



CORDELL BANK NATIONAL MARINE SANCTUARY SANCTUARY ADVISORY COUNCIL

MEETING MINUTES

April 25, 2019

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 (Leslie Adler-Ivanbrook)

Leslie Adler-Ivanbrook, Advisory Council Vice-Chair, called the meeting to order at 9:30 AM and welcomed everyone. Lilli Ferguson, advisory council coordinator, then called roll.

Nongovernmental Members Present:

George Clyde (Community-at-Large - Marin County)
Mike Cummings (Community-at-Large - Marin County)
Tom Anderson (Community-at-Large – Sonoma County)
Steve Tubbs (Community-at-Large – Sonoma County)
Leslie Adler-Ivanbrook (Vice-Chair; Education)
Bec Detrich (Education)
Dick Ogg (Fishing)
Noah Wagner (Fishing)
Chris Hendry (Maritime Activities)
Kai Martin (Maritime Activities)
Tessa Hill (Research)
Jaime Jahncke (Research)

Agency Members and Alternates Present:

Brian Johnson (Greater Farallones National Marine Sanctuary [GFNMS], alt.)
Don Tanner (NOAA Fisheries)
LT Darrina Willis (United States Coast Guard [USCG] alt.)

Members of the CBNMS staff present:

Dan Howard (Sanctuary Superintendent)
Lilli Ferguson (Resource Protection Specialist and advisory council coordinator)
Danielle Lipski (Research Coordinator)
Rachel Pound (Research Technician)

Review and Approve Agenda (Leslie)

The Cordell Bank National Marine Sanctuary Advisory Council (CBNMSAC) reviewed and unanimously approved the agenda.

Review and Approve February Meeting Minutes (Leslie)

- The advisory council reviewed the February 14, 2019 meeting minutes. George Clyde read some requested corrections, on page 4, to remove a sentence on regarding his working with a conservation district; on page 6, to add “per year” to the amount the Cordell Marine Sanctuary Foundation (CMSF) raised and add text noting that he thanked the advisory council members who contributed; and, on page 8,

to strike the sentence about the Berkeley City Club as written and add a new sentence noting he arranged for Dan Howard to speak at a meeting of the Berkeley City Club, with an audience of about 150 people from the Berkeley business community.

- The CBNMSAC then approved the minutes with those changes. Jaime abstained, noting he was not at that meeting.

Sanctuary Superintendent's Report (Dan Howard)

- Dan welcomed everyone and thanked Jaime for having Point Blue Conservation Science host the meeting.

- The Office of National Marine Sanctuaries (ONMS) received its budget appropriation for FY 19: about \$55 million; CBNMS received about \$1,027,000, which covers salaries and most of the primary programs.

- CBNMS Resource Protection Program Coordinator, Michael Carver, had his detail at Florida Keys National Marine Sanctuary (FKNMS) extended; he is still on that detail. CBNMS Education and Outreach Coordinator, Jennifer Stock, is currently at helping Point Reyes National Seashore through September 30, with the duties formerly done by John Dell'Osso, chief of education and outreach. Justin Holl, of Greater Farallones National Marine Sanctuary (GFNMS), is coming out to CBNMS three days a week, working on education and outreach and continuing to work at GFNMS also. Rachel Pound started about two months ago, as a research specialist, working with CBNMS Research Coordinator, Danielle Lipski.

- ONMS Director, John Armor, is back at ONMS, after a detail at the National Ocean Service.

- ONMS issued Notice of Intent to kick off a three-month public scoping process to gauge interest in the goals, management, and boundaries of a proposed new national marine sanctuary in eastern Lake Ontario. In January 2017, the Governor of New York and several counties along the eastern side of Lake Ontario nominated the area to be considered as a national marine sanctuary. The area encompasses 21 known shipwrecks and one aircraft that span more than 200 years of history. The historical record indicates that an additional 47 shipwrecks and two historic aircraft are also likely located there. The goals of the nomination are to protect and interpret this nationally significant collection of shipwrecks, while fostering education and research partnerships and increasing opportunities for tourism and economic development.

- The proposed national marine sanctuary in Wisconsin may be coming back on the table, with a new governor in place. He briefly reviewed the timeline of the nomination of this proposed site.

- The proposed Mallows Bay national marine sanctuary has had concerns expressed by commercial and recreational fishermen who think there might be zoning or regulations that would limit their access to fishing; these concerns need to be addressed.

- FKNMS, Flower Garden Banks and Monitor national marine sanctuaries all have proposed boundary expansion plans moving through the regulatory process.

- In response to a question about funding, Dan noted that CBNMS expanded to more than double its former size in 2015 and did not get extra money.

- NOAA is putting forward an action that would change the Coastal Zone Management Act federal consistency process for Outer Continental Shelf oil and gas and alternative energy projects. The California Coastal Commission (CCC) has a process to evaluate a proposed federal action to decide if it can proceed, he reviewed. NOAA's comment period on this advance notice of proposed rulemakings ends at the end of this day; Dan read some excerpts from that notice.

