California Marine Life Protection Act Initiative
Statewide Interests Group
Draft Meeting Agenda
(revised June 24, 2010)

Friday, June 25, 2010 at 8:30 a.m.

Via conference call

Meeting Objectives

- *Members of the Marine Life Protection Act (MLPA) Statewide Interests Group (SIG), MLPA Blue Ribbon Task Force (BRTF) and MLPA staff introduce themselves to one another and become better acquainted*
- *Review charge of the SIG and confirm operating protocols*
- *Provide an overview of the MLPA Initiative and an update on the status of the five study regions (central coast, north central coast, south coast, north coast and San Francisco Bay)*
- *Provide status report on recent and upcoming open houses, MLPA Master Plan Science Advisory Team (SAT), BRTF, and MLPA North Coast Regional Stakeholder Group (NCRSG),) meetings in the north coast study region*
- *Receive initial comments and advice from SIG members*
- *Discuss timing of future SIG conference calls*
- *Summarize next steps*

Meeting Agenda

A. Welcome, Roll Call, and Logistics for Conference Call

B. Introductions
   - Name, organization, constituency
   - Past involvement with MLPA

BRIEFING DOCUMENT B.1: Members of the MLPA Blue Ribbon Task Force (November 2009)
BRIEFING DOCUMENT B.2: Members of the MLPA Statewide Interests Group (June 17, 2010)
BRIEFING DOCUMENT B.3: MLPA Staff and Their Roles in the MLPA Initiative (January 5, 2010)

C. Charge to the MLPA Statewide Interests Group

BRIEFING DOCUMENT C.1: Charter of the MLPA Statewide Interests Group (January 11, 2010)

D. MLPA Initiative: An MPA Planning Process
   - What is the MPA planning process?
   - Central Coast Study Region
   - North Central Coast Study Region
   - South Coast Study Region
   - North Coast Study Region
   - San Francisco Bay Study Region

BRIEFING DOCUMENT D.1: Amendment to the MLPA Initiative Phase 2 memorandum of understanding (July 25, 2008)
BRIEFING DOCUMENT D.2: Blue Ribbon Task Force (2009-2010) Policy for an Open and Transparent Process (Adopted November 18, 2009)

BRIEFING DOCUMENT D.3: Members of the MLPA Master Plan Science Advisory Team (October 22, 2009)
BRIEFING DOCUMENT D.4: Members of the MLPA North Coast Regional Stakeholder Group (June 7, 2010)
BRIEFING DOCUMENT D.5: California Marine Life Protection Act (as amended July 2004)
BRIEFING DOCUMENT D.6: California Marine Managed Areas Improvement Act (as amended through January 2006)

E. MLPA North Coast Project
- Summer 2010 Open Houses
- Master Plan Science Advisory Team
- Blue Ribbon Task Force
- North Coast Regional Stakeholder Group
- Comments from SIG on what has gone well with meetings and suggestions for change

BRIEFING DOCUMENT E.1: California MLPA Initiative North Coast Project Overview (September 28, 2009)
BRIEFING DOCUMENT E.2: North Coast Study Region Process Outline
BRIEFING DOCUMENT E.3: Opportunities for Public Involvement (January 25, 2010)

F. Future Statewide Interests Group Meetings
- Frequency, timing of meetings
- Future meeting topics

BRIEFING DOCUMENT F.1: Calendar of Upcoming Meetings for the MLPA North Coast Study Region (April 26, 2010)

G. Recap and Next Steps
- Plan next SIG meeting

California Marine Life Protection Act Initiative
Statewide Interests Group
Meeting Summary
(revised September 29, 2010)

Friday, June 25, 2010 at 8:30 a.m.

Via conference call

Meeting Objectives

- *Members of the Marine Life Protection Act (MLPA) Statewide Interests Group (SIG), MLPA Blue Ribbon Task Force (BRTF) and MLPA staff introduce themselves to one another and become better acquainted*
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- *Summarize next steps*

Meeting Summary

A. *Welcome, Roll Call, and Logistics for Conference Call*

Attendees included Nick Angeloff, Zeke Grader, Joel Greenberg, Doug Hammerstrom, Ken Jones, Ken Kurtis, Martha McClure, Samantha Murray, Linda Sheehan, Sarah Sikich, and Stephen Umbertis. Staff included Melissa Miller-Henson, Kelly Sayce, Steve Wertz and Ken Wiseman. Also attending were BRTF chair Cindy Gustafson and BRTF member Virginia Strom-Martin.

