

SAMPLE LETTER

California Marine Life Protection Act Initiative Blue Ribbon Task Force

Cindy Gustafson, Chair
Tahoe City Public Utility District

Cathy Reheis-Boyd
Western States Petroleum Association

William Anderson
Westrec Marina Management, Inc.

Meg Caldwell
Stanford Law School

Gregory F. Schem
Harbor Real Estate Group

Jimmy Smith
Humboldt County Board of Supervisors

Virginia Strom-Martin
Former State Assemblymember

Roberta Cordero
Chumash Maritime Association

Ken Wiseman, Executive Director

April 2, 2010

Claudia Brundin
Chairperson
Blue Lake Rancheria
P.O. Box 428
Blue Lake, CA 95525

Dear Claudia Brundin,

On behalf of the Marine Life Protection Act (MLPA) Initiative, I am writing to share a proposal for mutual learning and knowledge exchange related to traditional tribal uses of marine resources. Information regarding traditional tribal uses of marine resources is important not only for the MLPA Initiative's marine protected area (MPA) planning process, but also is integral to long-term management, co-management and ecological and socioeconomic monitoring to help ensure the health of the ocean ecosystem.

We respectfully request your assistance in helping the MLPA Initiative to better understand tribal uses of the marine environment in the MLPA North Coast Study Region (from the California-Oregon border to Alder Creek near Point Arena). The groups participating in the MLPA Initiative are responsible for different aspects of assisting the State of California with redesigning MPAs along the north coast, and include a task force (overseeing the process), a science advisory team (providing scientific advice and evaluations), a regional stakeholder group (providing local knowledge to the design process), and MLPA Initiative staff (providing support to the three groups).

The first set of ideas about how to redesign the north coast MPAs were developed by local community groups, including participation and input from north coast tribes and tribal communities. The evaluations of those ideas, which just concluded, have made it clear that the MLPA Initiative groups are working with incomplete information about tribal uses of marine resources along the north coast. We would like to work with California tribes and tribal communities to integrate this information into the planning, design, and evaluation of proposed MPAs.

Specifically, we would like to ask you to help the MLPA Master Plan Science Advisory Team (SAT) develop guidelines and protocols for better understanding and incorporating information on tribal uses into its advice to the task force, regional stakeholder group, and California Department of Fish and Game. We also would like to explore the conditions under which you would be willing to share information pertaining to tribal uses in the context of the planning process currently underway in the region.

It is in this spirit of mutual learning that the SAT has developed a list of the kinds of information and data about tribal uses that would be useful for developing advice to share with the task force and regional stakeholder group. We would very much appreciate if you or your designee would review this list, suggest additional items the SAT should consider, and indicate which

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California Natural Resources Agency
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—if any —the Blue Lake Rancheria would be willing to share, and under what conditions. The MLPA Initiative is committed to developing mutually agreeable arrangements for knowledge sharing and for bringing this knowledge to the MLPA planning process, which may include, where appropriate, individual tribal agreements for information sharing and the protection of confidentiality.

Enclosed, please find a list of potential questions for consideration by California tribes and tribal communities regarding traditional uses of the marine environment. We recognize that these questions are potentially intrusive, and apologize for any concern raised by our efforts to integrate traditional knowledge. The MLPA Initiative is committed to working collaboratively to incorporate this information into the MPA planning process in a respectful way.

To date, the MLPA Initiative has identified several potential ways to learn about tribal uses in the marine environment. We would appreciate your review of these and any suggestions for other ways that would be agreeable to you for sharing information.

