



**CORDELL BANK NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL**

MEETING MINUTES

February 2, 2017

9:30 AM

Point Blue Conservation Science, Palomarin Room, Petaluma, CA

Note: The following meeting notes are an account of discussions at the meeting of the Sanctuary Advisory Council for Cordell Bank National Marine Sanctuary (CBNMS). The council is an advisory body to the sanctuary superintendent. The opinions and findings of this publication do not necessarily reflect the position of CBNMS and the National Oceanic and Atmospheric Administration (NOAA).

Call to Order/Roll Call (George Clyde)

George Clyde, Advisory Council Chair, called the meeting to order at 9:31 AM and welcomed everyone. Lilli Ferguson, advisory council coordinator, then called roll.

Nongovernmental Members Present:

George Clyde (Chair; Community-at-Large – Marin County)

Mike Cummings (Community-at-Large - Marin County)

Lance Morgan (Conservation)

Todd Steiner (Conservation)

Leslie Adler-Ivanbrook (Education)

Bec Detrich (Education)

Sarah Hameed (Community-at-Large – Sonoma County)

Bill Wolpert (Community-at-Large – Sonoma County)

Richard Ogg (Fishing)

Kevin Krick (Maritime Activities)

John Berge (Maritime Activities)

Jaime Jahncke (Research)

Agency Members and Alternates Present:

Dayna Matthews (NOAA Fisheries)

Brian Christy (NOAA Fisheries – Alt.)

LCDR Jason Brand (United States Coast Guard [USCG])

Members of the CBNMS staff present:

Dan Howard (Sanctuary Superintendent)

Michael Carver (Resource Protection coordinator)

Lilli Ferguson (Resource Protection Specialist and advisory council coordinator)

Danielle Lipski (Research Coordinator)

Jennifer Stock (Education and Outreach Coordinator)

Review and Approve Agenda (George)

The agenda was reviewed and unanimously approved by the advisory council.

Review and Approve November Meeting Minutes (George)

The November 3, 2016 meeting minutes were reviewed and unanimously approved by the advisory council.

Advisory Council Business - Charter Amendment on Changing Nongovernmental Alternates to Members/Eliminating Alternate Positions (Lilli)

- Lilli provided an overview of the recently approved charter amendment. All non-governmental alternates became members on December 21, 2016, the date the amendment was signed by John Armor. The amendment did not affect the length of those individuals' current terms and had no effect regarding consecutive terms limits for nongovernmental seats, incorporated into the charter (pursuant to the Office of National Marine Sanctuaries [ONMS] policy; applies to represented seats rather than position of member or alternate).
- George proposed a similar charter change for the Greater Farallones National Marine Sanctuary (GFNMS) Advisory Council at its last meeting, and he related some of the discussion that took place there. That council agreed to have further discussion about it.

Advisory Council Business - Nominations for Chair and Vice-Chair Election in April 2017 (George and Lilli)

- The officer terms of the current Chair (George) and Vice-Chair (Kevin Krick) end in April. The election will be held, by written ballot at the April meeting. The elected individuals would serve two-year terms as officers, starting after the April meeting and going until the April 2019 meeting, when the next election will be held. All primary members are eligible to be nominated (except sanctuary superintendents), including the USCG and NOAA Fisheries primary members. Of course, each nominee must accept the nomination to be included on the election ballot. The exception is there is an officer term limit of two consecutive terms, so George may not be nominated to serve again as Chair and Kevin may not be nominated to serve again as Vice-Chair because they will have both served two consecutive officer terms.
- There are six nongovernmental members whose terms will end prior to April 2019, who are also in their third consecutive member terms currently (terms end November 2018): Bill Wolpert, Sarah Hameed, Lance Morgan, Todd Steiner, Kevin, and John Berge. These six members cannot apply for and be appointed again for a fourth consecutive term representing the same seats on the advisory council. They must go off the advisory council at for at least one term when their terms end, unless one of the limited policy exceptions applies or a person qualifies and is appointed by the ONMS director to represent a different seat.
- If the newly elected Chair's term ends in November 2018, but the Vice-Chair's does not, the Vice-Chair could agree to step up and run the remaining advisory council meetings until next Chair is elected in April 2019. If both the terms of the newly elected Chair and Vice-Chair end in November 2019, the advisory council could hold an election for an interim Chair and Vice-Chair to serve the brief period from November through April (when the next election will be).
- George noted he would not accept a nomination to serve as Vice-Chair.
- Sarah nominated Bill as Chair. He initially did not accept, then agreed to think it over. Lilli will check in with him the week following the meeting.
- Overview of the Chair's responsibilities: meeting agenda and retreat development with Dan Howard, Sanctuary Superintendent, and Lilli; charring meetings; follow up on certain actions at meetings (i.e., signing a letter); attending Sanctuary Advisory Council Summits; participating in

