

NOAA CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

Advisory Council Meeting

Friday, September 8, 2023

9:00am-12:45pm PT

Hybrid Session: Santa Barbara Zoo and Google Meet

Final Key Outcomes

This virtual public Advisory Council meeting was not video or audio recorded.

Please contact Michael Murray (michael.murray@noaa.gov) to request a copy of any presentation slides.

Welcome, Technical Check-in, and Administrative Business

- Council Vice Chair Phyllis Grifman (Research seat member) called the Advisory Council meeting to order, described the purpose and composition of the Advisory Council and its bi-monthly meetings, and provided opening remarks.
- CINMS Deputy Superintendent for Programs, Mike Murray, oriented attendees to the online meeting technology and practices for effective participation.
- Murray confirmed in-person and online attendance, counting the presence of 27 Council members representing 19 out of 21 voting seats (Appendix A). In addition to Council members, several members of the public and sanctuary staff were in attendance both in-person and online.

July 21, 2023, Advisory Council Meeting Draft Key Outcomes

- The Advisory Council approved draft key outcomes from the July 21, 2023, Advisory Council meeting. There were no abstentions from the motion.
- A copy of the key outcomes is available upon request to Mike Murray (michael.murray@noaa.gov), and will be posted on the [Sanctuary Advisory Council Meeting Notes web page](#) upon finalization.

Council Member Announcements

Council members provided the following announcements:

- Ken Owen (Public-at-Large seat member) shared that Channel Islands Restoration is hiring two boat captains and they received funding to repair the wharf at Santa Barbara Island. The project will begin in October 2023 and conclude the following year.
- Pike Spector (CA Natural Resources Agency seat alternate) shared that the Ocean Protection Council's Kelp Restoration and Management Plan (KRMP) Community Working Group met for the first time in August 2023. The Science Advisory Committee for the KRMP will convene to inform scientific best practices, including the kelp loss on San Miguel Island.

- Mike Nelson (Commercial Fishing seat member) shared that he and John Hoadley (Commercial Fishing seat alternate) have met to discuss re-starting the Commercial Fishing Working Group as Co-chairs. They are looking to recruit anyone interested in participating and initial areas of interest include kelp restoration and marine debris.
- Kevin Brannon (Recreational Fishing seat alternate) shared that he hosted his first fundraiser since COVID at the Channel Islands Yacht Club and raised \$28,000. He also received grant funding to support fishing rod building lessons.
- Chris Ragland (Public-at-Large seat alternate) shared that The Sea League (TSL) received a Get Into Your Sanctuary grant which funded a trip with Channel Islands Expeditions for 13 young girls with Girls Inc. The trip included kayaking and snorkeling. In the fall, TSL's Big Blue Bridge program will teach kids how to swim at the YMCA pool so they can participate in the summer ocean programs. He shared that if anyone is interested in being a volunteer swim instructor to let him know.
- Phyllis Grifman (Research seat member) shared that Sea Grant is hiring a Climate Resilience Specialist and they also recently hired a postdoc to work on marine debris with the city of Santa Barbara.
- CDR Ariel Berrios (US Coast Guard seat member) provided the Coast Guard incident report. They shared that there has been a 230% increase in Living Marine Resources and Marine Safety boardings on commercial fishing vessels since Operation Ocean Osprey. They will conduct a Surge Operation at the beginning of October for spiny lobster season with an 87-foot patrol boat and air support around the Channel Islands MPAs. Coast Guard units are attending an upcoming MPA training on September 20.

Sanctuary Superintendent's Report

CINMS Superintendent, Chris Mobley, welcomed attendees to the Advisory Council meeting and shared the following updates:

- Mobley shared that on August 12, 2023 the Chumash Community successfully completed the 23-mile crossing from Channel Islands Harbor to Limuw (Santa Cruz Island), landing the tomol *Muptami* ("deep memories") at Swaxil (Scorpion Valley), and were greeted by hundreds of Chumash family members and friends.
- Mobley shared that 100 years ago on this day (September 8, 1923) the Pacific Mail liner Cuba, en route from Panama and Mexican ports to San Francisco, ran aground on rocks at Point Bennett, San Miguel Island.
- Mobley shared that the new 29-foot CINMS research vessel, the *Minke*, is now conducting sanctuary missions. Its first working mission was a Giant Sea Bass Tagging trip to Santa Cruz Island on August 4, 2023.
- Mobley shared that on August 4 and August 27, sanctuary staff and UCSB partners dove off Santa Cruz and Anacapa islands to look for and tag Giant Sea Bass. This is part of an ongoing project headed up by Dr. Ryan Freedman, Research Ecologist at the sanctuary that aims to understand the species' overwintering behavior.