- The MLPA Initiative greatly appreciates the invitations extended by many California tribes and tribal communities to visit tribal lands and talk with tribal members about traditional practices. Members of the SAT's Tribal Work Group and support staff would like to engage in in-person meetings, if it is determined that this is an appropriate way to assemble information about tribal uses. Scientists on the SAT Tribal Work Group are working with masters-level graduate students who can travel to tribal communities in the MLPA North Coast Study Region to work directly with California tribes and tribal communities to learn more about tribal uses in the marine environment.
- Another approach is to communicate directly with a scientist on the SAT or a member of the MLPA Initiative staff who can assist with documenting knowledge about tribal uses. SAT members will be available during an in-person meeting at the Red Lion Hotel at 1929 Fourth Street in Eureka on June 29 from 5:30 to 7:00 pm. Scientists on the SAT's Tribal Work Group also are available outside of in-person meetings by telephone or email.
- Tribal council, tribal, or tribal community members may wish to assemble and directly provide information to the MLPA Initiative. This method was used to develop a special appendix on California tribes and tribal communities in the north coast regional profile.
- Tribal council, tribal, or tribal community members may wish to directly share information with members of the regional stakeholder group, which includes seven tribal and tribal community members. This method has been used in previous MLPA study regions.

Please contact me by telephone (805-893-3387) or email (airame@msi.ucsb.edu) if you would like to discuss the opportunities to share information or have additional suggestions.

Information about tribal uses is important and any information we can incorporate will contribute meaningfully to inform the SAT evaluations, the regional stakeholder group's deliberations, and the task force's guidance throughout the MPA planning process. To help facilitate participation in the MPA planning process, also enclosed is a schedule of MLPA Initiative meetings and key milestones for your consideration.

Information on traditional tribal uses of marine resources in the MLPA North Coast Study Region also will be important beyond the MLPA Initiative's planning process. Knowledge about traditional tribal uses is integral to planning long-term management, co-management between California tribes and tribal communities and the managing agencies, and ecological and socioeconomic monitoring of MPAs established under the MLPA. To this end, information about tribal uses that is integrated in the coming or following years will contribute to a mutual understanding and improved health of California's ocean ecosystem.

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We hope this proposal for mutual learning and knowledge exchange can serve as the foundation for continuing engagement during and beyond implementation of the MLPA. Please contact me (805-893-3387 or airame@msi.ucsb.edu) if you would like to schedule a time to talk or meet or if you have any questions or concerns.

Yours Sincerely,



Satie Airamé, Ph.D.

Science and Planning Advisor

Marine Life Protection Act Initiative

Enclosures: List of potential questions regarding traditional uses of the marine environment, upcoming meetings and key milestones document, overview of the MLPA Initiative, MLPA North Coast Regional Stakeholder Group Tribal Members contact information

California Marine Life Protection Act Initiative
Questions Regarding Traditional Uses of the Marine Environment
March 29, 2010

Potential questions for California tribes and tribal communities regarding traditional uses of the marine environment include:

1. What activities related to ceremonial, cultural, or subsistence gathering or harvesting of marine natural resources are important to the tribe/tribal community and/or its members, and the broader tribal community in the MLPA North Coast Study Region?
2. Which species of marine plants and animals, and what minerals or other natural resources, are used as part of these traditional activities?
3. Are there particular areas that are important for these traditional activities in the MLPA North Coast Study Region? If so, have these areas already been or could they be identified on a map? If there are existing maps in the published literature, are these maps consistent with the tribe's or tribal community's knowledge?
4. What is the method of harvesting or gathering the natural resources? (Specific information about the harvest methods, including tools and techniques, would be helpful.)
5. Is there a way to characterize the relative importance of different areas or activities? For example, how many families or tribal members are supported by subsistence harvest? What are the numbers, sizes, or cultural significance of ceremonies for which particular species are collected?
6. Do you have a tribal government that provides guidance about the management of natural resources? If so, would you be willing to describe the tribal management approaches or have they been described elsewhere to the tribe's satisfaction?
7. Are you familiar with the published literature about tribal harvesting practices in the study region? Would you be willing to share or provide a review of any existing published studies of tribal harvesting practices?
8. Is there any other information about tribal uses that the SAT, task force, or regional stakeholder group should consider?

