



CONSENT CALENDAR

February 25, 2025

To: Honorable Members of the City Council

From: Councilmember Lunaparra (author), Councilmember O'Keefe (co-sponsor)

Subject: Supporting the Free and Safe Passage of Whales, Sea Turtles, and other Marine Animals in the San Francisco Bay Area's Coastal Waters and the State Of California's Vision Zero Target of Zero Mortality for Whales and Sea Turtles

RECOMMENDATION

Adopt a resolution Supporting the Free and Safe Passage of Whales, Sea Turtles, and other Marine Animals in the San Francisco Bay Area's Coastal Waters and the State Of California's Vision Zero Target of Zero Mortality for Whales and Sea Turtles

CURRENT SITUATION AND ITS EFFECTS

The California Department of Fish and Wildlife has confirmed 37 instances of whales or sea turtles being entangled in fishing gear off the coast of California since 2021.¹ Moreover, the National Marine Fisheries Service recorded 49 documented instances of ships killing large whales off the California coast between 2007 and 2020 with scientists believing the actual number could be 20 times higher.² Developing and managing whale and sea turtle safe fisheries is important to operating sustainable fisheries, protecting marine life, and preventing extinction. To address this issue, the California Ocean Protection Council approved the Strategic Plan to Protect California's Coast and Ocean which includes a target of zero mortality (Vision Zero) for whales and sea turtles.³

BACKGROUND

The State of California designated the endangered Pacific leatherback turtle as the state marine reptile in 2012 and designated the Gray Whale as the state marine

¹ California Department of Fish and Wildlife (CDFW). 2024., RAMP Entanglement History. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218549&inline>.

² Greater Farallones Association. Reducing the Risk of Ship Strikes on Endangered Whales. <https://farallones.org/reduce-whale-strikes/#:~:text=There%20were%2070%20recorded%20incidents,of%20ship%20strikes%20occurring%20since.>

³ California Ocean Protection Council (OPC). 2020. Strategic Plan to Protect California's Coast and Ocean 2020-2025. California Ocean Protection Council. 64 p. at target 3.3.5; see also Marine Life Management Act (AB1241, Keely, 1998). https://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20200226/OPC-2020-2025-Strategic-Plan-FINAL-20200228.pdf.

mammal in 1975.⁴ Entanglement in fishing gear and vessel strikes are two of the main causes of human-caused serious injury and death for whales and sea turtles.⁵ The City of Berkeley values our state's ocean and coastal waters, which provide habitat to a vast array of wildlife, including fish, whales, sea turtles, and birds that depend on a healthy and clean environment. Berkeley's residents and its visitors enjoy our beaches, local marine life, the San Francisco Bay, and the Pacific Ocean for recreational, commercial, and educational activities, all of which support our local economy.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

This resolution supports the City of Berkeley's and the State of California's efforts to protect our natural environment, namely marine wildlife.

ATTACHMENTS

1. Resolution

CONTACT PERSON

Councilmember Cecilia Lunaparra, 510-981-7170
Jonah Gottlieb, Chief of Staff

⁴ California State Library. State Symbols. <https://www.library.ca.gov/california-history/state-symbols/#tab-am>.

⁵ California Ocean Protection Council (OPC). 2019. Strategy for Protecting Whales and Sea Turtles & Ensuring Thriving Fisheries: Reducing the Risk of Entanglement in California Fishing Gear. California Ocean Protection Council. 3 p. at Threats to Whales and Sea Turtles. https://opc.ca.gov/webmaster/ftp/pdf/agenda_items/20191113/Item6_Appendix-A-Whale-and-Sea-Turtle-Strategy-Final.pdf.

RESOLUTION NO. ##,###-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERKELEY SUPPORTING THE FREE AND SAFE PASSAGE OF WHALES, SEA TURTLES, AND OTHER MARINE ANIMALS IN THE SAN FRANCISCO BAY AREA'S COASTAL WATERS AND THE STATE OF CALIFORNIA'S VISION ZERO TARGET OF ZERO MORTALITY FOR WHALES AND SEA TURTLES

WHEREAS, the City of Berkeley values our state's ocean and coastal waters, which provide habitat to a vast array of wildlife, including fish, whales, sea turtles, and birds that depend on a healthy and clean environment; and

WHEREAS, Berkeley's residents and its visitors enjoy our beaches, local marine life, the San Francisco Bay, and the Pacific Ocean for recreational, commercial, and educational activities, all of which support our local economy; and

WHEREAS, California designated the endangered Pacific leatherback turtle as the state marine reptile in 2012; and

WHEREAS, California designated the Gray Whale as the state marine mammal in 1975; and

WHEREAS, entanglement in fishing gear and vessel strikes are two of the main causes of human-caused serious injury and death for whales and sea turtles; and

WHEREAS, the California Department of Fish and Wildlife has confirmed 37 instances of whales or sea turtles being entangled in fishing gear off the coast of California since 2021; and

WHEREAS, The National Marine Fisheries Service recorded 49 documented instances of ships killing large whales off the California coast between 2007 and 2020 with scientists believing the actual number could be 20 times higher; and

WHEREAS, developing and managing whale and sea turtle safe fisheries is important to operating sustainable fisheries, protecting marine life, and preventing extinction; and

WHEREAS, the California Ocean Protection Council approved the Strategic Plan to Protect California's Coast and Ocean which includes a target of zero mortality (Vision Zero) for whales and sea turtles; and

WHEREAS, in 2014 the City of San Francisco adopted Resolution No. 397-14, supporting the free and safe passage of whales and dolphins and declaring that every whale and dolphin has the right to remain unrestricted in their natural environment; and

WHEREAS, in 2024 the City of Alameda adopted Resolution No.16212, supporting the free and safe passage of whales, sea turtles, and other marine animals in Alameda's coastal waters and the state of California's Vision Zero Target of zero mortality for whales and sea turtles.

NOW, THEREFORE, BE IT RESOLVED, that the City of Berkeley supports the free and safe passage of all whales and sea turtles that traverse our coastal waters; and

BE IT FURTHER RESOLVED, that the City of Berkeley supports the state of California's commitment to preventing whale and sea turtle entanglements and vessel strikes, commitment to investing in whale-safe fisheries by supporting innovative technologies like on-demand fishing gear, and commitment to ensuring that current and future generations of Californians can enjoy our state's rich marine biodiversity; and

BE IT FURTHER RESOLVED, that the City of Berkeley urges the state to authorize the use of pop-up fishing gear to prevent serious and deadly entanglements in commercial fishing gear; and

BE IT FURTHER RESOLVED, that the City of Berkeley urges the state and the National Marine Fisheries Service to establish mandatory, science-based vessel speed limits to prevent collisions between marine wildlife and vessels; and

FINALLY, BE IT RESOLVED, that upon passage, a copy of this Resolution be sent to Governor Gavin Newsom, State Senator Jesse Arreguín, Assemblymember Buffy Wicks, National Oceanic and Atmospheric Administration (NOAA) Acting Assistant Administrator for Fisheries Emily Menashes, California Department of Fish and Wildlife Director Chuck Bonham, California Fish and Game Commission President Samantha Murray, and Greater Farallones and Cordell Bank National Marine Sanctuaries Superintendent Maria Brown.