency officials alike have expressed concern about the ongoing lack of public awareness of the Sanctuary, a common problem to all sanctuaries in the system. The Sanctuary Superintendent believes that one way to address this problem is to enhance communication and also the ease of accessing information, for example through the Sanctuary's website. He stated:

“They (Advisory Council) think that we're one of the best kept secrets. They joke that we're ‘Stealthwagen Bank Sanctuary.’ But they want this changed, so they see that as a major issue that we need to be working on, and in hand with that, they've been insistent that we have to upgrade, expand and redesign our website. We agree entirely and knew it was something that needed to be done, but they have reinforced the sense of urgency in doing so.”

A Sanctuary staff member highlighted the challenge and the possibilities of leveraging the talents of Advisory Council members in the effort to raise public awareness and interest in the Sanctuary:

“We've got these great professionals with all this expertise... [can we] use them in other ways to raise visibility of the Sanctuary, encourage partnerships, leverage support, get out information out to the public.”

A Council member noted the importance of the Council in recognizing that it has an important function for the community:

“Another very important role is their (Advisory Council) ability to help build public and political support and help the Sanctuary build support for issues, help advocate for this Sanctuary, not just for advice, but advocate for (the) Sanctuary in different arenas.”

Meeting Attendance

Agency staff also noted that the general public’s participation in Council meetings is generally lower than desired though there was more interest in the working group sessions. Only some segments of the public regularly attend meetings to stay abreast of Sanctuary issues.

Representation and Constituency Communication

While seat representations are clear when looking at their titles, fulfilling the role of representing a constituency could be more difficult than a Council member realizes. Communication and clarity are essential components in both representing the interests of one's group and in keeping them informed of Advisory Council activities and recommendations. A hard lesson was learned in the case of one member who resigned prematurely when his constituency became upset about action plan recommendations that they did not learn about until after approval by the Council. The Council Chair explained the importance of maintaining adequate communication with represented groups but the challenge inherent in doing so:

“You get into these working groups, you get a full set of information, you start hearing everybody else's interests and where they want things to go, and you end up negotiating a middle ground around that. Individuals know how and why you arrived there – but now you have to go back to your community and explain to them why and how you got there – and some of our SAC members have done a better job of that than others. You have to give them the materials and support to have that conversation in their communities, or else you'll have a problem down the road.”

The Sanctuary Superintendent echoed this sentiment when he was asked about the challenges of meeting the goal of resource protection that is balanced with other Sanctuary uses:

“When we start dealing with the issues that are substantive to achieving a restoration of ecological integrity, we start running into conflict. We think it’s important that these folks express the interest of the constituency that they represent. We want to hear what they think is in the best interest of their constituency.”

Advice for Other Sanctuaries

Clear Objectives and Agency Support

Members and agency staff alike offered thoughts on what they felt were important points for other Sanctuary Advisory Councils to consider while getting established and also undergoing management plan review. Clarity about roles, communication between Council members and agency staff, and being attentive to ways in which Council members can leverage the visibility and support for the Sanctuary were just some of the suggestions offered.

Agency personnel stressed the importance of communicating information updates, being organized and ensuring openness for the advisory process:

“The process should be as transparent as possible, organized, and professional at all times. Have a current and interactive website. Email and website communication are very important. Make sure everyone is on the same page; make sure people are always updated.”

Council members offered some suggestions for other advisory councils involved in management plan review, particularly in finding new ways to help the staff. One Council member noted the various ways in which members can increase public support and interest in Sanctuary matters:

“SACs need to pay a lot of attention to things that they can do to promote the Sanctuary program that the Sanctuary itself can't. One area is to lobby to make sure the Sanctuary budget is not frittered away to senators' favorite projects. A major effort needs to be put into increasing public awareness (through public education) of sanctuaries and purposes they are supposed to be serving; try to increase support of the public to redress this imbalance.”

A Council member suggested that clear objectives and accurate understanding of legal mandates are essential for resolving issues that come before the Advisory Council group:

“Some key factors in determining resolution: being clear in what the objective is and what the legal mandate is, also being extremely clear about what the legal authorities are of the Sanctuary office.”

Members generally appear to feel that the process works well particularly due to the support and dedication of the Sanctuary management and staff. One member stated:

“I think that the staff of the Stellwagen Bank Sanctuary has done an admirable job of supporting the Council and keeping them informed with mailings and meeting notices.”

The Advisory Council as Essential for Sanctuary Management

Sanctuary staff and Council members stated that it is the people serving on the Council that enable the process to succeed. Despite the divergent interests at the table, members respect one another for their expertise and dedication. One Council member also noted that several other personal qualities factor in to the ability of the Council to work together effectively:

“Biggest factor – people chosen on the Council were for the most part, great people, bright, compromising, good listeners, extremely knowledgeable. I think that is critical to the success given the diverse opinions of everyone and the different stakeholders that are at the table between fishing, whale watchers, environmentalists, scientists. I think that the quality of the folks that were picked on the Council was instrumental to the success of the group working together.”

This collaborative effort likely requires some time for the Council members to get to know and trust one another. The Sanctuary Superintendent noted how the Sanctuary Advisory Council has gradually formed a "cohesive" group, with strong working relationships:

“They've established relationships amongst themselves, they now trust one another more than they did when they first met, there is a greater willingness to try and work together to arrive at solutions.”

Case Summary

Stellwagen poses a unique and complex challenge to the New England community and the National Marine Sanctuary Program in terms of understanding the cultural, ecological and economic context. After a long and intense process of sorting through and coming to agreement on key issues, Sanctuary Advisory Council members successfully navigated the course of the management plan review in guiding agency administration of the Sanctuary, and produced a draft plan and vision statement.

The dedication and guidance on the MPR process by Sanctuary management and staff and the perseverance and passion of Advisory Council members suggests that Stellwagen is a model for successful collaboration, especially when early attempts at Council activity floundered, and the future outlook was uncertain.

Enhancing public awareness, interest and support for the Sanctuary and its management staff and Advisory Council effort will continue to help maintain the course for ecological integrity and restoration that Stellwagen Bank is now on. Stellwagen Bank's Superintendent summed up his thoughts on the value of the Sanctuary Advisory Council:

“Even if I didn't have to have it (an Advisory Council), I would want it. It is that important to me. It has allowed me to develop a relationship through the members

and to the speaking opportunities that many of them have afforded me to meet their memberships and to get into their communities and to get out on the boat.

It's transported me from a bureaucrat in the office to a person in the field, a person on the fishing boats, at historical societies, and it's done the same thing for my staff. It's been huge in shoehorning us out of a bureaucratic setting into the affected community and really getting to know who is out there and what the real issues are, being able to refine our judgments and to enable us to make more informed decisions on what needs to be done. It is beyond just the SAC meeting in a room on a quarterly basis."

SANCTUARY ADVISORY COUNCIL VIGNETTES

Each sanctuary is unique; they exist in differing ecological, political, and cultural contexts, face diverse issues, and focus on a variety of programs. To give an overview of the sanctuary system, this section contains nine vignettes describing each sanctuary's resources, designation, issues, programs, and advisory council. Every sanctuary surveyed is presented in this chapter except for Channel Islands, Monterey Bay, and Stellwagen Bank, which are included as case studies earlier in this chapter.

Several sources provided information for these vignettes including the Sanctuary Advisory Council Annual Reports, National Academy of Public Administration study "Protecting our National Marine Sanctuaries," and the websites of individual sanctuaries.

Each vignette discusses the physical characteristics of the sanctuary, its designation history, the major resource protection issues it faces, its main program areas, and the characteristics and role of its Sanctuary Advisory Council. The following sanctuaries are included:

- Cordell Bank
- Fagatele Bay
- Florida Keys
- Gray's Reef
- Gulf of the Farallones
- Hawai'ian Island Humpback Whale
- Northwestern Hawai'ian Islands Coral Reef Reserve
- Olympic Coast
- Thunder Bay

Cordell Bank National Marine Sanctuary²³²

The Sanctuary

Established in 1989, Cordell Bank National Marine Sanctuary protects a 397 square nautical mile area containing a seamount, Cordell Bank, and its adjacent areas. The Bank is an underwater mountain that rises within 120 feet of the surface. Because the ocean floor drops to a depth of 6,000 feet a few miles away from the seamount, the area has become one of the Pacific Ocean's great upwelling regions. Cordell Bank promotes upwelling by deflecting deep nutrient rich waters upward into typically low-nutrient shallow waters. This introduction of nutrients into the upper ocean creates a highly productive habitat that can support diverse and dense populations of seabirds, mammals, fish, and other marine life. The Sanctuary supports migratory birds from as far away as Australia, seabirds from nearby regions such as the Farallon Islands, 26 different species of marine mammals, and endangered species such as leatherback sea turtles and humpback whales.

Cordell Bank is also geologically unique because it was once a part of the Southern Sierra Nevada Mountains. About 93 million years ago, the Pacific Plate moved northwest carrying Cordell Bank to its current location. As continental drift continues, the seamount continues to move about 3.5 inches northwest every year. In addition to its ecological and geological value, the Sanctuary's productive waters contribute significantly to the area's economic welfare. The water's high productivity provides a foundation for strong industries in commercial and recreational fishing, bird watching, whale watching, and sport fishing.

Sanctuary Designation

Cordell Bank was not discovered until 1853 by a U.S. Coast Survey team which was mapping the region to create safer maritime commerce. Because of its remote location, the Survey team left the Bank unexplored. In 1869 Edward Cordell was attracted to the region by the dense bird and marine mammal populations. Cordell studied the Bank area more closely, but he lacked the ability to explore its underwater features. This left the major features of the region a mystery until 1977 when a non-profit research group, Cordell Expeditions, began underwater documentation of the area's ecological and geological characteristics. As part of this documentation, photographs were taken that highlighted the unique attributes of Cordell Bank. When National Geographic Magazine featured these photographs in an article, the public began to push for a sanctuary designation. The White House reacted to this public pressure by designating the Sanctuary shortly before the 1988 presidential election.

²³² Information from: Cordell Bank National Marine Sanctuary. 11 May 2006. Cordell Bank National Marine Sanctuary. 22 June 2006 <<http://cordellbank.noaa.gov/>>; and Cordell Bank Sanctuary Advisory Council. 11 May 2006. Cordell Bank National Marine Sanctuary. 22 June 2006 <<http://cordellbank.noaa.gov/council/welcome.html>>.

Sanctuary Issues

Management of fishing activities is one major issue for the Sanctuary. The Bank's unique features attract large populations of commercially and recreationally valuable fish. Commercial and sports fishermen from San Francisco Bay, Bodega Bay, and other regional harbors enter the Sanctuary to fish for several species including rockfish, lingcod, cabezon, and greenlings. Unfortunately, several of the economically valuable fish in the Sanctuary are also at risk of being over-fished. In particular, the seamount and surrounding areas have been identified as a "hot spot" for canary rockfish and other depleted ground dwelling species. Because accidental catch of over fished species is unavoidable, management of all fishing activity becomes necessary. In addition to fishing, there are several other emerging issues for the Sanctuary. As the area has become better known, vessel traffic, low-flying aircraft, and other wildlife viewing activities have become a growing problem. In addition these above surface disturbances, these activities, along with commercial and experimental exploration activities, are thought to cause detrimental levels of underwater sound pollution.

Sanctuary Programs

Cordell Bank Sanctuary focuses its energy on three areas: resource protection, research and monitoring, and educational outreach. The Sanctuary's resource protection program engages in a wide variety of activities from enforcing Sanctuary regulations to responding to oil spills. Recently, the program has worked to identify threatened Sanctuary resources and create partnerships with agencies such as the California Department of Fish and Game to better protect those resources. Research and monitoring is a major component of the Sanctuary's resource management efforts. The Sanctuary's research program performs a variety of functions such as gathering baseline data on the oceanography of the Sanctuary, monitoring environmental changes as they occur, and translating research results into a public friendly form. The goals of the Education and Outreach Program are to provide the public with information on the Sanctuary, broaden support for the Sanctuary, and collaborate with other organizations to provide interpretive services. To achieve these goals, the program engages in activities such as school presentations, evening lecture series, publishing brochures, and hosting cooperative education events with other institutions.

Sanctuary Advisory Council

The Sanctuary's Advisory Council was established in February 2002 to support the Joint Management Review process underway at Cordell Bank and its neighboring sanctuaries, Gulf of the Farallones and Monterey Bay. The Council has eleven members and five alternates representing conservation, education, government, maritime activity, research, and community-at-large interests from the community. The group meets regularly four times a year in addition to a yearly retreat in the summer.

In 2003, the Advisory Council created working groups to develop recommendations for the Sanctuary's revised management plan. These working groups met extensively to

provide input on issues ranging from research to conservation. In addition to the management review process, the Council supported the creation of an educational display at the Point Reyes National Seashore Visitor Center which was opened in the summer of 2005. The council also contributed to the development of the 2005 recommendations by the NMSP to regulate bottom contact fishing. More recently, the Council has discussed the socioeconomic profile of fishing activities within the Sanctuary, considered drafting a resolution regarding oil and gas exploration on the west coast, and explored the implications of the Federal energy bill.²³³

Fagatele Bay National Marine Sanctuary²³⁴

The Sanctuary

Fagatele Bay National Marine Sanctuary, the smallest and most remote Sanctuary, protects 0.19 square nautical miles of Fagatele Bay on Tutuila Island, American Samoa. American Samoa is an unincorporated U.S. territory consisting of five volcanic islands located two thirds of the way between Hawai'i and New Zealand. Tutuila Island, created 1.8 million to 11,000 years ago, is a volcanic island that rises three miles from the ocean floor. Fagatele Bay formed more recently with the flooding of Fagatele volcanic crater. The main feature of Fagatele Bay is its extensive coral reef ecosystem. With average temperatures ranging from 70-80 degrees Fahrenheit and yearly rainfall of 200 inches, Fagatele Bay is the only true tropical reef in the NMSP. The physical structure of a reef is created by coral animals with calcium carbonate skeletons. Over the years, coral skeletons accumulate to form a hard structure. Over 600 species live within the Bay including parrot fish, damselfish, butterfly fish, lobsters, crabs, and sharks. Between June and September, southern humpback whales use Samoan waters as calving grounds. Endangered hawksbill and green sea turtles are also found within the Bay.

Like many tropical ecosystems, Fagatele Bay's fringing reefs has been experiencing periods of destruction and re-growth. In the late 1970s, the bay was overwhelmed with crown-of-thorns sea stars, which reduced living coral by 90%. While the reef was recovering from this outbreak, it experienced hurricanes in 1990 and 1991. These storms damaged shallow coral communities; however deeper corals below 36 feet were unharmed. Currently, the reef is recovering from a mass bleaching that occurred between 1993 and 1994 caused by high water temperatures. Despite these disturbances, Fagatele Bay's coral reefs continue to function as unique, diverse, and productive habitats.

Sanctuary Designation

Fagatele Bay was designated on April 29, 1986. This designation was in part a response to a thorn starfish invasion in the late 1970s. As stated previously, the starfish infestation

²³³ Cordell Bank National Marine Sanctuary Advisory Council Meeting Agenda. 26 January 2006. Cordell Bank National Marine Sanctuary. 12 April 2006 <<http://cordellbank.noaa.gov/council/pdfs/sacagenda012606.pdf>>.

²³⁴ Fagatele Bay National Marine Sanctuary. 7 June 2004. Fagatele Bay National Marine Sanctuary. 22 June 2006 <<http://fagatelebay.noaa.gov/>>.

killed 90% of living corals, devastating Fagatele's pristine reef habitat. Conservation and community groups believed a Sanctuary designation would protect the reefs and allow them to recover more quickly.

Sanctuary Issues

Major ecological issues facing Fagatele Bay are illegal fishing and water quality degradation. Many illegal fishermen use dynamite or other explosives to catch fish. These explosives can devastate large areas of coral and also indiscriminately kills non-targeted marine species. In addition, underwater explosives can damage the hearing of marine mammals. Although using dynamite for fishing is both a civil and territorial offense in American Samoa, it is an activity that is difficult to regulate and continues to be a problem in the Sanctuary. Water quality degradation is a potential problem that arises mainly from sewage outflow. Treatment plants up current of Fagatele Bay conduct only primary treatment on sewage before it is piped into the ocean. Of particular concern are the high concentrations of nitrates and phosphates found in sewage. These substances lead to algal blooms that create areas without enough dissolved oxygen to support marine life. In addition, algal blooms can also form mats that suffocate coral.

Sanctuary Programs

Fagatele Bay focuses its resources on research and public education. The reef's unique past has made it an ideal site for studying the recovery and growth of coral reefs. One 15-year study has collected data on the coral, fishes, invertebrates, and marine plants of the Bay. As one of very few long term surveys in the world, the project at Fagatele Bay has produced interesting insights over the years. In addition to this study, the Sanctuary also engages in monitoring of ocean temperature and water quality. As the Sanctuary found in 1993 with coral bleaching, many marine organisms are extremely sensitive to temperature variations. Permanent thermometers are deployed in the Bay to measure any changes in ocean temperature. The water quality monitoring program is a collaborative project between the Sanctuary and the American Samoa Environmental Protection Agency. This program involves regular testing of water quality around the Bay on a quarterly basis.

The education program at Fagatele Bay has been extremely successful. One factor leading to this success is the extensive collaboration that occurs among the territory's governmental educators. For the past two years, environmental educators have been working as a group called *Le Tausagi* to provide comprehensive and excellent educational opportunities for the community. One project implemented by *Le Tausagi* is the EnviroDiscoveries program. This program allows students to learn about the marine environment while camping on the coast for three days. In addition to EnviroDiscoveries, Fagatele Bay Sanctuary also hosts a three week Marine Science Summer Camp that serves approximately 50 ninth graders every year.

Sanctuary Advisory Council

On May 23rd 2005, Fagatele Bay NMSP held its first Sanctuary Advisory Council meeting with eight members.²³⁵ Some seats included: Research, education, fishing/Western Pacific Fisheries Management Council, ocean recreation or ocean centered ecotourism, and community at large.²³⁶

Florida Keys National Marine Sanctuary²³⁷

The Sanctuary

The 2,800 square nautical mile Florida Keys National Marine Sanctuary (FKNMS) encompasses the entire archipelago of the Florida Keys. This 220 mile long string of islands is located at the southern tip of the Florida peninsula and is surrounded by incredibly diverse and important ecosystems. Just six miles seaward of the Florida Keys lies the third largest living coral reef system in the world. Coral reefs are the most biologically diverse marine ecosystem; the Florida Keys reef supports 5,500 marine species and 150 fish species. The Florida Keys coral reef is particularly diverse containing over 80% of all the coral species in the Tropical Western Atlantic.

In addition to the Florida Keys coral reef, FKNMS also contains seagrass beds and mangrove forests. These three types of ecosystems are closely intertwined creating highly interdependent habitats. Seagrass beds are areas carpeted with seagrasses, flowering plants that grow throughout coastal waters in Florida. These seagrass meadows are important nursery areas for recreationally and commercially important marine life. Their roots and leaves maintain water clarity and stabilize sediments while providing a habitat for fish, crustaceans, and shellfish. Mangrove forests are an integral part of Florida's southern coastal zone. Many marine species utilize mangrove trees in a variety of ways. The tree's roots provide protected nursery areas for fish, crustaceans, and shellfish. Snook, snapper, tarpon, and other marine species rely on mangrove leaves and roots as a stable food source. Above water, mangrove branches support nesting areas for coastal birds such as brown pelicans and roseate spoonbills.

Sanctuary Designation

The Florida Keys have been attracting visitors for hundreds of years. Along with these visitors came threats to the Key's natural resources and an upwelling of desire to protect the area. As early as 1957, scientists and environmentalists were concerned about the declining health of the Florida Keys coral reef. In 1960, the John Pennekamp Coral Reef

²³⁵ Monterey Bay National Marine Sanctuary: Sanctuary Office Report. 2005: 1-16. Monterey Bay National Marine Sanctuary. 12 April 2006 <<http://montereybay.noaa.gov/sac/2005/080505/070505sacoff.pdf>>.

²³⁶ 70 Federal Register 46 (2005): 11943-11944. 12 April 2006 <<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-4666.pdf>>.

²³⁷ Information from: Florida Keys National Marine Sanctuary. 19 September 2000. Florida Keys National Marine Sanctuary. 22 June 22 2006 <<http://floridakeys.noaa.gov/>>; and Florida Keys Sanctuary Advisory Council. 14 June 2006. Florida Keys National Marine Sanctuary. 22 June 2006 <<http://floridakeys.noaa.gov/sac/welcome.html>>.

State Park, the world's first underwater park, was established. As visitation increased over the 1960's, the public became concerned that the John Pennekamp Park regulations did not sufficiently protect the Keys from pollution, over-harvesting, and physical degradation. By the 1980's scientists, environmentalists, and the public were alarmed by studies citing increases in coral diseases, invasions of algae in seagrass beds, and declines in fish stock. This general concern was channeled into action when two large ships ran aground on the coral reef within 18 days in the fall of 1989. These unfortunate and ecologically disastrous events prompted congress to designate the Florida Keys National Marine Sanctuary in 1990.

Sanctuary Issues

One of the major issues facing the Florida Keys National Marine Sanctuary is the heavy visitor use. Over six million travelers visit the Florida Keys every year creating the risk of "loving our reefs to death." Because coral animals are very fragile, being touched can lead to infection and death. Visitors who accidentally scrape the coral with their foot fins, hands, or equipment risk damaging the structure of the reef and killing the coral. Corals grow only one-half inch per year, so seemingly insignificant damage to the reef could take hundreds of years to regenerate. Not only do divers risk damaging the reef, their boats, anchors, and propellers can also be threats.

In addition to high visitation, declining water quality is another major issue facing the Sanctuary. Corals require clean, nutrient-free waters to survive. Nutrient runoff from agriculture and cities is the single biggest threat to the health of coral reefs. Population has increased in the Florida Keys and agricultural run-off discharges 700 tons of nutrients into the Keys with land based pollution contributing another 33 tons. High concentrations of nutrients cause algal blooms, which compete with corals for habitat and promote coral diseases.

Sanctuary Programs

Florida Keys National Marine Sanctuary focuses much of its energy into three programs: education, research and monitoring, and water quality protection. Educational programs are focused around protecting the Sanctuary's resources through outreach and education. One example is Team O.C.E.A.N. (Ocean Conservation Education Action Network). This program trains volunteers to "educate and inform other boaters about the unique nature of the coral reef habitat, share their knowledge of the best approach to certain areas, demonstrate the use of a mooring buoy, and give out various safety information."²³⁸ Research and monitoring in the Sanctuary are conducted to establish baseline information on the area's ecological processes and health. All Sanctuary research is focused on management-driven topics. The information gained is meant to create more informed and effective management plans. In addition to general education and research, the Sanctuary also has a Water Quality Protection Program, which specifically addresses water quality issues. This program recommends actions to address

²³⁸ Programs and Activities. 9 October 2002. Florida Keys National Marine Sanctuary. 12 April 2006 <http://www.fknms.nos.noaa.gov/edu/programs_activities.html>.

pollution sources, develops water quality monitoring programs, and provides opportunities for public participation.

Sanctuary Advisory Council

The 20 member Florida Keys Advisory Council was established in 1991 making it the oldest Sanctuary Advisory Council. Its members represent a diverse set of stakeholders including conservation, education, research, commercial and recreational fishing, diving, boating, tourism, cultural resources, local government, and the community at large. Since its establishment, this Council has contributed significantly to the Sanctuary with its 15 working groups. One major accomplishment was the Advisory Council's role in designing and designating the Tortugas Ecological Reserve, an area established in 2001 and recognized as the most productive and unique to the Sanctuary. More recently, the Council has addressed the ecological problems associated with large ships moving through Key West Harbor, spear fishing, and water quality. Along with their recommendations concerning these Sanctuary issues, members also cite the Council's role in reducing conflict in often contentious fishing issues, increasing public acceptance of the Sanctuary and its regulations, and keeping communication paths open between diverse stakeholders as major accomplishments. In 2005, the Council identified education, outreach, stewardship, water quality, and maritime heritage as focuses for the upcoming year.

Gray's Reef National Marine Sanctuary²³⁹

The Sanctuary

Gray's Reef National Marine Sanctuary encompasses one of the largest near shore rocky reefs in the southeastern United States. Located 32 kilometers off Sapelo Island, Georgia, the 17 square nautical miles Sanctuary protects a reef consisting of rocky outcroppings separated by sandy flat-bottomed troughs. Uniquely located at the boundary between inner and middle shelf zones, Gray's Reef experiences a variety of near-shore and off-shore conditions. The Reef's location and the topographical variety of its rocky outcroppings create complex habitats that can support an incredible diversity and density of organisms. Gray's Reef attracts mackerel, grouper, black sea bass, and a variety of other fishes making it one of the most popular sports fishing and diving areas along the Georgia coast. In addition to supporting fish, logger-head turtles, northern right whales, and other vertebrate species, the rocky reef is so densely covered with invertebrates that the area has been dubbed a "live bottom" habitat.

Unlike coral reefs, rocky "live bottom" reefs are created through geological activity. Gray's Reef began forming 2 to 6 million years ago. At that time, the Gray's Reef area was an underwater habitat where marine and terrestrial sediments settled. This loose aggregate of sand, shell, and mud was exposed to the elements between 2 million and

²³⁹ Information from: Gray's Reef National Marine Sanctuary. 6 June 2006. Gray's Reef National Marine Sanctuary. 22 June 2006 <<http://graysreef.noaa.gov/>>; and Gray's Reef Sanctuary Advisory Council. 6 June 2006. Gray's Reef National Marine Sanctuary. 22 June 2006 <<http://graysreef.noaa.gov/sac.html>>.

8,000 years ago when the ocean receded 80 miles east of its current shoreline. As a result of exposure, the loose sediments were compressed and became porous limestone sandstone rock. As glacial ices melted and water flowed back into the ocean, the Gray's Reef area was covered with water creating the current underwater habitat.

In addition to its ecological value, Gray's Reef is also a resource for recreational fisheries and research. Sports fishing occurs throughout the year; however, it increases during the summer when migratory fish enter the Sanctuary. As one of the most popular fishing and diving sites in the southeastern United States, the Sanctuary and its surrounding areas draw important economic activity to the area. Gray's Reef is also an ideal research site, providing both educational and scientific opportunities. Currently, the Sanctuary is being utilized in research programs to increase knowledge of reef fish and invertebrates.

Sanctuary Designation

Gray's Reef became an active candidate for sanctuary designation in 1979. This Sanctuary's designation process is unique because of its lack of publicity. Because of its low profile, the designation process for Gray's Reef moved slowly. For two years after its proposal, addressing the potential sanctuary designation was passed over for more pressing matters. Then in 1981 Jan Yarn, a Georgia environmentalist, took a personal interest in the Sanctuary. Yarn, who served on the President's Council for the Environment Quality, found the Sanctuary designation papers and personally delivered them to the appropriate White House official. She ensured that the papers moved up the chain of command until January 1981 when President Carter designated the Sanctuary.

Sanctuary Issues

Many of the issues facing the Sanctuary stem from the increase in population along the Georgia coast. Access to the reef requires boating or diving knowledge, providing a natural limitation on reef visitation. However, increased levels of fishing and diving are still a concern. There are several types of fishing occurring within the Sanctuary including: recreational fishing, charter boat fishing, and commercial fishing. Each of these groups utilize the Sanctuary in different ways and their individual needs must be addressed. In addition to fishing, the area also attracts divers with its colorful underwater invertebrates and fish species. Studies have shown that visitation has significantly increased since 1981. It is predicted that improved fishing technology, such as global positioning systems and electronic fish finders, will only further increase visitation. The balance between allowing visitors to enjoy Gray's Reef with the need to protect its resources is a constant challenge.

Sanctuary Programs

Gray's Reef National Marine Sanctuary focuses its efforts in three areas: resource protection, research, and education. As a popular sports fishing and diving area, the Sanctuary must balance visitor's enjoyment with resource protection. With the help of scientists and the public, the Sanctuary creates, modifies, and enforces regulations that

protect its resources. The information gained through the Sanctuary's ongoing research projects contributes to the effective regulation and protection of its natural resources. Since 1993, the Sanctuary has conducted annual assessments of the fish populations, benthic invertebrates, oceanographic conditions, sediment transport, and visitor use. Along with this baseline data, the Sanctuary has supported research on logger head turtles, physical oceanographic conditions, and site characterizations. The educational programs Gray's Reef Sanctuary holds are aimed at improving public awareness and understanding of the Sanctuary and its resources. The Sanctuary sponsors outreach programs, public seminars, presentations, and exhibits.

Sanctuary Advisory Council

Gray's Reef National Marine Sanctuary Advisory Council was formed in 1999. The 11 members representing conservation, education, research, recreational fishing, and federal and state agency partners initially came together to provide advice on the Sanctuary's management plan review. Between December 1999 and January 2000 the group facilitated public comment on this management plan by designing and running eight public meetings. These meetings and the 1,800 public comments submitted during the comment period uncovered a public desire for a report on the current status of Sanctuary resources. To help the Sanctuary staff meet this need, the Advisory Council reviewed and edited the "State of the Sanctuary Report" which was completed in 2001. In addition to supporting the management review process, the council has also created a highly successful Research Area Working Group. This group discussed the subject of "closed areas," which because of high recreational fishing uses in the Sanctuary is a controversial topic. The group brought together scientists, fishermen, and other stakeholders to discuss how to identify, establish, and enforce closed areas. Viewed as a success, this public group was able to allow stakeholders to express concerns and learn different perspectives from each other.²⁴⁰

Gulf of the Farallones National Marine Sanctuary²⁴¹

The Sanctuary

The Gulf of the Farallones National Marine Sanctuary protects the barren Farallon Islands and surrounding ocean. Encompassing 948 square nautical miles along the northern and central California coast, the Gulf of the Farallones Sanctuary includes approximately 70% of the continental shelf off San Francisco. Located in the highly productive California Current and the Eastern Pacific upwelling region, the Farallon Islands are known for both the incredible diversity and density of species they support. Twelve species of seabird and shorebirds nest on the Islands creating the largest seabird breeding colony in the continental United States. The nutrient rich waters also attract 36

²⁴⁰ The information is from the Advisory Council Member Survey Results.