California Marine Life Protection Act Initiative
Upcoming Meetings and Key Milestones
March 29, 2010

Date	Meeting	Primary Objectives
April 20-21, 2010	NCRSG work session (Fort Bragg)	Begin to develop Round 2 MPA proposals
May 3-4, 2010	BRTF meeting (Crescent City)	Receive Round 1 MPA proposal evaluation results
May 12, 2010	SAT meeting (via teleconference and webinar)	Review and respond to science questions
May 19, 2010	NCRSG work session (Crescent City)	Continue to work on Round 2 MPA proposals
May 20, 2010	NCRSG meeting (Crescent City)	Complete Round 2 MPA proposals
June 29-30, 2010	SAT meeting (Eureka)	Complete evaluations of Round 2 MPA proposals, deadline for submitting data for consideration in Round 2 evaluations is May 15
July 21-22, 2010	BRTF meeting (Eureka)	Receive Round 2 MPA proposal evaluation results
July 28, 2010	SAT meeting (via teleconference and webinar)	Review and respond to science questions
July 29, 2010	NCRSG meeting (Fort Bragg)	Receive Round 2 MPA evaluation results
July 30, 2010	NCRSG work session (Fort Bragg)	Begin to develop Round 3 MPA proposals
August 30, 2010	NCRSG work session (Eureka)	Continue to develop Round 3 MPA proposals
August 31, 2010	NCRSG meeting (Eureka)	Complete Round 3 MPA proposals
October 13-14, 2010	SAT meeting (Eureka)	Complete evaluations of Round 2 MPA proposals, deadline for submitting data for consideration in Round 2 evaluations is Sept. 1
October 26-28, 2010	BRTF meeting (Eureka)	Receive Round 3 MPA proposal evaluation results
November 17, 2010	SAT meeting (via teleconference and webinar)	Review and respond to science questions
December 1, 2010	Joint California Fish and Game Commission and BRTF meeting (Sacramento)	Deliver MPA proposals for the north coast study region to the California Fish and Game Commission

NCRSG = MLPA North Coast Regional Stakeholder Group
BRTF = MLPA Blue Ribbon Task Force
SAT = MLPA Master Plan Science Advisory Team



California's Marine Life Protection Act Initiative North Coast Project (2009-2011)

What is the Marine Life Protection Act (MLPA) Initiative? The MLPA Initiative is a public-private partnership designed to help the State of California implement the MLPA by using the best readily available science and the advice and assistance of scientists, resource managers, experts, stakeholders and members of the public.

Why this project? The MLPA, which was signed into law in 1999, directs the state to redesign California's system of marine protected areas to increase its coherence and effectiveness in protecting the state's marine life and habitats, marine ecosystems and marine natural heritage, as well as to improve recreational, educational and study opportunities provided by marine ecosystems.

What are marine protected areas? Marine protected areas (MPAs) are named, discrete geographic marine or estuarine areas designed to protect or conserve marine life and habitat. Existing examples of MPAs on the north coast of California include Punta Gorda State Marine Reserve, Point Cabrillo State Marine Conservation Area and Van Damme State Marine Conservation Area.