- In February, ONMS, NOAA Fisheries, the National Marine Manufacturers Association, the American Sportfishing Association, the Association of Fish and Wildlife Agencies, and the Recreational Boating and Fishing Foundation announced a formal partnership aimed to strengthen collaboration promoting sustainable, long-term recreational fishing and boating opportunities in federal waters, including national marine sanctuaries. Dan has said the only rec fishing in CBNMS is for salmon, and there was also some for crab. Possibly people may recreationally fish for sand dabs, or albacore farther west. All of the CBNMS hard bottom areas have regulations implemented by the Pacific Fishery Management Council

(PFMC) that prohibit the take of groundfish - so currently, there is no legal fishing for rockfish in CBNMS.

- Papahānaumokuākea Marine National Monument is seeking an Assistant Superintendent; the position was just advertised.
- Dan said he would be going to an ONMS Leadership Team meeting in Honolulu May 5-9, and if anyone had any burning issues they wanted him to bring to the leadership, to come to him.

CMSF Report (Sarah Hameed)

- Sarah Hameed said CMSF supports the CBNMS science and education and outreach efforts, and they fundraise and collaborate with the CBNMS staff.
- CMSF has supported hypoxia research for the last couple of years.
- Sarah saw a rough cut of the CMSF-funded film about CBNMS, done by a group out of Florida, which produces Changing Seas. The group had not done a story on a temperate marine ecosystem before this. She described who was interviewed among the CBNMS staff and partners. She thought it would be about 20-25 minutes and would air this summer. She hoped it would be shown at an event this year in Petaluma on September 14 at Hotel Petaluma.
- CMSF is engaged with a film festival in Point Arena 8/3, where some short films will be shown.
- On 8/6, CMSF will do Give Back Tuesday at Iron Springs Brewery in Fairfax; she thanked Mike Cummings for getting them connected there. They will share information about CBNMS and its biodiversity. Iron Springs will donate about 10% of its proceeds back to CMSF.
- CMSF is still struggling on the technical side of things with its website and getting newsletters out. They would like to get newsletters out two times a year about what CMSF is funding, etc.

Highlights of CBNMS Management Plan (2014) Review by Staff in Late 2018 (Dan)

- The CBNMS staff just finished a “rapid” management plan review. Typically, a Condition Report is done, then a review of the Management Plan follows. NOAA must evaluate, every five years, the progress toward implementing the management plan and goals for the sanctuary, include prioritization of management objectives; and revise the management plan and regulations as necessary to fulfill the purposes and policies of the National Marine Sanctuaries Act (NMSA). The Condition Report is a product that may be utilized in the review. ONMS recently redid the schedule for all sites for when Condition Reports and management plan reviews are to be completed. It takes about two years to update a Condition Report.
- The current CBNMS Management Plan was published in 2014; Dan reviewed that it contained CBNMS-specific plans with strategies, and cross-cutting plans with strategies and activities that also included GFNMS, Monterey Bay National Marine Sanctuary (MBNMS), and the ONMS West Coast Region.
- The CBNMS staff did an internal evaluation of the progress made on the activities in the plan. Since plan publication, approximately four years prior to the review, the CBNMS staff completed four percent of its management plan activities and successfully implemented 54 percent of programs, resulting in almost 60 percent of the management plan activities being either completed or ongoing. Much of the overall plan is the cross-cutting activities, and CBNMS has not had the capacity to do all those [and some are not pertinent].
- A few highlights: the multi-year effort to expand the sanctuary begun in 2012 to nearly double its former size was successful, and was completed in 2015; exhibits were installed at a new Point Reyes National Seashore Lighthouse Visitor Center; ONMS staff and partners worked to implement a voluntary Vessel Speed Reduction project to reduce lethal ship strikes of whales; all high priority habitats in CBNMS were mapped; and ONMS continued conducting the Applied California Current Ecosystem Studies (ACCESS), gathering data in conjunction with multiple collaborators.
- Looking at the five CBNMS site-specific action plans, five percent of those total activities were completed and sixty nine percent have been successfully implemented. Thus, seventy four percent of the CBNMS site-specific action plan activities are either completed or ongoing.

- While there are a few completed activities that are no longer relevant, this management plan, and its action plans, strategies, and priorities, continue to be relevant for guiding CBNMS operations and programs.
- The process to draft the next Condition Report begins in 2020, and the next major management plan evaluation is scheduled to follow, beginning in 2022.
- The CBNMS results were submitted to ONMS.
- For the next review, starting in 2022, we will go over the process with the advisory council and review the existing plan. Possibly advisory council working groups may form to look at specific plan topics, then report back to the full group. The advisory council will be able to provide input on the accomplishments, what the group would like the CBNMS staff to include in the next plan, and what parts may not need to be included in the next version.