national calls of chairs from across the system; and participating in reviewing applications of and providing input regarding people seeking to be appointed to the advisory council.

- Overview of the Vice-Chair's responsibilities: chair meetings and attend national functions if Chair is unavailable; participate in meeting agenda and retreat development discussions; and review and provide input regarding applications.
- Only rarely has George needed Kevin to fill in as Chair; Kevin recalled just one time.
- John nominated Sarah as Vice-Chair. She accepted the nomination.
- The advisory council wished to extend the ability to nominate officer candidates over email, for a short period of time, to end nominations approximately March 1 (or a workday close to that). Lilli will send an email regarding this to the advisory council, and will also update the advisory council on the full suite of nominations in advance of the next meeting.

Sanctuary Superintendent's Report (Dan)

- Dan mentioned there had been a comment from an advisory council member about security of science data, and how the sanctuary staff felt about their science information. NOAA has not provided any directive. Dan felt the scientific data are secure. Plans are to move forward and conduct offshore research work this year, if funding is provided at same level as last year [or higher].
- There was a question regarding the possibility of ocean observing data efforts losing funding and if such efforts could be protected under a continuing resolution. It is business as usual currently while we wait for the budget appropriations decision. The existing continuing resolution is through April 28, 2017.
- ONMS held a workshop about recreational fishing and national marine sanctuaries in December. Neither Dick Ogg nor Noah Wagner were available to attend, and neither was George. The workshop conversations focused on improving relationships between the sites and the recreational fishing community. Dan let ONMS headquarters staff know there is limited recreation fishing in CBNMS (crab and salmon primarily), because of recreational Rockfish Conservation Area closures. If ONMS produces workshop proceedings, Dan will distribute them to the advisory council.
- Kris Sarri, President of the National Marine Sanctuary Foundation (NMSF), has proposed a liaison from the NMSF board for each sanctuary, so the person could get familiar with the site and what it does. There is a need to coordinate funding efforts directly between the sites and the NMSF and through local support groups (for CBNMS, this is the Cordell Marine Sanctuary Foundation [CMSF]).
- ONMS proposals to have sites in Mallows Bay and Lake Michigan be designated as national marine sanctuaries are out for public comment; Dan encouraged advisory council members to submit comments.
- ONMS is considering a new proposal for a national marine sanctuary, for Southern California banks and a seamount. The first step is to review it to see if it meets the minimum qualifications for a submittal. If it does, the next step is that ONMS takes a closer look at the factors that make the nominated place a potential candidate for sanctuary designation, including community support. Once added to the inventory of sites that meet the qualifications, it may be considered for future designation as a sanctuary.
- Dan thanked the advisory council for the good climate discussion at the previous meeting and noted Danielle Lipski, Research Program coordinator, would be discussing ocean acidification in her report.

- Dan reviewed the status of Essential Fish Habitat (EFH) proposals to the Pacific Fishery Management Council (PFMC). The CBNMS proposal was integrated into a collaborative proposal, which the collaborative submitted to the PFMC for consideration at its last meeting. Both Oceana and the Marine Conservation Institute also submitted proposals. Dayna Matthews said discussion of the proposals would be on the April PFMC meeting agenda.
- There was a question about who makes the decision about expanding Monterey Bay National Marine Sanctuary (MBNMS) to include the “donut hole” (the San Francisco-Pacific exclusion area). Paul Michel, MBNMS Superintendent, had reported on February 1 that closing it was “not on the main agenda” and sewage and dredging there were contentious issues. Dan noted MBNMS is going through its management review process and Paul reported it would not be addressed as part of that process. If MBNMS added the action to its management plan, MBNMS and GFNMS would work together on any process to analyze the proposal.