²⁴¹ Gulf of the Farallones National Marine Sanctuary. 16 November 2005. Gulf of the Farallones National Marine Sanctuary. 22 June 2006 <<http://farallones.noaa.gov/>>; and Gulf of the Farallones National Marine Sanctuary Advisory Council. January 2006. Gulf of the Farallones National Marine Sanctuary. 22 June 2006 <<http://farallones.noaa.gov/manage/sac.html>>.

species of marine mammals, 25 of which are endangered, such as the blue and humpback whales. The Farallones also provide a nursery for harbor and elephant seals with 20% of California's harbor seals breeding within the Sanctuary boundaries. In addition to its ecological value, the Sanctuary also provides economic benefits to the area. Ten million people visit Sanctuary waters annually with 80% staying within the intertidal area. These tourists support businesses in kayaking tours, sports fishing, diving, and other recreational activities.

Sanctuary Designation

The Sanctuary was designated in January 1981 by President Jimmy Carter the day before he left office.²⁴²

Sanctuary Issues

Major issues facing Gulf of the Farallones NMS are fishing management, introduced species, vessel traffic, and wildlife disturbance. Fishing activities include clam digging, sports fishing, and commercial fishing. Most sports fishing targets king salmon and rockfish. Commercial fishing includes Pacific herring, salmon, rockfish, albacore tuna, and dungeness crab.²⁴³ Invasive species have also become an emerging issue threatening Sanctuary health. Located near San Francisco Bay, one of the most invaded aquatic ecosystems in the world, there is significant risk of invasive species spreading into the Sanctuary. Main sources of invasive species are expansion of current invasive species ranges into Sanctuary waters, discharged ship ballast water, and transfer on ship hulls. Vessel traffic to and from San Francisco Bay creates the risk of accidental oil spills and other hazardous material discharge into the Sanctuary. Although uncommon, the potentially devastating effects of spills make them a significant concern to the Sanctuary. Wildlife disturbances include storms and other natural forces. They also include human disturbances such as visitors feeding wild animals, walking through tidepools, or activities associated with wildlife viewing. Of particular concern to the Sanctuary are: "trampling and collecting in tidepools, impacts from hikers, boaters and kayakers, and interactions with great white sharks."²⁴⁴

Sanctuary Programs

Gulf of the Farallones NMS has research and education programs. A unique aspect of the research program is its successful use of citizen-scientist volunteers. One project, Beach Watch, utilizes more than 100 volunteers to conduct bi-monthly surveys of over 150 miles of beaches from Point Ano Nuevo to Bodega Head. Just a few of this group's

²⁴² Twenty Years in the Life of the Sanctuary. 21 October 2002. Gulf of the Farallones National Marine Sanctuary. 12 April 2006 <<http://farallones.noaa.gov/explore/history.html>>.

²⁴³ "Gulf of the Farallones Issue Name: Introduced Species Problem Statement." Joint Management Plan Review. 2003. National Oceanic and Atmospheric Administration. 12 April 2006 <http://sanctuaries.noaa.gov/jointplan/gf_exotic.html>.

²⁴⁴ "Gulf of the Farallones Issue Name: Wildlife Disturbance." Joint Management Plan Review. 2003. National Oceanic and Atmospheric Administration. 12 April 2006 <http://sanctuaries.noaa.gov/jointplan/gf_wildlife.html>.

accomplishments include gathered data on the birds and mammals living on beaches and gathering data on the effects of oil spills. Another research project, SEALS (Sanctuary Education Awareness and Long Term Stewardship) focuses on the protection of harbor seals. More than 65 volunteers have monitored harbor seals and participated in population counts throughout northern and central California. Their efforts have reduced 95% of the disturbance to harbor seals from clam diggers on Clam and Seal Islands. The Sanctuary's education program is also unique in its focus on providing school programs and teacher resources. Along with a visitor center and adult education opportunities, the Sanctuary also provides several school programs for grades as young as pre-kindergarten. Among the many school programs provided are a Sharkmobile travels to school with a 75 minute course on shark biology and conservation and a Sanctuary Explorer Summer Camp.

Sanctuary Advisory Council

Created in 2001, Gulf of the Farallones' eight member council is one of the smallest among Sanctuaries. Members represent interests for maritime activities, education, conservation, research, Golden Gate National Recreation Area, and community-at-large. One current project of the Advisory Council has been to support the Joint Management Plan occurring for Gulf of the Farallones, Cordell Bank, and Monterey Bay Sanctuaries. The Advisory Council has contributed to this process through regular meetings and participation in many working groups. Because of the small size of the Sanctuary, the Advisory Council's role in increasing awareness of the Sanctuary is particularly important. Members have successfully spread knowledge of the Sanctuary's programs, management issues, and accomplishments. Most recently, the Council has met to focus on resources issues facing Marin, Sonoma, San Francisco, and San Mateo County coasts.

Hawai'ian Islands Humpback Whale National Marine Sanctuary²⁴⁵

The Sanctuary

The Hawai'ian Islands Humpback Whale National Marine Sanctuary is a series of five protected areas distributed across the Hawai'ian Islands. It has a total area of 1,057 square nautical miles encompassing habitats around Maui, Lana'i, Moloka'i, Kaua'i, Kono coast and O'ahu coast. Each of the five Sanctuary regions has unique ecosystems; however, they have been preserved as a group to protect Humpback Whale habitat. Because the Sanctuary extends from the island's shoreline to oceans up to 600 feet deep, it includes a diverse set of ecosystems including coral reefs and seagrass beds. Coral reefs in the Sanctuary mainly consist of fringing reefs supporting a variety of corals with over 25% being endemic to the region. Along with these reefs, shallow water seagrass communities grow in the sheltered and soft bottom areas. These coastal ecosystems

²⁴⁵ Information from: Hawai'ian Islands Humpback Whale National Marine Sanctuary. 25 March 2006. Hawai'ian Islands Humpback Whale National Marine Sanctuary. 22 June 2006 <<http://hawaiihumpbackwhale.noaa.gov/>>; and Hawai'ian Islands Humpback Whale Sanctuary Advisory Council. 1 August 2005. Hawai'ian Islands Humpback Whale National Marine Sanctuary. 22 June 2006 <<http://hawaiihumpbackwhale.noaa.gov/sac/sac.html>>.

provide reproductive and nursery areas for a wide variety of vertebrates and invertebrates. They are also areas of high primary production contributing significantly to nutrient recycling and sediment stabilization.

Within these diverse and unique ecosystems lives the humpback whale, which prefers near-island habitats for breeding and feeding.²⁴⁶ During their feeding season in the nutrient rich northern waters, humpback whales consume 2,000 to 9,000 pounds of fish making them an influential part of their ecosystem. Of the 6,000 to 10,000 whales in the North Pacific, approximately 2,000 to 5,000 migrate each winter to the Sanctuary during the breeding and calving season. In addition to their ecological value, the humpback whale contributes significantly to Hawai'i's tourist economy. The tour boat industry alone generates \$200 million in revenue and employs more than 2,000 people.²⁴⁷

Sanctuary Designation

The designation of the Hawai'ian Island Humpback Whale Sanctuary has been a prolonged and complex process. Initial interest in creating the Sanctuary occurred in 1982 when the NOAA decided that humpback whale breeding grounds around Hawai'ian Islands needed to be protected as a national resource. This idea met resistance from local community members who feared the sanctuary designation would add additional restrictions on fishing and vessel traffic. Because of the opposition, Governor Anyoshi suspended consideration of the designation in 1984. It was not until 1990 when President George Bush discontinued the use of Kaho'olawe as a weapon's range that attention was re-directed toward a potential Sanctuary in the area. Two years later, on November 4, 1992, Congress designated the Hawai'ian Island Humpback Whale Sanctuary. Because of the public controversy surrounding the designation, boundaries for the Sanctuary were open to negotiation. With extensive public participation the Secretary of Commerce and the Governor of Hawai'i were able to modify the boundaries of the Sanctuary to fulfill its mandates. On June 5, 1997, over four years after official designation, the Governor of Hawai'i formally approved the Sanctuary within state waters.

Sanctuary Issues

There are four major threats facing humpback whales within the Sanctuary: entanglement in marine debris, degradation of habitat, vessel-whale collisions, and acoustic disturbance. Entanglement is a growing problem and occurs when whales get caught in debris and fishing gear which inhibits their diving, swimming, feeding, and surfacing activities. Concerns with habitat degradation in the Sanctuary focus around issues with water quality, both related to nutrient overload and toxic chemicals. Another major issue facing humpback whales is collision with vessels, despite regulations against boating near whales. Acoustic disturbances are a more recent issue facing the Sanctuary; underwater

²⁴⁶ Gardner, Emily. "Humpback Whales." Hawai'i's Marine Wildlife: Whales, Dolphins, Turtles, and Seals: A Course of Study. Earthtrust and Hawai'i State Department of Education. 12 April 2006 <<http://www.earthtrust.org/wlcurric/whales.html>>.

²⁴⁷ Markrich, Michael. The Hawai'i Boat Industry 2003—A Survey and Economic Description. 5 May 2004. 12 April 2006 <<http://www.a3h.org/pdfs/tourboatindustry.pdf>>.

audio pollution is thought to decrease whale's ability to communicate and their tolerance to stress. A few sources of acoustic disturbances are dredging, blasting, ships, and underwater testing.

Sanctuary Programs

The Hawai'ian Island Humpback Whale Sanctuary has programs in research and education that both focus around the health of humpback whale populations and habitats. Current research goals include: 1) improving the understanding of humpback whales and their wintering habitat, 2) addressing and resolving specific management concerns; and 3) coordinating information exchange among researchers, institutions, agencies, and the public.²⁴⁸ To accomplish these goals, the Sanctuary is currently developing an overarching research plan designed to guide the selection of Sanctuary sponsored research projects. The Sanctuary's education program strives to increase awareness and understanding of humpback whales and their habitats among the public. Activities include international conferences, public lectures, outreach programs, and the creation of educational materials.

Sanctuary Advisory Council

Hawai'ian Island Humpback Whale Sanctuary Advisory Council is one of the older advisory councils and also the largest with 31 members. Formed during a time of controversy, the Council has provided a necessary forum for stakeholders to address their concerns. Members represent conservation, education, research, fishing, whale watching, tourism, recreation, shipping, business/industry, Native Hawai'ian, individual islands, the community at large, and a number of state and federal partners. Within the Council, there are three subgroups focused on conservation, education, and research. The Council as a whole meets every other month with the subgroups meeting more frequently. Some of the Advisory Council's more recent accomplishments include contributing to a management plan review completed in 2002, providing advice on the development of outreach material, and voting to support a whale avoidance policy.²⁴⁹

Northwestern Hawai'ian Islands Coral Reef Reserve²⁵⁰

The Reserve

The NW Hawai'ian Islands Coral Reef Reserve encompasses dozens of islands, atolls, and shoals located northwest of Hawai'i, covering 101,941 square nautical miles. These

²⁴⁸ Sanctuary Research. 20 September 2004. Hawai'ian Islands Humpback Whale National Marine Sanctuary. 12 April 2006 <<http://Hawaiihumpbackwhale.noaa.gov/research/research.html>>.

²⁴⁹ Sanctuary Advisory Council News. 1 August 2005. Hawai'ian Islands Humpback Whale National Marine Sanctuary. 12 April 2006 <http://Hawaiihumpbackwhale.noaa.gov/sac/SAC_news.html>.

²⁵⁰ Information from: Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 17 June 2006. Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 22 June 2006 <<http://hawaiiireef.noaa.gov/>>; and Northwestern Hawai'ian Islands Reserve Advisory Council. 17 June 2006. Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 22 June 2006 <<http://hawaiiireef.noaa.gov/council/welcome.html>>.

volcanic remnants, created when islands eroded and subsided beneath the ocean surface, are spread out in a rough line over 1,200 miles. These islands support 7,000 wildlife species, including several endangered species such as the Hawai'ian monk seal and sea turtles. One quarter of NW Hawai'ian Island species are found nowhere else on earth.

Around these volcanic structures are 70% of the coral reefs in United States waters; these corals also comprise some of the world's last pristine coral reef ecosystems.²⁵¹ The NW Island coral reefs create a beautiful underwater habitat that supports an amazing diversity and density of marine species. Minimal human impact has kept the coral animals healthy and allowed them to maintain a natural reef structure. Unlike most reefs, lack of fishing has allowed economically valuable predator fish species to maintain a presence in the ecosystem. The presence of these apex fish predators makes these reefs one of the world's last large scale predator-dominated reef ecosystems.

In addition to ecological value, the Reserve protects an area of significant cultural and historical value. Ancient Polynesian explorers sailed between and settled on the NW Hawai'ian Islands; the remnants of their presence have become treasured archeological resources. The Reserve's 52 shipwrecks document the changes in maritime travel during the Pacific whaling era. The NW Hawai'ian Islands were also the site of important historical battles, including the Battle of Midway in World War II.

Designation Status

The Northwestern Hawai'ian Island Reserve is currently in the process of becoming a National Marine Sanctuary. Created by Executive Order on January 18, 2001 the Reserve is moving through the three steps of sanctuary designation: public scoping, issue characterization, and development of an Environmental Impact Statement and Management Plan (EIS/MP). Public scoping involves soliciting information and comments from the public concerning any issue related to the designation and management of a potential Sanctuary. Public scoping meetings for the potential sanctuary were held in spring of 2002. In 2003-2004 the Reserve, the Reserve Advisory Council, and collaborative partners created documents detailing the vision statement, mission, principles, goals, and objectives for the proposed Sanctuary.²⁵² Currently public comments are being analyzed by the Reserve. In addition, the Reserve has begun the development of an Environmental Impact Statement and Management Plan with a projected completion date in early 2006.

²⁵¹ Explorations: Northwestern Hawai'ian Islands. 11 July 2005. National Oceanic and Atmospheric Administration. 12 April 2006 <<http://oceanexplorer.noaa.gov/explorations/02Hawaii/welcome.html>>.

²⁵² Sanctuary Designation. Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 12 April 2006 <<http://Hawaiiireef.noaa.gov/designation/welcome.html>>.

Reserve Issues

Three major issues facing the Reserve include marine debris, invasive species, and resource depletion.²⁵³ Hundreds of tons of marine debris include fishing gear, plastic, and Styrofoam are washed onto the NW Hawai'ian Islands each year.²⁵⁴ Many local species are injured when they become entangled in fishing gear or ingest debris. At least 50 species of seabirds are known to ingest plastic debris often feeding it to their young. In 1980, Fish and Wildlife study conducted on Midway Island found that 90% of albatrosses surveyed had plastic in their intestines. Endangered species such as the monk seal are also at risk from marine debris. Lisianski Island, the primary birthing area for monk seals, is also the island exposed to the most netting debris. Monk seals, especially pups, run the risk of becoming entangled in these nets.²⁵⁵

Invasive species are another emerging threat to the NW Hawai'ian Islands. Although the Islands are still relatively free of invasive species, alien plants and insects are gaining a foothold on many Islands. A third issue, and perhaps the most contentious, is the potential for resource depletion through over fishing. The two main fisheries in the NWHI are the bottomfish fishery and the crustaceans fishery. Both are relatively small with the bottomfish fishery bringing annual revenues of about one million dollars per year. The crustacean fishery, focused on spiny and slipper lobster, is limited to 15 permits.²⁵⁶

Reserve Programs

The Reserve's major programs are focused on education and research. Because of the Reserve's remote nature, much of its education and outreach efforts consist of distance learning through the internet. In addition to remote access learning, Reserve staff also gives public presentation, conduct community outreach, and deliver educational programs. All education and outreach activities are focused around the goal of "stressing the importance of conservation and seeking to actively engage the public in management of the Reserve."²⁵⁷ Research in the Reserve has concentrated on the exploration and documentation of the area's unique and diverse habitats.

Reserve Advisory Council

The Reserve Advisory Council was chartered in on December 5, 2000. Over the next two months, 15 voting members were chosen to represent the following interests: Native

²⁵³ Questions and Answers. Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 12 April 2006 <<http://Hawaii'reef.noaa.gov/faq/welcome.html#statuscaps>>.

²⁵⁴ Pegg, J.R. "Remote Hawai'ian Islands Littered With Trash." Environment News Service. 8 August 2003. 12 April 2006 <<http://www.ens-newswire.com/ens/aug2003/2003-08-08-11.asp>>.

²⁵⁵ Fact Sheets: Marine Debris. Pacific Whale Foundation. 1999. 12 April 2006 <<http://www.pacificwhale.org/childrens/fsdebris.html>>.

²⁵⁶²⁵⁶ Questions and Answers. Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 12 April 2006 <<http://Hawaii'reef.noaa.gov/faq/welcome.html#statuscaps>>.

²⁵⁷ Education and Outreach. Northwestern Hawai'ian Islands Coral Reef Ecosystem Reserve. 12 April 2006 <<http://Hawaii'reef.noaa.gov/education/welcome.html>>.

Hawai'i an, research, conservation, commercial fishing, recreational fishing, ocean-related tourism, education, citizen-at-large, and the State of Hawai'i. Along with these representatives, there are ten non-voting seats representing state and federal agency partners. The Council, which generally meets bimonthly, has written letters of comment on the development of fishing regulations and the designation process. The group has also passed resolutions regarding the environmental impact statement for the proposed Sanctuary and on the Sanctuary management plan development.

Olympic Coast National Marine Sanctuary²⁵⁸

The Sanctuary

Olympic Coast National Marine Sanctuary encompasses 2,499 square nautical miles off of Washington State's Olympic Peninsula. The Sanctuary borders 125 miles of coastline running from Cape Flattery to the mouth of the Copalis River and extends 25 to 50 miles seaward. The continental shelf and three submarine canyons located within its borders create diverse habitats. Seasonal winds create an upwelling area near the coast that brings deep sea nutrients to the surface. These nutrients form the basis of diverse and productive coastal ecosystems. Near shore kelp beds act as a nursery for many recreational and commercially important fish populations that support valuable fisheries and a variety of seabirds. Both migratory and permanent birds inhabit the Olympic Coast including endangered species such as the tufted puffin and marbled murrelets. Farther from shore, Sanctuary waters provide important feeding grounds for the gray whales, humpback whales, and killer whales.

In addition to ecological resources, Olympic Coast Sanctuary also protects economic, historic, and cultural resources. The Sanctuary waters encompass the habitat of many commercially and recreationally important fish species such as salmon, rockfish, trout, and halibut. In addition, the history of fishing and ship commerce in the Olympic Coast, along with highly variable weather, has created an area rich in shipwrecks. Over 150 shipwrecks, many from the 19th Century, have been documented within the Sanctuary. Olympic Coast also encompasses traditional fishing areas for four coastal Indian tribes, the Makah, Quileute, Hoh, and Quinault Tribes. These tribes have been in residence for hundreds of years and the Sanctuary also protects the natural resources associated with their culture.

Sanctuary Designation

Olympic Coast Sanctuary was designated in 1994 after years of public discussion. The possibility of a sanctuary gained attention when Congressman Mike Lowry asked NOAA to create a Sanctuary off the Olympic Coast by 1990. It was hoped that the designation of a Sanctuary would prevent offshore federal oil and gas leasing which was planned for 1992. Strong local opposition to oil and gas leasing added pressure to create a Sanctuary, which was supported by the entire Washington State delegation. Despite this political and

²⁵⁸Olympic Coast National Marine Sanctuary. 20 June 2006. Olympic Coast National Marine Sanctuary 22 June 2006 <<http://olympiccoast.noaa.gov/welcome.html>>.

local support, there was still some public controversy surrounding the potential designation. During that period, new cutbacks on logging in the region had created tension between the locals and the federal government. In addition, many fishermen were concerned that the designation of a sanctuary would mean additional restrictions on fishing. NOAA was able to address these concerns and the Olympic Coast National Marine Sanctuary was designated in 1994.

Sanctuary Issues

There are several issues facing the Olympic Coast Sanctuary. One major environmental threat is the accidental discharge of oil or hazardous materials. The Sanctuary is located along an international trade route that connects ports in Seattle, Tacoma, and Vancouver with other ports around the Pacific Rim.²⁵⁹ Although rare, the high levels of vessel traffic make catastrophic spills a real risk. Other stresses the Sanctuary face are sediment run off and trawling. Sediment run off, especially from logged areas, reduces water quality which stresses coastal ecosystems. Trawling is another threat to coastal areas; fishermen trawling the sea floor bottom risk damaging deep sea coral.

Sanctuary Programs

Programs at Olympic Coast National Marine Sanctuary focus around the areas of education, research, and resource protection. The education program's goal is to organize and present educational resources that reflect the current knowledge of Olympic Coast. This goal is accomplished through assisting teachers, holding educational events, engaging in outreach activities, and providing speakers for informative presentations. Research at Olympic Coast is conducted to achieve three goals: gain a greater understanding of resources, detect trends in resource changes, and create scientific basis for management decisions. A current research program is the Coastal Observation and Seabird Survey Team (COASST) program. Founded in 1998, COASST surveys over 100 beaches to gather data on seabird mortality. Resource protection takes many forms throughout the Sanctuary; one common method of protection is the enforcement of regulations. The Sanctuary has a variety of regulations that protect its natural and cultural resources such as forbidding oil drilling, dredging, or the removal of marine mammals.

Sanctuary Advisory Council

Olympic Coast Sanctuary Advisory Council was established in 1995. The Council is a large group consisting of twenty one chairs that meet bimonthly. Non governmental seats include: citizen at large, education, research, conservation/environmental, Chamber of Commerce/Tourism/Recreation, marine business/ports/industry, and commercial fishing. Governmental seats include: U.S. Department of Homeland Security/Coast Guard, Olympic National Park, U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Navy, Washington State Department of Ecology, Washington State Department of Natural Resources, Washington State Department of Fish and Wildlife,

²⁵⁹ Area to be Avoided: Education and Monitoring Program. 29 July 2000. Olympic Coast National Marine Sanctuary. 12 April 2006 <<http://sanctuaries.noaa.gov/special/ATBA/ATBA.html>>.

Northwest Straits Commission, and Local Government. In addition to these representatives, the Tribal governments are also represented with seats for the Hoh Tribe, Makah Tribe, Quileute Tribe, and Quinault Nation. To facilitate progress, there are three standing committees that support the Council's activities. These committees include the Executive Committee, Resource Protection Committee and Education/Outreach Committee.

The Advisory Council's committed members assist the Sanctuary's management through resolutions, comments, and actions. Recently, the Council has submitted comments on the draft environmental assessment for remediation of fiber optic cables, created a resolution regarding oil and gas exploration, and commented on the proposed criteria for acoustic "take" for marine mammals.

Thunder Bay National Marine Sanctuary²⁶⁰

The Sanctuary

Thunder Bay National Marine Sanctuary encompasses 448 square nautical miles of Lake Huron on Michigan's Lower Peninsula. The Sanctuary protects over one hundred shipwrecks that have been extremely well preserved by the cold, fresh waters of Lake Huron. These shipwrecks provide a window into the culture, commerce, and maritime technology of the 19th and 20th centuries. For example, eight individual wrecks have qualified for National Historic Landmark status signifying their importance in U.S. history. In addition to shipwrecks, the Sanctuary also contains historical docks and piers. Designated October 7, 2000, Thunder Bay Sanctuary is unique in several ways. First, it is the only freshwater Sanctuary located in the Great Lakes. Second, it is one of two sanctuaries designated with the main purpose of protecting underwater cultural resources. And third, it is the first sanctuary located entirely in state waters.

Sanctuary Designation

The shipwrecks of Thunder Bay have been a treasured resource for decades before the Sanctuary's designation. In the early 1970s, local residents began showing interest in protecting Thunder Bay's cultural resources; this led to the creation of a state designated Thunder Bay Underwater Preserve. In addition to the creation of this reserve, residents also submitted a proposal for a Thunder Bay Sanctuary to NOAA. In 1983, NOAA placed Thunder Bay on its Site Evaluation List of potential Sanctuaries. After Thunder Bay became an active candidate for designation in 1991, NOAA solicited public comments and also created a Thunder Bay Core Group. This group consisted of representatives from tribal government, and local, state, federal, and agencies who provided input in writing the Draft Environmental Impact Statement/Draft Management Plan. Although the designation process was moving forward, local conflict became

²⁶⁰ Information from: Thunder Bay National Marine Sanctuary and Underwater Preserve. 22 June 2006. Thunder Bay National Marine Sanctuary. 22 June 2006 <<http://www.thunderbay.noaa.gov/>>; and Thunder Bay Sanctuary Advisory Council. 17 May 2006. Thunder Bay National Marine Sanctuary. 22 June 2006 <http://www.thunderbay.noaa.gov/sac_new.html>.

apparent when the City of Alpena passed a referendum opposing the proposed Sanctuary in 1997. Over the next several years, intense controversy surrounding the designation continued as NOAA and the State of Michigan discussed the impacts of the proposed Sanctuary. On October 27, 1999 Governor John Engler and Secretary of Commerce William Daley met to discuss the designation's progress. This meeting led to an agreement that NOAA and the State of Michigan would work together toward satisfactory terms of a designation. Productive discussions followed concerning topics ranging from the Sanctuary's name to staffing arrangements. These talks along with additional public outreach led to the successful designation of Thunder Bay NMS on October 7, 2000.

Sanctuary Issues

The issues and threats facing Thunder Bay are different from those of most Sanctuaries. Because Thunder Bay's focus is on preserving shipwrecks and other cultural resources, the Sanctuary does not regulate fishing, boating, diving, or other methods of utilizing natural resources. Instead, the Sanctuary only regulates activities involving the disturbance or removal of cultural resources.

Sanctuary Programs

Thunder Bay focuses its energy on education and research. The mission of Thunder Bay's educational program is to pass the stories of its shipwrecks to local, regional, and national audiences. To reach this goal, the Sanctuary engages in multiple activities. Opportunities to learn about sea faring are available on historic replicas of sailing vessels. Public events such as the Thunder Bay Maritime Festival remind the community of its historical past. In addition to public outreach, the education program also works with teachers bringing lessons of shipwrecks to classrooms through presentations, engaging lesson plans and activities. The Sanctuary's research program works to explore and document the underwater resources in Thunder Bay. Researchers use sidescan sonar and remotely operated vehicles to document identified shipwrecks. In addition to identified shipwrecks, historical records suggest that there are another 65 unlocated wrecks within the Bay. Exploration for these unidentified shipwrecks continues.

Sanctuary Advisory Council

Since its designation, Thunder Bay has had two Sanctuary Advisory Councils. In 1997, the first council was established to provide advice and a list of recommendations concerning the designation process. This council determined issues concerning designation and also provided input on which community interests should sit on the second advisory council. This second, and current, Advisory Council was created to provide advice and recommendations regarding the management of the Sanctuary. It consists of 15 members including recreation, tourism, businesses, fishing, diving, education, maritime history, citizen-at-large, Alpena County Board, City Council, and Township Board of trustees, Sanborn Township Board of Trustees and the Thunder Bay

Underwater Preserve Committee. Within this council are two working groups that discuss the management plan review and education.

Chapter 6

Conclusions and Recommendations

SANCTUARY ADVISORY COUNCILS ARE WORKING

At first glance, the very nature of advisory councils suggests a potential for conflict and frustration: they bring together diverse, potentially polarized, participant groups to communicate with one another; they are charged with learning and providing advice on complex and often controversial natural resource issues to a governmental agency; and they are composed of volunteers who are time-limited, busy professionals. Despite these challenges inherent in an advisory council process, the Sanctuary Advisory Council experience appears to be overwhelmingly positive. The Sanctuary Advisory Council system is working and those involved find their experience with the council rewarding and invaluable.

The results of this study were found to be positive based on three major points. First, members find their experience worthwhile and worthwhile for the participant group they represent. They are fulfilled with their experience and feel that they are being productive and benefiting the sanctuary resources. A member from Florida Keys highlighted “the personal satisfaction of being able to provide input, gain key learnings, and the sense of accomplishment through the results.” Members are learning about sanctuary issues, contributing to sanctuary management decisions, serving as sanctuary ambassadors to the public, and representing their constituent group. As another member from Florida Keys simply stated, “I have been involved in very few activities as satisfying as being a member of the SAC.” Similarly, a member from Thunder Bay claimed that “serving on the SAC has been the highlight of my public service.”

Second, staff find the contributions of advisory councils critical to their ability to manage the sanctuaries. While staff are often uncertain of the value of advisory councils at the outset, they soon realize that they are highly valuable and serve several important roles. The councils not only provide advice, they also help to identify issues, enhance the staff’s understanding of issues, inform the public of sanctuary activities, and build support and awareness for the sanctuary, by having important connections with governmental and citizen groups. As stated by a staff member from Olympic Coast, without the councils, “management would not always be aware of some of the new and emerging issues that council members bring to the council and provide guidance on.” Management decisions would be less well-informed and there would be increased levels of public distrust in the operations and management of the sanctuary. In other words, without the council, it would be more difficult for staff to do their job.

Third, the councils are involved in substantive aspects of sanctuary management. They are assisting with the sanctuary’s management plans, educational programs, resource assessments, and monitoring programs. Staff and council members both agree that

because of the work of the advisory council, management and protection of sanctuary resources has been enhanced.

Factors Contributing to Council Effectiveness

The people involved and the context and environment in which they interact encapsulates the factors that contribute to an effective Sanctuary Advisory Council. Specifically, there are four key factors that appear central to the positive experiences of the councils: the people involved, effective council meetings, adaptability and flexibility of the process, and NOAA commitment and support.

The People Involved

While it may appear obvious, it must be emphasized that the work and attitudes of those involved are what is making Sanctuary Advisory Councils effective. Council participants are dedicated, committed, and motivated to help the sanctuary and to successfully accomplish the responsibilities of their role. The dedication is a reflection of why they joined and their personalities. They have strong interests in the sanctuary and want to do their part to ensure its resources are managed properly. They are problem-solvers and enjoy working in a team. In contrast, they generally are not acting in self-interest, not looking to advance a position, and are not reacting to deep-rooted distrust and suspicion of government and contrasting participant groups. These personal interests and the willingness to work together make for the foundation of positive working relationships among members and enable members to find solutions in the face of sometimes difficult conflicts.