Members' and Alternates' Reports (CBNMSAC)

Leslie – The lighthouse project at Point Reyes is nearing; it is expected to be open later in the summer, with some short-term exhibits. It is unclear when the final exhibits will be ready. She mentioned a few upcoming activities, such as a stargazing program and a tidepool activity. Point Reyes National Seashore Association (PRNSA) has been working with partners on setting up a National Geographic Open Explorer expedition to gain shared use of a Trident mini-remotely operated vehicle from National Geographic, to share among Golden Gate Marine Protected Area (MPA) collaborators for both research/documentation of eelgrass recovery after disturbance in local MPAs. They and their partners will also be using it for education programming and interpretive opportunities to show visitors and students the biodiversity that thrives in giant kelp and eelgrass beds. Finally, she said she attended the recent Ocean Climate Summit; and reviewed what some of the sessions were about. There was not a lot of discussion about mitigation and reducing emissions; she would have liked to see more of that.

George – The GFNMS Advisory Council (GFNMSAC) working group on restoring native Olympia oysters in Tomales Bay had its first meeting. There has been a lot of research on restoration of native oysters by the Bodega Marine Laboratory, and there have been restoration activities. The working group is gathering a lot of information and will work to make a recommendation to the GFNMSAC at its August meeting. Characteristics of the bay and possible places for restoration have been discussed. Native oysters thrive on moorings; potentially riprap or “living wall” surfaces could be additional places for native oysters and other sea life to thrive in the bay.

Update on Dungeness Crab Fishery, Whale Entanglements, and Involvement of the California Dungeness Crab Fishing Gear Working Group (Ryan Bartling, Dick Ogg, and Karen Grimmer)

- Lilli introduced the presenters and the topic.
- Ryan, who is with the California Department of Fish and Wildlife (CDFW), said he had been with the department for about twenty years. He gave the background about the California Dungeness Crab Fishing Gear Working Group (CDCFGWG): it was established in 2015 by the CDFW in partnership with the California Ocean Protection Council (OPC) and NOAA Fisheries; its purpose is to address an increase in large whale entanglements in Dungeness crab fishing gear, while supporting the fishery; and it is comprised of commercial and recreational fishermen, environmental organization representatives, members of the disentanglement network, and state and federal agencies.
- The CDCFGWG collaboratively informs CDFW, OPC, FGC, and the California Legislature to: reduce the risks of entanglements in Dungeness crab fishing gear, provide guidance to the fishing industry to avoid or minimize whale entanglements, identify measures or experiments to reduce risk, and establish working group priorities. The group has developed a Risk Assessment and Mitigation Program (RAMP), a Management Measures Toolbox, and other products.

- In October 2017, the Center for Biological Diversity filed a lawsuit against Charlton H. Bonham regarding alleged illegal take under the Endangered Species Act (ESA). The Pacific Coast Federation of Fishermen's Associations later intervened on behalf of the Dungeness crab industry. In November 2018, CDFW announced it would seek a federal permit under the ESA to address protected species interactions with the crab fishery. In March 2019, a settlement agreement was reached. There were a number of requirements. The commercial crab fishery was closed statewide, with all gear to be out of the water by April 15, 2019. The central zone will close likely April 1 next year and thereafter, until CDFW receives an incidental take permit or the CDCFGWG can show low risk to whales. CDFW and the CDCFGWG will be conducting risk assessments, and CDFW is developing regulations for gear retrieval of fixed gear and the RAMP.
- A draft habitat conservation plan must be done by May 15, 2020. It will be developed in a public process. The CDCFGWG will help with drafting that, finalizing Blue whale and Leatherback sea turtle risk assessment factors, aerial survey training, and supporting gear innovations.
- All line gear will have unique identifying tags.
- Karen, who is the Resource Protection Coordinator for Monterey Bay National Marine Sanctuary (MBNMS), is an advisor to the CDCFGWG. Jaime Jahncke is also an advisor.
- Using data from NOAA Fisheries, Protected Resources, she provided a summary of whale entanglements they had verified on the West Coast from 2015 – 2018. There was an increase in 2016 over prior years; the warm water blob changed where species went, and there was also a domoic acid incident. The numbers have dropped off a bit since then.
- In 2018, there were seven whale entanglements with Dungeness crab gear; six were humpbacks and one was unidentified.
- There are other reports of entanglements that do not get verified. Also, sometimes an entangled whale has gear from somewhere else. NOAA Fisheries tries to determine, through forensics, where the gear is from, where a whale became entangled, and where the whale went.
- The CDCFGWG works on the RAMP and its four risk factors: number of entanglements, forage/ocean conditions, whale concentrations, and fishing dynamics. It does data collection to identify the overlap between whale densities and gear locations to better forecast risk. The group also works on gear innovation projects, such as “ropeless” traps.
- The risk factors are put together to come up with an overall risk factor. The CDCFGWG convenes when any risk factor is elevated; they evaluate it and discuss management measures to address the risk. So far have not had to go to the management measures toolbox - that contains a list of measures that could be given to the Deputy Director for making a decision.
- Data sources include areas surveys by NOAA, Northwest Fisheries Science Center (NWFS), whale watch operator data for Monterey Bay (which is analyzed by NWFS) and vessel surveys of whales and crab pots done during ACCESS.
- Two tests two types of “ropeless” crab trap gear were done in May 2018, one in Bodega Bay and one in Monterey Bay. A Fiomarine Fiobuoy had four successful tests and a Desert Star had one successful retrieval and one unsuccessful retrieval-unit lost and not yet recovered. Initial observations are that the technologies are simple to learn and use; the gear may move from an initial set location; recoiling/repacking line causes delays; an acoustic release may need multiple attempts; there are concerns with visibility and retrieval; and deployed gear may be located with an echosounder. The National Marine Sanctuary Foundation (NMSF) is considering providing funding for more testing.
- Whale entanglement response teams have participation from all involved agencies, and from trained volunteers. There are some geographic gaps, however.
- Dick showed a model of his crab gear and explained the parts of it. He sees the animals, and the actions they take, when he is out fishing. He has noticed areas where there are a lot of krill. The whales feed differently on live bait, where the live bait (anchovies and herring) is trying to get away from them, than when they are pursuing krill (in which case the whales swim more slowly and directly). Back in 2016, the warm water blob happened, and there were not a lot of krill; the whales were pushed inshore, and the commercial crab fishing season was delayed. The crabs were concentrated in Monterey Bay. After that