- Mobley shared that a new project is starting up in the sanctuary through October to validate the modeled spatial distribution of deep sea coral and sponge habitats. NOAA's Northwest Fisheries Science Center and NOAA's National Centers for Coastal Ocean Science (NCCOS) will work with CINMS to deploy ROVs and AUVs to groundtruth the accuracy of deep sea coral and sponge habitats previously modeled by NCCOS.
- Mobley shared that sanctuary staff recently reached out to advisory council members asking for feedback and information regarding offering stipends for council member meeting participation. He asked that advisory council members provide that feedback today, September 8, 2023.

Staff Process Update on Proposed Chumash Heritage National Marine Sanctuary (CHNMS)

Mike Murray, Deputy Superintendent, provided an update to advisory council members on the proposed CHNMS.

- Murray shared that NOAA recently released the draft designation documents and opened up the public comment period until October 25, 2023. The draft documents can be found [here](#).
- Murray provided an overview of the range of boundary alternatives and noted the Agency-preferred Alternative, developed after a NEPA analysis, with input from cooperating agencies, government-to-government consultation, and outreach with tribes and Indigenous communities.
- Murray explained that the Agency-Preferred Alternative focuses management on core areas and resources requiring conservation (Santa Lucia Bank, nearshore reefs, and Indigenous cultural resources along Gaviota Coast), considers construction impacts from laying electrical transmission cables between wind leases and Morro Bay, and avoids substantial issues raised by Salinan Tribal bands regarding naming their shared historical areas "Chumash".
- Murray shared that the proposed regulations within the draft management plan are similar to other California national marine sanctuaries, include standard permit processes, exemptions for Department of Defense's existing activities, and does not include any fishing regulations.
- Murray shared there is a significant Tribal Collaborative Management component and the draft documents include a draft framework for Tribal Collaborative Management.

Council member questions and discussion included the following

- One member asked why the tribal engagement component is so complicated, and asked if NOAA looked to other similar processes.
 - Murray responded that, yes, models from many areas were reviewed. The variety of engagement options provided by the proposed structure is based on receiving feedback from a variety of local tribes, and with respect to the legal parameters of what's possible under the National Marine Sanctuaries Act. The Intergovernmental

Policy Council (IPC) structure is a way for NOAA to engage with federally recognized tribes, and it was first created at the Olympic Coast National Marine Sanctuary. There are also many non-federally recognized tribes that would not be able to engage within the IPC structure, so a focused Indigenous Cultures Advisory Council working group is proposed, as well as seats on a future sanctuary advisory council, and also an option for tribally-led non-profit organizations to jointly partner with NOAA on sanctuary programs. So there is a menu of options here.

- Another member asked how impacts from offshore wind will be dealt with if the impacts are expected to occur within the sanctuary boundaries.
 - Murray responded that offshore wind companies are required to disclose all potential impacts, with BOEM and other agencies guiding the review and approval processes. The proposed sanctuary's draft Resource Protection Action Plan calls for vigilance and involvement by sanctuary staff as those review and permitting processes play out.
- A member asked if the designation will pull resources from nearby sanctuaries, such as CINMS or the Monterey Bay National Marine Sanctuary.
 - Chris Mobley, CINMS Superintendent, responded that while it is to be determined, the hope is to provide the sanctuary with its own resources.
- Phyllis Grifman asked if council members were interested in writing a comment letter.
 - A small group of council members volunteered to meet and draft a proposed comment letter for council consideration. The volunteers included Phyllis Grifman (Research seat member, David Lopez (Recreational Fishing seat member), Blake Thomas (Public-at-Large seat member), Kevin Brannon (Recreational Fishing seat alternate), Sam Franz (Conservation seat member), and Christina Tombach Wright (Conservation seat alternate).
 - The CINMS Advisory Council agreed to meet for a special online session to vote on the draft letter prior to the October 25, 2023 comment letter deadline.

Partnership Development with California State University Channel Islands (CSUCI)

Jenn Perry, Executive Director of Regional Educational Partnerships, Office of the President, CSU Channel Islands presented about CSUCI's recent successes with regional partnerships and about developing a new partnership with CINMS.

Channel Islands Network of Marine Reserves & Conservation Areas and Update on State MPA Decadal Management Review

Carlos Mireles, Senior Environmental Scientist, California Department of Fish and Wildlife (CDFW), provided an update on the prioritization of recommendations from the state's MPA Decadal Management Review and an update on the process for submitting a regulatory petition. He explained that CDFW will utilize the existing regulatory petition process to consider MPA changes, and that the current timeline for submitting and review is under development. He noted

that they will receive more guidance from the Fish and Game Commission (FGC) during the upcoming months.

