

Key Outcomes Memorandum

Date: June 4, 2010

To: Members, MLPA North Coast Regional Stakeholder Group

From: Eric Poncelet and Ben Gettleman, Kearns & West

Re: Key Outcomes Memorandum – May 20, 2010 NCRSG Meeting

cc: MLPA Initiative staff and contractors, California Department of Fish and Game staff, and California Department of Parks and Recreation staff (collectively known as the I-Team)

Executive Summary – Key Outcomes

On May 20, 2010, the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) participated in its fourth meeting, in Crescent City, CA. **Key outcomes** from the meeting are as follows:

- NCRSG work groups (Ruby and Sapphire) completed their Round 2 draft MPA proposals and moved these on for Round 2 evaluation by the MLPA Master Plan Science Advisory Team (SAT), California Department of Fish and Game (DFG), California Department of Parks and Recreation (State Parks) and staff.
- On the morning of the meeting, Ruby and Sapphire work group members presented to the NCRSG their interim work products, which had been refined during the May 19, 2010 work sessions. NCRSG members provided comment on the interim MPA proposals. In a public comment session, members of the public in Crescent City as well as in Eureka and Fort Bragg (by teleconference) provided additional comments on the interim proposals.
- The NCRSG received updates on the MLPA Blue Ribbon Task Force (BRTF), SAT, MLPA North Coast Project, and public outreach and education efforts.
- I-Team staff outlined the process by which NCRSG members would work with their co-leads and I-Team staff to ensure the completeness and accuracy of information in the Round 2 draft MPA proposals. I-Team staff also outlined the process by which these draft MPA proposals would be evaluated and made available for review by the public, including during public workshops.

Key **next steps** are listed in section III below.

I. Meeting Objectives, Participants and Materials

On May 20, 2010, the MLPA North Coast Regional Stakeholder Group (NCRSG) participated in a meeting in Crescent City, CA. This *Key Outcomes Memorandum* summarizes the meeting's main results.

The primary objectives of the meeting were to:

1. Receive updates on the Marine Life Protection Act (MLPA) Blue Ribbon Task Force (BRTF), MLPA Master Plan Science Advisory Team (SAT), MLPA North Coast Project, and public outreach and education efforts
2. Present and receive feedback on interim ideas for Round 2 draft marine protected area (MPA) proposals
3. Present revised Round 2 draft MPA proposals for consideration in Round 2 evaluations
4. Review next steps in the Round 2 evaluation process and opportunities for public input

Thirty-two NCRSG members participated in the meeting. Two NCRSG members were not able to attend.

BRTF member Roberta Cordero participated in the meeting.

MLPA Initiative, State Parks, and DFG staff – collectively known as the “I-Team” – staffed the meeting.

Meeting materials may be found on the MLPA website at http://www.dfg.ca.gov/mlpa/meeting_052010.asp

II. Key Outcomes

A. Welcome, Agenda Review and Brief Introductions

MLPA Initiative Executive Director Ken Wiseman provided opening remarks and welcomed the members of the NCRSG and public. Mr. Wiseman thanked NCRSG member Reweti Wiki and the Elk Valley Rancheria for making the facility available for the meeting.

Eric Poncelet from the facilitation team reviewed the meeting objectives and the schedule for the day.

B. Updates – BRTF, North Coast Project, SAT, Response to NCRSG Questions

I-Team staff presented on the status of efforts related to the BRTF, the North Coast Project, SAT, NCRSG questions, and MLPA public outreach and education.

I-Team staff indicated that during the BRTF's May 3-4, 2010 meeting, the BRTF confirmed its previous guidance and provided additional guidance regarding the development of Round 2 draft MPA proposals (summarized in briefing document A.2). I-Team staff also reported that during the BRTF's May 17, 2010 meeting via teleconference, the BRTF provided additional guidance to the NCRSG and SAT related to tribal and tribal community uses of marine resources and how these uses should be addressed during Round 2 of the MPA planning process.

During the North Coast Project update, I-Team staff noted that the last NCRSG meeting was held on March 24-25, 2010, and since that time the NCRSG has had two work sessions (April 20-21 and May 19) to begin developing Round 2 draft MPA proposals. I-Team staff also reported that the NCRSG Goals and Regional Objectives Work Group (comprised of NCRSG members and supported by I-Team staff) met several times to inform the development of goals and regional objectives for the north coast study region, and that I-Team staff would be working with some NCRSG members during the week of May 24, 2010 to ensure that goals and objectives are identified for each MPA included in the Round 2 draft MPA proposals. In addition, I-Team staff reported that the Special Closures Work Group (comprised of NCRSG members and members of the public, with support by I-Team staff) had

also met several times over the preceding weeks and had identified ten potential special closures for the Ruby and Sapphire work groups to consider recommending along with Round 2 proposals.

During the SAT update, I-Team staff reported that at its May 12, 2010 meeting the SAT approved draft responses to science questions and evaluation methods for benefits to marine birds and mammals. It was also noted that the SAT Habitat Work Group developed a supplemental method for analyzing nearshore habitat. Finally, I-Team staff indicated that the SAT Evaluation Work Group will begin evaluating the NCRSG's Round 2 draft MPA proposals in the coming weeks.