Because of the integral relationship between council and staff, the staff's relationship with the council is significant. The Superintendent or Manager and Coordinator have the most interaction with council members and coordinate most council efforts and logistics. However, other staff are also instrumental to council effectiveness by responding and answering questions, delivering presentations, implementing council recommendations, and occasionally attending and participating at meetings. Staff not only perform these roles, they take their council responsibilities seriously and express a high level of dedication and commitment when doing so. As one staff member from Monterey Bay succinctly stated, the staff "respond to questions in a timely manner, engage the SAC often to gather input, and make sure the SAC feels that it is a valuable resource to the program and staff." Council members alike, such as one from Gray's Reef, acknowledged how the staff "keep them very well informed, is excellent at being fair and being good listeners, and is very grateful and enthusiastic in regards to advisory council member contributions."

Effective Council Meetings

Effective council meetings are a central part of whether members have a positive experience and whether their council is productive. However, bringing multiple individuals with potentially differing, and at times passionate, views together has

multiple challenges. Such meetings could easily become emotional and argumentative; participants could feel inhibited from offering perspectives and concerns leading to lack of fair representation. However, the results of this study show that, in general, Sanctuary Advisory Councils have not encountered these problems. Instead, they have created meetings with open atmospheres, strong leadership, committed and prepared participants, and a strong working relationship, which all promote communication and collaboration. There is a remarkable level of attendance and engagement at Sanctuary Advisory Council meetings, suggesting that members perceive them to be valuable and a productive use of their time.

Open and Positive Atmosphere

Sanctuary Advisory Council meetings are unique in their ability to overcome difficulties and create an open, positive, and respectful atmosphere. Despite differing views, participants experience low levels of frustration or negative emotion during meetings. Instead, meeting atmospheres are positive and productive. Council participants feel free to ask questions and express differing views. They also feel their ideas and concerns are respected. This dynamic has allowed meetings to take on an open and educational feel. One participant from Gray's Reef described his Council's meetings as not just a place where people feel free to express their concerns and reservations, but also a place where "different groups [can] 'educate' each other regarding needs, possibilities, and realities."

In addition to allowing for mutual education, open communication allows participants to feel that they have been heard. This in turn allows them to accept and "buy into" decisions, even if they run counter to their personal interests. A participant from Channel Islands describes his Advisory Council's decisions as "not necessarily in favor with my views. [But] even so, I feel that my viewpoint was listened to." This is especially important, as feeling that decisions are fair and appropriate can lead to a sense of legitimacy of the process and increased public support for its decisions.

Strong Leadership

An integral part of maintaining and directing positive meeting energy is strong leadership from sanctuary staff. Participants were especially pleased with staff's role in preparing for meetings, facilitating meetings, and providing feedback during or after meetings. One participant from Cordell Bank stated that it was very beneficial when his Sanctuary's staff "promptly sends out timely reminders, [and] provides notes and hand outs for meetings." Almost all participants commented on the wealth of knowledge staff provided before meetings which helps keep participants informed on sanctuary issues and allows them to make educated decisions.

In addition to involvement in managing meetings, councils also benefit from members and staff who step forward to guide meetings and facilitate their progress. Staff are described as "promoting Council cohesiveness and comfort levels between the individual Council members." Council chairs and vice chairs also play an important role with one

member from NW Hawai’ian Islands stating that “clearly the strong leadership of the Chair/Vice Chair has kept the council from falling apart.”

Prepared Members

Participants, along with staff, also have to be prepared and invested in the meeting. Like any group, these councils can face the challenge of garnering the time commitment needed to prepare for and attend meetings. In Sanctuary Advisory Councils, these issues do pose significant challenges; but it appears that participants have the dedication and motivation to face them. Attendance at meetings is high and participants show a strong drive to be educated about issues, even when they become overwhelming and complex. In fact, despite the large amounts of information already provided by staff, many participants stated that they would appreciate even more.

Strong Working Relationships

A strong working relationship connects the staff and council participants. This relationship is characterized by a steady two way flow of information and a sense of mutual respect. Many council participants feel that the staff are available to answer questions and offer guidance. This is reflected in the fact that staff and council participants interact regularly even outside of meetings. One participant described his interactions with the Sanctuary director as an “excellent collaborating” experience. Not only do participants learn from this relationship, staff also feel that they gain from working with the councils. Staff agree that without the councils they would lose a valuable source of differing views and knowledge of important issues.

Perhaps the most important aspect of this relationship is that staff and council participants value each other and recognize the struggles each may face. There is a positive working relationship, respect, and trust between sanctuary staff and the council that manifests itself in how the two parties communicate and interact during meetings. Many council members, including one from Gray’s Reef, openly acknowledge how “the sanctuary staff is outstanding, which makes the work of the SAC members easy.” Similarly, as stated by a staff member from Monterey Bay, staff recognize that council members have “a tough role to play, that takes time, which the [Sanctuary] greatly appreciates.” This appreciation and respect has led to council members and staff working together as a team. For example, the Monterey Bay Superintendent sits next to the Chair at council meetings, “reflecting it is a ‘we’ thing and not an ‘us and them’ thing.”

Adaptability and Flexibility of the Process

Each sanctuary is unique. The resources it protects, its surrounding environment, the neighboring communities, the issues it faces, and the level of public interest all differ. The diversity across sanctuaries has also led to a diversity across councils: the number of council members, which participant groups are represented, and the responsibilities with which they are charged all vary. The distinct characteristics of each sanctuary and council have led to each council developing its own culture, character, and norms. They each

have their own charter, decision protocols, their own way of conducting meetings, and their own traditions. For example, when comparing the meetings of two councils both in California, Channel Islands members wore shorts and Hawai'ian shirts while Monterey Bay members wore more business-casual dress. It is a simple distinction but one that captures the unique character of each council.

This uniqueness gives each member on the council a sense of ownership and pride. As a result, council members "feel honored to be included." New members at Monterey Bay take an oath at the beginning of full Council meetings which helps remind the council of their purpose and emphasizes how they take their role seriously. One member from Thunder Bay clearly took pride in how the Sanctuary is "unique as [it] is the only sanctuary in freshwater...and is a graveyard for ships...What a treasure." One member even commented how some members have a "hard time moving on" after their tenure on the council is over.

The flexibility in the structure and workings of the council allows the council to change and adapt with ever-evolving management priorities, participant group interest and involvement, and sanctuary budget. As illustrated in the case studies, the staff and inter-council working relationships take time to develop and become productive. A staff member from Olympic Coast applauds his Council's "development from a group that was briefed by the sanctuary staff to one that actively provides advice and guidance." Over time, the staff and council members identify what is hindering progress and openly address the issues, and then begin to learn how to work with one another and establish their identity. As one member from Olympic Coast stated, "over the years, we have all come to respect each other."

NOAA Commitment and Support

Sanctuary Advisory Councils are authorized by the NMSA but are not mandated. The reason why NOAA established these councils is the recognition by the NMSP leadership that "the involvement of communities and development of a stewardship ethic is vitally important to successfully protect sanctuary resources."²⁶¹ This fundamental belief in the value of the councils to sanctuary management has clearly translated to a firm and steady level of commitment and support from the agency.

While at times not explicitly stated, there is an understanding among members that without the commitment and support from the NMSP Director Dan Basta and the Washington D.C. headquarters, the advisory councils would not be achieving their current level of success. One way headquarters expresses support is through direct interaction with the council. For example, Director Dan Basta attends certain council meetings and special sanctuary events throughout the United States. Headquarters' support for the council is also expressed indirectly through the sanctuary staff. Headquarters emphasizes the importance and value of the councils to the Sanctuary Superintendents and Managers. Upper-management then communicates this message to

²⁶¹ Sanctuary Advisory Council Overview. 21 February 2006. National Oceanic and Atmospheric Administration. 13 April 2006 <<http://www.sanctuaries.nos.noaa.gov/management/ac/welcome.html>>.

their staff and they jointly find ways to express their appreciation for the councils and maximize their potential.

Even though members work most closely with their own sanctuary's staff, they still express appreciation of NOAA support. Some directly recognize the influence and support of the Director. One member from Florida Keys stated, "Dan Basta is brilliant." Staff have similar sentiments, such as one from Olympic Coast, who stated that "the commitment of headquarters to nurturing the council" has enabled the councils to be effective. Others appreciated how the NMSP established Sanctuary Advisory Councils in the first place. They recognize that without "NOAA's support of the council concept," the councils would not exist or be as effective.

SANCTUARY ADVISORY COUNCIL ACCOMPLISHMENTS

After recruiting motivated individuals and having an attentive staff ready to assist and guide the council, working toward achieving goals and accomplishing tasks becomes more feasible. Accomplishments can either be procedural or substantive and are further proof that the advisory councils are an effective way to promote collaboration and advise staff on sanctuary management.

Procedural Accomplishments

Council participants and sanctuary staff both acknowledge how the council has enabled the coordination, communication, and development of relationships across participant groups and other governmental agencies. The council provides a legitimate forum for open communication, with the goal of allowing various groups to collaborate and work together toward solutions, educate each other, and resolve conflict. The existence of the open council forum has led to increased public awareness and support of sanctuary decisions, increased trust among participant groups, and decreased levels of suspicion that the “heavy hand of government” is in complete control. Without the councils, there is a fear that “management would operate in a vacuum and would make mistakes due to being out of touch with the local community,” according to a member from Thunder Bay. Staff members also believe that without the councils, “the program would be more insular and would not be as informed of various stakeholder views on a regular basis.”

Also, as stated previously, the personal fulfillment council members gain from serving on the council is considered an accomplishment of the Sanctuary Advisory Council program. Members would not keep returning and continue to be inspired and engaged if they did not gain any personal satisfaction from the experience.

Substantive Accomplishments

The procedural accomplishments set the stage for tangible, substantive accomplishments. There is a strong belief that advisory councils enable staff to make more informed decisions, enhance public education of the sanctuary, and directly improve resource protection. Staff and participants from all sanctuaries present an exhaustive list of what the council has done to improve the quality of sanctuary resources and assist in proper management. Not every comment is included below, but it is important to note the pride council and staff respondents had in their council’s accomplishments. The comments can be grouped in five categories: resource protection, marine reserves, education programs, sanctuary management support, and sanctuary designation and management plans.

Resource Protection

Respondents gave examples of the recommendations, assessments, or other work the council was doing to improve a specific aspect of sanctuary resource protection.

- “The SAC's 2005 comprehensive recommendations on improving and protecting water quality within and adjacent to CINMS.” — *Staff, Channel Islands*
- “The SAC's 2004 comprehensive recommendations on understanding and mitigating sources of human noise within the Sanctuary.” — *Staff, Channel Islands*
- “Helped to formulate recommendation to increase protection for Cordell Bank by restricting bottom contact fishing gear on the Bank.” — *Staff, Cordell Bank*
- “Discussions and solutions to ship traffic through the Sanctuary.” — *Member, Gulf of the Farallones*
- “Electronic devices to move ships offshore and prevent reef destruction.” — *Member, Florida Keys*
- “Support for everglades restoration.” — *Member, Florida Keys*
- “Contributions to coral reef restoration.” — *Member, Florida Keys*
- “Getting some restrictions on potentially harmful Navy sonar use.” — *Member, HI Humpback Whale*
- “(Hopefully) prevent the creation of artificial reefs made by sinking ships for benefit of submarine tour boats.” — *Member, HI Humpback Whale*
- “Reviewing the advancement of the Superferry and its impact on Humpback whales.” — *Member, HI Humpback Whale*
- “Reviewing the sites of fish farming and its impact on the environment.” — *Member, HI Humpback Whale*
- “Whale avoidance guidelines for commercial vessels.” — *Member, HI Humpback Whale*
- “Adoption of vessel traffic lanes.” — *Member, Monterey Bay*
- “Water quality programs.” — *Member, Monterey Bay*
- “Cruise ship harmful discharge resolution-they helped lead the way for no harmful discharges from cruise ships while visiting the city of Monterey.” — *Staff, Monterey Bay*
- “Provided key recommendations on the management of kelp harvesting to resolve a user conflict.” — *Staff, Monterey Bay*
- “We're ahead of the game in regards to the NOAA EIS to change the definition of acoustic take of marine mammals.” — *Member, Olympic Coast*
- “Establishment of rules to protect the assets of the Sanctuary.” — *Member, Stellwagen Bank*
- “Helping to put forward the sanctuary's plan to move shipping lanes for whale protection.” — *Staff, Stellwagen Bank*

Marine Reserves

Council members and staff cited how the council was key in establishing areas for special protection within the sanctuary.

- “Establishment of the nation's first marine reserve network.” — *Member, Channel Islands*

- “The SAC's 1999-2002 process on considering marine reserves (no take areas) within the Sanctuary and the fact that their recommendations led to actual results (i.e., California Fish and Game Commission voted in favor of establishing the west coast's largest network of marine reserves within CINMS).” — *Staff, Channel Islands*
- “Selecting and implementing Sanctuary Preservation Areas.” — *Member, Florida Keys*
- “Putting in place the largest fully-protected marine reserve in the western hemisphere (Tortugas).” — *Member, Florida Keys*
- “Drafting a document stating the reasons a research only area is needed within GRNMS boundaries.” — *Staff, Gray’s Reef*
- “Recommendations regarding the creation of a network of intertidal marine reserves.” — *Staff, Olympic Coast*
- “Establishment of historic wreck sites.” — *Member, Stellwagen Bank*

Education Programs

Several advisory councils are involved in creating educational materials or programs to educate the public or children on the sanctuary or a specific issue within the sanctuary.

- “Creation of a single brochure outlining all of the multi-agency rules & regulations.” — *Member, Channel Islands*
- “Helping form the education goals for both Cordell and Farallones.” — *Member, Cordell Bank*
- “Sponsoring the Whale/Ship Interaction meeting on Maui SPLASH.” — *Member, HI Humpback Whale*
- “Created a boater outreach program to educate and inform the general boating public about the regulations that govern their conduct when in the presence of whales, and developed procedures to follow when found in close proximity to whales.” — *Member, HI Humpback Whale*
- “Developed a fine educational outreach program aimed particularly at children.” — *Member, HI Humpback Whale*
- “The country's first volunteer farm land program focused on improving ag water runoff and its consequences to the marine environment.” — *Member, Monterey Bay*
- “Off-site education programs (College credit course on SBNMS last winter).” — *Member, Stellwagen Bank*
- “We have had Maritime festival for the last 5 years.” — *Member, Thunder Bay*
- “Working with families on a boat building program.” — *Member, Thunder Bay*
- “Wrote a k-8 shipwreck curriculum; was adopted by Alpena Public Schools and mandated for 4th grade Michigan history.” — *Member, Thunder Bay*
- “The completion of the Great Lakes Maritime Heritage Center.” — *Member, Thunder Bay*

Sanctuary Management Support

Another common accomplishment included ways in which the council was enabling the staff to better perform their jobs. Some examples include how members perform additional public outreach, volunteer at events, or assist with monitoring programs.

- “Developing assessments on emerging threats such as marine acoustics, water quality, shipping.” — *Staff, Channel Islands*
- “Planning of our upcoming 20th Anniversary.” — *Staff, Fagatele Bay*
- “The FKNMS SAC (1992-1996) led the early efforts to raise attention about the collapse of Florida bay and the impact downstream on the coral reefs of the FKNMS.” — *Staff, Florida Keys*
- “Discussion of facilities upgrades and expansions.” — *Member, Gulf of the Farallones*
- “Integration with the South Atlantic Fisheries Management Council and Joint Enforcement Agreement with GA DNR to support Sanctuary Enforcement needs.” — *Member, Gray’s Reef*
- “Starting the slow process of a statewide naturalist program.” — *Member, HI Humpback Whale*
- “Setting up the Sanctuary Integrated Monitoring Network (SIMON).” — *Member, Monterey Bay*
- “Stationing of a dedicated tug at Neah Bay to respond to potential shipping disasters.” — *Member, Olympic Coast*
- “Commenting on major projects/policies (fiber optic cable fair market value study, alternative energy proposal, energy policies).” — *Staff, Olympic Coast*
- “The consensus sanctuary vision statement.” — *Member, Stellwagen Bank*
- “Monitoring of marine life.” — *Member, Stellwagen Bank*
- “We have developed a large list of volunteers (over 100) to help with projects and also developed guidelines for volunteers.” — *Member, Thunder Bay*
- “Successful fundraising for educational programs.” — *Member, Thunder Bay*
- “I helped sell raffle tickets for the family boat building project. I helped put information packets together for the opening of the Heritage Center. I volunteered at the opening of the center.” — *Member, Thunder Bay*
- “SAC members serve as volunteers for a variety of sanctuary activities.” — *Member, Thunder Bay*
- “Obtaining permanent certification from the governor of Michigan.” — *Member, Thunder Bay*

Sanctuary Designation and Management Plans

Members and staff cited how the council’s involvement in sanctuary management plans was an accomplishment. Several others cited how council members helped with designating the sanctuary and determining boundaries.

- “Creating agreement on a zoning plan.” — *Member, Florida Keys*
- “Provided enormous input into the Draft and Final Management Plans for the FKNMS (1992-1997).” — *Staff, Florida Keys*
- “Working with Biscayne National Park on a fishery management plan.” — *Member, Florida Keys*
- “Getting HQ to let Farallones Sanctuary formally manage the ‘Northern Management Area’ of the Monterey Bay Sanctuary.” — *Member, Gulf of the Farallones*
- “Helping to define Sanctuary boundaries.” — *Member, HI Humpback Whale*
- “We played an important role during the review of the Management Plan. We helped identify issues, prioritized these issues, and provided invaluable experience, expertise, and perspective from each of our seats of representation.” — *Member, Monterey Bay*
- “Vessel traffic management plan.” — *Member, Monterey Bay*
- “Joint Management Plan Review (JMPR)-they helped us determine the 20 some odd issues that we will be covering the next 5-10 years.” — *Staff, Monterey Bay*
- “Development of a comprehensive Reserve Operations Plan.” — *Member, Northwestern HI*
- “Passing an alternative resolution to be considered in the NWHI DEIS and passing a resolution with comments from the RAC on the management plan.” — *Staff, Northwestern HI*
- “Getting a new sanctuary up and running.” — *Member, Thunder Bay*

SANCTUARY ADVISORY COUNCIL CHALLENGES

Over the years, Sanctuary Advisory Councils have assisted sanctuary management, achieved significant accomplishments, and created productive working relationships across a diverse set of individuals, groups and government agencies. Not surprisingly, they have also encountered significant challenges along the way. Many of the challenges faced are inevitable for any collaborative group working on complex issues. Most are associated with the time commitment involved, the realities of working in a government agency context, the need to manage conflicts associated with differing perspectives on issues and, specific to the Sanctuary Advisory Councils, the lack of broad public awareness of the sanctuaries. While it is seldom possible to avoid these challenges, the Sanctuary Advisory Councils are managing them to varying degrees.

Time Commitment

While some Sanctuary Advisory Council members may represent government agencies and are involved as part of their job, most members are volunteers and are participating in addition to their other professional and personal responsibilities. Given time constraints and voluminous information, these members often find it challenging to keep up with council activities. As one Olympic Coast council member described it, "[the challenge] is keeping up with all the issues and meetings due to competing professional demands." Many sanctuary issues are scientifically and technically complex and take time and effort to understand. Particularly challenging is finding the time to review all the materials provided in advance of meetings in order to be fully prepared for the discussions that will occur. Similarly, council members recognize their important role in maintaining connection to the communities or groups that they represent, but finding time for this communication can be difficult.

The time involved in working with advisory councils is also challenging for sanctuary staff. While staff express respect and enthusiasm for the contributions of their councils, they also lament that their limited time often means they are unable to work with councils as much as they would like or feel is necessary. Some expressed frustration with their inability to interact more frequently with council members, particularly at meetings, because of other job responsibilities. One staff member commented, "I find that members really want to interact with me at the beginning of meetings and during breaks and at the end of meetings. My current logistical responsibilities make this very difficult."

Working with a Government Agency

The Sanctuary Advisory Councils, as their name suggests, are advisory groups to a government agency. Their collaborative process resides within a bureaucratic and political context, and this reality often proves challenging. Like any government agency, NOAA has complex organizational structures, standard operating procedures, and norms. One member from Gray's Reef described his greatest challenge as "understanding the 'inner workings' of NOAA, its regulatory/review procedures, and its slowness." Another

felt a major constraint on his council's progress was "uncertainty about DC political support."

Most Sanctuary Advisory Councils are involved in some stage of their sanctuary's Management Plan Review. Like any government planning task, MPR involves many procedural steps and requirements, is lengthy in scope and duration, and then requires an array of administrative reviews and approvals in Washington, D.C. It is a well worn adage, but "the wheels of government turn slowly" and the council members are sometimes discouraged by delays and uncertainties regarding their recommendations. The associated delays are frustrating for sanctuary staff as well who respect the contributions of their advisory councils and appreciate the need to keep them engaged and motivated. Because staff are also uncertain about the outcomes of national level reviews, they are not always able to keep the advisory councils informed or prepared for the eventual decisions that are made. It is interesting that the council members do not fault local sanctuary management for these delays, and their patience is commendable. Nonetheless, both members and staff suggest the need for more timely feedback and updates on the status of plans and recommendations.

Some members would like to see the Sanctuary Advisory Council given smaller and more tangible tasks that could sustain interest and motivation and provide a more immediate sense of accomplishment.

Managing Conflicts

While Sanctuary Advisory Councils most often work on issues with a shared purpose and common set of concerns, there are some issues where divergent perspectives exist and conflict is inevitable. Sanctuary Advisory Councils have particularly struggled with issues involving fishing, sanctuary boundaries, and access to resources. The wording of correspondence to NOAA on such issues, or of broader public resolutions on controversial topics, has at times led to heated meetings and strained member relationships. Because most Sanctuary Advisory Councils strive for consensus in their recommendations and want to make sure that all perspectives are heard and addressed, some issues become especially difficult to reach closure on without resorting to a majority rule vote resulting in disappointed or frustrated members. A remarkable aspect of several councils has been their ability to tackle this reality head-on by explicitly reflecting upon and learning from these situations when they arise. Some councils, like the one at Channel Islands, have developed new protocols and decision criteria following particularly contentious meetings, hoping to improve their ability to manage similar issues when they arise in future meetings. Council retreats have also been held to mend strained relationships.

Lack of Public Awareness

Both advisory council members and staff alike commented on the challenge inherent in managing a resource that is largely invisible to the public. The view from an ocean beach adjacent to a sanctuary is often simply of sky, water, and perhaps a passing ship or

seagull. The sanctuaries contain an amazing array of cultural, historic and natural resources, but they are often hidden from view. Stellwagen Bank council members jokingly refer to their sanctuary as "Stealthwagen Bank." "We're one of the best kept secrets," they note; "the sanctuary is offshore, out of sight...it's a challenge." Consequently, it has proven difficult to obtain broader public engagement in Sanctuary Advisory Council meetings and activities, and feedback on sanctuary plans. Council members sometimes wrestle with ways to communicate with the public about sanctuary issues. Moreover, many members and staff feel that this lack of public awareness contributes to there being insufficient resources to get work done. Most feel that increasing public awareness would lead to increased public concern and engagement, and hence greater political responsiveness to the needs and opportunities of the sanctuaries.

ADVICE TO OTHER AGENCIES

The findings of this study suggest that a well-intended and managed advisory council process can indeed promote effective collaboration and communication between government agencies, communities, and interested groups and individuals. The experience of the Sanctuary Advisory Councils highlight several key considerations for other resource management agencies interested in having advisory councils help inform their management decisions.

1. Be Committed

One of the key reasons why Sanctuary Advisory Councils are proving effective is that the agency's leaders and staff are seriously committed to them. They recognize the critical role the Advisory Councils play in sanctuary resource management and support these councils in multiple ways. This commitment is evident at all levels of the agency and is demonstrated through their engagement with advisory council members during and between meetings and confirmed from their comments about the invaluable contributions that the Councils provide to the sanctuaries. Ensure that your agency officials from staff to upper management tiers are dedicated, actively engaged and supportive of the advisory councils and their contributions to the agency mission.

2. Recognize that the People Involved Make the Difference

As demonstrated by the Councils, it is the people involved that make an advisory council process work. Consequently, it is important to select people who care about the resource, are problem-solvers and team-players, and have the time and dedication to support their involvement. Recognize that most council members serve in a voluntary capacity. Nurture their involvement by making participation as "easy" as possible, minimizing bureaucratic tasks, providing timely information and feedback, establishing clear objectives, and recognizing and rewarding their contributions in whatever ways are possible and meaningful.

3. Make Council Meetings Productive and Worthwhile

Council meetings are the main forum in which members formally deliberate complex issues as well as interact with agency staff. Bringing multiple individuals with differing and equally passionate views brings about inevitable challenges. Participants must feel comfortable offering their varying perspectives and concerns freely, and feel that they have been heard and respected. Provide clear objectives for the advisory council and timely feedback on their recommendations. Give the council immediate and tangible issues to work on that will motivate and sustain member involvement.

4. Provide Leadership

Agency leadership is essential to productive advisory council processes. While the councils provide advice, the agency retains all decision-making authority and is the entity

that must guide the council process. This leadership is embodied in clear objectives, manageable tasks, guidance on the legal and political bounds of discussions, fair process facilitation, and responsiveness to council questions and advice.

5. Help Members Prepare and Participate

Many advisory council members are volunteers who have other personal and professional responsibilities. It is particularly challenging for these members to fully prepare for meetings and participate in the full range of council activities. There are a variety of ways agencies can help maximize the contributions of these members, including providing meeting agendas and materials in advance of meetings and in a form that is accessible and easily understood; scheduling meetings at convenient times and places; providing assistance during the meetings; and ensuring opportunities for meaningful contribution to advisory council deliberations.

6. Foster Strong Working Relationships

Advisory councils that work are those in which the members have developed strong working relationships. These relationships are grounded in effective communication, respect, and understanding. They are promoted by processes that are problem or issue-focused and in which a team-effort is encouraged. A commitment to a shared purpose or mission can often help establish the initial interactions that lead to productive working relationships.

7. Be Adaptive and Flexible

Individual advisory councils can differ in many ways. Some issues are site-specific, membership needs will vary, and differing personalities, cultures and norms will often require different process approaches. Missions and objectives of members may vary in ways that must be recognized. When possible, enable advisory councils to adapt to the unique attributes and issues in their situation. While advisory councils that fall under the provisions of the Federal Advisory Committee Act of 1972 have procedural requirements that must be honored, within these constraints unique characteristics should be identified and accommodated.

References

- Aldrich, H. *Resource dependence and interorganizational relations*. *Administration and Society*. 74 (1976): 419-454.
- Burchfield, Jim. *Reconciling Multiple Levels of Authority in Collaborative Decisions: The Case of the Upper Missouri River Breaks National Monument*. University of Montana, Missoula, MT: November 2002.
- California State Assembly *Joint Resolution 14*. 28 April 2005. 16 U.S.C. §§ 1431 et seq., (MPRSA)
- California State Assembly. *California Declares Opposition to Offshore Oil Drilling*. Yee Press Release. Speaker pro Tempore Leland Y. 11 July 2005. 31 March 2006 <<http://democrats.assembly.ca.gov/members/a12/press/p122005063.htm>>.
- Center for the Economy and the Environment, National Academy of Public Administration. *Protecting our National Marine Sanctuaries*. February 2000.
- Cestero, B. Beyond the hundredth meeting. *A field guide to collaborative conservation on the West's public lands*. 1999. Sonoran Institute, Tuscon, Arizona.
- Channel Islands National Marine Sanctuary. *Bridging the Historic Past Through Shipwrecks*. 16 September 2005. 13 April 2006 <<http://www.channelislands.noaa.gov/shipwreck/cinms.html#data>>.
- Channel Islands National Marine Sanctuary. *Sanctuary Advisory Council*, 9 January 2006. 13 April 2006 <<http://channelislands.noaa.gov/sac/main.html>>.
- Channel Islands National Marine Sanctuary. *Sanctuary Advisory Council Charter*. 3 November 2003.
- Channel Islands National Marine Sanctuary, *Sanctuary Advisory Council Decision-Making and Operational Protocols*. 18 November 2005. Channel Islands National Marine Sanctuary. 13 April 2006 <http://channelislands.noaa.gov/sac/pdf/rev_prot.pdf>.
- Channel Islands National Marine Sanctuary. *Sanctuary Management Plan*. 1983. 22 September 2003. 13 April 2005 <<http://channelislands.noaa.gov/marineres/mphome.html>>.
- Channel Islands National Marine Sanctuary. *Working Groups and Subcommittees*. 6 March 2006. 13 April 2006 <<http://www.channelislands.noaa.gov/sac/wgsub.html>>.
- Cheng, Antony, Linda Kruger, and Steven Daniels. *Place as an integrating concept in natural resource politics: Propositions for a social science research agenda*. *Society and Natural Resources*. 16 (2003): 87-104.
- Cordell Bank National Marine Sanctuary. *Advisory Council Meeting Agenda*. 26 January 2006. 12 April 2006 <<http://cordellbank.noaa.gov/council/pdfs/sacagenda012606.pdf>>.

- Dukes, Franklin E and Karen Firehock. *Collaboration: A Guide for Environmental Advocates*. 2001. The University of Virginia Press.
- Environmental Protection Agency. *EPA NE: Tribal Program*. 9 April 2006
<<http://www.epa.gov/region1/govt/tribes/progstructure.html>>.
- Federal Advisory Committee Act, 5 U.S.C. App. §§ 1-16 (1997).
- Federal Register 40-56253 Marine Protection, Research, and Sanctuaries Act. Pub. L. 100- 627. 11 July 1988.
- Federal Register 70-46 (2005): 11943-11944. 12 April 2006
<<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-4666.pdf>>.
- Florida Keys National Marine Sanctuary. *Programs and Activities*. 9 October 2002. 12 April 2006 <http://www.fknms.nos.noaa.gov/edu/programs_activities.html>.
- Franklin, James L. *National Refuge seen for Stellwagen Bank*. Boston Globe. 23 February 1991. 22 November 2005 <<http://web.lexis-nexis.com/proxy.lib.umich.edu/envuniv>>.
- Gardner, Emily. *Hawaii's Marine Wildlife: Whales, Dolphins, Turtles, and Seals: A Course of Study*. Earthtrust and Hawaii State Department of Education. 12 April 2006
<<http://www.earthtrust.org/wlcurric/whales.html>>.
- Gray, Barbara. *Conditions facilitating interorganizational collaboration*. Human Relations 38 (1985): 911-936.
- Gulf of the Farallones National Marine Sanctuary. *Twenty Years in the Life of the Sanctuary*. 21 October 2002. 12 April 2006 <<http://farallones.noaa.gov/explore/history.html>>.
- Hawaiian Islands Humpback Whale National Marine Sanctuary. *Sanctuary Advisory Council News*. 1 August 2005. 12 April 2006
<http://hawaiihumpbackwhale.noaa.gov/sac/SAC_news.html>.
- Hawaiian Islands Humpback Whale National Marine Sanctuary. *Sanctuary Research*. 20 September. 2004 12 April 2006
<<http://hawaiihumpbackwhale.noaa.gov/research/research.html>>.
- Hill, Gladwin. *Oil Group Sues for Exploration of Sea Preserves*. New York Times. 26 December 1980.
- Hill, Gladwin. *Test Set on Powers to Bar Oil Drilling*. New York Times 1 September 1980.
- Ingles, Brett Ingles. *In-Depth Interviews with Forest Service Officials, RAC members, and Count Officials*. Boise State University: Environmental Science and Public Policy Research Institute. Boise, ID: November 2004.
- Koontz, Tomas M., and Katrina Smith Korfmacher. *Community collaboration in farmland preservation: how local advisory groups plan*. Association for Public Policy Analysis and Management Annual Research Conference. Seattle, WA: November 2000.