B. *Introductions*

SIG and BRTF members introduced themselves and shared some of their experiences with the Marine Life Protection Act (MLPA), marine protected areas (MPAs), and ocean resource management issues.

C. *Charge to the MLPA Statewide Interests Group*

Staff summarized the charge of the MLPA Statewide Interests Group (SIG), which is to provide a forum for enhanced communication between the task force and stakeholders during the MLPA North Coast Project

D. *MLPA Initiative: An MPA Planning Process*

- North Central Coast Study Region: MPAs in this study region just went into effect last month. The California Fish and Game Commission amended one of the MPAs to convert part of a state marine reserve (SMR) into a state marine conservation area (SMCA). This was a new effort to reach out to the tribal community and accommodate tribal ceremonies. This issue was not as significant in the south coast. Yesterday's decision is expected to be

helpful for the north coast in that it will focus on how tribal gathering can be accommodated. Enforcement was concerned about how it would work. The extension of 1000' offshore with boundaries on lat/long is potentially an example that can be used on the north coast in a similar fashion to ensure that tribal gathering continues, while balancing the need to meet science guidelines.

- South Coast Study Region: The environmental impact report (EIR) will be completed in November. It is anticipated that the August commission meeting will be the first public hearing, with a likely November adoption date.
- North Coast Study Region: Discussed in more detail during Q&A.
- San Francisco Bay Study Region: It's not clear what will be done there since it is a decision of the new administration. A lot will be affected by what happens in the November election. There is still a need to pursue funding and there may be a different planning structure. There are no firm plans other than to generate a report for what might be the options. The SIG ca n be helpful for reacting to those options when the report is ready later this year or early 2011. This is a unique opportunity to guide us in looking forward to San Francisco Bay.

Some of the ensuing discussion centered around:

1. The California Fish and Game Commission's action in the MLPA North Central Coast Study Region at Stewarts Point ("great news," "glad to hear about the commission action, especially since DFG had previously been opposed to ribbons," and "this should be helpful in the north coast"). Staff suggested that the commission's action is not the "be all, end all" for the north coast, but can provide an example of how tribal uses can be addressed. SIG members suggested that whatever decision is made on the north coast, that actively involving the stakeholders in developing the solution will be important; staff acknowledged this and also stated that while the BRTF may ultimately provide the policy guidance, it will be based in large part on input from stakeholders so they are an integral part of the process.
2. A SIG member requested clarification about the participation of the Kashia and other tribes in the north central coast planning process. A concern was voiced that if folks do not participate in the planning process and then after a decision is made come back requesting changes, can lead to reduced participation since everyone can do "an end run" to the commission. Staff suggested that the commission made this decision reluctantly due to unique circumstances and does not want this to happen again.
3. A compliment was offered to the BRTF and the commission for the Stewarts Point decision. First, the BRTF for being willing to point out to the commission that this issue had been missed; it was one of those things that just didn't get addressed. While the BRTF is advisory only, it holds great weight and was important that the members were willing to not show so much ownership when there was a flaw identified. Second, to the commission for recognizing the importance of this issue and being willing to consider it outside the five year review process. Staff indicated that in the north coast a coalition of tribes and tribal communities has been established to ensure that these kinds of issues are not missed this time around.

E. *MLPA North Coast Project*

A concern was voiced that the north coast process is being driven by facilitators and that the stakeholders are not being empowered in the decision-making. Asked if there is any way to include the regional stakeholder group members in the planning for meetings, including agenda-setting. Would also be very helpful for staff to provide responses to questions sooner and for the BRTF to provide guidance sooner rather than later; it is not sufficient to say that the task force will address at a later date. Staff indicated that there is a process for bringing information into the planning process

and having questions answered. Similar to the south coast process, we have seen in the north coast a tendency for consumptive voices to be louder, while some smaller voices are not allowed to be heard. We want all voices to be heard and if that can be done in a single group, great; otherwise, this is not a representative process, so the challenge is ensuring that everyone has an opportunity to be heard (less likely in a single, large group setting).