year, they worked with the gear, including tightening up the ropes. Entanglements have decreased since then. The fishermen have been trying hard to get all the gear in.

- He emphasized that slack lines that create a “W” are unacceptable, creating the potential for whales to get entangled. They have tried to minimize the line of the trailer, as well as the number of surface buoys. They have also changed their rope scopes. Fishermen have been encouraged to use a neutral line, which does not require a lead to go under the water. With no lead and a shorter scope, there is no “W.”

- Two of the entanglements in 2018 were with recreational pots. In 2019 so far, they have zero.

- One type of innovative gear he has tried is a Yale grip (spliced lines with two loops on the end). There is a weak spot in the middle. Supposedly, if a whale gets entangled, the line will break there. There is also a computerized device that can cut and sever the line when an animal is entangled; it is designed to relieve the stress on the line (which may allow the buoys to pull off it) The line cutter device is bulky, and fishermen are concerned about losing their gear. “Ropeless” Fiobuoy gear has potential, as it would remove vertical lines from the water, except for during its retrieval. However, if used, people would not know if the gear was already set there, and could set on top of it. Also, the enforcement folks would have no way to tell how many pots were out there. In addition, each Fiobuoy would require an extra minute to retrieve, which, when considered cumulatively, would make using it unworkable for the crew.

- Karen added she thought there were other gear options as well. If other gear could be utilized that mitigated the risk to whales, fishing could still occur.

- Australia is ahead of the curve, with one of the manufacturers, on fishing gear innovation. There been interest from the Ocean Protection Council and various foundations in providing funding. Two people in CDFW are dedicated to this at this time.

- Oregon and Washington are also looking at management actions.

Public Comment

- There was none.

Advisory Council Business – Election of Chair and Vice-Chair (Leslie and Lilli)

- Leslie reviewed that Bec Detrich and Chris Hendry were the candidates for Chair and Kai Martin and Dick were the candidates for Vice-Chair. She invited each to give a brief statement about themselves and their interest in serving in those positions, which they did.

- Lilli then described the election procedure by written ballot. In officer elections, governmental members (or their alternates, if the members are not present) also vote.

- After the ballots were cast, Lilli and Dan tabulated them.

- Bec was elected as Chair and Dick was elected as Vice-Chair.

- They will serve two year terms in this capacity, with the next officer election to be in April 2021.

CBNMS/CBNMSAC Discussion of Local Engagement of Native American Tribes (Leslie and Dan)

- Leslie noted this issue was brought up at the last meeting. She asked Tessa if she wanted to speak.

- Tessa stated she just wanted to have it as a discussion item on the agenda; she wanted to make sure that various perspectives are represented at the table, and said one of those might be a Native American tribal voice. Several peopled contacted her after the February meeting, sharing their differing perspectives.

Work with tribes may be hard, but that does not necessarily mean it should not be done. Another was that there are a diversity of other groups that could maybe work on tribal issues. She thought the issue of tribal engagement came up at the recent Climate Summit in San Francisco. She felt interactions between the sanctuaries and the tribes have been limited. She said they may be invited to things like that summit or when there is a real need, but not necessarily early and often enough.

- Leslie agreed with the concept, “early and often enough” and also felt that communication should be done in the right way.

- Dan, with Lilli, gave some background on what has been done at some of the other national marine sanctuaries. Of the fourteen sites in the National Marine Sanctuary System, five include tribal or native Hawaiian representation on their advisory councils. He characterized work with federally recognized

tribes in our region as interesting. Lilli created a summary of CBNMS interactions with local tribes and related issues in responding to an internal ONMS information request from maritime heritage personnel. CBNMS and GFNMS actively solicited three [federally recognized] tribes for any comments during the process to expand the two sanctuaries; that was a good way to engage them. GFNMS got one comment related to Native American use of a sanctuary resource - though this was not a comment from a tribe; it came from an individual – and CBNMS did not get any feedback related to tribal issues in CBNMS.