Sean Hastings, Resource Protection Coordinator at CINMS, provided a brief overview of the history of the Channel Islands MPA network, including the original goals of the MPAs ([2007 CINMS FEIS](#)). He explained that CINMS has received a wide range of requests to amend regulations before, during, and after the 2019-2022 management plan revision process including requests to maintain the status quo and protection levels, to increase protection in the form of more, larger, or more stringent zones, and to decrease protection in the form of smaller, less stringent MPAs. Council members were provided a handout that summarizes the requests. Hastings explained that sanctuary staff will review the Channel Islands MPA network performance and consider modification requests and adaptive management measures. CINMS will continue to work closely with and consult CDFW and the FGC.

Council member questions and discussion included the following:

- A council member asked for clarification on how annual fisheries regulations are determined within the sanctuary, such as catch limits.
- Mireles responded that the state's process for annually adjusting fishery regulations is different from the MPA petition process, and is determined by the California Fish and Game Commission.

Public Comment

Members of the public provided the following comments and remarks for guest speakers and sanctuary staff.

- Captain David Bacon, Wavewalker Charters, asked for a clarification on proposed seafloor protection regulations in the CHNMS regarding bottom contact fishing gear.
 - Mike Murray responded that those regulations would look similar to CINMS, with a seabed prohibition regulation that includes specific exceptions for anchoring vessels, lawful fishing activity, or other activities if issued a permit.
- Captain David Bacon, provided another comment on the CHNMS designation documents, stating that while the documents do not include any fishery regulations at this time, the recreational fishing community feels strongly that any future regulation should align with and be handled by the Pacific Fishery Management Council (PFMC) and their scientific guidance.
- Azsha Hudson, marine conservation analyst with the Environmental Defense Center (EDC), expressed appreciation for the council meeting to write a comment letter for the CHNMS. She noted that EDC supports the designation of the initial boundary with the Gaviota expansion and requests that the SAC show support for this boundary. Sanctuaries provide a safe haven for species and CHNMS will connect the important ecosystems that support a diverse array of species.

Domoic Acid Event Panel

- Council members received presentations from organizations involved in assessing and responding to the recent Domoic Acid (DA) event in the Santa Barbara Channel, including:
 - [Dr. Clarissa Anderson](#) (Director) and Megan Medina (Deputy Director), [Southern California Coastal Ocean Observing System](#) (SCCOOS)
 - Ruth Dover (Managing Director) and Sam Dover (Director of Veterinary Medicine, Research & Conservation), [Channel Islands Marine & Wildlife Institute \(CIMWI\)](#)
 - Michelle Kowalewski (Founder and Director), [Channel Islands Cetacean Research Unit \(CIRCU\)](#)

- Council member questions and comments included the following
 - Phyllis Grifman (Research seat), noted that this was a long event, and hopefully an anomaly. She asked if they have been able to draw inferences about the role of ocean temperature.
 - Clarissa Anderson responded that temperature is not an optimal indicator and that shifts in the ratio of macronutrients can indicate when an algae bloom will occur.
 - Alicia Cordero (Chumash Community Seat), first expressed her sympathy and appreciation towards the volunteers and first responders, and asked about the psychological toll. She also asked how the deceased animals are disposed of and if there are any challenges with disposal such as at a landfill vs. back into the ocean. She then also asked about the proportion of animals that were able to be released back into the environment.
 - Ruth Dover responded that CIMWI had a team of around 20 volunteers responding to reports and phone calls. It was difficult at the beginning because the public was not aware of what was going on and were often frustrated. This required taking the time to explain the situation. She also noted that volunteers were both physically and emotionally drained, and many were so dedicated that they didn't take time off. It helped knowing that they were making a difference by helping the animals and educating the public.
 - Sam Dover explained that once an animal had to be euthanized, it then had to be taken to a landfill or buried because of the medications in their system. Animals that received no medications or drugs could be disposed of in the ocean. He explained that they were making daily trips to the landfill at the height of the event. Marborg was very supportive and helped the organization cover the costs. He also explained that around 50% of the animals were able to go through rehabilitation and be released.