- Lachapelle, Paul, Stephen F. McCool, and Michael E. Patterson E. *Barriers to Effective Natural Resource Planning in a 'Messy' World*. Society and Natural Resources. 16 (2003): 473-490.
- Laniga, Tamara. *Collaborative Planning in BLM Field Offices: Where it's happening and what it looks like: Analysis and Recommendations*. University of Colorado, Boulder, CO: 2004.
- O'Laughlin, Jay, Wyatt R. Hundrup, and Philip Cook. *History and Analysis of Federally Administered Lands in Idaho*; Report no. 16. Idaho Forest, Wildlife, and Range Policy Analysis Group. June 1998. University of Idaho. 12 April 2006 <<http://www.uidaho.edu/cfwr/pag/pag26es.html>>.
- Manskopf, Dirk. *A Systematic Assessment of Collaborative Resource Management Partnership: Northwest Resource Advisory Council*. University of Michigan, Master's thesis. Ann Arbor, MI: April 1999.
- Markrich, Michael. *The Hawaii Boat Industry 2003—A Survey and Economic Description*. 5 May 2004. 12 April 2006 <<http://www.a3h.org/pdfs/tourboatindustry.pdf>>.
- Monterey Bay National Marine Sanctuary. *Final EIS and Management Plan*. June 1992.
- Monterey Bay National Marine Sanctuary. *MBNMS Conservation Working Group*. 10 October 2001. 31 March 2006 <<http://www.montereybay.noaa.gov/intro/advisory/cwg.html>>.
- Monterey Bay National Marine Sanctuary. *Overview of the MBNMS; A Message from the Sanctuary Superintendent*. 15 July 2002. 31 March 2006 <<http://www.montereybay.noaa.gov/intro/welcome.html>>.
- Monterey Bay National Marine Sanctuary. *Sanctuary Advisory Council Charter and Protocols*. 2004.
- Monterey Bay National Marine Sanctuary. *Sanctuary Office Report. 2* (2005): 1-16. 12 April 2006 <<http://montereybay.noaa.gov/sac/2005/080505/070505sacoff.pdf>>.
- Morin, Tracey, *Sanctuary Advisory Councils: Involving the public in the NMSP*. Coastal Management 29 (2001).
- National Academy of Public Administration. *Protecting our National Marine Sanctuaries*. Center for the Economy and the Environment. January 2000. 3 October 2005 <<http://bonita.mbnms.nos.noaa.gov/research/techreports/sanctuary>>.
- National Marine Sanctuary Program. *Sanctuary Advisory Council Implementation Handbook*. May 2003.
- National Oceanic and Atmospheric Administration. *About Your National Marine Sanctuaries*. 16 November 2005. 29 March 2006 <<http://sanctuaries.noaa.gov/about/welcome.html>>.
- National Oceanic and Atmospheric Administration. *About NOAA*. 21 December 2005. 12 April 2006 <<http://www.noaa.gov/about-noaa.html>>.

- National Oceanic and Atmospheric Administration. *Explorations: Northwestern Hawaiian Islands*. 11 July 2005. 12 April 2006
<<http://oceanexplorer.noaa.gov/explorations/02hawaii/welcome.html>>.
- National Oceanic and Atmospheric Administration. *Gulf of the Farallones Issue Name: Introduced Species Problem Statement*. Joint Management Plan Review. (2003). 12 April 2006 <http://sanctuaries.noaa.gov/jointplan/gf_exotic.html>.
- National Oceanic and Atmospheric Administration. *Gulf of the Farallones Issue Name: Wildlife Disturbance*. Joint Management Plan Review. (2003). 12 April 2006
<http://sanctuaries.noaa.gov/jointplan/gf_wildlife.html>.
- National Oceanic and Atmospheric Administration. *Joint Management Plan Review: Proposed Action Plans*. A Report to the National Marine Sanctuary Advisory Council. June 2003. Sanctuaries Web Group. 31 March 31, 2006
<http://sanctuaries.noaa.gov/jointplan/m_reptoadd.html>.
- National Oceanic and Atmospheric Administration. *National Marine Sanctuaries Act and Legislation*. 4 January 2006. 12 April 2006
<<http://www.sanctuaries.noaa.gov/about/legislation>>.
- National Oceanic and Atmospheric Administration. *National Marine Sanctuary Program*. 10 April 2006. 12 April 2006 <<http://www.sanctuaries.nos.noaa.gov/welcome.html>>.
- National Oceanic and Atmospheric Association. *New Priorities for the 21st Century: NOAA Strategic Plan FY2005-FY2010*. (2004). 26 October 2005. 12 April 2006
<<http://www.spo.noaa.gov>>.
- National Oceanic and Atmospheric Administration. *National Marine Sanctuary Education Plan*. August 2000. 12 April 2006
<<http://www.sanctuaries.nos.noaa.gov/education/ref/program.html>>.
- National Oceanic and Atmospheric Administration. *Research*. 28 December 2005. 12 April 2006
<<http://www.sanctuaries.nos.noaa.gov/science/research/welcome.html>>.
- National Oceanic and Atmospheric Administration. *Sanctuary Advisory Council Overview*. 21 February 2006 13 April 2006
<<http://www.sanctuaries.nos.noaa.gov/management/ac/welcome.html>>.
- National Oceanic and Atmospheric Administration Ocean Service. *Stellwagen Bank National Marine Sanctuary. State of the Sanctuary Report*. June 2002. 2 August 2005.
<<http://stellwagen.noaa.gov>>.
- Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. *Education and Outreach*. 12 April 2006 <<http://hawaiiireef.noaa.gov/education/welcome.html>>.
- Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. *Questions and Answers*. 12 April 2006 <<http://hawaiiireef.noaa.gov/faq/welcome.html#statuscaps>>.

- Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. *Sanctuary Designation*. 12 April 2006 <<http://hawaiiireef.noaa.gov/designation/welcome.html>>.
- Olympic Coast National Marine Sanctuary. *Area to be Avoided: Education and Monitoring Program*. 29 July 2000 12 April 2006 <<http://sanctuaries.noaa.gov/special/ATBA/ATBA.html>>.
- Pacific Whale Foundation. *Fact Sheets: Marine Debris*. 1999. 12 April 2006 <<http://www.pacificwhale.org/childrens/fsdebris.html>>.
- Pegg, J.R. *Remote Hawaiian Islands Littered With Trash*. Environment News Service. 8 August 2003. 12 April 2006 <<http://www.ens-newswire.com/ens/aug2003/2003-08-08-11.asp>>.
- Provincetown Center for Coastal Studies. *Stellwagen Policy Statement*. 1 March 2006 <<http://www.coastalstudies.org/what-we-do/stellwagen-bank/policy/htm>>.
- Provincetown Center for Coastal Studies. *Stellwagen Bank Image Map*. 1 March 2006 <<http://www.coastalstudies.org/>>.
- Reich, R.B., "Regulation by confrontation or negotiation." *Harvard Business Review* 59 (1981): 82-93. Schuett, Michael, Selin, Steve, Carr, Deborah. "Making it work: Keys to successful collaboration in natural resource management." *Environmental Management*. 27 (2001): 587-593.
- Shivlani, Suman D, and Milon, J. *Perceptions and attitudes regarding marine reserves: a comparison of stakeholder groups in the Florida Keys National Marine Sanctuary*. *Ocean and Coastal Management* 42 (1999): 1019-1040.
- Smith, P.D., M.H. McDonough, and M.T. Mang., *Ecosystem management and public participation lessons from the field*. *Journal of Forestry*. 97 (1999): 32-38.
- Stellwagen Bank National Marine Sanctuary. *Administrative Capacity, Infrastructure Development and Maintenance Action Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/admaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Ecosystem Alteration Action Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/managment/workinggroups/wgpdf/eaaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Ecosystem-Based Management Action Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/ebmaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Interagency Cooperation Action Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/icaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Management Plan Review Process and Calendar*. 2 August 2005 <<http://stellwagen.noaa.gov>>.
- Stellwagen Bank National Marine Sanctuary. *Marine Mammal Disturbance Action Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mmbdsaction.pdf>>.

- Stellwagen Bank National Marine Sanctuary. *Marine Mammal Entanglement Working Group Action Plan*. 1 March 2006
<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mmeaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Marine Mammal Vessel Strike Action Plan*. 1 March 2006
<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mmvsaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Maritime Heritage Resources Action Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/mhraction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *People and the Sanctuary*. 10 September 2002. 13 April 2006
http://www.sanctuaries.nos.noaa.gov/pgallery/pgstellwagen/human/sb_human.html>.
- Stellwagen Bank National Marine Sanctuary. *Public Outreach and Education Plan*. 1 March 2006 <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/poeaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Site Characterization Working Group Summary*. 1 March 2006. <<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/scaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Water Quality Action Plan*. 1 March 2006
<http://stellwagen.noaa.gov/management/workinggroups/wgpdf/wqaction.pdf>>.
- Stellwagen Bank National Marine Sanctuary. *Working Group Problem Statements*. 3 November 2003. 1 March 2006
<http://stellwagen.noaa.gov/management/mpr/pdfs/ProblemStatements.pdf>>.
- The Santa Barbara Museum of Natural History. *13,000 Years of Change Along the Central Coast*. 13 April 2006 <<http://www.sbnature.org/research/anthro/chumash/timel.htm>>.
- U.S. Bureau of Land Management Office of Public Affairs. *BLM Resource Advisory Councils*, 2 April 2006 <<http://www.blm.gov/rac/>>.
- U.S. Department of Commerce. *Monterey Bay National Marine Sanctuary Final Environmental Impact Statement and Management Plan*. June 1992.
- U.S. Department of the Interior. *National Park System Advisory Board*. 5 April 2006
<http://www.nps.gov/policy/advisory/advboard.htm>>.
- U.S. Institute for Environmental Conflict Resolution. *OMB and CEQ Joint Memorandum on ERC*. November 2005. 28 March 28 2006 http://www.ecr.gov/n_pos200512.htm
- Wikipedia. 2006. *Leon Panetta*. Wikimedia Foundation, Inc. 31 March 2006
http://en.wikipedia.org/wiki/Leon_Panetta>.
- Wondolleck, Julia M., and Steven L. Yaffee. *Making Collaboration Work: Lessons from Innovation in Natural Resource Management*. Washington D.C. Island Press, 2000.

Appendices

Appendix A: Sanctuary Advisory Council Member Survey

Appendix B: Sanctuary Advisory Council Member Survey Results

Appendix C: Sanctuary Agency Staff Survey

Appendix D: Sanctuary Agency Staff Survey Results

Appendix E: Advisory Council Charters and Protocols
Channel Islands
Monterey Bay
Stellwagen Bank

**Appendix A: Survey Sent to Sanctuary
Advisory Council Participant**

University of Michigan Sanctuary Advisory Council Agency Survey [Exit this survey >>](#)

University of Michigan Sanctuary Advisory Council Survey

Sanctuary Advisory Councils have made significant contributions to the National Marine Sanctuary Program (NMSP). One purpose of this study is to help the NMSP better understand the experiences of the Advisory Councils and to assess ways to enhance their accomplishments and value to the NMSP. The second purpose of this study is to help other natural resource management agencies learn from the Advisory Council experience in order to find ways of promoting collaboration between their agencies and external communities and groups.

This survey should take less than 25 minutes of your time. All responses to this survey will be kept strictly confidential. Please submit your responses by December 9, 2005.

We look forward to hearing your thoughts and suggestions about the Sanctuary Advisory Councils.

Thank you for participating in this study.

The University of Michigan Research Team:
School of Natural Resources and Environment
Kathy Chen
Camille Kustin
Josh Kweller
Carolyn Segalini
Dr. Julia Wondolleck

[Next >>](#)

University of Michigan Sanctuary Advisory Council Agency Survey [Exit this survey >>](#)

Instructions

When you are done with the survey, click "Done" to submit your answers.

You may exit the survey at any time and return to it later without losing your answers. To exit, click on "Exit The Survey." To return to the survey, click again on the link in your introductory e-mail.

You may also return to previous pages in the survey without losing your answers. To do so, click "Prev" at the bottom of the survey page. To move to the next page, click "Next".

While most questions are multiple choice (close-ended), there are several open-ended questions on the survey. Please take the time to answer the open-ended questions as they will enhance the value of the survey responses.

Page 1 of 10

[<< Prev](#) [Next >>](#)

University of Michigan Sanctuary Advisory Council Agency Survey

Background Information

1. In which Sanctuary Advisory Council are you involved?

2. What was your perception of the value of the Advisory Council to the Sanctuary:

	Low Value		Moderate Value		High Value
When you first started working with the Advisory Council.	<input type="radio"/>				
After you had worked with it for some time.	<input type="radio"/>				

3. How many years have you worked with the Sanctuary program?

- Less than 1 year
- 1-2 years
- 3-4 years
- More than 4 years

4. On average, how much time do you spend per week on tasks related to the Advisory Council?

- Less than 2 hours.
- 2-3 hours.
- 4-5 hours.
- 6-7 hours.
- 8 or more hours.

5. Do you feel this amount of time is:

- Not enough
- Sufficient
- Too much

6. What would you say are the 2-3 most important accomplishments of the Advisory Council?

University of Michigan Sanctuary Advisory Council Agency Survey

Roles and Functions of the Advisory Council

7. To what extent do you agree that the Advisory Council:

	Strongly Disagree		Neutral		Strongly Agree
Advises the Sanctuary Manager or Superintendent on agency-prepared plans, proposals, or projects	<input type="radio"/>				
Helps to identify Sanctuary issues and conflicts	<input type="radio"/>				
Ensures the accuracy of information used in decision-making	<input type="radio"/>				
Influences the Sanctuary's Management Plan review	<input type="radio"/>				
Provides a forum for voicing concerns, asking questions, and getting information	<input type="radio"/>				
Informs the public of Sanctuary activities	<input type="radio"/>				

8. To what extent does the Advisory Council discuss issues in the following Sanctuary program areas?

	Never		Sometimes		Very Often
Education	<input type="radio"/>				
Research	<input type="radio"/>				
Resource protection	<input type="radio"/>				
Enforcement	<input type="radio"/>				
Management Plan Review	<input type="radio"/>				

9. What would you say is the most important function of the Advisory Council?

University of Michigan Sanctuary Advisory Council Agency Survey

Meeting Dynamics and Management

10. To what extent do you agree with the following statements regarding Advisory Council meetings?

	Strongly Disagree		Neutral		Strongly Agree
Advisory Council members work as a team toward a shared goal.	<input type="radio"/>				
Advisory Council members try to achieve consensus.	<input type="radio"/>				
Advisory Council members trust one another.	<input type="radio"/>				
Advisory Council final decisions and recommendations are fair.	<input type="radio"/>				
I feel satisfied with how the Advisory Council makes decisions and recommendations.	<input type="radio"/>				
I feel satisfied with the substance of the Advisory Council's final decisions and recommendations.	<input type="radio"/>				

11. To what extent do you agree a typical Advisory Council meeting is:

	Strongly Disagree		Neutral		Strongly Agree
Informative	<input type="radio"/>				
Productive	<input type="radio"/>				
Satisfying	<input type="radio"/>				
Frustrating	<input type="radio"/>				
Emotional	<input type="radio"/>				
Cooperative	<input type="radio"/>				
Well managed	<input type="radio"/>				
Held often enough	<input type="radio"/>				
A sufficient length	<input type="radio"/>				

12. To what extent do you agree that:

Strongly Disagree	Neutral	Strongly Agree
-------------------	---------	----------------

Creating smaller groups (i.e., subcommittees, working groups) to address issues is essential to the functioning of the Advisory Council.



Advisory Council members have access to the information necessary to make informed decisions.



Advisory Council members are able to influence the meeting agendas.



Advisory Council meetings are sufficiently publicized.



Members of the public have an opportunity to voice their opinions at Advisory Council meetings.



Advisory Council recommendations are decided upon in public.



Advisory Council meeting notes are made available to the public.



It is easy for the public to learn about Advisory Council activities.



Advisory Council membership terms are appropriate in length.



13. Between Advisory Council meetings, to what extent do you communicate with:

Never

Sometimes

Very often

Advisory Council chair.



Other Advisory Council members.



Members of subcommittees or workgroups.



University of Michigan Sanctuary Advisory Council Agency Survey

Relationship Between Sanctuary Staff and Advisory Council

14. To what extent do you agree that Sanctuary staff:

	Strongly Disagree		Neutral		Strongly Agree
Is receptive to Advisory Council advice.	<input type="radio"/>				
Adopts Advisory Council recommendations.	<input type="radio"/>				
Provides helpful feedback throughout Advisory Council decision-making.	<input type="radio"/>				
Provides leadership to the Advisory Council.	<input type="radio"/>				
Provides necessary information to the Advisory Council.	<input type="radio"/>				
Responds to Advisory Council recommendations in a timely manner.	<input type="radio"/>				
Provides enthusiasm and encouragement to the Advisory Council.	<input type="radio"/>				
Is an active participant in Advisory Council discussions.	<input type="radio"/>				

15. What are the 2-3 most important things that the Sanctuary staff do for the Advisory Council? Is there anything else that you believe the staff should do?

Advisory Council Accomplishments

16. To what extent do you agree that the Advisory Council has enhanced:

	Strongly Disagree		Neutral		Strongly Agree
Management of the Sanctuary resources.	<input type="radio"/>				
Collaboration between the Sanctuary staff and the public.	<input type="radio"/>				
Public support for Sanctuary decisions.	<input type="radio"/>				
Coordination between the Sanctuary and other governmental agencies.	<input type="radio"/>				
Public understanding of how Sanctuary management decisions are made.	<input type="radio"/>				
Your understanding of the issues facing the Sanctuary.	<input type="radio"/>				
Your trust in Advisory Council members.	<input type="radio"/>				

17. What do you think would be different in the management of the Sanctuary if the Advisory Council did not exist?

University of Michigan Sanctuary Advisory Council Agency Survey

Advisory Council Challenges

18. To what extent do you think the following factors pose challenges for the Advisory Council?

	Not At All		Somewhat		A Great Deal
Complexity of Sanctuary issues.	<input type="radio"/>				
Individual time commitment.	<input type="radio"/>				
Inadequate representation on the Advisory Council by affected interests.	<input type="radio"/>				
Low level of media coverage.	<input type="radio"/>				
Lack of support from headquarters.	<input type="radio"/>				
Lack of cooperation between Advisory Council members.	<input type="radio"/>				
Council members' personal agendas.	<input type="radio"/>				
Conflicting views of Advisory Council authority.	<input type="radio"/>				
Poor attendance of members at Advisory Council meetings.	<input type="radio"/>				
Advisory Council member turnover.	<input type="radio"/>				
Sanctuary staff turnover.	<input type="radio"/>				

19. What would you say have been the 2-3 greatest challenges facing the Advisory Council?

Almost done!

University of Michigan Sanctuary Advisory Council Agency Survey

Factors that Promote Advisory Council Progress

20. To what extent have the following factors contributed to the Advisory Council's ability to function effectively?

	Not At All		Somewhat		A Great Deal
Clear Advisory Council objectives.	<input type="radio"/>				
Well-organized and managed meetings.	<input type="radio"/>				
Committed Advisory Council members.	<input type="radio"/>				
Leadership of Sanctuary Manager or Superintendent.	<input type="radio"/>				
Leadership of Advisory Council Chairperson.	<input type="radio"/>				
Leadership of the National Marine Sanctuary Program Director.	<input type="radio"/>				
Support from Sanctuary Advisory Council coordinator.	<input type="radio"/>				
Support from other Sanctuary staff.	<input type="radio"/>				
Headquarters' support for Advisory Council activities.	<input type="radio"/>				
Headquarters' support for Sanctuary staff working with Advisory Councils.	<input type="radio"/>				
Trust between Advisory Council members.	<input type="radio"/>				
Public support.	<input type="radio"/>				
Elected official support.	<input type="radio"/>				
Readily available information.	<input type="radio"/>				
Annual Advisory Council Coordinator meetings.	<input type="radio"/>				
Annual Advisory Council Chairperson meetings.	<input type="radio"/>				
Formal recognition of accomplishments (awards, honors, etc) for Advisory Council members.	<input type="radio"/>				
Field trips.	<input type="radio"/>				
Retreats.	<input type="radio"/>				
Training opportunities.	<input type="radio"/>				
Informal socializing.	<input type="radio"/>				

21. What would you say have been the 2-3 most important factors that enable the Advisory Council to make progress?

22. To what extent do you agree that:

	Strongly Disagree		Neutral		Strongly Agree
You are familiar with the details of the Advisory Council charter.	<input type="radio"/>				
The charter provides important guidance to the Advisory Council.	<input type="radio"/>				
The charter clarifies roles and expectations of the Advisory Council.	<input type="radio"/>				
The charter unnecessarily complicates Advisory Council activities.	<input type="radio"/>				
The charter makes no difference to the functioning of the Advisory Council.	<input type="radio"/>				

University of Michigan Sanctuary Advisory Council Agency Survey

Sanctuary Staff Questions

23. To what extent do you spend time on the following tasks connected to the Advisory Council either during or between meetings?

	Never		Sometimes		Very Often
Logistical support.	<input type="radio"/>				
Providing information.	<input type="radio"/>				
Answering questions.	<input type="radio"/>				
Delivering presentations	<input type="radio"/>				
Attending meetings.	<input type="radio"/>				
Facilitating meetings.	<input type="radio"/>				
Offering ideas or suggestions.	<input type="radio"/>				
Providing encouragement.	<input type="radio"/>				
Easing tensions between council members.	<input type="radio"/>				
Ensuring that the Advisory Council stays within the bounds of authority.	<input type="radio"/>				

24. Is there anything else you do for the Advisory Council to help maximize their potential?

25. To what extent are you satisfied with:

	Not Satisfied		Somewhat Satisfied		Very Satisfied
The role you play in Advisory Council meetings.	<input type="radio"/>				

Your involvement in Advisory Council activities.	<input type="radio"/>				
What is asked of the Advisory Council.	<input type="radio"/>				
Council member's level of recognition for Sanctuary staff's efforts.	<input type="radio"/>				
The frequency, structure, or management of Advisory Council meetings.	<input type="radio"/>				
Level of NMSP headquarter's involvement.	<input type="radio"/>				
The composition of Advisory Council membership.	<input type="radio"/>				

26. What, if anything, would you change about the role you play in Advisory Council meetings?

27. What, if anything, would you change about the composition of Advisory Council membership?

Final Thoughts and Advice to NMSP

28. To what extent do you think the following could help the Advisory Council be more productive?

	Not At All		Somewhat		A Great Deal
Training workshops (communications, negotiation, facilitation, etc).	<input type="radio"/>				
Professional external facilitation of Advisory Council meetings.	<input type="radio"/>				
Greater public awareness of the Advisory Council.	<input type="radio"/>				
Greater awareness of other Sanctuary Advisory Councils' activities.	<input type="radio"/>				
Greater involvement in the activities of other Sanctuary Advisory Councils.	<input type="radio"/>				
More expert presentations on Sanctuary issues.	<input type="radio"/>				
More opportunities to informally socialize with Advisory Council members and Sanctuary staff.	<input type="radio"/>				
More recognition from the Sanctuary of the Advisory Council's accomplishments.	<input type="radio"/>				
Greater clarity about the Sanctuary's expectations and objectives for the Council.	<input type="radio"/>				
Greater clarity about how the Sanctuary makes management decisions.	<input type="radio"/>				
Greater understanding of relevant laws and regulations.	<input type="radio"/>				

Final Question!

29. What advice do you have that would enable the Advisory Councils to be more productive?

Thank you for completing our Survey! Please click "DONE" to submit your answers.

<< Prev Done >>

Appendix C: Sanctuary Agency Staff Survey

University of Michigan Sanctuary Advisory Council Agency Survey [Exit this survey >>](#)

Instructions

When you are done with the survey, click "Done" to submit your answers.

You may exit the survey at any time and return to it later without losing your answers. To exit, click on "Exit The Survey." To return to the survey, click again on the link in your introductory e-mail.

You may also return to previous pages in the survey without losing your answers. To do so, click "Prev" at the bottom of the survey page. To move to the next page, click "Next".

While most questions are multiple choice (close-ended), there are several open-ended questions on the survey. Please take the time to answer the open-ended questions as they will enhance the value of the survey responses.

Page 1 of 10

[<< Prev](#) [Next >>](#)

University of Michigan Sanctuary Advisory Council Agency Survey

Background Information

1. In which Sanctuary Advisory Council are you involved?

2. What was your perception of the value of the Advisory Council to the Sanctuary:

	Low Value		Moderate Value		High Value
When you first started working with the Advisory Council.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
After you had worked with it for some time.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. How many years have you worked with the Sanctuary program?

- Less than 1 year
- 1-2 years
- 3-4 years
- More than 4 years

4. On average, how much time do you spend per week on tasks related to the Advisory Council?

- Less than 2 hours.
- 2-3 hours.
- 4-5 hours.
- 6-7 hours.
- 8 or more hours.

5. Do you feel this amount of time is:

- Not enough
- Sufficient
- Too much

6. What would you say are the 2-3 most important accomplishments of the Advisory Council?

University of Michigan Sanctuary Advisory Council Agency Survey

Roles and Functions of the Advisory Council

7. To what extent do you agree that the Advisory Council:

	Strongly Disagree		Neutral		Strongly Agree
Advises the Sanctuary Manager or Superintendent on agency-prepared plans, proposals, or projects	<input type="radio"/>				
Helps to identify Sanctuary issues and conflicts	<input type="radio"/>				
Ensures the accuracy of information used in decision-making	<input type="radio"/>				
Influences the Sanctuary's Management Plan review	<input type="radio"/>				
Provides a forum for voicing concerns, asking questions, and getting information	<input type="radio"/>				
Informs the public of Sanctuary activities	<input type="radio"/>				

8. To what extent does the Advisory Council discuss issues in the following Sanctuary program areas?

	Never		Sometimes		Very Often
Education	<input type="radio"/>				
Research	<input type="radio"/>				
Resource protection	<input type="radio"/>				
Enforcement	<input type="radio"/>				
Management Plan Review	<input type="radio"/>				

9. What would you say is the most important function of the Advisory Council?

University of Michigan Sanctuary Advisory Council Agency Survey

Meeting Dynamics and Management

10. To what extent do you agree with the following statements regarding Advisory Council meetings?

	Strongly Disagree		Neutral		Strongly Agree
Advisory Council members work as a team toward a shared goal.	<input type="radio"/>				
Advisory Council members try to achieve consensus.	<input type="radio"/>				
Advisory Council members trust one another.	<input type="radio"/>				
Advisory Council final decisions and recommendations are fair.	<input type="radio"/>				
I feel satisfied with how the Advisory Council makes decisions and recommendations.	<input type="radio"/>				
I feel satisfied with the substance of the Advisory Council's final decisions and recommendations.	<input type="radio"/>				

11. To what extent do you agree a typical Advisory Council meeting is:

	Strongly Disagree		Neutral		Strongly Agree
Informative	<input type="radio"/>				
Productive	<input type="radio"/>				
Satisfying	<input type="radio"/>				
Frustrating	<input type="radio"/>				
Emotional	<input type="radio"/>				
Cooperative	<input type="radio"/>				
Well managed	<input type="radio"/>				
Held often enough	<input type="radio"/>				
A sufficient length	<input type="radio"/>				

12. To what extent do you agree that:

Strongly Disagree	Neutral	Strongly Agree
-------------------	---------	----------------

Creating smaller groups (i.e., subcommittees, working groups) to address issues is essential to the functioning of the Advisory Council.	<input checked="" type="radio"/>				
Advisory Council members have access to the information necessary to make informed decisions.	<input checked="" type="radio"/>				
Advisory Council members are able to influence the meeting agendas.	<input checked="" type="radio"/>				
Advisory Council meetings are sufficiently publicized.	<input checked="" type="radio"/>				
Members of the public have an opportunity to voice their opinions at Advisory Council meetings.	<input checked="" type="radio"/>				
Advisory Council recommendations are decided upon in public.	<input checked="" type="radio"/>				
Advisory Council meeting notes are made available to the public.	<input checked="" type="radio"/>				
It is easy for the public to learn about Advisory Council activities.	<input checked="" type="radio"/>				
Advisory Council membership terms are appropriate in length.	<input checked="" type="radio"/>				

13. Between Advisory Council meetings, to what extent do you communicate with:

	Never		Sometimes		Very often
Advisory Council chair.	<input checked="" type="radio"/>				
Other Advisory Council members.	<input checked="" type="radio"/>				
Members of subcommittees or workgroups.	<input checked="" type="radio"/>				

University of Michigan Sanctuary Advisory Council Agency Survey

Relationship Between Sanctuary Staff and Advisory Council

14. To what extent do you agree that Sanctuary staff:

	Strongly Disagree		Neutral		Strongly Agree
Is receptive to Advisory Council advice.	<input type="radio"/>				
Adopts Advisory Council recommendations.	<input type="radio"/>				
Provides helpful feedback throughout Advisory Council decision-making.	<input type="radio"/>				
Provides leadership to the Advisory Council.	<input type="radio"/>				
Provides necessary information to the Advisory Council.	<input type="checkbox"/>				
Responds to Advisory Council recommendations in a timely manner.	<input type="radio"/>				
Provides enthusiasm and encouragement to the Advisory Council.	<input type="radio"/>				
Is an active participant in Advisory Council discussions.	<input type="radio"/>				

15. What are the 2-3 most important things that the Sanctuary staff do for the Advisory Council? Is there anything else that you believe the staff should do?