Another concern mentioned was that, when it is time for the BRTF to make a final recommendation, there will be discussion of proposals that others have never even heard of or seen. Staff described the south coast planning process and how the task force expanded on ideas that had already been discussed by the stakeholders rather than completely new ideas. One SIG member described how in the north central coast, there were three proposals forwarded to the BRTF and in five major geographies the work groups suggested nearly identical solutions; the BRTF chose the “middle” proposal, then took a couple of bites out of the “conservation” proposal and then a couple of bites out of the “fishermen’s” proposal. Another SIG member described how that worked in the north central coast, but in the south coast the stakeholders were very disappointed that the BRTF created its own preferred alternative rather than picking one of the stakeholder proposals; the BRTF members said they did not want to create their own proposal, yet they did and people were disappointed. What started as bottom up became top down as the BRTF ran out of time and money. Finally, one SIG member described the central coast process where frustration was expressed because the BRTF seemed to take a left turn at the end of the process.

A SIG member suggested that if the stakeholders want to have one hand on the steering wheel, then compromises have to be achieved so the BRTF is more likely to take the recommendations. Stakeholders could create all the compromises and then the BRTF would be done unless there was a compelling reason for change (i.e., not meeting science guidelines). One SIG member suggested that such compromises were reached in the north coast through the external array process, but it was noted by others that the external proposals did not meet science or feasibility guidelines; the SIG member suggested there was confusion about what it means to meet the guidelines.

Staff shared that it is always the challenge of the BRTF to be sure all voices are being heard and incorporated. In the north coast there is a level of communication among the various interests that will help us move forward; we used community groups to develop the first round of MPA arrays, which was unique to the north coast. Hope the relationships built in that process will ultimately help get the job done. Sincere thanks to Martha McClure and Doug Hammerstrom for helping make that happen.

Staff also shared an experience with the SAT and stakeholders in exchanging ideas and developing a compromise on a science team issue (nearshore proxy line), as well as provided information about upcoming open house, public participation, dialogue with MLPA North Coast Regional Stakeholder Group (NCRSG) members and staff, online comment submission form, etc.

SIG members recommended that the MLPA website for the SIG should include a PDF with contact information for SIG members, as in past study regions, and that folks in the north coast participate in the open houses as they are a great way to gather new information that is likely to change the proposals

F. *Future Statewide Interests Group Meetings*

Staff suggested that the next SIG meeting be the week of August 2 or August 9. Staff will send to SIG the updated calendar as well as a message regarding the upcoming open houses. At the next BRTF meeting there will be an agenda item the focuses on the unique nature of the north coast study region

Briefing Documents

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Briefing Document F.1: Calendar of Upcoming Meetings for the MLPA North Coast Study Region (April 26, 2010)

California Marine Life Protection Act Initiative
Statewide Interests Group
Draft Meeting Agenda
(revised August 9, 2010)

Tuesday, August 10, 2010 at 3:00 p.m.

Via conference call

Meeting Objectives

- *Provide an update on the status of the five study regions (central coast, north central coast, south coast, north coast and San Francisco Bay)*
- *Provide status report on recent open houses, and on recent and upcoming MLPA Master Plan Science Advisory Team (SAT), BRTF, and MLPA North Coast Regional Stakeholder Group (NCRSG),) meetings in the north coast study region*
- *Receive comments and advice from SIG members*

Meeting Agenda

A. Welcome, Roll Call, and Logistics for Conference Call

B. Follow up from SIG Introductory Meeting
- Meeting summary highlights
- Budget status concerns
- The MLPA Initiative marine protected area planning process

C. Update on the MLPA Study Regions
- Central Coast Study Region
- North Central Coast Study Region
- South Coast Study Region
- North Coast Study Region
- San Francisco Bay Study Region

D. MLPA North Coast Project
- Summer 2010 Open Houses
- Blue Ribbon Task Force
- Master Plan Science Advisory Team
- North Coast Regional Stakeholder Group
- Addressing Tribal Interests and Concerns

E. Feedback from SIG Members
- What went well in recent round of meetings?
- Were the opportunities for public involvement clearly identified?
- Suggestions for improvement?

F. Recap and Next Steps

California Marine Life Protection Act Initiative
Statewide Interests Group
Meeting Summary
(revised September 27, 2010)

Tuesday, August 10, 2010 at 3:00 p.m.