- Chris Mobley, CINMS Superintendent, asked about the health impacts associated with eating filter feeders (such as mussels or clams) and if there is any evidence or knowledge about baleen whales being affected by DA.
 - Michelle Kowalewski, CIRCU, explained that the Department of Health will issue closures and the last time humans were affected was in 1987 on Prince Edward Island, which resulted in three deaths and a total of 20 people affected. She noted that DA is water soluble and does not bioaccumulate, so it can be cleaned out of most fish. Kowalewski explained that there have been some positive blue whale samples, which were determined after the live whale defecated. She noted that it would take extremely high amounts of DA to affect a whale, but it is possible.

Santa Barbara Channel Whale Heritage Area

- Holly Lohius, Marine Educator and Naturalist, provided an update on the Santa Barbara Channel Whale Heritage Area application process. She explained that Whale Heritage Areas are a network of areas designated with well-developed and robust criteria where cetaceans and people exist in harmony. She thanked council members that provided letters of support to be included in the application, and encouraged other interested organizations to write letters of support.

Close Out and Next Steps

- Vice Chair Grifman announced that the council will decide on a meeting schedule for 2024. Initial dates were selected based on past meeting schedules and council members are welcome to propose other dates for the council to consider. Council members voted to approve the following dates in 2024:
 - Friday, January 19 (Santa Barbara County with online option)
 - Friday, March 15 (Ventura County with online option)
 - Friday, May 17 (Santa Barbara County with online option)
 - Friday July 19 (Ventura County with online option)
 - Friday, September 20 (Santa Barbara County with online option)
 - Friday, November 15 (Ventura County with online option)
- Vice Chair Grifman provided closing remarks and reminded attendees about the upcoming 2023 Advisory Council meetings:
 - October special session for CHNMS comment letter - Date to be determined
 - Friday, November 17 (Port of Hueneme with online option)

Appendix A. Advisory Council hybrid meeting attendance, September 8, 2023

<i>Name</i>	<i>Advisory Council Seat</i>	<i>Attendance</i>
Michael Cohen	Tourism member	No
Amanda Allen	Tourism alternate	Yes
Kaia Kababik	Non-Consumptive Recreation member	Yes
Molly Troup	Non-Consumptive Recreation alternate	No
Giles Pettifor	Business member	Yes
Jaime Diamond	Business alternate	Yes
Sam Macks Franz	Conservation member	Yes
Christina Tombach Wright	Conservation alternate	Yes
Mike Nelson	Commercial Fishing member	Yes
John Hoadley	Commercial Fishing alternate	No
David Lopez	Recreational Fishing member	No
Kevin Brannon	Recreational Fishing alternate	Yes
Michael Yorke	Education member	Yes
Andrea Mills	Education alternate	Yes
Phyllis Grifman	Research member	Yes
Robert Miller, Ph.D.	Research alternate	Yes
Ken Owen	Public-At-Large member	Yes
Chris Ragland	Public At-Large alternate	Yes
Stuart Kasdin, Ph.D.	Public-At-Large member	Yes
Blake Thomas	Public At-Large alternate	Yes
Alicia Cordero	Chumash Community member	Yes
Eva Pagaling	Chumash Community alternate	No
Daniel Studt	National Marine Fisheries Service member	No
<vacant>	National Marine Fisheries Service alternate	n/a
Ken Convery	National Park Service member	Yes
<vacant>	National Park Service alternate	n/a
CDR Ariel Berrios	U.S. Coast Guard member	Yes
LT Lelea Lingo	U.S. Coast Guard alternate	Yes
Donna Schroeder	Bureau of Ocean Energy Management member	No
Jeremy Potter	Bureau of Ocean Energy Management alternate	No
Adam Melerski	Dept. of Defense member	Yes
Stephen Duboyce	Dept. of Defense alternate	Yes
Carlos Mireles	California Dept. of Fish & Wildlife member	Yes
Armand Barilotti	California Dept. of Fish & Wildlife alternate	No
Jenn Eckerle	California Natural Resources Agency member	No
Pike Spector	California Natural Resources Agency alternate	Yes

Cassidy Teufel	California Coastal Commission member	No
Jacqueline Phelps	California Coastal Commission alternate	Yes
Errin Briggs	County of Santa Barbara member	Yes
David Villalobos	County of Santa Barbara alternate	No
Jed Chernabaeff	County of Ventura member	Yes
<vacant>	County of Ventura alternate	n/a
Lisa Wooninck	Monterey Bay National Marine Sanctuary member (non-voting)	No
Karen Grimmer	Monterey Bay National Marine Sanctuary alternate (non-voting)	No
Maria Brown	Greater Farallones National Marine Sanctuary member (non-voting)	No
Brian Johnson	Greater Farallones National Marine Sanctuary alternate (non-voting)	No
Chris Mobley	Channel Islands National Marine Sanctuary member (non-voting)	Yes
Mike Murray (staff)	Channel Islands National Marine Sanctuary alternate (non-voting)	Yes
	Total number of individual SAC members (<u>voting seats only</u>)	27
	Number of voting seats represented (out of 21)	19