University of Michigan Sanctuary Advisory Council Agency Survey

Advisory Council Challenges

18. To what extent do you think the following factors pose challenges for the Advisory Council?

	Not At All		Somewhat		A Great Deal
Complexity of Sanctuary issues.	<input type="radio"/>				
Individual time commitment.	<input type="radio"/>				
Inadequate representation on the Advisory Council by affected interests.	<input type="radio"/>				
Low level of media coverage.	<input type="radio"/>				
Lack of support from headquarters.	<input type="radio"/>				
Lack of cooperation between Advisory Council members.	<input type="radio"/>				
Council members' personal agendas.	<input type="radio"/>				
Conflicting views of Advisory Council authority.	<input type="radio"/>				
Poor attendance of members at Advisory Council meetings.	<input type="radio"/>				
Advisory Council member turnover.	<input type="radio"/>				
Sanctuary staff turnover.	<input type="radio"/>				

19. What would you say have been the 2-3 greatest challenges facing the Advisory Council?

Almost done!

University of Michigan Sanctuary Advisory Council Agency Survey

Factors that Promote Advisory Council Progress

20. To what extent have the following factors contributed to the Advisory Council's ability to function effectively?

	Not At All		Somewhat		A Great Deal
Clear Advisory Council objectives.	<input type="radio"/>				
Well-organized and managed meetings.	<input type="radio"/>				
Committed Advisory Council members.	<input type="radio"/>				
Leadership of Sanctuary Manager or Superintendent.	<input type="radio"/>				
Leadership of Advisory Council Chairperson.	<input type="radio"/>				
Leadership of the National Marine Sanctuary Program Director.	<input type="radio"/>				
Support from Sanctuary Advisory Council coordinator.	<input type="radio"/>				
Support from other Sanctuary staff.	<input type="radio"/>				
Headquarters' support for Advisory Council activities.	<input type="radio"/>				
Headquarters' support for Sanctuary staff working with Advisory Councils.	<input type="radio"/>				
Trust between Advisory Council members.	<input type="radio"/>				
Public support.	<input type="radio"/>				
Elected official support.	<input type="radio"/>				
Readily available information.	<input type="radio"/>				
Annual Advisory Council Coordinator meetings.	<input type="radio"/>				
Annual Advisory Council Chairperson meetings.	<input type="radio"/>				
Formal recognition of accomplishments (awards, honors, etc) for Advisory Council members.	<input type="radio"/>				
Field trips.	<input type="radio"/>				
Retreats.	<input type="checkbox"/>				
Training opportunities.	<input type="radio"/>				
Informal socializing.	<input type="checkbox"/>				

21. What would you say have been the 2-3 most important factors that enable the Advisory Council to make progress?

22. To what extent do you agree that:

	Strongly Disagree		Neutral		Strongly Agree
You are familiar with the details of the Advisory Council charter.	☺	☺	☺	☺	☺
The charter provides important guidance to the Advisory Council.	☺	☺	☺	☺	☺
The charter clarifies roles and expectations of the Advisory Council.	☺	☺	☺	☺	☺
The charter unnecessarily complicates Advisory Council activities.	☺	☺	☺	☺	☺
The charter makes no difference to the functioning of the Advisory Council.	☺	☺	☺	☺	☺

University of Michigan Sanctuary Advisory Council Agency Survey

Sanctuary Staff Questions

23. To what extent do you spend time on the following tasks connected to the Advisory Council either during or between meetings?

	Never		Sometimes		Very Often
Logistical support.	<input type="radio"/>				
Providing information.	<input type="radio"/>				
Answering questions.	<input type="radio"/>				
Delivering presentations	<input type="radio"/>				
Attending meetings.	<input type="radio"/>				
Facilitating meetings.	<input type="radio"/>				
Offering ideas or suggestions.	<input type="radio"/>				
Providing encouragement.	<input type="radio"/>				
Easing tensions between council members.	<input type="radio"/>				
Ensuring that the Advisory Council stays within the bounds of authority.	<input type="radio"/>				

24. Is there anything else you do for the Advisory Council to help maximize their potential?

25. To what extent are you satisfied with:

	Not Satisfied		Somewhat Satisfied		Very Satisfied
The role you play in Advisory Council meetings.	<input type="radio"/>				

Your involvement in Advisory Council activities.	<input type="radio"/>				
What is asked of the Advisory Council.	<input type="radio"/>				
Council member's level of recognition for Sanctuary staff's efforts.	<input type="radio"/>				
The frequency, structure, or management of Advisory Council meetings.	<input type="radio"/>				
Level of NMSP headquarter's involvement.	<input type="radio"/>				
The composition of Advisory Council membership.	<input type="radio"/>				

26. What, if anything, would you change about the role you play in Advisory Council meetings?

27. What, if anything, would you change about the composition of Advisory Council membership?

Final Thoughts and Advice to NMSP

28. To what extent do you think the following could help the Advisory Council be more productive?

	Not At All		Somewhat		A Great Deal
Training workshops (communications, negotiation, facilitation, etc).	<input type="radio"/>				
Professional external facilitation of Advisory Council meetings.	<input type="radio"/>				
Greater public awareness of the Advisory Council.	<input type="radio"/>				
Greater awareness of other Sanctuary Advisory Councils' activities.	<input type="radio"/>				
Greater involvement in the activities of other Sanctuary Advisory Councils.	<input type="radio"/>				
More expert presentations on Sanctuary issues.	<input type="radio"/>				
More opportunities to informally socialize with Advisory Council members and Sanctuary staff.	<input type="radio"/>				
More recognition from the Sanctuary of the Advisory Council's accomplishments.	<input type="radio"/>				
Greater clarity about the Sanctuary's expectations and objectives for the Council.	<input type="radio"/>				
Greater clarity about how the Sanctuary makes management decisions.	<input type="radio"/>				
Greater understanding of relevant laws and regulations.	<input type="radio"/>				

Final Question!

29. What advice do you have that would enable the Advisory Councils to be more productive?

Thank you for completing our Survey! Please click "DONE" to submit your answers.

[<< Prev](#) [Done >>](#)

Appendix D: Sanctuary Agency Staff Survey Results

1. In which Sanctuary Advisory Council are you involved?

	Response Percent	Response Total
Channel Islands	7.1%	2
Cordell Bank	3.6%	1
Fagatele Bay American Samoa	10.7%	3
Florida Keys	10.7%	3
Gray's Reef	14.3%	4
Gulf of the Farallones	0%	0
Hawaiian Islands Humpback Whale	0%	0
Northwestern Hawaiian Island Coral Reef Ecosystem Reserve	10.7%	3
Monterey Bay	10.7%	3
Olympic Coast	14.3%	4
Stellwagen Bank	7.1%	2
Thunder Bay	10.7%	3
Total Respondents		28
(skipped this question)		0

2. What was your perception of the value of the Advisory Council to the Sanctuary:

	Low Value		Moderate Value		High Value	Response Average
When you first started working with the Advisory Council.	4% (1)	11% (3)	32% (9)	14% (4)	39% (11)	3.75
After you had worked with it for some time.	0% (0)	0% (0)	11% (3)	25% (7)	64% (18)	4.54
Total Respondents						28
(skipped this question)						0

3. How many years have you worked with the Sanctuary program?

	Response Percent	Response Total
Less than 1 year	7.1%	2

1-2 years		7.1%	2
3-4 years		32.1%	9
More than 4 years		53.6%	15
Total Respondents			28
(skipped this question)			0

4. On average, how much time do you spend per week on tasks related to the Advisory Council?

		Response Percent	Response Total
Less than 2 hours.		28.6%	8
2-3 hours.		35.7%	10
4-5 hours.		17.9%	5
6-7 hours.		0%	0
8 or more hours.		17.9%	5
Total Respondents			28
(skipped this question)			0

5. Do you feel this amount of time is:

		Response Percent	Response Total
Not enough		21.4%	6
Sufficient		78.6%	22
Too much		0%	0
Total Respondents			28
(skipped this question)			0

6. What would you say are the 2-3 most important accomplishments of the Advisory Council?

Total Respondents	27
(skipped this question)	1

7. To what extent do you agree that the Advisory Council:

	Strongly Disagree		Neutral		Strongly Agree	Response Average
Advises the Sanctuary Manager or Superintendent on agency-prepared plans,	0% (0)	0% (0)	15% (4)	48% (13)	37% (10)	4.22

proposals, or projects						
Helps to identify Sanctuary issues and conflicts	0% (0)	0% (0)	4% (1)	56% (15)	41% (11)	4.37
Ensures the accuracy of information used in decision-making	0% (0)	7% (2)	41% (11)	48% (13)	4% (1)	3.48
Influences the Sanctuary's Management Plan review	0% (0)	0% (0)	23% (6)	27% (7)	50% (13)	4.27
Provides a forum for voicing concerns, asking questions, and getting information	0% (0)	0% (0)	7% (2)	22% (6)	70% (19)	4.63
Informs the public of Sanctuary activities	0% (0)	19% (5)	26% (7)	30% (8)	26% (7)	3.63
Total Respondents						27
(skipped this question)						1

8. To what extent does the Advisory Council discuss issues in the following Sanctuary program areas?

	Never		Sometimes		Very Often	Response Average
Education	0% (0)	4% (1)	48% (13)	37% (10)	11% (3)	3.56
Research	0% (0)	0% (0)	30% (8)	48% (13)	22% (6)	3.93
Resource protection	0% (0)	7% (2)	4% (1)	41% (11)	48% (13)	4.30
Enforcement	7% (2)	11% (3)	44% (12)	22% (6)	15% (4)	3.26
Management Plan Review	4% (1)	4% (1)	19% (5)	35% (9)	38% (10)	4.00
Total Respondents						27
(skipped this question)						1

9. What would you say is the most important function of the Advisory Council?

Total Respondents						26
(skipped this question)						2

10. To what extent do you agree with the following statements regarding Advisory Council meetings?

	Strongly Disagree		Neutral		Strongly Agree	Response Average
Advisory Council members work as a team toward a shared goal.	4% (1)	15% (4)	7% (2)	52% (14)	22% (6)	3.74

Advisory Council members try to achieve consensus.	0% (0)	7% (2)	11% (3)	48% (13)	33% (9)	4.07
Advisory Council members trust one another.	0% (0)	19% (5)	19% (5)	52% (14)	11% (3)	3.56
Advisory Council final decisions and recommendations are fair.	0% (0)	0% (0)	19% (5)	48% (13)	33% (9)	4.15
I feel satisfied with how the Advisory Council makes decisions and recommendations.	0% (0)	7% (2)	11% (3)	41% (11)	41% (11)	4.15
I feel satisfied with the substance of the Advisory Council's final decisions and recommendations.	0% (0)	4% (1)	19% (5)	44% (12)	33% (9)	4.07
Total Respondents						27
(skipped this question)						1

11. To what extent do you agree a typical Advisory Council meeting is:

	Strongly Disagree		Neutral		Strongly Agree	Response Average
Informative	0% (0)	0% (0)	7% (2)	48% (13)	44% (12)	4.37
Productive	0% (0)	4% (1)	15% (4)	67% (18)	15% (4)	3.93
Satisfying	0% (0)	7% (2)	26% (7)	56% (15)	11% (3)	3.70
Frustrating	11% (3)	33% (9)	26% (7)	26% (7)	4% (1)	2.78
Emotional	19% (5)	22% (6)	33% (9)	26% (7)	0% (0)	2.67
Cooperative	0% (0)	4% (1)	11% (3)	56% (15)	30% (8)	4.11
Well managed	0% (0)	4% (1)	4% (1)	52% (14)	41% (11)	4.30
Held often enough	0% (0)	0% (0)	11% (3)	44% (12)	44% (12)	4.33
A sufficient length	0% (0)	0% (0)	0% (0)	63% (17)	37% (10)	4.37
Total Respondents						27
(skipped this question)						1

12. To what extent do you agree that:

	Strongly Disagree		Neutral		Strongly Agree	Response Average
Creating smaller groups (i.e., subcommittees, working groups) to address issues is	0% (0)	7% (2)	11% (3)	33% (9)	48% (13)	4.22

essential to the functioning of the Advisory Council.						
Advisory Council members have access to the information necessary to make informed decisions.	0% (0)	0% (0)	8% (2)	77% (20)	15% (4)	4.08
Advisory Council members are able to influence the meeting agendas.	0% (0)	0% (0)	7% (2)	44% (12)	48% (13)	4.41
Advisory Council meetings are sufficiently publicized.	0% (0)	15% (4)	19% (5)	52% (14)	15% (4)	3.67
Members of the public have an opportunity to voice their opinions at Advisory Council meetings.	0% (0)	7% (2)	4% (1)	37% (10)	52% (14)	4.33
Advisory Council recommendations are decided upon in public.	4% (1)	0% (0)	19% (5)	19% (5)	59% (16)	4.30
Advisory Council meeting notes are made available to the public.	4% (1)	4% (1)	15% (4)	26% (7)	52% (14)	4.19
It is easy for the public to learn about Advisory Council activities.	7% (2)	22% (6)	22% (6)	26% (7)	22% (6)	3.33
Advisory Council membership terms are appropriate in length.	0% (0)	0% (0)	11% (3)	56% (15)	33% (9)	4.22
Total Respondents						27
(skipped this question)						1

13. Between Advisory Council meetings, to what extent do you communicate with:

	Never		Sometimes		Very often	Response Average
Advisory Council chair.	0% (0)	7% (2)	30% (8)	30% (8)	33% (9)	3.89
Other Advisory Council members.	0% (0)	0% (0)	63% (17)	30% (8)	7% (2)	3.44
Members of subcommittees or workgroups.	4% (1)	15% (4)	38% (10)	31% (8)	12% (3)	3.31
Total Respondents						27
(skipped this question)						1

14. To what extent do you agree that Sanctuary staff:

	Strongly Disagree		Neutral		Strongly Agree	Response Average
Is receptive to Advisory Council advice.	0% (0)	0% (0)	4% (1)	56% (15)	41% (11)	4.37
Adopts Advisory Council recommendations.	0% (0)	4% (1)	8% (2)	54% (14)	35% (9)	4.19
Provides helpful feedback throughout Advisory Council decision-making.	0% (0)	0% (0)	7% (2)	59% (16)	33% (9)	4.26
Provides leadership to the Advisory Council.	0% (0)	4% (1)	7% (2)	44% (12)	44% (12)	4.30
Provides necessary information to the Advisory Council.	0% (0)	0% (0)	4% (1)	41% (11)	56% (15)	4.52
Responds to Advisory Council recommendations in a timely manner.	0% (0)	11% (3)	11% (3)	41% (11)	37% (10)	4.04
Provides enthusiasm and encouragement to the Advisory Council.	0% (0)	7% (2)	19% (5)	33% (9)	41% (11)	4.07
Is an active participant in Advisory Council discussions.	0% (0)	7% (2)	15% (4)	48% (13)	30% (8)	4.00
Total Respondents						27
(skipped this question)						1

15. What are the 2-3 most important things that the Sanctuary staff do for the Advisory Council? Is there anything else that you believe the staff should do?

Total Respondents	25
(skipped this question)	3

16. To what extent do you agree that the Advisory Council has enhanced:

	Strongly Disagree		Neutral		Strongly Agree	Response Average
Management of the Sanctuary resources.	0% (0)	0% (0)	15% (4)	59% (16)	26% (7)	4.11
Collaboration between the Sanctuary staff and the public.	0% (0)	7% (2)	30% (8)	44% (12)	19% (5)	3.74
Public support for Sanctuary decisions.	0% (0)	7% (2)	33% (9)	33% (9)	26% (7)	3.78

Coordination between the Sanctuary and other governmental agencies.	0% (0)	0% (0)	33% (9)	52% (14)	15% (4)	3.81
Public understanding of how Sanctuary management decisions are made.	0% (0)	15% (4)	37% (10)	33% (9)	15% (4)	3.48
Your understanding of the issues facing the Sanctuary.	0% (0)	0% (0)	26% (7)	44% (12)	30% (8)	4.04
Your trust in Advisory Council members.	0% (0)	0% (0)	15% (4)	44% (12)	41% (11)	4.26
Total Respondents						27
(skipped this question)						1

17. What do you think would be different in the management of the Sanctuary if the Advisory Council did not exist?

Total Respondents	26
(skipped this question)	2

18. To what extent do you think the following factors pose challenges for the Advisory Council?

	Not At All		Somewhat		A Great Deal	Response Average
Complexity of Sanctuary issues.	7% (2)	11% (3)	37% (10)	26% (7)	19% (5)	3.37
Individual time commitment.	4% (1)	22% (6)	26% (7)	22% (6)	26% (7)	3.44
Inadequate representation on the Advisory Council by affected interests.	8% (2)	54% (14)	15% (4)	23% (6)	0% (0)	2.54
Low level of media coverage.	15% (4)	33% (9)	41% (11)	11% (3)	0% (0)	2.48
Lack of support from headquarters.	30% (8)	59% (16)	11% (3)	0% (0)	0% (0)	1.81
Lack of cooperation between Advisory Council members.	30% (8)	41% (11)	15% (4)	15% (4)	0% (0)	2.15
Council members' personal agendas.	19% (5)	33% (9)	26% (7)	19% (5)	4% (1)	2.56
Conflicting views of Advisory Council authority.	31% (8)	38% (10)	12% (3)	12% (3)	8% (2)	2.27
Poor attendance of members at Advisory Council meetings.	26% (7)	44% (12)	22% (6)	7% (2)	0% (0)	2.11
Advisory Council member turnover.	37% (10)	59% (16)	4% (1)	0% (0)	0% (0)	1.67

Sanctuary staff turnover.	56% (15)	41% (11)	0% (0)	4% (1)	0% (0)	1.52
Total Respondents						27
(skipped this question)						1

19. What would you say have been the 2-3 greatest challenges facing the Advisory Council?

Total Respondents						25
(skipped this question)						3

20. To what extent have the following factors contributed to the Advisory Council's ability to function effectively?

	Not At All		Somewhat		A Great Deal	Response Average
Clear Advisory Council objectives.	0% (0)	8% (2)	15% (4)	50% (13)	27% (7)	3.96
Well-organized and managed meetings.	0% (0)	0% (0)	15% (4)	42% (11)	42% (11)	4.27
Committed Advisory Council members.	0% (0)	0% (0)	8% (2)	35% (9)	58% (15)	4.50
Leadership of Sanctuary Manager or Superintendent.	0% (0)	0% (0)	8% (2)	38% (10)	54% (14)	4.46
Leadership of Advisory Council Chairperson.	0% (0)	0% (0)	0% (0)	24% (6)	76% (19)	4.76
Leadership of the National Marine Sanctuary Program Director.	8% (2)	12% (3)	35% (9)	35% (9)	12% (3)	3.31
Support from Sanctuary Advisory Council coordinator.	0% (0)	4% (1)	12% (3)	31% (8)	54% (14)	4.35
Support from other Sanctuary staff.	0% (0)	4% (1)	27% (7)	46% (12)	23% (6)	3.88
Headquarters' support for Advisory Council activities.	0% (0)	19% (5)	46% (12)	23% (6)	12% (3)	3.27
Headquarters' support for Sanctuary staff working with Advisory Councils.	0% (0)	15% (4)	50% (13)	19% (5)	15% (4)	3.35
Trust between Advisory Council members.	0% (0)	8% (2)	23% (6)	27% (7)	42% (11)	4.04
Public support.	4% (1)	23% (6)	38% (10)	19% (5)	15% (4)	3.19
Elected official support.	4% (1)	42% (11)	19% (5)	19% (5)	15% (4)	3.00
Readily available information.	0% (0)	0% (0)	15% (4)	50% (13)	35% (9)	4.19

Annual Advisory Council Coordinator meetings.	4% (1)	16% (4)	44% (11)	28% (7)	8% (2)	3.20
Annual Advisory Council Chairperson meetings.	8% (2)	12% (3)	46% (12)	31% (8)	4% (1)	3.12
Formal recognition of accomplishments (awards, honors, etc) for Advisory Council members.	12% (3)	12% (3)	38% (10)	35% (9)	4% (1)	3.08
Field trips.	12% (3)	19% (5)	27% (7)	38% (10)	4% (1)	3.04
Retreats.	12% (3)	23% (6)	23% (6)	38% (10)	4% (1)	3.00
Training opportunities.	19% (5)	19% (5)	42% (11)	19% (5)	0% (0)	2.62
Informal socializing.	4% (1)	0% (0)	38% (10)	27% (7)	31% (8)	3.81
Total Respondents						26
(skipped this question)						2

21. What would you say have been the 2-3 most important factors that enable the Advisory Council to make progress?	
Total Respondents	24
(skipped this question)	4

22. To what extent do you agree that:						
	Strongly Disagree		Neutral		Strongly Agree	Response Average
You are familiar with the details of the Advisory Council charter.	0% (0)	8% (2)	12% (3)	38% (10)	42% (11)	4.15
The charter provides important guidance to the Advisory Council.	0% (0)	0% (0)	4% (1)	58% (15)	38% (10)	4.35
The charter clarifies roles and expectations of the Advisory Council.	0% (0)	0% (0)	8% (2)	54% (14)	38% (10)	4.31
The charter unnecessarily complicates Advisory Council activities.	35% (9)	38% (10)	27% (7)	0% (0)	0% (0)	1.92
The charter makes no difference to the functioning of the Advisory Council.	50% (13)	42% (11)	8% (2)	0% (0)	0% (0)	1.58
Total Respondents						26
(skipped this question)						2

23. To what extent do you spend time on the following tasks connected to the Advisory Council either during or between meetings?

	Never		Sometimes		Very Often	Response Average
Logistical support.	8% (2)	16% (4)	28% (7)	24% (6)	24% (6)	3.40
Providing information.	0% (0)	0% (0)	24% (6)	48% (12)	28% (7)	4.04
Answering questions.	0% (0)	4% (1)	40% (10)	40% (10)	16% (4)	3.68
Delivering presentations	4% (1)	16% (4)	40% (10)	28% (7)	12% (3)	3.28
Attending meetings.	4% (1)	4% (1)	4% (1)	36% (9)	52% (13)	4.28
Facilitating meetings.	16% (4)	20% (5)	36% (9)	16% (4)	12% (3)	2.88
Offering ideas or suggestions.	0% (0)	12% (3)	24% (6)	40% (10)	24% (6)	3.76
Providing encouragement.	0% (0)	16% (4)	12% (3)	48% (12)	24% (6)	3.80
Easing tensions between council members.	32% (8)	24% (6)	32% (8)	4% (1)	8% (2)	2.32
Ensuring that the Advisory Council stays within the bounds of authority.	16% (4)	24% (6)	40% (10)	12% (3)	8% (2)	2.72
Total Respondents						25
(skipped this question)						3

24. Is there anything else you do for the Advisory Council to help maximize their potential?

Total Respondents	18
(skipped this question)	10

25. To what extent are you satisfied with:

	Not Satisfied		Somewhat Satisfied		Very Satisfied	Response Average
The role you play in Advisory Council meetings.	0% (0)	0% (0)	24% (6)	28% (7)	48% (12)	4.24
Your involvement in Advisory Council activities.	0% (0)	0% (0)	28% (7)	40% (10)	32% (8)	4.04
What is asked of the Advisory Council.	0% (0)	0% (0)	24% (6)	36% (9)	40% (10)	4.16
Council member's level of recognition for Sanctuary staff's efforts.	0% (0)	8% (2)	24% (6)	28% (7)	40% (10)	4.00

The frequency, structure, or management of Advisory Council meetings.	0% (0)	0% (0)	16% (4)	48% (12)	36% (9)	4.20
Level of NMSP headquarter's involvement.	0% (0)	8% (2)	24% (6)	32% (8)	36% (9)	3.96
The composition of Advisory Council membership.	4% (1)	0% (0)	8% (2)	40% (10)	48% (12)	4.28
Total Respondents						25
(skipped this question)						3

26. What, if anything, would you change about the role you play in Advisory Council meetings?

Total Respondents	19
(skipped this question)	9

27. What, if anything, would you change about the composition of Advisory Council membership?

Total Respondents	22
(skipped this question)	6

28. To what extent do you think the following could help the Advisory Council be more productive?

	Not At All		Somewhat		A Great Deal	Response Average
Training workshops (communications, negotiation, facilitation, etc).	0% (0)	20% (5)	36% (9)	24% (6)	20% (5)	3.44
Professional external facilitation of Advisory Council meetings.	24% (6)	40% (10)	8% (2)	20% (5)	8% (2)	2.48
Greater public awareness of the Advisory Council.	0% (0)	12% (3)	32% (8)	36% (9)	20% (5)	3.64
Greater awareness of other Sanctuary Advisory Councils' activities.	0% (0)	8% (2)	40% (10)	44% (11)	8% (2)	3.52
Greater involvement in the activities of other Sanctuary Advisory Councils.	12% (3)	32% (8)	28% (7)	16% (4)	12% (3)	2.84
More expert presentations on Sanctuary issues.	4% (1)	28% (7)	32% (8)	8% (2)	28% (7)	3.28
More opportunities to informally socialize with Advisory Council members	0% (0)	8% (2)	28% (7)	40% (10)	24% (6)	3.80

and Sanctuary staff.						
More recognition from the Sanctuary of the Advisory Council's accomplishments.	4% (1)	12% (3)	24% (6)	40% (10)	20% (5)	3.60
Greater clarity about the Sanctuary's expectations and objectives for the Council.	4% (1)	16% (4)	24% (6)	44% (11)	12% (3)	3.44
Greater clarity about how the Sanctuary makes management decisions.	4% (1)	20% (5)	24% (6)	40% (10)	12% (3)	3.36
Greater understanding of relevant laws and regulations.	4% (1)	12% (3)	12% (3)	56% (14)	16% (4)	3.68
Total Respondents						25
(skipped this question)						3

29. What advice do you have that would enable the Advisory Councils to be more productive?	
Total Respondents	18
(skipped this question)	10

Appendix E: Advisory Council Charters and Protocols

Channel Islands
Monterey Bay
Stellwagen Bank

Channel Islands National Marine Sanctuary Sanctuary Advisory Council Charter

INTRODUCTION

A marine sanctuary is an area of the marine environment of special national, and sometimes international, significance warranting protection and management by the Federal government. As stewards of coastal and ocean resources, the National Oceanic and Atmospheric Administration (NOAA) protects and manages Sanctuaries through the National Marine Sanctuary Program (NMSP). The mission of the NMSP is to manage marine areas of special significance to protect their ecological and cultural integrity for the benefit of current and future generations. NOAA uses ecologically sound principles of resource conservation, develops and implements stewardship, education and research programs that foster public understanding, support and participation, and promotes the ecologically sustainable use of the nation's natural and cultural marine resources. The NMSP provides leadership and acts as a catalyst to link the assets of government and non-government organizations to focus people's attention on the need to manage and protect marine resources.

The Channel Islands National Marine Sanctuary (CINMS or Sanctuary) was designated in 1980 to protect the resources of the waters surrounding San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara Islands. The Sanctuary boundary covers 1,252 square nautical miles of ocean including tidal, intertidal, coastal and offshore habitats. Notable living resources include extensive kelp forests, a large and varied invertebrate population, 60 species of seabirds, and 27 species of marine mammals. There are a number of cultural and historical resources including over 200 documented shipwrecks and prehistoric artifacts from earlier Chumash civilizations. In addition, there is a high probability of submerged archaeological remains of fossilized prehistoric mammals based on recent terrestrial discoveries.

Management of the Channel Islands National Marine Sanctuary is guided by the purposes of the National Marine Sanctuary System, as stated in the National Marine Sanctuaries Act (NMSA Sec. 301(b)):

- (1) to identify and designate as national marine sanctuaries areas of the marine environment which are of special national significance and to manage these areas as the National Marine Sanctuary System;
- (2) to provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities;
- (3) to maintain the natural biological communities in the national marine sanctuaries, and to protect, and, where appropriate, restore and enhance natural habitats, populations, and ecological processes;
- (4) to enhance public awareness, understanding, appreciation, and wise and sustainable use of the marine environment, and the natural, historical, cultural, and archeological resources of the National Marine Sanctuary System;
- (5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;

(6) to facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas not prohibited pursuant to other authorities;

(7) to develop and implement coordinated plans for the protection and management of these areas with appropriate Federal agencies, State and local governments, Native American tribes and organizations, international organizations, and other public and private interests concerned with the continuing health and resilience of these marine areas;

(8) to create models of, and incentives for, ways to conserve and manage these areas, including the application of innovative management techniques; and

(9) to cooperate with global programs encouraging conservation of marine resources.

National Marine Sanctuary Program Sanctuary Advisory Council Policy Statement

The National Marine Sanctuary Program (NMSP) regards the involvement of communities and the development of a stewardship ethic as vitally important to successfully protect Sanctuary resources. One key way to achieve this involvement is the formation of Sanctuary Advisory Councils.

Sanctuary Advisory Councils bring members of a diverse community together to provide advice to the Sanctuary Manager (delegated from the Secretary of Commerce and the Under Secretary for Oceans and Atmosphere) on the management and protection of the Sanctuary, or to assist the NMSP in guiding a proposed site through the designation process.

The NMSP is committed to the full support, utilization, and enhancement of Councils at all sanctuaries. In order for Councils to achieve their full potential, the NMSP will:

- At each site, provide sufficient support to allow Councils to operate efficiently and effectively;
- Provide support and guidance from the national office to help Councils operate efficiently and at a basic level of consistency across the system;
- Promote coordination and communication among Councils and among Sanctuary staff that work closely with Councils; and
- Develop training programs appropriate to Council officers and members, and Sanctuary Managers and staff.

ESTABLISHMENT AND AUTHORITY

Section 315 of the National Marine Sanctuaries Act (NMSA or Act; U.S.C. § 1445a) authorizes the Secretary of Commerce to establish Sanctuary Advisory Councils to provide assistance to the Secretary of Commerce in the designation and management of National Marine Sanctuaries. This authority has been delegated to the Director of Ocean and Coastal Resource Management

(Director). The Director hereby establishes the Channel Islands National Marine Sanctuary Advisory Council (Council).

This Charter describes the objectives and scope of the Council's activities, description of duties for which the Council is responsible, procedural requirements on the appointment of Council members and Officers, requirements for the conduct of Council members and meetings, and other requirements. All Council activities must be conducted pursuant to this Charter.