Via conference call

Meeting Objectives

- *Provide an update on the status of the five study regions (central coast, north central coast, south coast, north coast and San Francisco Bay)*
- *Provide status report on recent open houses, and on recent and upcoming MLPA Master Plan Science Advisory Team (SAT), MLPA Blue Ribbon Task Force (BRTF), and MLPA North Coast Regional Stakeholder Group (NCRSG),) meetings in the north coast study region*
- *Receive comments and advice from MLPA Statewide Interests Group (SIG) members*

Meeting Participants

SIG Members: Nick Angeloff, Maura Eastman, Zeke Grader, Joel Greenberg, Doug Hammerstrom, Ken Jones, Ken Kurtis, Martha McClure, Linda Sheehan and Stephen Umbertis

BRTF Members: Chair Cindy Gustafson

MLPA Staff: Sean Hastings, Dominique Monie, Melissa Miller-Henson, Kelly Sayce, Steve Wertz and Ken Wiseman

Meeting Summary

A. *Welcome, Roll Call and Logistics for Conference* Call - Ken Wiseman and Sean Hastings

B. *Follow up from SIG Introductory Meeting*

SIG meeting highlights from June 25 conference call; see meeting summary for specifics.

Kelly Sayce – provided a general MLPA Initiative "101" overview. North coast is now in Round 3 of the marine protected area (MPA) development process. The process is adapted for each study region.

SIG member contact information is now available on the MLPA website (http://www.dfg.ca.gov/mlpa/statewide_nc.asp).

SIG Questions/Comments – SIG members asked a series of questions and expressed concerns on a several issues. For example: the involvement of the general public, stakeholders and lobbying groups; the seemingly heavy weighting and quality of science over

local knowledge and economic impacts in the process; the perceived rapid pace of the planning process; transparency and politicization of the process.

Staff Response to SIG Questions/Comments – Every effort is made to ensure that all members of the public are treated equally. Many advisory groups, like the SIG, encapsulate the qualifications important to this subject and process. Local level of knowledge is formally brought into the MPA planning process via the regional stakeholder group in each study region. There is an avenue for anyone to be involved, via public comment periods, communicating directly with stakeholder group members, etc. Other processes may be dominated by certain user groups, but the MLPA Initiative provides a seat for a wide array of user groups and multiple avenues for public input. Staff suggested an offline discussion to identify whom might be feeling marginalized and how the process can bring in their input. Not unique to any one region.

Budget status – Ken Wiseman. The north coast budget is adequate to complete the planning process. The current plan for the San Francisco Bay study region is to hire a consultant to develop planning options and costs for implementing a planning process.

Discussion of timeline – Ken Wiseman. The south coast adoption hearing now will likely be in December with a discussion hearing in October. The California Fish and Game Commission will receive the north coast recommendations in early 2011. The BRTF will receive the NCRSG recommendation(s) in October.

C. *Update on the MLPA Study Regions* provided by Steve Wertz, California Department of Fish and Game (DFG).

MPA outreach on the central coast and north central coast continues with signage, booklets and web updates. California State Parks is an important outreach partner. The California Department of General Services did not approve DFG's contract with the Pacific States Marine Fisheries Commission to support DFG's ROV project. However, California Sea Grant did let a grant with MARE to conduct ROV work within north central coast MPAs.

The public scoping meeting for the south coast was held on July 23, 2010 in Long Beach. A draft environmental impact report is expected by August 18, 2010 and will be out for a 45 day public comment.

DFG supported the California MPA Monitoring Enterprise's public workshops to inform an MPA monitoring plan for the south coast region.

D. *MLPA North Coast Project*

Summer 2010 Open Houses – Kelly Sayce summarized attendance and the types of comments received from the public. [Note that she forwarded comments via email to SIG members].

Master Plan Science Advisory Team – completed evaluations of Round 2 NCRSG draft MPA proposals and approved all updates to evaluation results and draft responses to new science questions.