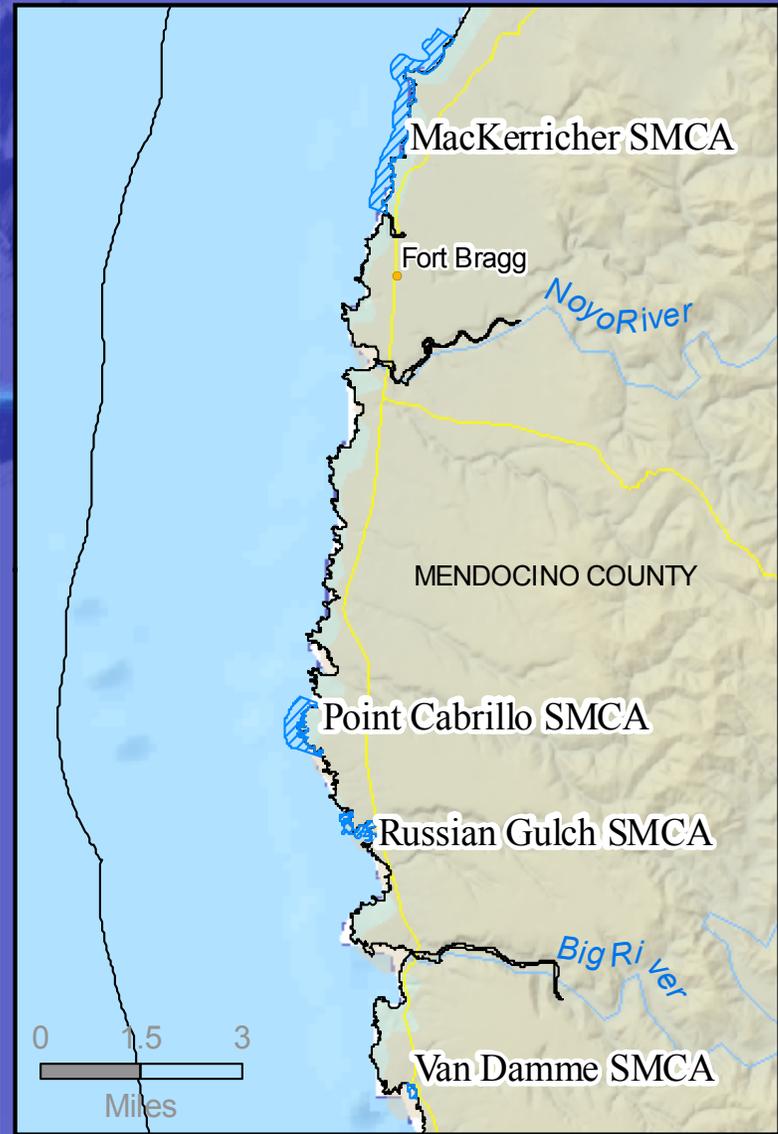
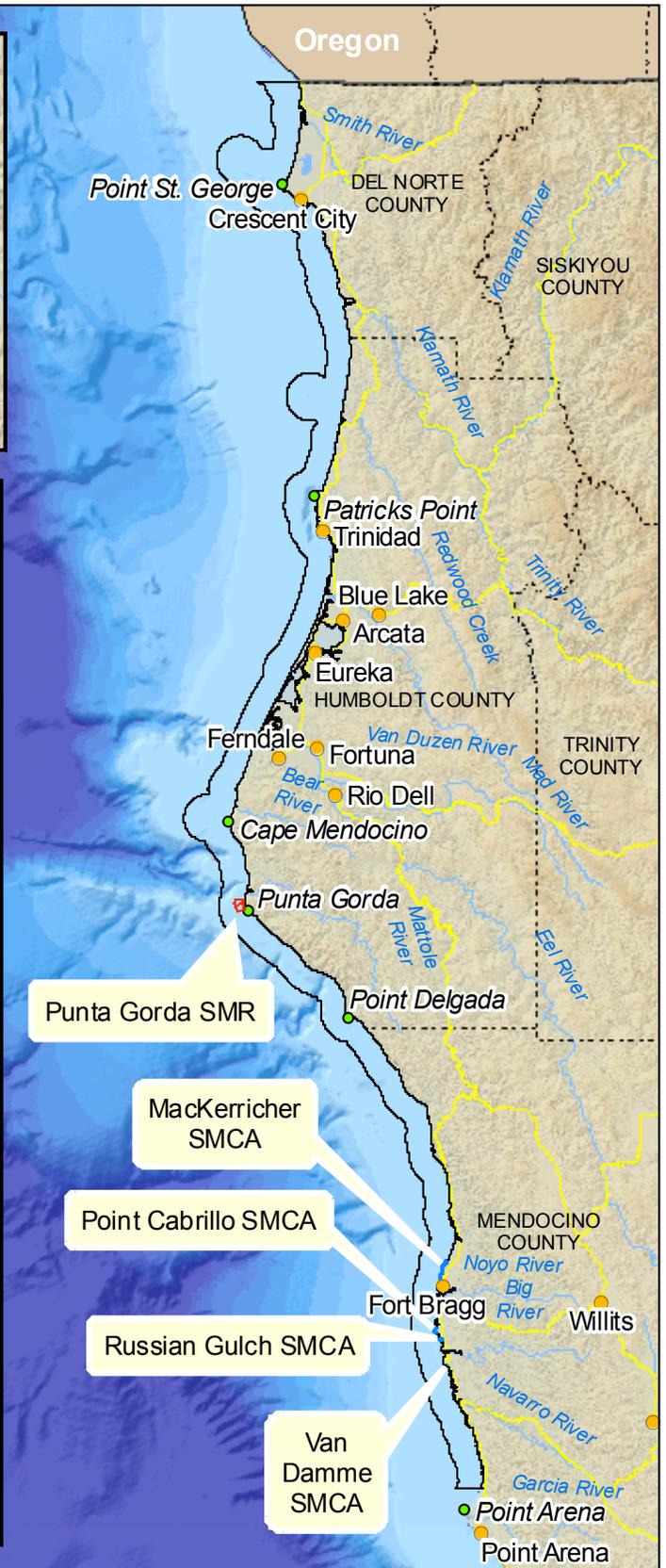
What can I do in a marine protected area? There are three types of MPAs: state marine reserve, state marine park, and state marine conservation area. Each type has different rules about what activities can or cannot occur within its boundaries. In general, marine reserves do not allow any type of extractive activities (including fishing or kelp harvesting); marine parks do not allow any commercial extraction; and marine conservation areas do not allow some combination of commercial and/or recreational extraction.