- Dan felt it was a good idea to have this discussion, adding that it must be considered how a seat on the advisory council would help CBNMS management in managing the sanctuary's resources and that there are other ways to engage on common issues. We are legally bound to interact with a tribe when there is an issue that could impact them, so will continue doing that outside the CBNMSAC, he affirmed.

- Brian reviewed that tribal consultation was legally required when CBNMS and GFNMS were expanded. We sent letters, but did not hear anything back, so did phone calls. He also attended a tribal council meeting. Post-expansion, he also followed up on a GFNMS certification issue. A tribe is a nation, so adding a seat would be kind of like having a representative from Canada or Mexico. Kashia members have been shadowing a senior Beachwatch person (a GFNMS citizen science program) to learn about the program and for developing their own monitoring protocols. There are three federally recognized tribes along the [northern] coast of GFNMS, plus Coastanoa for Monterey (the GFNMS staff administers matters in the northern portion of MBNMS). The person at the Climate Summit mentioned earlier is part of a GFNMS Advisory Council kelp restoration working group. Brian said he had a number of questions, including if one tribe would be asked to represent all tribes as well as if there was a desire among tribes to be on the CBNMSAC. Each tribes deals with a lot of tribal issues, housing, economy, etc. [and they may have small staffs]. He mentioned Lilli had been involved in the efforts to consult the tribes as part of the CBNMS-GFNMS expansion and GFNMS effort to certify certain pre-expansion activities.

- In further discussion, nearly all around the table offered perspectives, statements, suggestions, or questions, among them, these: ideas of people/groups to consult about this; questions about the objective of including a tribal seat on the CBNMSAC and where would that would fit in or could tribe(s) be included in outreach efforts by the right CBNMS program; the tribes were here before anyone else; a question regarding if the tribes are using CBNMS now; a belief that there are Native American developments under the ocean in CBNMS; there is a difference between diversity and inclusion and a desire to include all voices, but all do not necessarily have to be here at the CBNMSAC table; engaging tribal perspectives about CBNMS could be a step by step process, including a step to ask the community(ies) what they would want; federally recognized tribes are their own nations and must be treated as such; need to ensure no one is inadvertently put off; who to include in an advisory council working group; notifying tribes during each CBNMSAC seat application round; have the first step be to include the local federally-recognized tribes as part of CBNMS education and outreach efforts; how far afield geographically to go in considering advisory council seat inclusion; that further research is needed before approaching community members, as the CBNMSAC does not yet know what it might recommend to the Sanctuary Superintendent; whether a given sanctuary's regulations specifically includes mention of tribes or not; that NOAA Fisheries staff in our area regularly interact with tribes that fish, particularly on the issue of fishing for salmon in the Klamath River; and that there are a range of possible options, from formal to informal engagement.

- Dan brought up that the Channel Islands National Marine Sanctuary Advisory Council has a Chumash Community seat, and he understood from talking with that sanctuary's management that not all within the federally recognized Chumash tribe have the same opinions. In this area, of the three federally recognized tribes consulted during the CBNMS and GFNMS expansion process, the Federated Indians of Graton Rancheria (consisting of Coast Miwok and Southern Pomo groups, with the tribal headquarters in Rohnert Park) could be one to engage further. Then, in response to a question, he said, if the Director of ONMS created a new seat (if Dan recommended that), for tribal representation on this advisory council, Dan stated it would need to be filled consistently, explaining there is little point to having an advisory council seat that goes unrepresented.

- OCNMS has four coastal treaty tribes on the Olympic Peninsula on its advisory council, Dan said. In addition, there is an Intergovernmental Policy Council for government coordination on resource management in that area, in which OCNMS, the tribes, and other government agencies participate.
- Brian added, in his interactions with the local federally recognized tribes during the expansion process, specific issues discussed [related to GFNMS management] were fishing for abalone and who has jurisdiction over the closure decisions, salt harvest, algae harvest, and coastal inundation/land-sea interface issues.
- Lilli mentioned one published reference on tribal use in this area, which advisory council already have, is the environmental impact statement for the CBNMS and GFNMS expansion. It includes text on maritime heritage, tribes, consultation, etc. She also mentioned that, prior to making the final expansion decision, sanctuary management looked at the idea of adding new seats to the CBNMAC and if there was any compelling reason to doing so, and decided not to make any recommendation for adding new seats to the ONMS Director.
- Several people expressed that CBNMS consideration of a diversity of perspectives relevant to sanctuary management was important. Chris Hendry moved to have a work group on diversity. The motion was not seconded. After a brief discussion, the group desired to stay focused on the topic as originally broached, and Chris withdrew the motion.
- A motion was moved by Kai Martin and seconded by Mike Cummings: A proposal for a five to six person Advisory Council working group, to develop a plan of approach for Native American tribal engagement with the CBNMS and to bring that back to the Sanctuary Advisory Council by the next meeting what that approach is, for final approval and next steps. Discussion ensued. Dan suggested taking out “final approval,” and there was agreement with this change.
- An amended motion to form a Native American working group was moved by Kai Martin and seconded by Mike Cummings. The motion passed unanimously. Below is the final text approved by the motion.