Blue Ribbon Task Force – provided guidance to the NCRSG to: 1) meet science guidelines otherwise BRTF may have to modify proposals to do so; 2) consider cross interest support and local knowledge/expertise; 3) avoid MPA placement in tribal use areas; 4) use SMCA along shoreline (i.e. nearshore coastal MPA ribbons) in areas where tribal use cannot be avoided, but recognize that tribes cannot have exclusive access and the area would be open to all non-commercial users; only new legislation could permit exclusive tribal use; 5) need specific input on tribal uses; 6) incorporate tribal feedback into MPA proposal.

SIG Questions/Comments

How effectively have the tribes been engaged? Is tribal data available and helpful?

Staff Response –The MLPA Initiative Team has made a big investment in meeting with north coast tribes and tribal communities one-on-one to gather/gain specific input on the Round 2 proposals and to detail tribal uses and methods that would potentially be impacted by certain MPAs. Tribal information is less available in the northern portion of the study region; there is better information and a willingness to share information in the southern portion of the study region. The information has been aggregated and will be considered in Round 3 proposal development.

Other fishing interests are being hamstrung by tribal positions in the process.

Staff Response – The plan is to review and evaluate the Round 3 MPA proposals with and without exempting tribal uses so that the BRTF can make an informed decision on how to produce a robust proposal. Staff clarified that a “ribbon” is an inshore vs. offshore MPA, designated as an SMCA or SMP versus an SMR to allow take from the shoreline. The MLPA Initiative has been informed by the California Fish and Game Commission (F&GC) that current legislation does not allow for exclusive access to any one group (e.g. tribes) so an SMCA or SMP would have to be open to all recreational users for the species and gear types identified.

North Coast Regional Stakeholder Group – The NCRSG met in July and developed Round 3 MPA proposals. The NCRSG received BRTF guidance and SAT evaluations, DFG and California State Parks feasibility analyses, goal 3 evaluations, responses to science questions, and an overview of outreach to north coast tribes. Many NCRSG members are striving for one MPA proposal. If the NCRSG develops one proposal, does Proposal 0 count as an alternative?

Staff Response – Proposal 0 is considered part of the existing environment and has to be analyzed. The F&GC determines the preferred alternative for CEQA and regulatory purposes, while the BRTF determines its preferred alternative for F&GC consideration.

The BRTF is supportive of the NCRSG developing one proposal, to the extent possible it meets the guidelines. If certain guidelines are not met, the BRTF may need to recommend a preferred alternative that better meets the guidelines.

E. *Feedback from SIG Members*

Public involvement in the meeting is going well. Allowing tribes to "vent" with a demonstration at the July BRTF meeting was helpful.

Having a SAT member in attendance at NCRSG meetings would be helpful to provide more real-time feedback.

There were too many staff presentations and overview of materials at meetings, which limits NCRSG interaction and getting to the task at hand.

Public comment at last NCRSG meeting was scheduled at 4 p.m., and many locals showed up but didn't get heard because others (i.e. tribal demonstrators) used up all the time. By allowing the meeting to be interrupted by the demonstration, it delayed the public comment period so some didn't get to speak.

Bring a couple of BRTF members and science team members to Crescent City to have a roundtable discussion.

At the California MPA Monitoring Enterprise planning session a SIG member was distressed by "each side" working to undermine the process and a reluctance to move forward.

The NCRSG members should study more before meetings to minimize staff presentations at the meetings.

F. *Recap and Next Steps* – The next SIG meeting is planned for late September, post NCRSG August meeting and before the October BRTF meeting.

California Marine Life Protection Act Initiative
Statewide Interests Group
Draft Meeting Agenda

Monday, October 11, 2010 at 4:00 p.m.

Via conference call

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- *Provide status report on recent MLPA Master Plan Science Advisory Team (SAT), MLPA Blue Ribbon Task Force (BRTF), and MLPA North Coast Regional Stakeholder Group (NCRSG),) meetings in the north coast study region*
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- North Central Coast Study Region
- South Coast Study Region
- San Francisco Bay Study Region

C. MLPA North Coast Project
- North Coast Regional Stakeholder Group
- Master Plan Science Advisory Team
- Blue Ribbon Task Force

D. Feedback from SIG Members
- NCRSG Round 3 Proposal
    - Addressing Tribal Interests and Concerns
    - Implications for Bioregion and other Study Regions
    - Local Government resolutions
- Survey by the Social and Environmental Research Institute

E. Recap and Next Steps