When and where did the MLPA Initiative start? A regional approach is being used to implement the MLPA along California's 1,100-mile coastline. In September of 2007, regulations for the first of the five study regions were implemented for the central coast (Pigeon Point in San Mateo County to Point Conception in Santa Barbara County). In August of 2009, regulations for the north central coast (Alder Creek near Point Arena in Mendocino County to Pigeon Point in San Mateo County, including the Farallon Islands) were adopted by the California Fish and Game Commission and will be implemented in January 2010. Currently, the MLPA planning process is underway in the south coast (Point Conception to the California/Mexico border) and is in the initial planning stages in the north coast (California/Oregon border to Alder Creek near Pigeon Point).

What are the basic steps in the MLPA Initiative process? An appointed, regional stakeholder group makes proposals for MPAs with advice and guidance from other groups and the public; these proposals are reviewed by a science advisory team, and then by a policy level blue ribbon task force that makes recommendations to the California Fish and Game Commission, the decision-making body under the MLPA.

When will the MLPA Initiative be in my area? The MLPA Initiative is just beginning the planning process in the north coast study region. Following the north coast, the MLPA Initiative will focus on San Francisco Bay (Golden Gate Bridge northeast to the Carquinez Bridge).

How do I get involved in the process? The success of the MLPA Initiative is dependent upon the active involvement of stakeholders and the general public in a variety of ways. Opportunities for involvement include participating in a regional stakeholder group, attending workshops and public meetings, and providing input on MPA proposals and supporting documents as they are developed. The MLPA North Coast Project will afford many opportunities for public involvement in the months to come. For more information, visit www.dfg.ca.gov/mlpa.



Marine Life Protection Act Initiative



**North Coast Study Region
Existing Marine Protected Areas**

-  Study Region Boundary
-  Existing State Marine Conservation Area (SMCA)
-  Existing State Marine Reserve (SMR)



Projection Information:
Name: NAD 1983 California Teale Albers
Projection: Albers
Datum: North American 1983

Created on July 8, 2009 By:
DFG Marine Region GIS Lab



**MLPA North Coast Regional Stakeholder Group Tribal and Tribal Community
Members' Contact Information**

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MLPA Initiative Contact Information

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Dominique Monie, MLPA Initiative
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Becky Ota, Department of Fish and Game
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SAMPLE LETTER