OBJECTIVES

The Director establishes the Council to provide advice on:

- Protecting natural and cultural resources, and identifying and evaluating emergent or critical issues involving Sanctuary use or resources;
- Identifying and realizing the Sanctuary's research objectives;
- Identifying and realizing educational opportunities to increase the public knowledge and stewardship of the Sanctuary environment; and
- Assisting to develop an informed constituency to increase awareness and understanding of the purpose and value of the Sanctuary and the NMSP.

ROLES

1. The Council, in accordance with the Act, shall provide advice to the Sanctuary Manager regarding the management of the Channel Islands National Marine Sanctuary.
2. The Council shall act solely as an advisory body to the Sanctuary Manager. Nothing in this charter constitutes authority to perform operational or management functions, or to represent or make decisions on behalf of the Sanctuary, NOAA, or the Department of Commerce.
3. The Council shall draw on the expertise of its members and other sources in order to provide advice to the Sanctuary Manager.
4. The Council may serve as a forum for consultation and deliberation among its members and as a source of consensus advice to the Sanctuary Manager. Such consensus advice shall fairly represent the collective and individual views of the Council members and the constituencies they represent.

MEMBERS, ALTERNATES, AND OFFICERS

1. The Council shall consist of no more than 21 voting members, who shall be appointed by the Director from among persons employed by Federal, State, regional or local agencies with expertise in management of natural resources, representatives of local user groups, conservation and other public interest organizations, scientific and educational organizations, and members of the public interested in the protection and multiple use management of Sanctuary resources. The membership is designed to be balanced in terms of points of view represented, geographic diversity, and advisory functions the Council will perform.

2. The Sanctuary Manager sits on the Council as a non-voting member and concurs with the scheduling of each meeting and the agenda to ensure that topics of discussion are relevant to the Sanctuary. The Sanctuary Manager shall also concur to other matters as indicated elsewhere in this Charter. Council meetings may not be conducted in the absence of the Sanctuary Manager or his/her designee.

3. To ensure relevant information exchange and consistent management, as appropriate, among other National Marine Sanctuaries located off California, the Managers of the Gulf of the Farallones and Monterey Bay National Marine Sanctuaries shall sit on the Council as non-voting members.

4. There are two categories of seats for which voting members are appointed. The following procedures shall govern the application, nomination and appointment of Council voting members.

Category A

i. Government (10 members). By virtue of the shared functional responsibilities of Federal, State, and local jurisdictions in the implementation of Sanctuary-related management, each of the following government entities shall be requested to designate one individual to serve on the Council: Channel Islands National Park (DOI), U.S. Coast Guard, Department of Defense, Minerals Management Service, National Marine Fisheries Service, California Resources Agency, California Department of Fish and Game, California Coastal Commission, Santa Barbara and Ventura Counties.

ii. If a government entity decides no longer to participate as a member of the Council, or fails to attend three consecutive Council meetings and is formally removed by the Director, the Sanctuary Manager shall invite another appropriate government entity to replace that agency on the Council. A government seat cannot be converted to a non-government seat.

iii. If it is found that a governmental member of the Council has violated one or more of the conditions of this Charter, the Sanctuary Manager may recommend to the Director that the appropriate agency be notified and requested to replace the designee. The Sanctuary Manager may consult with the Council prior to taking such action.

Category B

i. Non-government (11 members). A representative of each of the following activities, which are integrally affected by the management goals of the Sanctuary, shall be selected: Commercial Fishing (1), Recreational Fishing (1), Conservation (1), Recreation (non-consumptive) (1), Education (1), Business (1), Tourism (1), Research (1), Chumash (1), and two (2) public at-large members. The two at-large members will be selected based on geographic diversity, breadth of experience and knowledge regarding marine issues, policies and practices.

The eleven non-government members are appointed for a term of two years, serve at the discretion of the Director, and may compete for re-appointment. If necessary, terms of appointment may be changed to provide for balanced (staggered) expiration dates. Should a

non-government seat become vacant, the vacated position shall be advertised and a replacement appointed as specified below. The newly appointed member shall serve for a full two-year term beginning on the date of his/her swearing-in by the Sanctuary Manager.

ii. Members serve at the discretion of the Director. The Sanctuary Manager may recommend to the Director removal of a non-governmental member of the Council on any of the following grounds if that member:

- Is convicted of any felony offense;
- Is found to have violated any of the following laws or regulations promulgated thereunder: the National Marine Sanctuaries Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, or another environmental law for which NOAA has jurisdictional responsibility;
- Is found to have violated state environmental laws or regulations promulgated thereunder in the state in which a Sanctuary is located;
- Is determined to have abused his or her position as a member of the Council (including but not limited to use of Council information for personal gain; use of Council position to advance a personal agenda or harm another member of the Council or of the community; misrepresentation of, or spreading misinformation about the Council or the Sanctuary; and refusal to recuse himself or herself if so requested by the Sanctuary Manager and/or Chair in a matter in which the member has a conflict of interest);
- Has a change to the professional affiliation(s) and/or personal circumstances that comprise a significant portion of that member's qualifications for being a member of the Council;
- Misses a consecutive number of meetings (as defined by this Charter) without reasonable justification;
- Disrupts on more than one occasion Council meetings in a manner that interferes with the Council conducting its business; or
- violates any term of this Charter.

The Sanctuary Manager may consult with the Council prior to taking such an action.

5. A designated alternate (from the same government entity) of a government Council member may attend a Council meeting on occasion if the Chair and Sanctuary Manager are notified in advance of any meeting at which an alternate will represent the Council member. An alternate may not name another alternate.

6. A designated alternate will be appointed for each non-governmental seat (pursuant to the process described under Appointments). The commercial fishing seat shall have two designated alternates. An alternate may attend a Council meeting if the Chair and Sanctuary Manager are notified in advance of any meeting at which an alternate will represent the Council member. An alternate may not name another alternate.

7. As each non-government seat becomes vacant and the process for selection of a new member (described under Appointments) is conducted, the Sanctuary Manager will recommend to the

Director the member and an alternate from among the top three candidates resulting from the review process. The alternate will have all the rights of the member at such times the alternate is officially substituting for the member. The Chair and the Sanctuary Manager must be notified before an alternate officially attends a meeting.

8. Council Officer Elections and Terms

a. The Council shall elect one member to serve as Chair, one member to serve as Vice-Chair, and one member to serve as Council Secretary. The Vice-Chair shall act as Chair in the absence of the Chair. The term of the Council Secretary is one year. The Council Secretary may serve consecutive terms if reelected. Terms of the Chair and Vice-Chair are two years, except that the initial term of the Vice-Chair is one year. The Chair and Vice-Chair may serve a maximum of two consecutive terms (four years) if reelected. A Chair or Vice-Chair may leave his/her term to run for another Council officer position if desired. If the Chair or Vice-Chair is elected to a new position, the Council shall nominate and elect a new representative for the vacated position.

Election for all positions is by majority vote of all Council members, including the non-voting members, and votes shall be made by written ballot. Members who will not be present at the time of the election may submit their vote in writing to the Sanctuary Manager prior to the meeting. Following the first election, elections for Chair and Vice-Chair shall be held in alternate years.

b. Roles of Council Officers:

i. Chair: The Chair schedules and sets agendas for all Council meetings with the concurrence of the Sanctuary Manager, presides over all meetings of the full Council, signs all correspondence and documents authorized by the Council, and generally represents the Council's interests and concerns to the public.

ii. Vice-Chair: The Vice-Chair shall serve as Chair in the absence of the Chair and shall assist as necessary in performing executive duties of the Council.

iii. Council Secretary: The Council Secretary assists Sanctuary staff in performing administrative duties as directed by the Chair or Vice-Chair.

APPOINTMENTS

Public notice shall be provided as to the vacancy of constituent group seat(s) and at-large representatives. Applications for ensuing terms for vacant seats shall be submitted to the Sanctuary Manager directly. Copies of all applications and nominations for each seat shall be submitted by the Sanctuary Manager to the Council, which shall act as the preliminary reviewing body for screening applications for evaluation. Any Council member that has a conflict of interest (financial, personal, self nomination, etc.) shall recuse him/herself from making a selection for the vacant seat. Selection from among those recommended by the Council, or from among other applicants or nominees, shall be made by the Sanctuary Manager with the approval by the Director. In all cases, submission of written statements of particular interest,

qualifications, and experience shall be requested. Guidelines for applying shall be supplied at the appropriate time.

ADMINISTRATION

1. Members of the Council shall serve without pay except that each member may receive travel expenses including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of Title 5, U.S.C., for travel to and from official Council meetings. No members of working groups (defined below) may receive travel expenses for working group activities or meetings. Travel expenses for government members of the Council may be provided by their own agencies.

2. The NMSP may make available such staff, information, administrative services, or assistance as the Sanctuary Manager determines are reasonably required to enable the Council and its subcommittees/working groups to carry out their functions.

OPERATION

1. Procedures for Providing Advice:

The following procedures shall be used to provide advice:

a. The Sanctuary Manager shall initiate the process by which the Council provides advice by asking the Council to provide advice on an issue or topic. This request may be made verbally during a Council meeting or in writing at any time. Requests for information, assistance, or advice from the NMSP, other NOAA offices, or other agencies shall be made in writing and be coordinated through the Sanctuary Manager.

b. Any matter that a Council member wishes to raise to the attention of the Sanctuary shall be brought to the attention of either the Sanctuary Manager or the Council Chair so that it might be placed on the agenda as a discussion topic. The Sanctuary Manager and the Council Chair shall discuss topics for the agenda and agree that a topic is a Sanctuary issue before it may be placed on the agenda.

c. Any matter that a Council working group wishes to raise to the attention of the Sanctuary shall be brought to either the Sanctuary Manager or the Council Chair so that it might be placed on the agenda as a discussion topic. The Sanctuary Manager and the Council Chair shall discuss topics for the agenda and agree that a topic is a Sanctuary issue before it may be placed on the agenda.

d. The Council shall provide advice directly to the Sanctuary Manager via a written recommendation or a motion passed by the Council and reflected in the minutes. Draft recommendations and verbal discussions will not be considered official advice from the Council, but may be considered as background information.

e. Any advice, correspondence, or information that the Council wishes to offer or express beyond the Sanctuary Manager shall be voted on and approved by the Council, and approved by the Sanctuary Manager.

f. The Council shall base its advice on a vote of the Council with negative votes and abstentions noted, or on a general consensus reached during discussions, with minority opinions noted. A quorum (one more than half of the voting members) must be present when the vote is taken or general consensus reached.

g. Any information or advice resulting from discussions in subcommittees or working groups that is requested by the Council shall be presented to and considered by the full Council and incorporated into the Council's recommendation to the Sanctuary Manager. If the Council does not incorporate information or advice of a subcommittee or working group, it shall inform the Sanctuary Manager and explain in its advice the reasons for not incorporating the subcommittees' or working groups' advice.

2. Conduct of Individual Members

a. Council members may not use or allow the use of, for other than official Council purposes, information obtained through or in connection with their Council affiliation that has not been made available to the general public.

b. When speaking to the public or writing about any matter regarding the Sanctuary in a document for distribution beyond Council membership, the Sanctuary Manager, or Sanctuary staff, a member shall clearly distinguish those recommendations, opinions, or positions officially adopted by the Council as a body from those he or she may have as an individual. In no case shall a member represent individual opinions as those of the Council, the Sanctuary Manager, Sanctuary staff, or NOAA.

c. Any Council member that has a conflict of interest (financial, personal or business) in any matter before the Council, its subcommittees or working groups, shall identify such interest prior to discussion and voting on such matter.. No member shall cast a vote on any matter that would provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under Federal law. An affected member who may not vote on a matter may participate in Council deliberations relating to the decision after notifying the Council of the voting recusal and identifying the interest that would be affected. These same guidelines apply to members of working groups who are not members of the Council.

3. Conduct of the Council as a Body

a. Any correspondence, press releases, informational releases, news articles, or other written documents that are intended to speak for the Council as a body shall be coordinated with, and approved by, the Chair and the Sanctuary Manager. The following disclaimer shall be placed in all documents originating from the Council: "The Council is solely an advisory body. The opinions and findings of this publication do not necessarily reflect the position of the Channel Islands National Marine Sanctuary and the National Oceanic and Atmospheric Administration."

b. The Council shall not make recommendations, express opinions or otherwise speak to other than the Sanctuary Manager unless the Council has express permission from the Sanctuary

Manager and states that its opinions and findings do not necessarily reflect the position of the CINMS or NOAA.

4. Council Letterhead

The Council shall, with the assistance and approval of the Sanctuary Manager, design and use its own letterhead. All correspondence from the Chair or other members of the Council, or the Council as a body, shall be on this letterhead. The Council shall not use official NOAA letterhead for any correspondence or other purpose.

5. Subcommittees and Working Groups

a. Subcommittees:

The Council and the Sanctuary Manager may establish such subcommittees as necessary to fulfill its duties. Subcommittees shall be composed solely of members of the Council and shall be recognized as official sub-units of the Council. Subcommittees are subject to all requirements of this Charter. No members of subcommittees, including members who are also members of the Council, may receive travel expenses for subcommittee meetings or other activities.

b. Working Groups:

Working groups may be established by the Council, with approval by the Sanctuary Manager, for specific purposes or topics that need focused attention that cannot be accomplished by a subcommittee. Working groups may be composed of members of the Council and/or persons outside the Council. Working groups shall be chaired by a member of the Council and shall function under the purview of the Council. Working groups established by the Council to address specific issues shall disband once the final advice on the particular matter is submitted to the Council. No members of working groups, including members who are also members of the Council, may receive travel expenses for working group meetings or other activities.

6. Meetings

a. Meetings are held at the call of the Chair, with the approval of the Sanctuary Manager.

b. The Council may choose to work by consensus to develop advice provided to the Manager.

c. Decisions made by the Council may be made by majority vote of those present, provided there is a quorum (more than half of the voting members). A recorded vote may be requested by the Chair or the Sanctuary Manager.

d. Each meeting shall be open to the public.

e. Interested persons shall be permitted to present oral or written statements on items on the agenda, or other pertinent topics.

f. Emergency meetings may be held at the call of the Chair or presiding officer, with the approval of the Sanctuary Manager.

g. Timely notice of each Council meeting, including the time, place, and agenda of each meeting, shall be published in at least one local newspaper of general circulation within the vicinity of the Sanctuary and additional notice may be given by such other means as will result in appropriate publicity to interested groups. This requirement shall not apply to workshops scheduled by the Council to address strategic planning, administration, or specialized technical issues. The Council may not vote at any meeting for which the above public notice has not been issued.

h. The Council shall meet as frequently as necessary, not to exceed once per month for voting meetings, but at least once every six months. The Council meeting place shall be rotated among various locations adjacent to the Sanctuary and meeting sites shall be chosen to accommodate anticipated public attendance and be reasonably accessible to those interested in attending.

i. Minutes of each meeting shall be kept by the elected Council Secretary or other person specified by the Sanctuary Manager and contain a summary of attendees and matters discussed; such minutes shall be available to the public.

OTHER TERMS OF THIS CHARTER

1. The Council shall operate pursuant to the terms of this Charter.
2. This Charter shall remain in effect for a period of five years from the date of signature.
3. Six months prior to the expiration of this Charter, the need for the Council will be evaluated by the NMSP, Council members, and the public to determine whether to renew the Charter.
4. Revisions to the Charter may be made as determined necessary by the NMSP with input from the Council.

Daniel J. Basta
Director, National Marine Sanctuary Program

November 3, 2003

(Director). The Director hereby establishes the Channel Islands National Marine Sanctuary Advisory Council (Council).

This Charter describes the objectives and scope of the Council's activities, description of duties for which the Council is responsible, procedural requirements on the appointment of Council members and Officers, requirements for the conduct of Council members and meetings, and other requirements. All Council activities must be conducted pursuant to this Charter.

OBJECTIVES

The Director establishes the Council to provide advice on:

- Protecting natural and cultural resources, and identifying and evaluating emergent or critical issues involving Sanctuary use or resources;
- Identifying and realizing the Sanctuary's research objectives;
- Identifying and realizing educational opportunities to increase the public knowledge and stewardship of the Sanctuary environment; and
- Assisting to develop an informed constituency to increase awareness and understanding of the purpose and value of the Sanctuary and the NMSP.

ROLES

1. The Council, in accordance with the Act, shall provide advice to the Sanctuary Manager regarding the management of the Channel Islands National Marine Sanctuary.
2. The Council shall act solely as an advisory body to the Sanctuary Manager. Nothing in this charter constitutes authority to perform operational or management functions, or to represent or make decisions on behalf of the Sanctuary, NOAA, or the Department of Commerce.
3. The Council shall draw on the expertise of its members and other sources in order to provide advice to the Sanctuary Manager.
4. The Council may serve as a forum for consultation and deliberation among its members and as a source of consensus advice to the Sanctuary Manager. Such consensus advice shall fairly represent the collective and individual views of the Council members and the constituencies they represent.

MEMBERS, ALTERNATES, AND OFFICERS

1. The Council shall consist of no more than 21 voting members, who shall be appointed by the Director from among persons employed by Federal, State, regional or local agencies with expertise in management of natural resources, representatives of local user groups, conservation and other public interest organizations, scientific and educational organizations, and members of the public interested in the protection and multiple use management of Sanctuary resources. The membership is designed to be balanced in terms of points of view represented, geographic diversity, and advisory functions the Council will perform.

2. The Sanctuary Manager sits on the Council as a non-voting member and concurs with the scheduling of each meeting and the agenda to ensure that topics of discussion are relevant to the Sanctuary. The Sanctuary Manager shall also concur to other matters as indicated elsewhere in this Charter. Council meetings may not be conducted in the absence of the Sanctuary Manager or his/her designee.

3. To ensure relevant information exchange and consistent management, as appropriate, among other National Marine Sanctuaries located off California, the Managers of the Gulf of the Farallones and Monterey Bay National Marine Sanctuaries shall sit on the Council as non-voting members.

4. There are two categories of seats for which voting members are appointed. The following procedures shall govern the application, nomination and appointment of Council voting members.

Category A

i. Government (10 members). By virtue of the shared functional responsibilities of Federal, State, and local jurisdictions in the implementation of Sanctuary-related management, each of the following government entities shall be requested to designate one individual to serve on the Council: Channel Islands National Park (DOI), U.S. Coast Guard, Department of Defense, Minerals Management Service, National Marine Fisheries Service, California Resources Agency, California Department of Fish and Game, California Coastal Commission, Santa Barbara and Ventura Counties.

ii. If a government entity decides no longer to participate as a member of the Council, or fails to attend three consecutive Council meetings and is formally removed by the Director, the Sanctuary Manager shall invite another appropriate government entity to replace that agency on the Council. A government seat cannot be converted to a non-government seat.

iii. If it is found that a governmental member of the Council has violated one or more of the conditions of this Charter, the Sanctuary Manager may recommend to the Director that the appropriate agency be notified and requested to replace the designee. The Sanctuary Manager may consult with the Council prior to taking such action.

Category B

i. Non-government (11 members). A representative of each of the following activities, which are integrally affected by the management goals of the Sanctuary, shall be selected: Commercial Fishing (1), Recreational Fishing (1), Conservation (1), Recreation (non-consumptive) (1), Education (1), Business (1), Tourism (1), Research (1), Chumash (1), and two (2) public at-large members. The two at-large members will be selected based on geographic diversity, breadth of experience and knowledge regarding marine issues, policies and practices.

The eleven non-government members are appointed for a term of two years, serve at the discretion of the Director, and may compete for re-appointment. If necessary, terms of appointment may be changed to provide for balanced (staggered) expiration dates. Should a

non-government seat become vacant, the vacated position shall be advertised and a replacement appointed as specified below. The newly appointed member shall serve for a full two-year term beginning on the date of his/her swearing-in by the Sanctuary Manager.

ii. Members serve at the discretion of the Director. The Sanctuary Manager may recommend to the Director removal of a non-governmental member of the Council on any of the following grounds if that member:

- Is convicted of any felony offense;
- Is found to have violated any of the following laws or regulations promulgated thereunder: the National Marine Sanctuaries Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, or another environmental law for which NOAA has jurisdictional responsibility;
- Is found to have violated state environmental laws or regulations promulgated thereunder in the state in which a Sanctuary is located;
- Is determined to have abused his or her position as a member of the Council (including but not limited to use of Council information for personal gain; use of Council position to advance a personal agenda or harm another member of the Council or of the community; misrepresentation of, or spreading misinformation about the Council or the Sanctuary; and refusal to recuse himself or herself if so requested by the Sanctuary Manager and/or Chair in a matter in which the member has a conflict of interest);
- Has a change to the professional affiliation(s) and/or personal circumstances that comprise a significant portion of that member's qualifications for being a member of the Council;
- Misses a consecutive number of meetings (as defined by this Charter) without reasonable justification;
- Disrupts on more than one occasion Council meetings in a manner that interferes with the Council conducting its business; or
- violates any term of this Charter.

The Sanctuary Manager may consult with the Council prior to taking such an action.

5. A designated alternate (from the same government entity) of a government Council member may attend a Council meeting on occasion if the Chair and Sanctuary Manager are notified in advance of any meeting at which an alternate will represent the Council member. An alternate may not name another alternate.

6. A designated alternate will be appointed for each non-governmental seat (pursuant to the process described under Appointments). The commercial fishing seat shall have two designated alternates. An alternate may attend a Council meeting if the Chair and Sanctuary Manager are notified in advance of any meeting at which an alternate will represent the Council member. An alternate may not name another alternate.

7. As each non-government seat becomes vacant and the process for selection of a new member (described under Appointments) is conducted, the Sanctuary Manager will recommend to the

Director the member and an alternate from among the top three candidates resulting from the review process. The alternate will have all the rights of the member at such times the alternate is officially substituting for the member. The Chair and the Sanctuary Manager must be notified before an alternate officially attends a meeting.

8. Council Officer Elections and Terms

a. The Council shall elect one member to serve as Chair, one member to serve as Vice-Chair, and one member to serve as Council Secretary. The Vice-Chair shall act as Chair in the absence of the Chair. The term of the Council Secretary is one year. The Council Secretary may serve consecutive terms if reelected. Terms of the Chair and Vice-Chair are two years, except that the initial term of the Vice-Chair is one year. The Chair and Vice-Chair may serve a maximum of two consecutive terms (four years) if reelected. A Chair or Vice-Chair may leave his/her term to run for another Council officer position if desired. If the Chair or Vice-Chair is elected to a new position, the Council shall nominate and elect a new representative for the vacated position.

Election for all positions is by majority vote of all Council members, including the non-voting members, and votes shall be made by written ballot. Members who will not be present at the time of the election may submit their vote in writing to the Sanctuary Manager prior to the meeting. Following the first election, elections for Chair and Vice-Chair shall be held in alternate years.

b. Roles of Council Officers:

i. Chair: The Chair schedules and sets agendas for all Council meetings with the concurrence of the Sanctuary Manager, presides over all meetings of the full Council, signs all correspondence and documents authorized by the Council, and generally represents the Council's interests and concerns to the public.

ii. Vice-Chair: The Vice-Chair shall serve as Chair in the absence of the Chair and shall assist as necessary in performing executive duties of the Council.

iii. Council Secretary: The Council Secretary assists Sanctuary staff in performing administrative duties as directed by the Chair or Vice-Chair.

APPOINTMENTS

Public notice shall be provided as to the vacancy of constituent group seat(s) and at-large representatives. Applications for ensuing terms for vacant seats shall be submitted to the Sanctuary Manager directly. Copies of all applications and nominations for each seat shall be submitted by the Sanctuary Manager to the Council, which shall act as the preliminary reviewing body for screening applications for evaluation. Any Council member that has a conflict of interest (financial, personal, self nomination, etc.) shall recuse him/herself from making a selection for the vacant seat. Selection from among those recommended by the Council, or from among other applicants or nominees, shall be made by the Sanctuary Manager with the approval by the Director. In all cases, submission of written statements of particular interest,

qualifications, and experience shall be requested. Guidelines for applying shall be supplied at the appropriate time.

ADMINISTRATION

1. Members of the Council shall serve without pay except that each member may receive travel expenses including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of Title 5, U.S.C., for travel to and from official Council meetings. No members of working groups (defined below) may receive travel expenses for working group activities or meetings. Travel expenses for government members of the Council may be provided by their own agencies.

2. The NMSP may make available such staff, information, administrative services, or assistance as the Sanctuary Manager determines are reasonably required to enable the Council and its subcommittees/working groups to carry out their functions.

OPERATION

1. Procedures for Providing Advice:

The following procedures shall be used to provide advice:

a. The Sanctuary Manager shall initiate the process by which the Council provides advice by asking the Council to provide advice on an issue or topic. This request may be made verbally during a Council meeting or in writing at any time. Requests for information, assistance, or advice from the NMSP, other NOAA offices, or other agencies shall be made in writing and be coordinated through the Sanctuary Manager.

b. Any matter that a Council member wishes to raise to the attention of the Sanctuary shall be brought to the attention of either the Sanctuary Manager or the Council Chair so that it might be placed on the agenda as a discussion topic. The Sanctuary Manager and the Council Chair shall discuss topics for the agenda and agree that a topic is a Sanctuary issue before it may be placed on the agenda.

c. Any matter that a Council working group wishes to raise to the attention of the Sanctuary shall be brought to either the Sanctuary Manager or the Council Chair so that it might be placed on the agenda as a discussion topic. The Sanctuary Manager and the Council Chair shall discuss topics for the agenda and agree that a topic is a Sanctuary issue before it may be placed on the agenda.

d. The Council shall provide advice directly to the Sanctuary Manager via a written recommendation or a motion passed by the Council and reflected in the minutes. Draft recommendations and verbal discussions will not be considered official advice from the Council, but may be considered as background information.

e. Any advice, correspondence, or information that the Council wishes to offer or express beyond the Sanctuary Manager shall be voted on and approved by the Council, and approved by the Sanctuary Manager.

f. The Council shall base its advice on a vote of the Council with negative votes and abstentions noted, or on a general consensus reached during discussions, with minority opinions noted. A quorum (one more than half of the voting members) must be present when the vote is taken or general consensus reached.

g. Any information or advice resulting from discussions in subcommittees or working groups that is requested by the Council shall be presented to and considered by the full Council and incorporated into the Council's recommendation to the Sanctuary Manager. If the Council does not incorporate information or advice of a subcommittee or working group, it shall inform the Sanctuary Manager and explain in its advice the reasons for not incorporating the subcommittees' or working groups' advice.

2. Conduct of Individual Members

a. Council members may not use or allow the use of, for other than official Council purposes, information obtained through or in connection with their Council affiliation that has not been made available to the general public.

b. When speaking to the public or writing about any matter regarding the Sanctuary in a document for distribution beyond Council membership, the Sanctuary Manager, or Sanctuary staff, a member shall clearly distinguish those recommendations, opinions, or positions officially adopted by the Council as a body from those he or she may have as an individual. In no case shall a member represent individual opinions as those of the Council, the Sanctuary Manager, Sanctuary staff, or NOAA.

c. Any Council member that has a conflict of interest (financial, personal or business) in any matter before the Council, its subcommittees or working groups, shall identify such interest prior to discussion and voting on such matter.. No member shall cast a vote on any matter that would provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under Federal law. An affected member who may not vote on a matter may participate in Council deliberations relating to the decision after notifying the Council of the voting recusal and identifying the interest that would be affected. These same guidelines apply to members of working groups who are not members of the Council.

3. Conduct of the Council as a Body

a. Any correspondence, press releases, informational releases, news articles, or other written documents that are intended to speak for the Council as a body shall be coordinated with, and approved by, the Chair and the Sanctuary Manager. The following disclaimer shall be placed in all documents originating from the Council: "The Council is solely an advisory body. The opinions and findings of this publication do not necessarily reflect the position of the Channel Islands National Marine Sanctuary and the National Oceanic and Atmospheric Administration."

b. The Council shall not make recommendations, express opinions or otherwise speak to other than the Sanctuary Manager unless the Council has express permission from the Sanctuary

Manager and states that its opinions and findings do not necessarily reflect the position of the CINMS or NOAA.

4. Council Letterhead

The Council shall, with the assistance and approval of the Sanctuary Manager, design and use its own letterhead. All correspondence from the Chair or other members of the Council, or the Council as a body, shall be on this letterhead. The Council shall not use official NOAA letterhead for any correspondence or other purpose.

5. Subcommittees and Working Groups

a. Subcommittees:

The Council and the Sanctuary Manager may establish such subcommittees as necessary to fulfill its duties. Subcommittees shall be composed solely of members of the Council and shall be recognized as official sub-units of the Council. Subcommittees are subject to all requirements of this Charter. No members of subcommittees, including members who are also members of the Council, may receive travel expenses for subcommittee meetings or other activities.

b. Working Groups:

Working groups may be established by the Council, with approval by the Sanctuary Manager, for specific purposes or topics that need focused attention that cannot be accomplished by a subcommittee. Working groups may be composed of members of the Council and/or persons outside the Council. Working groups shall be chaired by a member of the Council and shall function under the purview of the Council. Working groups established by the Council to address specific issues shall disband once the final advice on the particular matter is submitted to the Council. No members of working groups, including members who are also members of the Council, may receive travel expenses for working group meetings or other activities.

6. Meetings

a. Meetings are held at the call of the Chair, with the approval of the Sanctuary Manager.

b. The Council may choose to work by consensus to develop advice provided to the Manager.

c. Decisions made by the Council may be made by majority vote of those present, provided there is a quorum (more than half of the voting members). A recorded vote may be requested by the Chair or the Sanctuary Manager.

d. Each meeting shall be open to the public.

e. Interested persons shall be permitted to present oral or written statements on items on the agenda, or other pertinent topics.

f. Emergency meetings may be held at the call of the Chair or presiding officer, with the approval of the Sanctuary Manager.

g. Timely notice of each Council meeting, including the time, place, and agenda of each meeting, shall be published in at least one local newspaper of general circulation within the vicinity of the Sanctuary and additional notice may be given by such other means as will result in appropriate publicity to interested groups. This requirement shall not apply to workshops scheduled by the Council to address strategic planning, administration, or specialized technical issues. The Council may not vote at any meeting for which the above public notice has not been issued.

h. The Council shall meet as frequently as necessary, not to exceed once per month for voting meetings, but at least once every six months. The Council meeting place shall be rotated among various locations adjacent to the Sanctuary and meeting sites shall be chosen to accommodate anticipated public attendance and be reasonably accessible to those interested in attending.

i. Minutes of each meeting shall be kept by the elected Council Secretary or other person specified by the Sanctuary Manager and contain a summary of attendees and matters discussed; such minutes shall be available to the public.