A proposal for a five to six person Advisory Council working group, to develop a plan of approach for Native American tribal engagement with the CBNMS and to bring that back to the Sanctuary Advisory Council by the next meeting what that approach is, for next steps.

- A motion was moved by Chris Hendry and seconded by Kai Martin: That the advisory council form a diversity and inclusion advisory council working group. Discussion ensued: Kai said he had heard a couple of things during the preliminary discussion, including that the makeup of the existing CBNMSAC was not as diverse it could be or about how to improve the recruitment methodology, to make who is in the seats is more diverse. Chris agreed; his understanding was to look at the people in the seats, not the seats. Lilli briefly explained the recruitment process, noting that Dan makes recommendations from among the applications received during each recruitment round to the Director of the ONMS, who makes appointments. She also reviewed that the CBNMSAC Chair forms both types of subunits of the advisory council. Dan expressed concern about having two working groups going at the same time, as a capacity issue. He also suggested the topic was more appropriate for consideration by an advisory council subcommittee than an advisory council working group; there was agreement with this change.

An amended motion to form a subcommittee on diversity and inclusion was moved by Chris Hendry and seconded by Kai Martin. The motion passed unanimously. Below is the final text approved by the motion.

That the advisory council form a diversity and inclusion subcommittee.

- Dan proposed that Bec work on forming the CBNMSAC working group over email. Once that group’s work has concluded, then have the CBNMSAC subcommittee meet. She and the advisory council confirmed these suggestions made sense.

Members' and Alternates' Reports cont. (CBNMSAC)

Chris – mentioned he is on the Harbor Safety Committee [of the San Francisco Bay Region]. In a Navigation Work Group meeting, in discussing the upcoming May 1 voluntary Vessel Speed Reduction (VSR), a few people in the oil tanker community recommended that the electronic charts give notice of when VSR is in effect. The Vessel Traffic Service folks said a virtual Automatic Identification System (AIS) is one way to do it; one would click on an electronic marker to bring up the information. A reduction in speed is normally figured while still way out. Chevron has said to masters that, unless they hear otherwise, they are to adhere to the VSR; it is in the voyage orders, which covers all vessels, not just Chevron-owned ones. The USCG, which would have to endorse the AIS issue, was supportive on the first pass.

CBNMS Resource Protection, Conservation Science, and Education and Outreach Program Reports (Dan, Danielle, and Lilli)

Resource Protection: Lilli reported that, since the last meeting, two permits for activities in CBNMS were issued, and three permit applications and one request for a Letter of Authorization under the Superintendent's permit are under review.

- In general, the types of activities that may qualify for a permit include research on sanctuary resources, educational activities, and activities that further sanctuary management objectives, which would otherwise be prohibited by the sanctuary regulations. She also said there is the ability to apply for a Special Use permit for specified activities in national marine sanctuaries; examples include placement and recovery of objects related to commercial filming, continued presence of commercial submarine cables on/in the submerged lands, disposal of cremated human remains within or into any national marine sanctuary, and fireworks displays.

- On the voluntary VSR initiative in the San Francisco Traffic Separation Scheme (SF TSS), NOAA, ONMS requests a voluntary VSR from May 1, 2019 until November 15, 2019, within the SF TSS. Vessels 300 gross registered tons or larger transiting the SF TSS are encouraged to transit at speeds not in excess of 10 knots. These areas contain concentrations of endangered blue, humpback, and fin whales that are protected under federal laws. Please report any collisions with whales or any observed injured or dead whales to NOAA at 877-767-9425 or to the U.S. Coast Guard on VHF Channel 16.

- An awards ceremony is being held on May 16 in San Francisco, to recognize the companies that cooperated with NOAA's 2018 voluntary VSR efforts to protect endangered whales in the San Francisco Bay Area and the Santa Barbara Channel region. On the separate financial incentive voluntary VSR effort, those companies that received awards were recognized at an event held on March 6 in Long Beach.

- ONMS has new web pages on climate change and the national marine sanctuaries. Also, the 5th Ocean Climate Summit was held in San Francisco on April 18, with the CBNMS staff and some Advisory Council members participating in various roles. Brian can provide more details.