California Marine Life Protection Act Initiative

1416 Ninth Street, Suite 1311 Sacramento, CA 95814 916.654.1885

May 28, 2010

Tracy Avila
Chairperson
Robinson Rancheria of Pomo Indians
P.O. Box 4015
Nice, CA 95464

Dear Tracy Avila,

On behalf of the Marine Life Protection Act (MLPA) Initiative, we would like to thank the Robinson Rancheria of Pomo Indians for your continued interest and involvement in the marine protected area planning process in the north coast study region (California – Oregon border to Alder Creek near Point Arena). We are writing to respectfully request an in-person meeting to discuss the draft MPA proposals developed to date by the MLPA North Coast Regional Stakeholder Group (NCRSG), to further our mutual learning and knowledge exchange.

With guidance from tribal representatives on the NCRSG, MLPA Initiative staff developed a confidential approach to integrating the concerns and interests of California tribes and tribal communities into the north coast MPA planning process. We invite your suggestions for how to improve th approach. During our proposed meeting, we would like to discuss with you (1) any proposed marine protected areas (MPAs) that overlap areas of traditional use and/or importance to the Robinson Rancheria of Pomo Indians and (2) any uses the Robinson Rancheria of Pomo Indians would like to see allowed in the proposed MPAs with the intention to avoid or minimize potential impacts of MPAs on traditional tribal uses of marine resources to the extent possible and where feasible. Uses may include, but are not limited to, harvesting, subsistence gathering, and ceremonial, cultural, recreational, commercial or other take of marine resources, including both biological and geological resources.

To protect confidentiality, information the Robinson Rancheria of Pomo Indians shares during our meeting will be aggregated with information gathered from similar meetings conducted with other north coast California tribes and tribal communities. No reference will be made to the Robinson Rancheria of Pomo Indians for those specific areas of importance or proposed uses you share.

It is our intention to bring the aggregated list of all proposed uses for each MPA to the NCRSG meeting in Fort Bragg on July 29, 2010. The aggregated list is important because the NCRSG will need to consider these proposed tribal uses before submitting a set of final recommended MPA proposals to the MLPA Master Plan Science Advisory Team and MLPA Blue Ribbon Task Force in August 2010. The NCRSG will create a list of marine resources that can be gathered or harvested (“allowed uses”) for each proposed MPA and, ultimately, the uses may be specified in California state law for the north coast MPAs adopted by the California Fish and Game Commission. Consistent with stated limitations of the authority of the commission, state regulations will apply to all users equally and will not distinguish California tribes and tribal communities from other users.

Also during the NCRSG meeting on July 29, MLPA Initiative staff would like to share which California tribes and tribal communities participated in these meetings. This information will help the NCRSG, SAT and BRTF determine where there may be gaps in information about proposed tribal uses for draft MPA proposals.

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Tracy Avila, Robinson Rancheria of Pomo Indians

May 28, 2010

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Of course, before any aggregated information is shared from our meeting, MLPA Initiative staff will provide the Robinson Rancheria of Pomo Indians with the opportunity to review your information that was documented to ensure its accuracy. The Robinson Rancheria of Pomo Indians also may retain the original data sheets for your records. As was previously mentioned, information specific to the Robinson Rancheria of Pomo Indians will not be forwarded to the NCRSG, task force, science advisory team or the public unless the Robinson Rancheria of Pomo Indians specifically requests that this information be distributed to these groups.

We welcome your feedback on this approach. Please contact Satie Airamé (805-893-3387 or airame@msi.ucsb.edu) to share your suggestions or concerns, or to schedule a meeting, if desired; Satie also will follow up with you directly to be sure you received this request. Enclosed you will find a list of suggested dates for a meeting as well as upcoming MLPA Initiative public meetings. The suggested dates are based on when California Department of Fish and Game and MLPA Initiative staff will be in your area; if you have a conflict with these dates, feel free to suggest others.