NOAA Office of Law Enforcement (OLE) Report (Dayna)

- NOAA OLE is committed to working with the USCG and state fish and wildlife agencies.
- The process to set priorities begins with a solicitation for input, then working with partners on ranking. All things on the list are important; the ranking is just to provide guidance to partners so there is a sense of what is first priority, etc.
- There is a Joint Enforcement Agreement with California. OLE gives the state more than a million dollars to manage a collaborative contract, which includes such details as logging hours; processing violations; and for each priority, dollar amounts and enforcement targets.
- The priorities for CBNMS are: Protection of designated sanctuary (High); Federally designated special closures, marine reserves, marine conservation areas, and marine restoration areas (High); fishing (including no anchoring on Cordell Bank) (High); and unlawful discharge (Medium).
- The priorities for Greater Farallones National Marine Sanctuary (GFNMS) include the same ones as for CBNMS (except no anchoring on Cordell Bank), as well as: marine mammal and seabird take (including Luckenbach restoration project) (High); white shark approach and attraction (High); Motorized Personal Watercraft restrictions (High); overflight restrictions (Medium); protection of historic resources (Medium); vessel groundings and abandonment (Medium); and compliance with cargo vessel restrictions (wildlife protection zones) (Low)
- The priorities under the Magnuson-Stevens Act are: Washington, Oregon, California salmon (recreational/commercial) (High); Groundfish (trawl/non-trawl) (High); Highly Migratory Species (including tuna, shark, and swordfish) (High); and Coastal Pelagic Species (including sardines and anchovies) (Medium).
- The Endangered Species Act priorities are: related habitat protection (High); federally listed salmon and steelhead (High); sea turtles (including Pacific leatherback, loggerhead, green, and Olive Ridley) (High); abalone (including white and black) (High).
- The Marine Mammal Act priorities are: pinniped harassment and illegal take (High); whales (including blue, gray, and humpback) (High); and La Jolla Cove (High).
- Dayna also provided a staffing update. Four special agents in California retired in 2016; however, there are now three agents and two officers in California. A hiring freeze affected recruitment and hiring. Of 16 positions that needed to be filled, have gotten four people on board. Four others may be hired in the coming months.

Proposed Letter to NOAA Administrator on NOAA OLE and Enforcement in National Marine Sanctuaries (George)

- George discussed a proposed letter to the next NOAA Administrator on NOAA OLE and enforcement in the National Marine Sanctuary System. The idea came from a committee of several advisory council chairs as a result of the last Sanctuary Advisory Council Summit. That group drafted the letter and proposed that all of the advisory council chairs sign it as it is worded.
- Requests in the draft letter focus on giving greater priority to enforcement; allocating resources to enforce the National Marine Sanctuaries Act on par with other statutes; evaluating the OLE staffing plan and where people are assigned; promoting cross-collaboration across OLE, NOAA's Office of General Counsel, Enforcement Section and ONMS to improve enforcement services in the system; enhancing technological enforcement capabilities; calling on advisory councils for timely input to help with planning; and ensuring OLE and General Counsel staff communicate regularly with advisory councils.
- There are questions about who the next NOAA Administrator will be as well as timing on reaching out to that person. The decision on sending the letter would be made later.
- George did not have any concerns with the letter.
- Dan mentioned it was important that when ideas come from Sanctuary Advisory Council Summits, that chairs be in contact with their advisory council coordinators and superintendents, so recommendations do not come out of discussions among advisory council chairs with ONMS staff. These national meetings used to include chairs, coordinators, and superintendents, with a focus on working together and how advisory councils could better support their sites. Now, from the site staff, generally only regional coordinators and no superintendents (or only the host superintendent) are included.
- Dan did not think there was any downside to the proposed letter, and was supportive of the enforcement priorities.
- Todd Steiner moved, and Jaime Jahncke seconded, having George sign the letter. The motion was unanimously approved by the advisory council.