Appendix B. Written Council member announcements, submitted as of September 8, 2023

Name: Daniel Studt

Seat: NOAA Fisheries

Announcement subject: [Open for Public Comment: Amendment 32 to the Pacific Coast Groundfish Fishery Management Plan](#)

Narrative: NOAA Fisheries announces that the proposed rule ([88 FR 59838](#)) for Amendment 32 (Modifications to Non-Trawl Sector Area Management Measures) to the Pacific Coast Groundfish Fishery Management Plan (FMP) has published in the Federal Register, and is open for public comment through Sept 29, 2023. Amendment 32 includes actions such as creating and authorizing the use of Groundfish Exclusion Areas as a new type of Groundfish Conservation Area, and removing the Cowcod Conservation Area seaward of California for non-trawl groundfish fisheries. [Provide public comment](#)

Announcement subject: [NOAA Fisheries' Certification of Recreational Fishing Surveys](#)

Narrative: NOAA Fisheries is announcing the [certification](#) (pdf) of several state-sponsored recreational fishing surveys on the West Coast through our Marine Recreational Information Program (MRIP). The surveys include three currently operational surveys — California's two private rental intercept surveys and Washington's Ocean Sampling Program (OSP) — as well as California's new Angler License Directory Online Survey (ALDOS), which is replacing a telephone survey. MRIP certification means we have found the surveys, through an independent peer review, to be statistically valid approaches to meet survey objectives and provide key recreational fishing estimates. [Learn more](#)

Announcement subject: Habitat and Fish Passage Grants

Narrative: NOAA's Office of Habitat Conservation has announced a number of grant opportunities to support habitat restoration and fish passage:

- [Coastal Habitat Restoration and Resilience Grants for Tribes and Underserved Communities, Under the BIL and IRA](#) - this competition will provide nearly **\$45M** for projects that will advance the coastal habitat restoration and climate resilience priorities of tribes and underserved communities, including through capacity building and science support. Proposals can request between **\$75K - \$3M**. The competition closes **December 19th**.
- [Restoring Fish Passage through Barrier Removal Grants Under the BIL and IRA](#) - this national fish passage competition will provide nearly \$175M to fish barrier removal projects for native migratory fish. The competition closes **October 16th**. Applicants can request \$1M - \$20M.
- [Restoring Tribal Priority Fish Passage through Barrier Removal under BIL and IRA](#) - this competition will provide nearly \$85M to Indian tribes and organizations that represent Indian tribes through formal legal agreements to remove barriers to fish passage for native migratory or sea-run fish. The competition closes **November 8th**. Applicants can request \$300K - \$12M.
- [Transformational Habitat Restoration and Coastal Resilience](#) - this competition will provide nearly \$240M to prioritized high-value, high-impact habitat restoration projects that advance resilience. Proposals can request between \$1M - \$25M. The competition closes **November 17th**.

Name: Jacki Phelps

Seat: California Coastal Commission

Announcement subject: Whale Tail Grants

Narrative: [WHALE TAIL® Grants](#) support experiential education and stewardship of the California coast and its watersheds. Grant projects can engage youth or adults and can take place anywhere in California. Education and stewardship projects relating to climate change as it

impacts the coast and ocean are eligible and encouraged. Shoreline cleanup and coastal habitat restoration projects that have an educational component are also eligible for these grants.

- Application deadline: November 6, 2023.
- Applicants may request any amount up to \$50,000. At least 25% will be small grants up to \$20,000. Approximately \$2,000,000 will be distributed.
- Eligible applicants: Non-profit 501(c)(3) organizations, projects of a non-profit fiscal sponsor, public schools or districts, government entities, Federally Recognized Tribes and other California Native American Tribes as defined by Governor's Executive Order B-10-11.
- WHALE TAIL® Grants focus on reaching communities that have historically received fewer marine education and stewardship opportunities. We strongly encourage applicant organizations based in and composed of the communities they are engaging. Projects throughout California are eligible.

A walk-through of the WHALE TAIL® Grants application will be presented on September 20 from 3:30-5pm, including time for questions. **Register for this online meeting.**

Download the grant guidelines and application form at **www.coastal.ca.gov/whaletailgrant**.

Get answers to **Frequently Asked Questions** about WHALE TAIL® Grants.