We hope this proposal for mutual learning and knowledge exchange can serve as the foundation for continuing engagement during MLPA planning and implementation.

Yours sincerely,



for Becky Ota
Habitat Conservation Program Manager, Marine Region
California Department of Fish and Game



Satie Airamé, Ph.D.
Science and Planning Advisor
Marine Life Protection Act Initiative

Enclosure

California Marine Life Protection Act Initiative
Upcoming Meetings and Key Milestones
May 28, 2010

Date	Meeting	Primary Objectives
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NCRSG = MLPA North Coast Regional Stakeholder Group

BRTF = MLPA Blue Ribbon Task Force

SAT = MLPA Master Plan Science Advisory Team

Potential Dates for Meetings with California Tribes and Tribal Communities

The following dates are when MLPA Initiative and California Department of Fish and Game staff will be in different areas of the study region. Please contact Satie Airamé (805-893-3387 or airame@msi.ucsb.edu) to schedule a meeting on one of these dates or to discuss other potential dates.

- **Fort Bragg/Ukiah area: June 15, 16, and July 5, 6, 20, 23**
- **Arcata/Eureka area: June 28 and July 1, 7**
- **Crescent City area: July 8, 9**

SAMPLE OUTREACH LETTER TO TRIBES AND TRIBAL COMMUNITIES

California Marine Life Protection Act Initiative

1416 Ninth Street, Suite 1311 Sacramento, CA 95814 916.654.1885

October 5, 2010

Leona Williams
Chairperson
Pinoleville Pomo Nation
500 B Pinoleville Dr
Ukiah, CA 95482

Dear Leona Williams,

On behalf of the Marine Life Protection Act (MLPA) Initiative, we would like to thank you for your ongoing assistance with efforts to accommodate tribal uses in the north coast MPA planning process. As you may be aware, the MLPA North Coast Regional Stakeholder Group (NCRSG) completed a single Round 3 MPA proposal at its August 30-31, 2010 meeting. Previous outreach efforts with tribes and tribal communities played an important role in informing development of the MPA proposal and we would like to encourage further input from north coast tribes and tribal communities.

Outreach to north coast tribes and tribal communities:

MLPA Initiative and California Department of Fish and Game (DFG) staff engaged in outreach to north coast tribes and tribal communities during Round 2 of the north coast MPA planning process. To help maintain confidentiality of participants in the outreach effort, input shared by tribes and tribal communities was aggregated into four summary documents: (1) a list of proposed uses for each Round 2 draft MPA, (2) a list of proposed uses for proposed special closures, (3) a list of all proposed uses for the entire study region, and (4) a summary of general comments about the MLPA Initiative. The four documents were distributed at the July 29-30, 2010 NCRSG meeting in Fort Bragg and then again at the August 30-31 NCRSG meeting in Fortuna with revisions based on additional input from north coast tribes and tribal communities.

NCRSG motion on traditional tribal uses:

During its August 30-31 meeting, the NCRSG indicated its intent to accommodate tribal uses in the Round 3 NCRSG MPA Proposal and approved the following language to be included with the design considerations for each proposed MPA: "The NCRSG proposes that the following language be included in the MPA regulations: 'All California Indian Tribal traditional, non-commercial fishing, gathering, and harvesting for subsistence, ceremonial or stewardship purposes shall be uses that are exercised by the members of California Indian tribes and tribal communities.'"

Proposed uses for Round 3 MPAs:

Under current state law, proposed uses for MPAs will apply to all users. Therefore, proposed non-commercial uses intended to accommodate tribal uses in marine waters must be identified by species and gear type and, if implemented, would be open to all non-commercial users. A few Round 3 MPAs were proposed as state marine reserves (SMRs) intended to accommodate tribes and tribal communities only when it becomes possible within California legal authority and, therefore, do not include proposed allowed uses to accommodate tribes at this time.