Overview of the Activities of the Marine Exchange of the San Francisco Bay Region (Lynn Korwatch)

- After introduction by Kevin, Lynn described the history of the Marine Exchange of the San Francisco Bay Region; it was founded in 1849 as a Merchant's Exchange. In 1903 it merged with the San Francisco Chamber of Commerce, then in 1938 became an independent organization. The group erected the first telegraph stations in San Francisco and on Mount Tamalpais.
- Now, the primary functions of the Exchange are maritime information, industry support, and communications services. The Exchange operates around the clock; information comes from various sources, including automatic identification systems, radio monitoring, video, and schedules. It is a provider of information, and does not lobby. It has a board of directors, elected by the membership.
- The Exchange provides some tug dispatch support, and supports the marine industry overall. One way is through the Harbor Safety Committee (HSC) (which Lynn chairs). That committee focuses on regional maritime safety and provides advice to the Administrator of the California Office of Spill Prevention and Response (OSPR). She described some of this body's past accomplishments, as well as its current working groups. Another way the Exchange supports the marine industry is through the Area Maritime Security Committee.

- Lynn also reviewed a number of the other efforts of the Marine Exchange, including managing the Physical Ocean Real-Time System, which is funded by OSPR with quality assurance provided by NOAA. The system provides current, tide and meteorological information.
- Exchange communications services include telephone answering, emergency response, tug company dispatch and notifications, radio support for San Francisco Bar Pilots and San Francisco Marine Exchange Channel 10, and oil spill response notifications.
- Lynn and Exchange staff are involved in many more marine information and safety topics beyond those summarized here.
- The organization gets funding from grants, membership dues, and selling reports to the community. They have had a lot of support from port partners, with vessel arrival fees and other sources.
- The Marine Exchange is not involved in the berth order of vessels. Ships and pilots work out who gets to the pilot station first.
- While the group has no new, major initiatives planned for the next few years, things come up. For example, a few years ago, it was the local fiduciary agent for Federal Emergency Management Agency grants; also, it funded a new San Francisco fireboat.
- In response to a question about what ships have been doing since the vessel lane shifts were made to avoid vessels striking whales, Lynn said she felt ships are staying farther offshore, to try to avoid any type of conflict. She said the cooperation level had been amazing. John [who is Vice Chair of the HSC], brought the ship strikes of whales issue, and what can be done to avoid them, to the attention of the HSC. A lot of the data for analyzing the ship strike issue came from the Exchange.

Public Comment

There was none.

Draft NOAA Office of National Marine Sanctuaries Strategic Plan (George and Dan)

- ONMS is developing a strategic plan. Advisory Council chairs got a glimpse of a draft of it, and provided comment, during a call of the chairs in the fall. The goals are intended to improve sanctuaries, and the plan is intended to be useful to the site staffs, serving as a guide for budgeting and operations. Dan mentioned some of the plan's main themes.
- The sanctuaries' staffs provided input to the leadership on a draft of the plan. The leadership is reviewing the draft and preparing to release it for public comment around the third week of February. Lilli will let the advisory council know once it is available for public comment. George also invited people to share anything with him, which he could possibly raise on the next call of advisory council chairs.
- There was a question if the plan would impact CBNMS priorities, or if it was just a new guideline which budget requests might follow. CBNMS may reference the strategic plan as part of a budget submission, listing priorities that fall most closely under things listed in the plan. The document will not mention Congressional support.
- A follow up question was about if the plan would be a playbook under which CBNMS activities would take place, or if there would be latitude outside it. There will be latitude outside it, but it would provide guidance to sites about what is important across the system.

CBNMS Research, Education, and Resource Protection Reports (Danielle Lipski, Jennifer Stock, and Michael Carver, CBNMS)

- Jennifer Stock, CBNMS Education and Outreach coordinator, reviewed how she has been trying to reach K-12 classrooms more. She and Leslie Adler-Ivanbrook received a Hands on the Land grant, focused on Winged Ambassadors, classroom lessons, plus beach marine debris surveys. They are working with two schools and one 5th grade and one 7th grade class. A Bodega Marine Laboratory graduate student will teach in the classroom and lead the field trips.
- Applications- Regarding the annual field seminar (wildlife watching), neither CBNMS nor the Point Reyes National Marine Sanctuary Association has the funds to support it, so it has been discontinued. Other organizations will be doing trips, and Jenny can share information about those. For example, Jenny will be a guide for an Environmental Action Committee trip.
- Jenny and Leslie will be doing a family program with a focus on plankton on February 26.
- Applications for the annual Teacher at Sea program are due by February 24.
- Ocean Exploration Trust (OET) is during research with the Nautilus in sanctuaries again this year, including CBNMS, and Jenny is preparing for ship to shore presentations. People can let her know if there is a group of at least 20 people who might like to have a presentation in August.
- There is now text in both English and Spanish for the CBNMS photo exhibit. She took suggestions for other places the exhibit could go.
- Jenny would like to develop a case study, or toolbox, of communication tools to talk about impacts of ocean acidification on Dungeness crab larvae. She is part of a study circle, and that collaboration will help inform the case study and perhaps also some additional information at the Lighthouse visitor center on ocean acidification and being part of the solution.
- The San Francisco International Ocean Film Festival is March 9 – 12. CBNMS continues to sponsor the student film competition. A subset of the films will also be shown at a film festival at the Oakland Museum.
- Interns and volunteers have been helping build CBNMS's education and outreach capacity, including on social media, the Hands on the Land grant and Ocean Currents.