OTHER TERMS OF THIS CHARTER

1. The Council shall operate pursuant to the terms of this Charter.
2. This Charter shall remain in effect for a period of five years from the date of signature.
3. Six months prior to the expiration of this Charter, the need for the Council will be evaluated by the NMSP, Council members, and the public to determine whether to renew the Charter.
4. Revisions to the Charter may be made as determined necessary by the NMSP with input from the Council.

Daniel J. Basta
Director, National Marine Sanctuary Program

November 3, 2003

CHANNEL ISLANDS NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL

Decision-Making and Operational Protocols

Background

On June 23, 2003 a Sanctuary Advisory Council (SAC) subcommittee met to discuss the development of draft decision-making procedures for the Council's consideration. Subcommittee participants included Drew Mayerson, Roberta Cordero, Matt Cahn and Chris Mobley with assistance from Sanctuary staff Mike Murray. The group had been tasked with this assignment by the SAC on May 16, 2003. The subcommittee produced a proposal regarding general operational guidelines for the SAC in seven areas: 1) preference for use of a consensus approach; 2) limited role of Robert's Rules of Order; 3) advance noticing of SAC meeting action items; 4) preference for avoiding day-of-the-meeting surprise votes and actions; 5) voting and absentee clarifications; 6) importance of including minority views in SAC advice; 7) clarifications about SAC letter writing.

At a SAC meeting held on July 18, 2003, the Council considered the Subcommittee's proposal. Suggested additions included clarification on carrying over non-urgent draft letters for final approval at subsequent SAC meetings, and adding clarity on the role of alternates when their views differ from members. Incorporating these changes, the SAC approved by consensus eight protocols, which are presented below. While these protocols have not been added to the SAC Charter, it is the intent of the Council that these procedures and practices provide guidance for SAC operations.

At a SAC meeting held on September 23, 2005, the 2003-adopted protocols were revisited and recommended updates were suggested by the Council Chair, Dianne Meester. The proposed updates complimented the 2003 protocols but reflected greater specificity with regard to issues such as: 1) the use of straw polls, 2) determining the urgency of a proposed letter, 3) the need for early distribution of proposed letters prior to SAC meetings, 4) responsibility for the drafting of minority opinions, 5) the need for a diversity of members to be involved with letter-writing subcommittees, 6) procedures for conducting a deliberative process to finalize a proposed letter. At the SAC meeting on November 18, 2005, the Council discussed and unanimously approved these proposed revisions.

SAC Protocols

1. Use of a Consensus Approach

In its most literal sense, "consensus" means that everyone in a group "consents" to the same decision or course of action. It does not necessarily mean that each one consents with the same degree of fervor. Implied is a commitment to support and not undermine in any way. In general, whenever possible the SAC should strive to reach agreement on advice to be provided by way of seeking consensus. In efforts to reach consensus, all voices should be heard and creative solutions should be sought to resolve issues and craft advice that encompasses the diversity of viewpoints. When considering significant actions, the SAC should utilize straw polls early on to determine where members' are at on a given issue. Additionally, it is important to clearly establish if a SAC decision is needed at a given meeting, or if it could or should be made at a future meeting.

2. The Role of Robert's Rules of Order

As an advisory body, and not a legal decision-making body, Robert's Rules of Order do not apply to the SAC. However, some of the concepts used in Robert's Rules of Order have been and should continue to be used by the SAC. For example, being recognized to speak by the Chair and the use of motions to reach some decisions (offering motions, seconding motions, discussion on a motion, voting on motions) are elements found in Roberts Rules of Order that should continue to be used by the SAC.

3. Noticing of SAC Action Items

SAC draft meeting agendas will be distributed via e-mail to members at least 10 days prior to a meeting. Agenda items that are expected or designed to bring about a Council “action” (i.e. a vote, a letter or other conveyance of advice to the Sanctuary Manager) will be clearly identified as such. Agenda topics that *may* result in a Council action will be labeled as “possible” action items. SAC representatives are encouraged to carefully review the draft agenda and prepare accordingly for expected or possible action items. If a SAC member feels that an agenda item could result in a Council action, but the item is not labeled as such, the SAC member should request of the Chair, Manager or SAC Coordinator an update to the agenda. Similarly, if after distribution of the draft meeting agenda a SAC representative wishes to bring up a new action item at the meeting, that member should immediately bring the request forward in time for an updated agenda to be produced and distributed at least three days prior to the meeting.

4. Introducing Day-of-the-Meeting Actions

In general, the SAC should only take an action (i.e. motions, votes, agreement upon advice to be given to CINMS) on such matters that have been agendized and clearly marked as expected or possible action items. Council actions should not be sought on other issues, unless there is a critical timing issue involved, an emergency concerning the Sanctuary, or in cases where the matter is related to a non-substantive process-issue¹. Determination of what constitutes an acceptable day-of-the-meeting proposed action falls to the Chair.

5. Voting and Absentees

SAC members must be present at meetings to vote. If a member is absent, the appointed alternate may cast a vote, contribute to reaching consensus, and provide input to discussions. If both member and alternate are not at a meeting, the absent seat will not get to vote. Because the SAC Charter states that Council business should be conducted in public, after-the-meeting votes are not allowed. However, when appropriate, SAC actions taken (e.g. the writing of a letter) should reflect that a particular seat was absent (see also #8 below).

6. Minority Views

Whether by way of voting or through efforts to reach consensus, a “minority” view or views may become apparent. All views are important for the Sanctuary Manager to hear. When crafting advice (statements, resolutions, letters, etc.) that communicates a majority position of the SAC, the Council should also seek, where possible, to incorporate or acknowledge minority viewpoints that have been expressed. If there is a minority view or views and it is to be incorporated within or attached to a Council letter, those holding that view should be assigned responsibility for drafting that part of the letter.

7. Role of Non-Government Alternates

As a clarification, alternates to the non-government seats on the SAC may express views and cast votes that are of their own opinion. Non-government alternates are not appointed to the SAC to serve as proxy voters for absent members. While an alternate’s views may agree with and/or be influenced by that of the member’s, their contributions to Council discussions or votes are expressed independently.

8. SAC Letter Writing

Members wishing to propose that a letter be written by the SAC are encouraged to come to meetings with draft language for consideration. Prior to a SAC meeting, every effort should be made to include a draft proposed letter in the meeting packet and/or to send it to members via email at least 1-2 weeks prior to the meeting. Additionally, if appropriate a minority viewpoint should be included within proposed letters. If the

¹ “Substance” or substantive refers to what we’re going to talk about—the issues or the agenda. “Process” issues address how we’re going to talk about what we’re going to talk about,” e.g., who, where, when, behavioral guidelines, how decisions will be made, who has authority to make decisions, determining who the stakeholders are, time constraints, meeting roles, etc.

content of a letter cannot be finalized at a SAC meeting, then the Chair will complete the letter or recommend an appropriate subcommittee. If a letter drafting subcommittee is formed, it should be comprised of representatives holding varying viewpoints on the given issue to allow for a balance of perspectives to be reflected. When the letter being written is based on the results of a SAC vote, it should contain a listing of the voting results (yes, no, abstain) by SAC seat and note which seats were absent.

During Council session, efforts to finalize a proposed letter should involve taking a straw poll early on to see what level of agreement exists, followed by a deliberative process to understand and attempt to address the concerns of those not comfortable with the proposed letter or action. If approval of the letter comes to a vote, those that have contributed to editing the letter should vote first.

Unless otherwise agreed to at a SAC meeting, final draft SAC letters will be distributed to Council members via e-mail prior to being sent. This will assure that everyone on the Council, including those that may have missed the meeting at which a letter was approved to be written, will know that it is going to be sent. This will also provide a final opportunity (generally 3-5 days) for feedback from Council members if something about the draft letter seems inconsistent with the Council's agreement or motion.

If not time sensitive, the Council should also consider that some draft letters can wait until the following SAC meeting for full comment and finalization.

**MONTEREY BAY NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL
CHARTER**

INTRODUCTION

A marine sanctuary is an area of the marine environment of special national, and sometimes international, significance warranting protection and management by the Federal government. As stewards of coastal and ocean resources, the National Oceanic and Atmospheric Administration (NOAA) protects and manages sanctuaries through the National Marine Sanctuary Program (NMSP). The mission of the NMSP is to manage marine areas of special significance and to protect their ecological and cultural integrity for the benefit of current and future generations. In order to meet the goals of its programs, NOAA employs ecologically sound principles of resource conservation, develops and promotes stewardship, upholds education and research programs that foster public understanding, support and participation, and promotes the ecologically sustainable use of the nation's natural and cultural marine resources. The NMSP provides necessary leadership and strives to link the assets of government and non-government organizations to focus attention on the importance of managing and protecting marine resources.

In September 1992, the Monterey Bay National Marine Sanctuary was designated as the nation's largest marine protected area. The Sanctuary lies along 360 miles of California coastline and encompasses a 5,300 square mile area of coastal and ocean resources. It supports an exceptionally productive ecosystems and highly diverse habitats.

Goals of the Monterey Bay National Marine Sanctuary are:

- To enhance resource protection through comprehensive and coordinated conservation and management tailored to the specific resources that complements existing regulatory authorities;
- To support, promote, and coordinate scientific research on, and monitoring of, Sanctuary resources to improve management decision-making in the Sanctuary;
- To enhance public awareness, understanding, and ecologically sound use of the marine environment; and
- To facilitate to the extent compatible with the primary objective of resource protection, multiple uses of the Sanctuary not prohibited pursuant to other authorities.

ESTABLISHMENT

Section 315 of the National Marine Sanctuaries Act (NMSA or Act; U.S.C. § 1445(a)) authorizes the Secretary of Commerce to establish Sanctuary Advisory Councils to advise and make recommendations to the Secretary of Commerce in the designation and management of National Marine Sanctuaries. This authority has been delegated to the Director of the National Marine Sanctuary Program (Director). The Director hereby establishes the Monterey Bay National Marine Sanctuary Advisory Council (Council). This Charter

describes the objectives and scope of the Council's activities, description of duties for which the Council is responsible, procedural requirements on the appointment of Council members and Officers, requirements for the conduct of Council members and meetings, and other requirements. All Council activities must be conducted pursuant to this Charter and the protocols attached to and incorporated as part of this Charter.

PURPOSE

The Secretary of Commerce established the Council to:

- help strengthen and provide support for the growth of the Sanctuary;
- assist in the protection of Sanctuary resources by helping identify needed research to rebuild or protect Sanctuary resources; and
- assist in building community support through problem solving, consensus building, new constituency development, increasing opportunities for revenue enhancement, and increasing understanding about the Sanctuary.

ROLES

1. The Council, in accordance with the Act, shall provide assistance to the Sanctuary Superintendent, National Marine Sanctuary Program, and the Secretary of Commerce (hereafter referred to as the Secretary of Commerce; the Sanctuary Superintendent and Director of NMSP are referred to specifically in sections of the Charter where they have specific actions or responsibilities) and other agencies and individuals within the Department of Commerce regarding the management of the Monterey Bay National Marine Sanctuary.
2. Nothing in this charter constitutes authority to perform operational or management functions, or to represent or make decisions on behalf of the Secretary of Commerce.
3. The Council shall draw on the expertise of its members and other sources in order to provide advice and should assist the Secretary of Commerce and Designees in coordinating Sanctuary Programs with other agencies and organizations.
4. The Council may serve as a forum for consultation and deliberation among its members and as a source of advice and assistance to the Secretary of Commerce. Such advice shall fairly represent the collective and individual views of the Council members.
5. The Council shall provide advice to the Secretary of Commerce or Designees on Sanctuary management priorities, programs, and activities, giving full consideration to the multiple-use character of the Sanctuary to the extent compatible with the primary purpose to protect its vital resources for current and future generations;

6. The Council shall review Sanctuary-related issues and, following public input and formal Council action, transmit Council recommendations and concerns to the Secretary of Commerce, or the Sanctuary Superintendent as the designee. Written comments and recommendations may be forwarded to other entities by the Council with the concurrence of the Sanctuary Superintendent;
7. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on how to link existing programs that have shared responsibilities for the protection and management of resources inside and adjacent to the Sanctuary;
8. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on ways that sanctuary mandates may be carried out through a comprehensive and cooperative management strategy;
9. The Council shall encourage participation by interested agencies and organizations in the development of strategies and procedures to address specific management concerns (e.g., WQPP, enforcement plans);
10. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on priority research and monitoring needs, proposals, reports, permits, and project coordination;
11. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on priority education and monitoring needs, proposals, reports, permits, and project coordination;
12. The Council shall assist the Secretary of Commerce, or the Sanctuary Superintendent as the designee, in obtaining available expertise of the Monterey Bay Sanctuary community to promote the gathering of information and the design and application of research that will support informed decision-making;
13. The Council shall provide advice to the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on the development and implementation of broad-based public relations, outreach and education programs which inform and educate the public about the Sanctuary;
14. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on general administration and revenue enhancement opportunities for the Sanctuary;
15. The Council shall fully represent the specific constituency groups for which each member was selected;
16. The Council shall act as liaison between the Sanctuary and various public and private groups and interests;

17. The Council shall promote effective communication at all levels regarding Sanctuary matters;
18. The Council shall serve as unofficial, good will ambassadors of the Sanctuary and make every effort to educate their respective constituencies;
19. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the designee, on ways to support long-term continuance and effective implementation of the National Marine Sanctuary Program; and,
20. The Council shall advise the Secretary of Commerce, or the Sanctuary Superintendent as the Designee, on ways to seek creative and cooperative inter-agency management solutions to issues affecting the MBNMS;

MEMBERS AND OFFICERS

1. The Council consists of no more than twenty (20) voting members, who shall be appointed by the Director from among persons employed by Federal, State, or local agencies with expertise in management of natural resources, representatives of local user groups, such as conservation and other public interest organizations, scientific and educational organizations, and members of the public interested in the protection and multiple use management of Sanctuary resources. The membership is designed to be balanced in terms of points of view represented, geographic diversity, and advisory functions the Council will perform.
2. The Sanctuary Superintendent sits on the Council as a non-voting member and concurs with the scheduling of each meeting and the agenda to ensure that topics of discussion are relevant to the Sanctuary. The Sanctuary Superintendent shall also concur to other matters as indicated elsewhere in this Charter. Council meetings may not be conducted in the absence of the Sanctuary Superintendent or his/her designee.
3. To ensure relevant information exchange and consistent management among California's National Marine Sanctuaries, and other relevant NOAA agencies, representatives of the Elkhorn Slough Estuarine Research Reserve, the Channel Islands, Gulf of the Farallones, and Cordell Bank national marine sanctuaries, sit on the Council as non-voting members. In addition, the U.S. Coast Guard will sit as a non-voting member.
4. There are two categories of seats for which voting members are appointed. The following procedures govern the application, nomination and appointment of Council voting members.
 - (a)(i) Government (eight members): By virtue of the shared functional responsibilities of Federal, State, and local

jurisdictions in the implementation of Sanctuary-related management, each of the following government entities shall be requested to designate one individual to serve on the Council. (Of the numerous responsibilities encompassed within each entity, the specific functional area of expertise needing representation is identified in parentheses):

1. California Department of the Fish And Game; 2. California Department of Parks and Recreation 3. California Coastal Commission (coastal coordination and planning); 4. California EPA (water quality); 5. California Resources Agency (State natural resources trustee); 6. Association of Monterey Bay Area Governments in consultation with, and representing, the adjacent contiguous local government jurisdictions; and 7. harbor and port operating entities that border the Sanctuary.

(ii) If a government entity decides no longer to participate as a member of the Council or fails to attend four consecutive Council meetings and is formally removed by the Director, the Sanctuary Superintendent shall invite another appropriate government entity to replace that agency on the Council, with the Director's concurrence. A government seat shall not be converted to a non-government seat.

(iii) If it is found that a governmental member of the Council has violated one or more of the conditions of this Charter, the Sanctuary Superintendent, in consultation with the Chief, Sanctuaries and Reserves Division, may notify the appropriate agency and request replacement of the designee. The Sanctuary Superintendent shall consult with the Council prior to taking such action.

(b)(i) Non-government (twelve members): A representative of each of the following activities, which are integrally affected by the management goals of the Sanctuary, shall be selected: research (1), education (1), conservation (1), commercial fishing (1), recreational fishing (1), diving (1), agriculture (1), business and industry (1), tourism (1), and non-extractive recreational users (1). In addition, there shall be three (3) citizen at-large representatives whose selection is based on geographic diversity, breadth of experience and knowledge regarding marine issues, policies and practices. The twelve non-government members are expected to serve for a term of three years, serve at the discretion of the Director of NMSP, and may compete for re-appointment. If necessary, terms of appointment may be changed to provide for balanced (staggered) expiration dates. Should a non-government seat become vacant, the vacated position shall be advertised and a replacement appointed as specified below. The newly appointed member is expected to serve for a full three-year term beginning on the date of his/her swearing-in by the Sanctuary Superintendent, unless the term is adjusted to provide for balanced expiration dates and program efficiencies.

(ii) Members serve at the discretion of the Director. The Sanctuary Superintendent may recommend to the Director the removal of a non-governmental member of the Council on any of the following grounds if that member:

- Is convicted of any felony offense;
- Is found to have violated any of the following laws or regulations promulgated thereunder: the National Marine Sanctuaries Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, or another environmental law for which NOAA has jurisdictional responsibility;
- Is found to have violated state environmental laws or regulations promulgated thereunder in the state in which a Sanctuary is located;
- Is determined to have abused his or her position as a member of the SAC (including but not limited to use of SAC information for personal gain; use of SAC position to advance a personal agenda or harm another member of the SAC or of the community; misrepresentation of, or spreading misinformation about the Council or the Sanctuary; and refusal to recuse himself or herself if so requested by the Sanctuary Superintendent and/or Chair in a matter in which the member has a conflict of interest);
- Has a change to the professional affiliation(s) and/or personal circumstances that comprise a significant portion of that member's qualifications for being a member of the SAC;
- Misses four consecutive meetings without reasonable justification;
- Disrupts on more than one occasion Council meetings in a manner that interferes with the Council conducting its business; or
- Violates any term of this Charter.

The Sanctuary Superintendent may consult with the Council prior to taking such an action.

5. (i) As each non-government seat becomes vacant and the process for selection of a new member (described under Appointments) is conducted, the Sanctuary Superintendent will select the member and an alternate from among the top three candidates resulting from the reviewing process or among other candidates or nominees. The alternate will have all the rights of the member at such times the alternate is officially substituting for the member. The Chair and the Sanctuary Superintendent must be notified before an alternate officially attends a meeting.

(ii) If a primary SAC member resigns, the alternate will be asked to fill in on a regular basis, until a recruitment for both the primary and alternate seats can be conducted. The alternate may choose to remain the alternate, if he/she applies for the primary seat or not. The term for the alternate will be adjusted to match the term of the primary representative.

6. The individuals selected to fill the conservation, education, research, and business and tourism seats on the SAC must also serve as the Chair of each respective working group. The alternate

selected for those seats is expected to serve as the Vice-Chair of each working group and will have full voting privileges in the event that the Chair cannot attend a regular Council meeting. The Chair and the Sanctuary Superintendent must be notified in advance of any meeting at which an alternate will represent the Council member.

7.(a) Council Officer Elections and Terms

The Council shall elect one member to serve as Chair, one member to serve as Vice-Chair, and one member to serve as Secretary. The Vice-Chair shall act as Chair in the absence of the Chair. The term of the Secretary is two years. The Secretary may serve consecutive terms if reelected. Terms of the Chair and Vice-Chair are two years, except that the initial term of the Vice-Chair is one year. The Chair and Vice-Chair may serve a maximum of two consecutive terms (four years) if reelected. A Chair or Vice-Chair may leave his/her term to run for another Council officer position if desired. If the Chair or Vice-Chair is elected to a new position, the Council shall nominate and elect a new representative for the vacated position. Election for all positions is by majority vote of all Council members, including the non-voting members Elkhorn Slough National Estuarine Research Reserve and Cordell Bank, Gulf of the Farallones, Channel Islands, and Monterey Bay National Marine Sanctuaries. Votes shall be made by written ballot. Following the first election, elections for Chair and Vice-Chair shall be held in alternate years.

(b) Roles of Council Officers:

(i) Chair: The Chair schedules and sets agendas for all Council meetings with the concurrence of the Sanctuary Superintendent, presides over all meetings of the full Council, signs all correspondence and documents authorized by the Council, and generally represents the Council's interests and concerns to the public.

(ii) Vice-Chair: The Vice-Chair shall serve as Chair in the absence of the Chair and shall assist as necessary in performing executive duties of the Council.

(iii) Secretary: The Secretary assists Sanctuary staff in maintaining a record of minutes for each regularly scheduled meeting of the Council and ensures that they are accurate and available to the public, writes correspondence directed by the Council, helps to prepare an annual report on Council Activities, and performs other administrative duties as directed by the Chair or Vice-Chair.

APPOINTMENTS

Public notice shall be provided as to the vacancy of constituent group seat(s) and at-large representatives. Applications by individuals for ensuing terms for constituent group seats are submitted to the Sanctuary Superintendent directly and, likewise, nominations from the constituent groups represented are also be

submitted directly to the Sanctuary Superintendent. Applications for ensuing terms for at-large positions likewise are submitted directly to the Sanctuary Superintendent. Copies of all applications and nominations for each seat are submitted by the Sanctuary Superintendent to the Council, which acts as the reviewing body for screening applications for evaluation. Any council member that has a conflict of interest (financial, personal, self nomination, etc.) shall recuse him/herself from making a recommendation for the vacant seat. The Council may elect to establish a subcommittee for purposes of reviewing applications and providing recommendations to the Sanctuary Superintendent. The Sanctuary Superintendent may conduct interviews with applicants. Selection from among those recommended by the Council, or from among other applicants or nominees, is made by the Sanctuary Superintendent with final concurrence by the NMSP Director. The Sanctuary Superintendent may choose to readvertise the vacant seat(s) if adequate candidates are not available. In all cases, submission of written statements of particular interest, qualifications, and experience shall be requested. Guidelines for applying shall be supplied at the appropriate time.

CONDUCT OF THE COUNCIL

1. Conduct of the Council as a Body

- (a) Any correspondence, press releases, informational releases, news articles, or other written documents that are intended to speak for the Council as a body shall be coordinated with and concurred to by, the Chair and the Sanctuary Superintendent.
- (b) The Council shall not provide recommendations or advice to other than the Secretary of Commerce unless the Council has the concurrence of the Sanctuary Superintendent.
- (c) The following disclaimer shall be placed in all documents originating from the Council: "The Council is an advisory body to the Sanctuary Superintendent. The opinions and findings of this publication do not necessarily reflect the position of the Monterey Bay National Marine Sanctuary and the National Oceanic and Atmospheric Administration."

2. Conduct of Individual Members

Council members are expected to be familiar with the processes and regulations governing the Sanctuary, and to keep themselves informed about Sanctuary related issues and events. Expectations include:

- (a) Regular attendance at Council meetings;
- (b) Familiarity with the Council Handbook,
- (c) Council members may not use or allow the use of, for other than official Council purposes, information obtained through or in

connection with their Council affiliation that has not been made available to the general public.

(d) When speaking to the public or writing about any matter regarding the Sanctuary in a document for distribution beyond Council membership, the Sanctuary Superintendent, or Sanctuary staff, a member shall clearly distinguish those recommendations, opinions, or positions officially adopted by the Council as a body from those he or she may have as an individual. In no case shall a member represent individual opinions as those of the Council, the Sanctuary Superintendent, Sanctuary staff, or NOAA.

(e) Any Council member that has an interest (financial, personal or business interest) in any matter before the Council or a subcommittee or working group shall identify such interest prior to discussion and voting on such matter. No member shall cast a vote on any matter that would provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under Federal law. An affected member who may not vote on a matter may participate in Council deliberations relating to the decision after notifying the Council of the voting recusal and identifying the interest that would be affected. These same guidelines apply to members of working groups who are not members of the Council.

(f) Honoring and upholding the Council's Oath of Office to serve as knowledgeable trustees of the Sanctuary's resources.

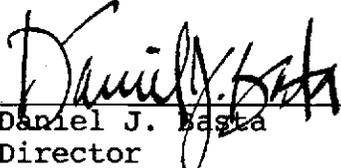
ADMINISTRATION

1. Members of the Council shall serve without pay except that each member may receive travel expenses including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of Title 5, U.S.C., for travel to and from official Council meetings. No members of Working Groups may receive travel expenses for Working Group meetings or activities.
2. National Marine Sanctuary Program may make available such staff, information, administrative services, or assistance as the Sanctuary Superintendent determines are reasonably required to enable the Council and its subcommittees/working groups/task forces to carry out their functions.
3. The Advisory Council has produced a set of protocols, which have been reviewed and concurred to by the National Marine Sanctuary Program, describing operation and administration of the Advisory Council and its working groups and subcommittees (see attached).

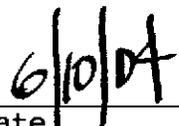
OTHER TERMS OF THIS CHARTER

1. The Council shall operate pursuant to the terms of this Charter.
2. This Charter shall remain in effect for a period of five years from the date of signature.

3. Revisions to this Charter may be made as determined necessary by the National Marine Sanctuary Program, with concurrence by the Director and with input from the Council as appropriate.



Daniel J. Basta
Director
National Marine Sanctuary Program



Date

PROTOCOLS**PROTOCOL A: Scheduling Council Meetings**

Section I: Regular Meetings: Regular meetings are formal Council sessions that are scheduled at the call of the Council Chair (Chair) with the concurrence of the Sanctuary Superintendent. The Council shall meet as frequently as necessary, not to exceed once a month for normal meetings, but at least once every six months. Each meeting shall be open to the public and advance notice of each meeting, including the time, place, and agenda of each meeting, shall be published in the local media. Interested persons shall be permitted to present oral or written statements on items on the agenda. An official public workshop may be scheduled in conjunction with a regular meeting to address situations that require detailed presentations, expert participation, and/or panel discussions (e.g. Vessel Traffic Study Workshop).

The procedure is:

1. Council members agree to meet at regular intervals at the suggestion of the Chair and with the concurrence of the Sanctuary Superintendent;
2. Council members may choose to approve an annual calendar of regular meeting dates, times, and locations. The calendar, once concurred to by the Sanctuary Superintendent, shall be distributed to all interested persons and available electronically on the Sanctuary's web page;
3. In accordance with the Council's goal to represent the diverse geographic interests within the Sanctuary, regular Council meetings shall occur throughout the Sanctuary during any given calendar year;
4. Council members shall RSVP for meetings to Sanctuary staff; and,
5. Meeting agendas shall be written by the Sanctuary Superintendent and the Chair in accordance with the applicable procedures outlined in PROTOCOL B: Setting An Agenda.

Section II: Council Work Sessions: Council Work Sessions are informal meetings to address internal issues such as strategic planning and administrative matters (e.g., the Council Retreat, and the Public Relations Workshop).

The procedure is:

1. Council Work Sessions may be scheduled as recommended by the Chair, the Sanctuary Superintendent, or in response to a request by a Council member at a regular meeting. Council Work Sessions must be concurred to by the Sanctuary Superintendent;

2. Agendas for work sessions shall be written by the persons most responsible for the subject material and shall be concurred to by the Chair and the Sanctuary ~~Manager~~ Superintendent;
3. Sanctuary staff will send relevant material, as needed, in advance of the session so that Council members may prepare;
4. An outside facilitator to moderate the workshop may be recommended; and
5. Work session results and follow-up will be sent to Council members, as appropriate, after the session and a brief report of the event shall be included on the agenda of the next regular Council meeting.

Section III: Emergency Meetings: Emergency Meetings are formal Council sessions to address special issues that require immediate attention.

The procedure is:

1. Emergency meetings may be held at the call of the Chair and the Sanctuary Superintendent;
2. All regular meeting Protocols shall govern an Emergency Meeting; and
3. Public notification and distribution of agendas and meetings materials shall happen as time permits.

PROTOCOL B: Setting An Agenda

Meeting agendas shall be prepared by the Chair and concurred to by the Sanctuary Superintendent, and shall include discussion topic items of import to the Sanctuary program; a report from the Sanctuary Superintendent; activity reports from Working Groups, Subcommittees, and Task Forces, and include time for the public to raise Sanctuary related issues not on the agenda.

The procedure is:

1. The Chair and the Sanctuary Superintendent shall meet or otherwise confer prior to a regular meeting to discuss suggested agenda topic items and determine their relevance to the Sanctuary's mission and goals;
2. Agenda items may come from a number of sources including, but not limited to the Sanctuary Superintendent, Council members, and Council Working Groups, Subcommittees, and Task Forces. Members of the public, or constituency groups, are encouraged to contact a member of the Council to recommend an agenda item;

3. Topics, time allotments, and order of items within the agenda are at the discretion of the Chair and the Sanctuary Superintendent;
4. Sanctuary staff shall be responsible for contacting special guests and speakers;
5. Every effort shall be made to send or post on the Sanctuary's website proposed meeting agendas and pertinent information to Council members at least 3 business days prior to the meeting and all public information shall be available to interested persons upon request;
6. Final agendas shall be available at the meeting; and
7. Past agendas shall be kept on file and be made available, along with the corresponding meeting minutes, at the Sanctuary office and electronically on the Sanctuary's web site.

PROTOCOL C: Conducting A Meeting

Council meetings shall be informative working sessions designed to educate Council members, the attending public, and the Sanctuary office about issues affecting the Sanctuary, and to provide advice and recommendations to the Secretary of Commerce, or the Sanctuary Superintendent as the designee, regarding the management and protection of the Sanctuary and its resources. Council members may also use the regular meetings as a vehicle for formally communicating constituency concerns to the Secretary of Commerce and designees to one another to enhance inter-agency cooperative efforts.

The Chair, or Vice-Chair if Chair is absent (hereafter referred to as "Chair"), shall follow Robert's Rules of parliamentary procedure as closely as is appropriate for the situation and people involved.