The NCRSG chose not to determine for each individual MPA which species and gear types should be allowed to accommodate tribal uses. To resolve this question, MLPA Initiative staff worked with DFG to identify the species and gear types that are legally appropriate for each MPA, based on the Round 2 input from north coast tribes and tribal communities. If available, staff drew from the proposed uses from tribes and tribal communities that were specific to proposed MPAs. If no specific information was available for a proposed MPA (such as Reading Rock SMCA), then the general list of all proposed uses for the north coast study region was used. Consistent with its commitment at the NCRSG meeting, DFG reviewed the proposed uses and removed those that were either not legal under the California Fish and Game Commission's current authority, Title 14 of the California Code of Regulations, or the California Fish and Code; species protected by federal law; or species not found in the marine environment. The proposed uses are listed under "Proposed Allowed Uses (Take Regulations)" in the "Description of MPAs" document for the Round 3 NCRSG MPA Proposal.

How and when to submit comments on the Round 3 NCRSG MPA Proposal:

We would like to request your assistance in reviewing the revised proposed allowed uses intended to accommodate tribal uses for each MPA in the Round 3 NCRSG MPA Proposal. Constructive input would include any species or gear types that appear to be missing from the proposed uses for each MPA and/or additional species and gear types that should be removed from a given MPA. Proposed species and gear types must be legal under California law and must occur in the marine environment. Staff will compile input on proposed uses for the Round 3 MPAs to be reviewed by the Blue Ribbon Task Force (BRTF) at its next meeting.

Aggregated input on the Round 3 NCRSG MPA Proposal from tribes and tribal communities will be presented to the BRTF. To be included in the aggregated input, your comments must be submitted to MLPA Initiative Science and Planning Advisor Satie Airamé **no later than Tuesday, October 12, 2010** by email (airame@msi.ucsb.edu), phone (805-893-3387), mail (Satie Airame, Bren School of Environmental Science and Management, University of California, Santa Barbara, CA 93106-5131) or fax (805-893-7612, Attn: Satie Airamé). Input will be aggregated to protect confidentiality and the summary will not include any reference to the person, tribe or tribal community, unless specifically requested. Due to the nature of digital correspondence, we are not able to guarantee the confidentiality of comments submitted by email; if you are concerned about confidentiality, please submit your comments by phone, mail or fax.

If you do not need or want your comments to be aggregated to maintain confidentiality, they can be submitted at any time by email (MLPAComments@resources.ca.gov), fax (916.653.8102, Attn: MLPA Initiative), or mail (Marine Life Protection Act Initiative, c/o California Natural Resources Agency, 1416 Ninth Street, Suite 1311, Sacramento, CA 95814), or may be submitted in person during the public comment period at the BRTF meeting in Fortuna on October 25-26, 2010. Details about the October BRTF meeting can be found at http://www.dfg.ca.gov/mlpa/meetings_n.asp

Attachments:

Maps of the Round 3 NCRSG MPA Proposal and proposed special closures are attached to the email copy of this letter, together with the description of MPAs that contains the proposed allowed uses and a list of the proposed allowed uses that were removed from consideration because they are not legal to take under California law or not found in the marine environment. These materials and additional supporting information can be found at

Gail Green, Wiyot Tribe
Round 3 NCRSG MPA Proposal
October 5, 2010
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http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp. Please contact the MLPA Initiative office (916.654.1885 or MLPAOffice@resources.ca.gov) if you would like to request printed copies of any of these materials.

Thank you again for your continued participation and input to the north coast MPA planning process. If you have any questions, please do not hesitate to contact MLPA Initiative Executive Director Ken Wiseman, DFG Marine Region Habitat Conservation Program Manager Becky Ota, or MLPA Initiative Science and Planning Advisor Satie Airamé.

Yours sincerely,

A handwritten signature in cursive script that reads "Susan E. Ashcraft".

for Becky Ota
Habitat Conservation Program Manager, Marine Region
California Department of Fish and Game

A handwritten signature in cursive script that reads "Satie Airamé".

Satie Airamé, Ph.D.
Science and Planning Advisor
Marine Life Protection Act Initiative