- Michael Carver, CBNMS Resource Protection coordinator, reviewed the project to reduce ship strikes of whales. Monitoring the voluntary Vessel Speed Reduction (VSR) initiative took place, and a letter will soon be going out to over 100 shipping companies to let them know what the results showed for their vessels in 2016. He continues to work to engage the local Air Quality Management District and desires to have a pilot incentive program in the future that would have a small amount of funds go to shipping companies whose vessels followed the slowdown recommendations. There is also an effort underway to evaluate the benefits of the voluntary VSR.
- Program evaluation for resource protection efforts has begun, looking at what we are doing, what is the highest priority, and how CBNMS and GFNMS can work together on the highest priority topics, to increase effectiveness. Some resource protection issues apply to only one of the sanctuaries, and some apply to both. There will be more meetings between the two staffs on this topic.

- Dani reported that the Beyond the Golden Gate Research Symposium, held in December, was sold out. CBNMS work was part of seven different talks and CBNMS also had a poster about the

acoustic buoy research and one on benthic community characterization of the upper reefs of Cordell Bank (based on a recently published report).

- Dani attended a NOAA Ocean Acidification program meeting in Seattle in January, attended by NOAA principal investigators and other scientists, as well as several staff members from sanctuaries. The program grants funds for research and a little bit for education. They plan funding on a three year cycle. The meeting focuses on project updates, collaborations, and what they are doing moving forward. The groundwork is laid for future ONMS-NOAA collaborations.
- A 2016 CBNMS Research Accomplishments report is now posted on the CBNMS website. It highlights key science efforts in the past year, is posted on the CBNMS web site. People are welcome to provide feedback to her on the format and content.
- Planning is underway for the three Applied California Current Ecosystem Studies (ACCESS) cruises on the FULMAR. She is making plans for a benthic survey with the CBNMS remotely operated vehicle on the FULMAR and one using the Nautilus (for possibly up to eight days). OET and ONMS headquarters staff are working on planning the Nautilus cruises.
- Applications currently are being accepted for a ten week Council on Ocean Affairs, Science and Technology (COAST) intern from a California State University campus to assist with the benthic sampling field work.
- The hypoxia mooring (funded by Cordell Marine Sanctuary Foundation) will be deployed again in CBNMS within the next few weeks.
- The acoustic monitoring mooring should be removed from CBNMS in September. The data will then be downloaded and analyzed, with the results to be shared in 2018.

Report on GFNMS Advisory Council Recommendations on Low Overflight Regulations (George)

- George headed up a GFNMS Advisory Council working group on low overflights, to look at if the low overflight regulations needed enhancements or additions. The group had nine people and got input from various stakeholders, and focused on several potential new areas. The existing zones where low overflights may not be made were put on the Federal Aviation Administration (FAA) charts about three years ago; pilots flying lower than 1000 feet above the ocean are presumed to disturb wildlife, which could result in a citation. The working group produced a report with recommendations.
- The GFNMS Advisory Council Chair suggested the advisory council pass the recommendations as a whole on to the Sanctuary Superintendent, reflecting comments the advisory council had. The advisory council generally concurred; there were some questions and recommendations for looking into some things further.
- The recommendations covered a number of topics, including the purposes of the regulated overflight zones, minimum altitude for planes, zone sizes, the FAA charts, suggested new zones and connections among zones, outreach, and use of drones.
- Pilot education and drone interactions with wildlife will be examined separately.
- Point Reyes National Seashore does not have complementary low overflight regulations over its ocean waters, and the group would like to see that examined in the future, in concert with the FAA.
- There are existing emergency exemptions in the GFNMS regulations which have not changed and are effective.