- Finally, she related that, per an email from NOAA Fisheries, West Coast Region, the anticipated schedule for Amendment 28 final implementation is to publish a proposed rule in June 2019 and a final rule in fall 2019. The goal is to have Amendment 28 implemented on January 1, 2020. The NOAA EIS summarizes this proposed amendment to the Pacific Coast Groundfish Fishery Management Plan considers changes to Essential Fish Habitat Conservation Areas (EFHCA), adjustments to the groundfish trawl rockfish conservation area, and prohibiting bottom contact fishing activities deeper than 3,500 meters. These actions could change where and when bottom trawl fishing is allowed off Washington, Oregon, and California, the timing and location of bottom trawl closures, and EFH areas within CBNMS and elsewhere. She referred people to this website: <https://www.pcouncil.org/groundfish/fishery-management-plan/amendment-28/>.

Conservation Science: Dani reported that the CBNMS science staff is growing; Rachel Pound has joined her and Kaitlin Graiff and is working on a number of initiatives. Rachel helped in writing the CBNMS 2018 Science Accomplishments report. She provided copies of it.

- She mentioned what she talked about at the recent Climate Summit; it was great to talk about ACCESS data and how they show patterns in the changing climate.
- Coming up are three ACCESS cruises; this will be the 16th year of ACCESS.
- There are no benthic science field activities in FY 19, but they are going through data and still finishing up some 2017 analysis. They are working on a technical report for remotely operated vehicle data and may put together a manuscript.
- Kaitlin is working data gathered during the 2017 cruise on the *Nautilus*; the hope is to have that done before go out on the *Nautilus* again this year.
- Regarding hypoxia data, Rachel participated in a recent buoy swap out. Kate Hewitt is working on hypoxia data products, which may be available soon. Kate hopes to finish her Ph.D. in 2020.
- The goal for the acoustic monitoring is to look at the soundscape of the sanctuary. A graduate student at Oregon State, a Nancy Foster scholar, is working with the data; data products may be available in the summer or the fall. There is a plan (still under development) to retrieve the equipment and redeploy it in the fall.
- Looking ahead, a *Nautilus* cruise, to be done jointly with GFNMS, is planned for October 4-10, 2019. She, and Jan Roletto of GFNMS, will both be on board. They would like to explore some of the deeper sanctuary areas that have not yet been explored.
- The next CBNMS Condition Report revision process is coming up. The last one was published in 2009. These reports follows drivers-pressures-state format, standardized across ONMS, to indicate what is happening in CBNMS. There have been some changes to the format, with new questions added, since the 2009 publication. She will let the advisory council know how they may be involved later.

Education and Outreach: Dan mentioned again that Justin is now filling in for Jenny as the CBNMS Education and Outreach Coordinator. Justin is also continuing to work part time at GFNMS, where he has been the Visitor Center Manager since 2006.

- Jenny and Dan finalized comments and finished sourcing photos and video for the South Florida Public Broadcast System (PBS) film series, “Changing Seas.” It will air in summer 2019 on South Florida PBS, and at that time will be online and on YouTube. The film takes a viewer on an overview of the sanctuary and highlights research projects such as hypoxia and the ACCESS collaboration with GFNMS and Point Blue Conservation Science (PBCS). Dan provided interviews and has seen a sneak peak of the latest version.
- Dan attended two days of the San Francisco International Ocean Film Festival (SIOFF), sponsored in part by ONMS. He and Jenny had also participated on the screening committee for the student film competition. Jenny was part of a panel discussion focusing on the United Nations Global Goals for 2030 for the ocean.
- Planning is underway for the CBNMS 30th Anniversary Celebration in the Goldman Ballroom at the Hotel Petaluma (already reserved) on September 14, 2019. More details will be forthcoming; there will be finger food, and the event will be open to the public. Likely, the “Changing Seas” film will be shown.
- In celebration of Get into Your Sanctuary Day on August 3, 2019, CBNMS will continue to partner with the historic Arena Theater in Point Arena, SIOFF, and GFNMS on a screening of ocean-themed film shorts. More details will be forthcoming.
- On April 1, for “Guest Reader Day”, Lilli read several stories to 3rd graders at Mary E. Silveira Elementary School, including stories from *Acting for Nature*, a book with stories researched, drafted, and edited by a team of volunteers (including Lilli), then finalized by a professional writer and illustrator.

Members’ and Alternates’ Reports cont. (CBNMSAC)

Lilli (on behalf of Don, who had to leave the meeting) - New Special Agent Radcliff Dew is on board, in the Santa Rosa Field Office, and is completing his final seven weeks of field training before he takes over representing NOAA Fisheries at future SAC meetings. Sam Smith, a uniformed Enforcement Officer, originally hired for the Santa Rosa Field Office, was transferred to the Monterey Field Office. He is attending law enforcement boat training in three weeks before beginning his twelve week Field Training

program. Once training is completed, Enforcement Officer Smith may become one of OLE's first responders (along with Special Agent Dew) to MBNMS and CBNMS sanctuary complaints or enforcement issues.