The procedure is:

1. The Meeting shall be called to order by the Chair or the presiding officer;
2. The Council Secretary shall take the roll call and shall inform the Chair, if a quorum (over half of the voting members) is present. Official government alternates shall be introduced at the beginning of the meeting;
3. Council members and members of the audience shall wait to be called upon by the Chair, before addressing a topic. The Chair, may reserve the right to limit a speaker's time and shall make certain that a speaker's comments are germane to the topic at hand;
4. There shall be time allotted on each agenda for members of the public to introduce and inform Council members about issues that

are not on the agenda. The Chair, shall call on audience participants one at a time. Discussion about specific issues during the public comment period is at the discretion of the Chair;

5. At any time during the meeting, provided there is a quorum, a Council member may make a motion for action. All motions must be seconded and discussion of the motion is appropriate. A motion may be amended during discussion. When a motion is on the floor, the Chair, shall ensure action is taken on the motion before going on with the business of the meeting;

6. A quorum must be present before a voting action can be taken. A majority vote of those present is required to pass a motion. The motion and its vote shall be recorded in the meeting minutes;

7. Meeting minutes shall be recorded by Sanctuary staff with assistance from the Council Secretary or other person specified by the Sanctuary Superintendent and contain a summary of attendees and matters discussed; such minutes shall be available to the public at the Sanctuary office and on the Sanctuary web-site; and

8. The Chair shall adjourn the meeting when Council business is completed.

PROTOCOL D: Requesting and Providing Advice and Assistance on Sanctuary Related Issues

Section I: Sanctuary Superintendent Request: The Sanctuary Superintendent may request the Council's advice and/or assistance on a particular topic or question of importance to the Sanctuary. The request may be made at any time in writing, verbally, or during a Council meeting.

The procedure is:

1. The Sanctuary Superintendent shall describe the topic or issue and specify what action the Sanctuary would like from the Council;

2. Sanctuary staff shall distribute pertinent information, if necessary, regarding the issue to Council members so that they may prepare for discussions and possible action;

3. Following a presentation by the Sanctuary Superintendent, the Chair, shall open the floor for review and discussion of the matter;

4. Council members shall determine how their respective agencies or constituent groups may provide assistance to the Sanctuary in addressing the Manager's request;

5. The Council may request that more information be provided at the next regular meeting or, the Council may vote to take action with a simple majority deciding or, the Council may decide to

provide advice, guidance or input without taking an action by vote. Minority opinions may be included in the final advisory statement;

6. Council members may determine that the appropriate response is to advance the Sanctuary Superintendent's request and/or the Council's recommendations to other pertinent entities. The Sanctuary Superintendent must concur with all such communications;

7. Subcommittees, Task Forces, or Working Groups may be asked to examine, or be established to examine the issue, determine appropriate responses, and report back to the Council and the Sanctuary Superintendent. If the Council does not incorporate the information or advice of a Subcommittee or Working Group, it shall inform the Sanctuary Superintendent;

8. Some circumstances may require the Sanctuary Superintendent to directly request information, advice, and/or assistance from a Working Group, Subcommittee, or Task Force. The Sanctuary Superintendent shall notify the Chair of these direct requests. As appropriate, the Council shall be asked to review the recommendations of the Working Group prior to a decision being made by the Superintendent. All correspondence to the Sanctuary Superintendent containing suggested advice shall be copied to the Chair for presentation to the Council at a subsequent meeting;

9. The Sanctuary Superintendent shall consider the Working Groups', Subcommittees', and Task Forces' and the Council's advice in making a decision concerning the topic in question. The Sanctuary Superintendent shall inform the Council of that decision and proposed action either at a regular meeting and/or in writing to the Chair and relevant Working Groups, Subcommittees, and Task Forces; and

10. The advice of the Council and the subsequent managerial decision will be formally recorded in the Council's meeting minutes.

Section II: Council Member Request. Council members may request Council review of a particular topic or question of importance to the Sanctuary.

The procedure is:

1. Council members may raise a perceived issue of importance to the Council's attention in two ways: a) by contacting the Chair and Sanctuary Superintendent about the issue, either in writing, or verbally, prior to a Council meeting so that the matter may be placed on a Council meeting agenda; or b) by raising the issue verbally during a Council meeting and requesting that it be placed on a future meeting agenda.
2. Once it has been determined that an item will be placed on the agenda and if that item requires action to be taken by the

Council, then a resolution, along with an appropriate analysis, shall be furnished along with the agenda in advance of the Council meeting. The resolution and analysis will clearly state the nature of the action to be taken, appropriate findings that state the case for the action, and the actions steps that would be made to accomplish the action.

3. Emergency items may be added, if time does not allow for the development of a resolution and analysis, with the approval of the Chair and Superintendent.

Section III: Working Groups, Subcommittees, and Task Forces

Requests: Working Groups, Subcommittees, and Task Forces may request Council review of a particular topic or question of importance to the Sanctuary.

Procedures for these groups shall be the same as those outlined in PROTOCOL D: Section II.

PROTOCOL E: Appeal Process: Appeals are situations where the Sanctuary Superintendent or the National Marine Sanctuary Program (NMSPP) choose to make a decision different than the advice provided by the Council.

The procedure is:

1. In the event that the Sanctuary Superintendent or National Marine Sanctuary Program choose to make a decision different than a recommendation provided by the Council, the entity rendering the decision shall inform the Council in a timely fashion prior to the decision becoming final.
2. The Council shall work with the Sanctuary Superintendent or the National Marine Sanctuary Program as appropriate to attempt to resolve the differences of opinion and reach a mutually agreeable position;
3. If efforts to resolve the issue cannot be achieved, the Council may write a letter to the next higher level of decision-making, expressing the Council's concerns and requesting that the decision maker re-evaluate the issue, and recommend a course of action.

PROTOCOL F: Working Groups, Subcommittees, And Task Forces

Section I: Existing Working Groups: Working groups created prior to the establishment of the Council (Research, Education, and Conservation) have in the past provided and should continue to provide advice to the Council on priorities, program coordination, etc. They may be requested to provide specialized advice to the Sanctuary Superintendent with notice to the Chair. Such working groups shall be requested to provide a general report to the Council of the status of requested advice at each Council meeting.

Section II: New Working Groups: New Working Groups may be established by the Council, with the concurrence of the Sanctuary Superintendent.

The procedure is:

1. Working Groups may be composed of members of the Council and/or persons outside the Council;
2. All Working Groups shall be chaired by a member of the Council;
3. Working Groups may provide information and technical assistance to the Council on Sanctuary related issues;
4. Working Groups may be asked to respond to specific requests as outlined in PROTOCOL D: Section I and II; and,
5. Working Groups shall provide a general activities report in writing to the Chair at each regular meeting of the Council.

Section III: Operation of Standing Working Groups: The four standing working groups—conservation, education, research and business and tourism—shall operate in close cooperation with Sanctuary staff and under consistent procedures. Meeting of these four working groups may not be conducted in the absence of a Sanctuary staff person. The agendas for these meetings must be produced in consultation with Sanctuary staff. Any written materials, letters or reports, produced by the four working groups may be provided to Sanctuary staff for review and comment prior to finalization and distribution. The working groups may only write to the Sanctuary Advisory Council or Sanctuary Superintendent. Each of the four working groups shall have a process each working group develops for selecting membership and determining how decisions get made at working group meetings.

Section IV: Subcommittees and Task Forces: The Council may establish such Subcommittees or Task Forces as necessary to provide specific advice to the Council. Subcommittees shall be composed solely of members of the Council and shall be recognized as official sub-units of the Council. Task Forces shall be composed of both Council members and members of the general public. When requested, Final Reports or advice from a Subcommittee or a Task Force shall be presented to the Council before they are forwarded to the Sanctuary Superintendent for consideration.

The procedure is:

1. Subcommittees and Task Forces may appoint their own Chair, or Chairs and are responsible for setting their own meeting schedule;
2. Subcommittees and Task Forces will follow the procedures outlined in PROTOCOL D: Section I and II; and

3. Subcommittees and Task Forces may disband once final advice on the particular matter is submitted to the Council.

PROTOCOL G: Council Actions

Section I: Correspondence: The Council may direct that correspondence be written pertaining to specific topics and/or issues, provided that such correspondence complies with the terms of this Charter.

The procedure is:

1. The Council shall, with the assistance of the Sanctuary Superintendent, design and use its own letterhead. All correspondence from the Council shall be on this letterhead;
2. Correspondence may be directed as the result of a motion passed during a regular Council meeting;
3. The Chair may request that a Council member draft correspondence with assistance from Sanctuary staff;
4. All correspondence directed by the Council and in concurrence with the Sanctuary Superintendent will be signed by the Chair, or Vice Chair acting for the Chair, and copied to the Sanctuary Superintendent;
5. Copies of Council directed correspondence and related material will be made available to Council members; and
6. All Council correspondence will be kept at the Sanctuary office and will be made available upon request.

Section II: Council Resolutions: Resolutions provide formal Council recommendations for action on specific issues or state formal Council opinions.

The procedure is:

1. A motion to draft a resolution on any agenda item may be made by any Council member during a regular meeting;
2. Council resolutions will include: a) pre-ambulatory clauses describing the issue in question; and b) the statement "Be it hereby resolved that the Sanctuary Advisory Council," followed by operative clauses. Resolutions may be as long as Council members deem necessary;
3. Council Resolutions will be made available to the Sanctuary Superintendent, in a timely manner, prior to their being made public;
4. Draft resolutions will be made available to Council members prior to formal action;

5. Formal resolutions will be voted on by Council members at regular meetings; and
6. Council resolutions will be kept on file at the Sanctuary office and will be available upon request.

Section III: Council Annual Report: The Annual Report highlights the Council's major accomplishments, projects, correspondence, and resolutions as well as contains a summary of Working Groups' activities.

The procedure is:

1. The Report will be drafted by the Council Secretary and appropriate Sanctuary staff;
2. Draft Council Reports will be made available to the Sanctuary Superintendent, in a timely manner, prior to their being made public;
3. A draft of the Report will be presented to the Council for approval at a regular meeting;
4. The Report will be signed by the Chair and sent to the Sanctuary Superintendent who will forward it to NMSP; and
5. The final Report will be available to Council members and interested members of the public.

Section IV: Council Comments on Special Reports, Proposals, Legislation, and Other Documents: Written comments on legislation or documents related to legislation may be forwarded by the Council to the appropriate parties with the concurrence of the Sanctuary Superintendent. The Council may provide written comments to the Secretary of Commerce on all other special reports, proposals, and other documents, that may be forwarded to appropriate parties by or with the concurrence of the Sanctuary Superintendent.

The procedure is:

1. Written comments may be requested at regular meetings by the Chair, the Sanctuary Superintendent, or any Council member, and may be placed on subsequent meeting agendas according to PROTOCOL B;
2. Following discussion, the Council will vote on whether or not to provide comments. The Council will give guidance on the preparation of the comments;
3. A draft of the written comments will be made available to Council members for review prior to formal action;

4. Written comments by the Council will be made available to the Superintendent, in a timely manner, prior to their approval by the Council;

5. All written comments will be kept on file at the Sanctuary office and will be made available upon request.

PROTOCOL H: Addressing Constituent Concerns: Council members have a responsibility to serve the best interests of the Sanctuary. Council members are also responsible for keeping abreast of the issues and events affecting their constituents and representing constituency interests before the Council.

Expectations include:

1. Frequent communication with constituents;
2. Reminding their constituents that the Council is a vehicle to express concerns, needs, and appreciation for Sanctuary programs;
3. Bringing constituent concerns to the attention of the Chair and Secretary of Commerce;
4. Timely reports to constituents on progress made on a specific issue; and
5. Addressing inaccurate information and mis-conceptions about the Sanctuary and its programs and informing the Chair and Sanctuary Superintendent about such situations.

PROTOCOL I: Addressing the Media: The Council may assist Sanctuary staff in public relations activities that communicate accurate information about Sanctuary programs, special events, and policies.

Expectations include:

1. Working closely with the Sanctuary's Public Relations Coordinator;
2. Clearly stating when a personal opinion is being expressed;
3. Ensuring that information is accurate when speaking before the media;
4. Taking advantage of opportunities to promote the Sanctuary and its programs; and
5. Providing the Sanctuary office with copies of articles, interviews, and videos related to Sanctuary and Council activities.

GERRY E. STUDDS STELLWAGEN BANK
NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL CHARTER

INTRODUCTION

A National Marine Sanctuary is an area of the marine environment of special national, and sometimes international, significance warranting protection and management under the National Marine Sanctuaries Act. As stewards of coastal and ocean resources, the National Oceanic and Atmospheric Administration (NOAA) protects and manages Sanctuaries through the National Marine Sanctuary System (NMSS). The mission of the NMSS is to comprehensively protect and manage marine areas of special significance and thereby protect their ecological and cultural integrity for the benefit of current and future generations. In carrying out this mission, NOAA uses ecologically sound principles of resource conservation to develop and implement stewardship, education and research programs that foster public understanding, support and participation. Use of sanctuary resources must be consistent with the primary objective of the program, which is resource protection. The NMSS provides leadership and acts as a catalyst to link the assets of government and non-government organizations to focus people's attention on the need to manage and protect marine resources.

Goals of the National Marine Sanctuary System are:

- to enhance resource protection through comprehensive and coordinated conservation and management tailored to the specific resources that complements existing regulatory authorities;
- to support, promote, and coordinate scientific research on, and monitoring of, Sanctuary resources to improve management decision-making in the Sanctuary;
- to enhance public awareness, understanding, and wise use of the marine environment; and
- to facilitate, to the extent compatible with the primary objective of resource protection, multiple uses of the Sanctuary not prohibited pursuant to other authorities.

The Gerry E. Studds Stellwagen Bank National Marine Sanctuary is one of those special places. Designated in 1992, the Sanctuary encompasses Stellwagen Bank and Basin, Tillies Bank and Basin, and a portion of Jeffreys Ledge. These areas are biologically rich offshore feeding, spawning, and nursery grounds for a wide variety of invertebrates, fish and whales. As such, they are very important to the regional economy as fishing grounds and whale watching areas. Of equal consideration, they are an intrinsic

source of high bio-diversity. The Sanctuary acts to insure that this critical habitat area is preserved and protected.

NATIONAL MARINE SANCTUARY SYSTEM SANCTUARY ADVISORY COUNCIL POLICY STATEMENT

The NMSS regards the involvement of the public and the development of a stewardship ethic as vitally important to successfully conserve sanctuary resources. One key way to achieve this involvement is the formation of Sanctuary Advisory Councils.

Sanctuary Advisory Councils are formed of members from the public to: (1) provide advice to the Sanctuary Superintendent on the management and protection of the sanctuary, or (2) assist the NMSS in guiding a proposed site through the designation process.

The NMSS is committed to the full support, utilization, and enhancement of Councils at all sanctuaries. In order for Councils to achieve their full potential, the NMSS will:

- at each site, provide sufficient support to allow Councils to operate efficiently and effectively;
- provide support and guidance from the national office to help Councils operate efficiently and at a basic level of consistency across the system;
- promote coordination and communication among Councils and among sanctuary staff that work closely with Councils; and
- develop training programs appropriate to Council officers and members, and Sanctuary Superintendents/Managers and staff.

ESTABLISHMENT AND AUTHORITY

Section 315 of the National Marine Sanctuaries Act (NMSA or Act; U.S.C. § 1445a) authorizes the Secretary of Commerce to establish Sanctuary Advisory Councils to provide assistance to the Secretary of Commerce in the designation and management of National Marine Sanctuaries. This authority has been delegated to the Director of the National Marine Sanctuary System (Director). The Director hereby establishes the Stellwagen Bank National Marine Sanctuary Advisory Council (Council).

This Charter describes the objectives and scope of the Council's activities, description of duties for which the Council is responsible, procedural requirements on the appointment of Council members and Officers, requirements for

the conduct of Council members and meetings, and other requirements. All Council activities must be conducted pursuant to this Charter.

OBJECTIVES AND DUTIES

1. The Council, in accordance with the Act, shall provide advice and recommendations to the Sanctuary Superintendent, regarding management of the Gerry E. Studds Stellwagen Bank National Marine Sanctuary ("Sanctuary").

2. The Council shall draw on the expertise of its members and other sources in order to provide advice.

3. Council members shall serve as liaisons between their communities and the Sanctuary, keeping the Sanctuary staff informed of issues and concerns, as well as performing outreach to their respective communities on the Sanctuary's behalf.

4. The Council may serve as a forum for consultation and deliberation among its members and as a source of consensus advice to the Sanctuary Superintendent. Such consensus advice shall fairly represent the collective and individual views of the Council members. In formulating such consensus advice, the Council members shall recall that the primary objective of the Sanctuary and the Act is resource protection.

5. The Council shall act solely as an advisory body to the Sanctuary Superintendent. Nothing in the NMSA or this Charter constitutes authority to perform operational or management functions, or to represent or make decisions on behalf of the Sanctuary, NOAA, or the Department of Commerce.

MEMBERS, ALTERNATES, AND OFFICERS

1. The Council shall consist of no more than six (6) governmental ex-officio and fifteen (15) non-governmental members. The ex-officio members shall be non-voting and shall be designated by the cooperating government agencies so indicated. The non-governmental members shall be voting and shall be appointed by the Director from representatives of local user groups, conservation and other public interest organizations, scientific and educational organizations, or members of the public interested in the protection and multiple use management of Sanctuary resources. Membership is to be balanced in terms of points of view represented, and advisory functions the Council will perform.

2. The Sanctuary Superintendent will sit on the Council as a non-voting member and shall work with the Chair in scheduling each meeting and approving the agenda to ensure that topics

of discussion are relevant to the Sanctuary. Council meetings may not be conducted in the absence of the Sanctuary Superintendent or his/her designee.

3. There are two categories of seats, governmental and non-governmental, for which members are appointed. The following procedures shall govern the application, nomination and appointment of Council members.

a) (i) Governmental (six members). By virtue of the shared interests of Federal and State jurisdictions in the implementation of the Sanctuary's management, each of the following government entities shall be requested to designate one individual to serve on the Council. (Of the numerous responsibilities encompassed within each entity, the specific functional area of expertise needing representation is identified in parentheses):

National Marine Fisheries Service Northeast Regional Center (federal fisheries and protected species management); New England Regional Fishery Management Council (federal fisheries management planning); U.S. Coast Guard (federal marine resources and maritime enforcement); Massachusetts Office of Coastal Zone Management (state-federal ocean management consistency); Massachusetts Division of Marine Fisheries (state ocean fisheries management); and, Massachusetts Division of Law Enforcement (cooperative state-federal environmental law enforcement).

(ii) If a government entity decides no longer to participate as a member of the Council, or fails to attend three consecutive Council meetings and is formally removed by the Director, the Sanctuary Superintendent, with the approval of the Director, shall invite another appropriate government entity to replace that agency on the Council.

(iii) If it is found that a governmental member of the Council has violated one or more of the terms of this Charter, the Sanctuary Superintendent may recommend to the Director that the appropriate agency be notified and requested to replace the designee.

(b) (i) Non-governmental (fifteen members). A representative of each of the following activities, which are integrally affected by the management goals of the Sanctuary, shall be selected: conservation (2), education (2), research (2), recreation (1), whale watching (1), fixed fishing gear (1), mobile fishing gear (1), marine transportation (1), business/industry (1). Additionally, there shall be three (3) citizen at-large representatives whose selection is based on geographic diversity, breadth of experience and knowledge regarding marine issues, policies and practices.

The non-governmental members are appointed for two-year and three-year terms, and may compete for re-appointment. If necessary, terms of appointment may be changed to provide for balanced (staggered) expiration dates. Should a non-governmental seat become vacant, the vacated position shall be advertised and a replacement appointed as specified below. The newly appointed member shall serve for a full term beginning on the date of his/her swearing-in by the Sanctuary Superintendent.

(ii) Members serve at the discretion of the Director. The Sanctuary Superintendent may recommend to the Director the removal of a non-governmental member of the Council if that member has violated one or more terms of the Charter or on any of the following grounds:

- is convicted of any felony offense;
- is found to have violated any of the following laws or regulations promulgated thereunder: the National Marine Sanctuaries Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, or any environmental law for which NOAA has jurisdictional responsibility;
- is determined to have abused his or her position as a member of the SAC (including but not limited to use of SAC information for personal gain; use of SAC position to advance a personal agenda or harm another member of the SAC or of the community; misrepresentation of, or spreading misinformation about the Council or the Sanctuary; and refusal to recuse himself or herself if so requested by the Sanctuary Superintendent and/or Chair in a matter in which the member has a conflict of interest);
- has a change to the professional affiliation(s) and/or personal circumstances that comprise a significant portion of that member's qualifications for being a member of the SAC;
- misses three consecutive meetings (as defined by this Charter) without reasonable justification;
- disrupts on more than one occasion Council meetings in a manner that interferes with the Council conducting its business; or
- violates any other term of this Charter.

4. An alternate (from the same government entity) of a governmental member may attend a Council meeting as the agency representative on occasion, if the Chair and Sanctuary Superintendent are notified in advance. Advance notification

must include the name, address, and position of the individual designated. An alternate may not name another alternate.

5. As each non-governmental seat becomes vacant and the process for selection of a new member (described under Appointments) is conducted, the Sanctuary Superintendent shall recommend to the Director the member and an alternate from among the top three candidates resulting from the review process. The alternate shall have all the rights of the member at such times that the alternate is officially substituting for the member. The member shall notify the Chair and the Sanctuary Superintendent before an alternate officially attends a meeting.

6. (a) Council Officer Elections and Terms

The Council shall elect one member to serve as Chair, one member to serve as Vice-Chair, and one member to serve as Council Secretary. The Vice-Chair shall act as Chair in the absence of the Chair. The term of the Council Secretary is one year. The Council Secretary may serve consecutive terms if reelected. Terms of the Chair and Vice-Chair are two years, except that the initial term of the Vice-Chair is one year. The Chair and Vice-Chair may serve a maximum of two consecutive terms (four years) if reelected. A Chair or Vice-Chair may leave his/her term to run for another Council officer position if desired. If the Chair or Vice-Chair is elected to a new position, the Council shall nominate and elect a new representative for the vacated position.

Election for all positions is by majority vote of the voting members, and votes shall be made by written ballot. Members who will not be present at the time of the election may submit their vote in writing to the Sanctuary Superintendent prior to the meeting. Following the first election, elections for Chair and Vice-Chair shall be held in alternate years.

(b) Roles of Council Officers:

(i) Chair: The Chair schedules and sets agendas for all Council meetings with the approval of the Sanctuary Superintendent, presides over all meetings of the full Council and ensures that meetings are run according to accepted meeting practices, signs all correspondence and documents authorized by the Council, and generally represents the Council's interests and concerns to the public.

(ii) Vice-Chair: The Vice-Chair serves as Chair in the absence of the Chair and assists as necessary in performing executive duties of the Council.

(iii) Council Secretary: The Council Secretary assists Sanctuary staff in performing administrative duties as directed by the Chair or Vice-Chair.

APPOINTMENTS

Public notice shall be provided as to the vacancy of non-governmental constituent group seat(s) and at-large representatives. Applications for ensuing terms for vacant seats shall be submitted to the Sanctuary Superintendent directly. Copies of all applications and nominations for each seat may be submitted by the Sanctuary Superintendent to Council members for review and screening. Any Council member that has a conflict of interest (financial, personal, self-nomination, etc.) shall recuse him/herself from making a selection for the vacant seat. The Sanctuary Superintendent shall make selection from among those recommended by the Council, or from among other applicants or nominees, with final approval by the Director. In all cases, submission of written statements of particular interest, qualifications, and experience shall be requested. Guidelines for applying shall be supplied at the appropriate time.

ADMINISTRATION

1. Members of the Council shall serve without pay except that each member may receive travel expenses including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of Title 5, U.S.C., for travel to and from official Council meetings. No members of working groups (defined below) may receive travel expenses for working group activities or meetings. Travel expenses for governmental members of the Council may be provided by their own agencies.

2. The NMSS may make available such staff, information, administrative services, or assistance as the Sanctuary Superintendent determines are reasonably required to enable the Council and its subcommittees/working groups to carry out their functions.

OPERATION

1. Meetings

(a) Meetings are held at the call of the Chair, with the approval of the Sanctuary Superintendent.

(b) Advice and recommendations made by the Council are advisory only, and shall be made by majority vote of those eligible to vote. The Chair or the Sanctuary Superintendent may request a recorded vote. A quorum of more than half the non-governmental

(voting) membership of the Council must be present when any vote is taken or general consensus reached.

(c) Each meeting shall be open to the public.

(d) Interested persons shall be permitted to present oral or written statements on items on the agenda.

(e) Emergency meetings may be held at the call of only the Chair, but the Sanctuary Superintendent or his/her designee must be present for the Council to formally conduct business at such a meeting. A quorum must also be present for the Council to formally conduct business at such a meeting. As soon as is practical after an emergency meeting, the Chair shall report, in writing, to the Sanctuary Superintendent, and shall include in this report: (1) detailed meeting minutes, (2) the nature of the emergency being addressed by the Council, (3) any recommendations adopted by the Council, and (4) a list of the members in attendance.

(f) Timely notice of each meeting, including the time, place, and general topics to be discussed, shall be published in at least one local newspaper of general circulation within the vicinity of the Sanctuary. Additional notice may be given by such other means as will result in appropriate publicity to interested groups.

(g) The Council shall meet as frequently as necessary, not to exceed once a month, but at least once every six months.

(h) The Council meeting place shall be chosen to accommodate anticipated public attendance and be accessible to those interested in attending.

(i) Minutes of each meeting shall be kept and contain a summary of attendees and matters discussed. Such minutes shall be available to the public in the Sanctuary office.

2. Procedures for Providing Advice. The following procedures shall be used to provide advice:

(a) The Council may provide advice and recommendations to the Sanctuary Superintendent on any issue or problem relating to its scope of responsibility and placed on the agenda, or in response to a particular request by the Sanctuary Superintendent. This request may be made verbally or in writing. Requests for information, assistance, or advice from other NOAA offices, or other agencies shall be made in writing and must be coordinated through, and approved by, the Sanctuary Superintendent.

(b) The Council acts under the auspices of the National Marine Sanctuary System. Any matters that the Council would like to place on the agenda or otherwise raise independently must be approved by the Sanctuary Superintendent prior to doing so.

(c) The Council shall provide advice directly to the Sanctuary Superintendent via a formal written recommendation. Draft recommendations and verbal discussions will not be considered official advice from the Council, but may be considered as background information.

(d) The Council may base their recommendations on a vote of the eligible Council members with negative votes and abstentions noted, or on a general consensus reached during discussions, with minority opinions and views noted.

(e) Any information or recommendations resulting from discussions in subcommittees or work groups must be presented to and approved by the full Council prior to being submitted to the Sanctuary Superintendent.

3. Conduct of Individual Members

(a) No Council member may use or allow the use, for other than official purposes, of information obtained through or in connection with his or her Council affiliation that has not been made available to the general public.

(b) When speaking to the public or writing about any matter regarding the Sanctuary in a document for distribution beyond the Council membership, Sanctuary Superintendent or Sanctuary staff, a member shall clearly distinguish those recommendations, opinions, or positions officially adopted by the Council as a body from those he or she may have as an individual. In no case shall a member represent his or her own opinions as those of the Council, the Sanctuary Superintendent, Sanctuary staff, or NOAA.

(c) Any Council member that has an interest (financial, personal or business interest) in any matter before the Council or a subcommittee or working group shall identify such interest prior to discussion and voting on such matter. No member shall cast a vote on any matter that would provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under Federal law. An affected member who may not vote on a matter may participate in Council deliberations relating to the decision after notifying the Council of the voting recusal and identifying the interest that would be affected.

4. Conduct of the Council as a Body

(a) The Council shall not make recommendations, express opinions or otherwise speak to other than the Sanctuary Superintendent unless the Council has express permission from the Sanctuary Superintendent and states that its opinions and findings do not necessarily reflect the position of the Sanctuary or NOAA.

(b) Any correspondence, press releases, informational releases, news articles, or other written documents that are intended to speak for the Council as a body must be coordinated with, and

approved by, the Chair and the Sanctuary Superintendent. The following disclaimer must be placed in documents originating from the Council:

"The Council is solely an advisory body. The opinions and findings of this publication do not necessarily reflect the position of the Gerry E. Studds Stellwagen Bank National Marine Sanctuary and the National Oceanic and Atmospheric Administration."

5. Council Letterhead

The Council shall, with the assistance and approval of the Sanctuary Superintendent, design and use its own letterhead. All correspondence from the Chair or other members of the Council, or the Council as a body, shall be on this letterhead. The Council shall not use official NOAA letterhead for any correspondence or other purpose.

6. Subcommittees and Working Groups

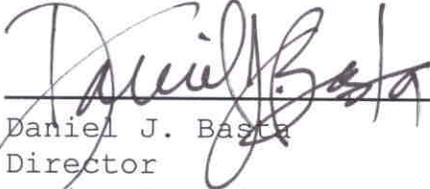
(a) Subcommittees: The Council and the Sanctuary Superintendent may establish such subcommittees as necessary to fulfill its duties. Subcommittees shall be composed solely of members of the Council; at the Superintendent's discretion, alternates may also serve on subcommittees. The subcommittee must be chaired by a primary member of the Council. Subcommittees shall be recognized as official sub-units of the Council and are subject to all requirements of this Charter.

(b) Working Groups: Working groups may be established by the Council and the Sanctuary Superintendent for specific purposes or topics that need focused attention that cannot be accomplished by a subcommittee. Working Groups may be composed of members of the Council and/or persons outside the Council. Working Groups shall be chaired by a member of the Council and shall function under the purview of the Council. Working Groups established by the Council to address specific issues shall disband once the specialized or technical assistance on the particular matter is submitted to the Council. No members of the working groups, including members who are also members of the Council, may receive travel expenses for the working group meetings or other activities.

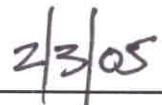
OTHER TERMS OF THIS CHARTER

1. The Council shall operate pursuant to the terms of this Charter.
2. This Charter shall remain in effect for a period of three years from the date of signature.
3. Six months prior to the expiration of this Charter, the need for the Council will be evaluated by the NMSS, with input from Council members as appropriate, to determine whether to renew the Charter.

4. Revisions to this Charter may be made as determined necessary by the NMSS with input from the Council. _____



Daniel J. Basta
Director
National Marine Sanctuary System



Date Director