Members' and Alternates' Reports (advisory council)

Todd: reported that there were 150 Coho Salmon redds in Lagunitas Creek; the average number is normally 250. Some redds were washed away by runoff from large storms. The Salmon Protection and Watershed Network monitors only monitors smaller streams; two streams had 20% of the total of 2600 adult fish. Recently, buildings in the former towns of Jewell and Tocaloma were demolished; the debris will be removed in the summer. The floods plains had many tons of fill added to them when those houses were built; grant funds will be used to remove the fill and recreate back channels and add woody debris. If there are locations close by that want clean fill, please let him know.

Kevin: has been asked to be on the Smithsonian Environmental Research Center board and accepted; the board is meeting in a few weeks. The group focuses on coastal ecosystems. They do a lot of work at Romberg Tiburon Center. He can promote cross-pollination between the groups.

Leslie: Other than the projects Jenny reported on, Leslie has worked with other partners on a marine science fair at West Marin School. It was to have served 250 kids, but it was canceled due to storm related school closures. It may be rescheduled. A belated Christmas bird count for kids was held the weekend prior to the advisory council meeting; 56 species of birds were counted. Finally, the Point Reyes National Seashore Association is working on a new education partnership with a U.C. Berkeley field station.

Bec Detrich: said she continues to work on the Sonoma Environmental Education Collaborative with Jenny. They are still looking at how the next generation science standards will play out and how to build in more marine science.

LCDR Jason Brand: reported the U.S. Coast Guard has been working with the crab fleet on bad weather and safety. Also, they have been supporting whale disentanglement efforts, including providing rides on aircraft rides to look for entangled whales. He asked people to let him know if there were things the USCG could do to help on enforcement efforts.

Lance: said there will be a marine protected areas Congress this fall in Chile. His organization will be involved and Sarah has been helping them to prepare for that.

Sarah: discussed the discomfort a number of Sonoma County residents are feeling regarding their U.S. Environmental Protection Agency grant funds and about national funding for scientific research in general. Sonoma Coast Surfrider completed several recent coastal debris cleanups. The Bodega Bay Fishermen's Festival will be held April 8 and 9.

John: mentioned an upcoming webinar about how WhaleWatch estimates the location and density of blue whales off California, Oregon and Washington . He will forward it to Lilli to provide the information to the advisory council.

Bill: reported the Sonoma County *Climate Action Plan: 2020 and Beyond* was still in mediation, so was not complete yet. In Petaluma, a number of development plans, some along the riverfront, have been proposed.

Dayna: mentioned a new waterfront theater attraction in Seattle, called Wings over Washington. They had a permit from Olympic Coast National Marine Sanctuary to do some filming to get footage for the film to be shown in the theater. The group violated the permit conditions, and an enforcement case is being pursued; this highlights the issue of use of drones.

Dick: mentioned funding to release 250,000 salmon smolts, which will be released some time close to the Fishermen's Festival. The gear concentration during the crab season was intense, but there was only one entanglement by a whale; a fisherman released it. Coastline current flows have been extreme, and there has been a lot of growth on the pot lines, which tends to draw the buoys under water. A lot of gear was lost, so they plan to get out again after the crab season is over to get the lost gear, which is when whale entanglements appear to occur. A lot of molted crabs were observed during the crab season; normally those are seen in March. Also, rock crabs have been seen in with the Dungeness Crab, which they do not normally see. Dick welcomed anyone at the advisory council meeting who wanted to be in the Fishermen's Festival parade to go with him.

- There was question about what to do with commercial fishing pots found washed up on the coast. If there is a tag inside, call the number on it and ask if the fisherman wants to come pick it up. Or, call the California Fish and Wildlife and provide them with the tag information or the buoy brand.

George: noted at the Beyond the Golden Gate Research Symposium, Dick gave a great presentation on the crab pot removal effort.

Jaime: stated there is another crab pot effort in the Portland area, in which gear configurations and entanglement will be tested, to let fishermen know what works and what does not.

George adjourned the meeting at 2:35 PM.