Jaime - talked about past seabird mortality events, with people walking and collecting carcasses on the beaches. With Beachwatch, they did an analysis of the eight most common bird carcasses found. High carcass density of immature Brandt's cormorants during the fall was a good indicator of population declines during the next breeding season. High carcass density of immature Cassin's auklets during the summer was associated with population declines two years later. For common murrelets, no significant associations between carcass deposition and future population change was found. PBCS submitted comments to NOAA on the Multi-Year Harvest Specifications for the Central Subpopulation of Northern Anchovy, based on their science. In central California, forage fish consumption by seabirds tripled from about 15,000 tons in 1995 (when the last anchovy quota was calculated) to 60,000 tons in 2015. In the ruling, which was a response to Oceana's lawsuit on forage fish, NOAA Fisheries biologists proposed catch limits of 24,000 metric tons, similar amount to the 25,000 metric tons from 25 years ago, and without considering the needs of predators, and updating their models. On a "bird's eye view" of juvenile fish abundance throughout the California MPA network, foraging rates of coastally breeding seabirds can help assess trends in juvenile fish recruitment to nearshore habitats. They used foraging rates of two coastally breeding, piscivorous [fish-eating] seabirds to index juvenile fish recruitment to nearshore habitats along the California coast and found foraging rates were highest in the leeward of headlands and more stable against changes in upwelling variability. Relaxation in upwelling appear to be important for fish recruitment to all other coastal habitats. PBCS will be meeting with the OPC, Energy Commission, Coastal Commission, CDFW, and the California State Lands Commission to talk about energy siting. Their goal is to provide recommendations on offshore wind energy siting in California guided by, and based on, a comprehensive and transparent analysis of data layers included in the California Offshore Wind Data Basin. Analysis includes quantification of impacts to habitats, species and ocean uses, and accounts for offshore energy potential in a statistically rigorous framework derived from the perspectives of management agencies, potential developers, ocean users, and conservation organizations. Finally, he mentioned an initiative that may be of interest to the group called Happywhale, which engages citizen scientists to take photos, for scientists to make identifications of individual marine mammals.

Brian – ACCESS, the voluntary VSR, and the recognition events, as well as the education and outreach backfilling, have already been covered by others. He thanked Dani and Tessa for their participation in the Climate Summit and said there had been a lot of positive feedback. GFNMS is preparing for summer camps. The seabird team will be in Half Moon Bay the Sunday following this meeting, talking with pilots.

Noah Wagner - a lot has been going on in Bodega Bay, including sport salmon and rock cod fishing. The commercial guys are busy getting their pots out of the water and getting ready for the salmon, which opens on the 1st. People are also getting ready for the Fisherman's Festival on May 4 and 5, which is a lot of fun. Finally, Josh Churchman wrote a book, which is for sale at the marina.
- It is all about Cordell Bank, Dan said.

Tom Anderson – San Francisco Bay is about to get really busy as Sail GP will occur on May 4 and 5. There will be hulls from America's Cup boats, and closures in the bay. He saw a Patagonia movie about salmon called "Artificial." It discusses impacts of hatcheries and dams on salmon and how that has impacted everything, including out into the ocean. Salmon have gone from about 22 to about 8-10 pounds. He encouraged people to see it.

Tessa – said what she saw of the Climate Summit was really great. Her session was in the morning. She and Carina Fish co-chaired a session. Carina gave some of the ACCESS data. During warm years, they do

not have ocean acidification stress. When thinking about stressors on animals, it might not be everything layered on top of them; the results might be more complicated. She thought they would not be able to see that without the ACCESS data. She mentioned money being provided to look at ocean acidification patterns; part of the money will be to look at Dungeness crab and ocean acidification stress. She thought the experiments are on juveniles, from weeks to months in duration. This will help fill in information gaps when used with work others have already done on the crab larval stages.

Bec - all public schools in California have to fulfill Next Generation Science Standards; they include climate science. On the state level, there is an association of outdoor and environmental educators, and a few weeks ago, Westminster Woods hosted a conference with over 250 of these folks. It included good oceans and climate information. Westminster Woods has been using the Winged Ambassadors information. In addition, they also have a project with 2000 smolts that do imprinting at Westminster Woods; kids, working with the Army Corps of Engineers, release them. Kids also have an activity to put dead salmon in the creek, for nutrient loading.

Mike – he also saw the salmon movie. People can view the trailer and promotional materials on the Patagonia website. Anyone who wants to host the movie can get a DVD or blue ray disk.

Dick – As Noah said, the salmon season starts May 1. They will be able to fish below Pigeon Point, and on May 15, by Point Arena. It looks like there are quite a few salmon available. Commercial fishermen fish deeper for salmon than recreational fishers do. They may be releasing some salmon smolts in Bodega Bay, something they tried to do in the past (which did not work out). If so, he hopes the fishermen can fish locally in the future.

Steve Tubbs – he has been working in his role as a fly fishing instructor, including updating Facebook pages, to get out information out about CBNMS. He is also putting up river information, dam removal information, and trying to tie that to the bigger picture of CBNMS for people. He is amazed at how many people do not know about CBNMS.

Leslie adjourned the meeting at 3:20 PM.