During the public outreach and education update, I-Team staff identified several resources for the public, including remote participation locations during MLPA meetings, printed materials that are distributed to local libraries and government offices, and updated training videos for MarineMap. I-Team staff also noted that the most recent edition of North Coast News was released several weeks ago and another will be distributed in mid-June. A series of public open houses scheduled for July 6, 7 and 8 were highlighted, which are a valuable opportunity for the public to provide feedback on proposed MPAs identified in Round 2 draft MPA proposals.

C. Reports on Interim Status of Round 2 Draft MPA Proposals

Immediately following the updates, the co-leads of the Ruby and Sapphire work groups gave presentations on the status of their work in developing Round 2 draft MPA proposals, based on what the work groups accomplished at their May 19, 2010 work sessions. Following each presentation, NCRSG members asked clarifying questions and offered comments on the proposals.

Following the presentations, NCRSG member Harold Wollenberg suggested that stakeholders consider recommending the following text with all Round 2 draft MPA proposals:
"State waters of the MLPA North Coast Study Region shall not be occupied by seafloor pipelines and/or sub-seabed slant holes to transport hydrocarbon products from offshore sedimentary basins."

The Ruby and Sapphire work group reports were followed by a public comment period in which members of the public at the meeting site in Crescent City and at two public access locations (Eureka and Fort Bragg) provided feedback on the work of the NCRSG, Ruby and Sapphire work groups, and interim draft MPA proposals; see item G for details.

D. Presentation of Completed NCRSG Round 2 Draft MPA Proposals

After the public comment period, the meeting went into recess for lunch and work sessions where the Ruby and Sapphire work groups continued developing Round 2 draft MPA proposals. After the recess, the NCRSG reconvened and the work groups presented the Round 2 draft MPA proposals. Each work group developed two Round 2 draft MPA proposals: Ruby Draft MPA Proposal 1, Ruby Draft MPA Proposal 2, Sapphire Draft MPA Proposal 1, and Sapphire Draft MPA Proposal 2. In addition, the Ruby work group completed a recommendation for special closures to accompany Ruby Draft Proposal 1 and one to accompany Ruby Draft Proposal 2. The Sapphire work group did not complete a special closure review by the end of its work session.

Following the presentation of the draft MPA proposals, NCRSG members asked several clarifying questions. Key questions and comments included:

- An NCRSG member asked whether special closures would be proposed by the Sapphire group. It was indicated that the Sapphire group did not develop recommendations for special closures due to time constraints, but that the group could potentially address the topic following the May 20 meeting.

- An NCRSG member questioned whether Stone Lagoon should be included in the study region, given the relative infrequency of a direct connection to the ocean. DFG staff will provide feedback on the inclusion of this estuary in the study region.
- An NCRSG member requested that I-Team staff develop a spreadsheet that summarizes a number of the SAT evaluations. I-Team staff will consider the request.

Eric Poncelet from the facilitation team concluded the meeting by thanking the NCRSG members for their hard work, integrative thinking, and good faith effort to bring the interests of others into the conversation. He then confirmed the NCRSG's intent to forward the Ruby and Sapphire Round 2 draft MPA proposals to the SAT, DFG, State Parks, and MLPA staff for Round 2 evaluation.

E. Next Steps to Confirm and Evaluate Round 2 Draft MPA proposals

I-Team staff provided an overview of the process for confirming and evaluating the Round 2 draft MPA proposals. Approximate key dates include:

- May 21 – May 26: Staff works with the NCRSG to confirm that information for the draft MPA proposals has been accurately captured in MarineMap and begins producing basic documents describing the draft MPA proposals.
- June 3: Basic materials will be posted to the MLPA website at http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp and draft MPA proposals will be viewable by the public in MarineMap at <http://northcoast.marinemap.org/>. The SAT will begin its evaluation of the draft MPA proposals.
- June 16: Additional staff-generated materials will be posted to the MLPA website.
- June 29-30: The SAT will meet in Eureka to review preliminary evaluation results. Draft evaluation PowerPoints and associated documents will be presented and discussed; these materials will also be posted to the north coast meetings webpage (http://www.dfg.ca.gov/mlpa/meetings_nc.asp).
- July 6-8: A series of public open houses will be held throughout the study region to solicit input regarding the Round 2 draft MPA proposals. NCRSG members are encouraged to participate.
- July 21-22: The BRTF will meet in Fort Bragg to receive the evaluations of Round 2 draft MPA proposals and supporting documents from the SAT, DFG, State Parks, and MLPA staff.
- July 29: The NCRSG will meet in Fort Bragg to receive evaluation results of Round 2 draft MPA proposals from the SAT, DFG, State Parks and MLPA staff. The NCRSG will receive guidance for how to approach Round 3 from the BRTF and MLPA staff. The NCRSG will have a work session on July 30 to begin developing MPA proposals for Round 3.

NCRSG members asked questions and offered additional comments regarding next steps, including:

- **Availability of Round 2 draft MPA proposals.** A question regarding how the public may learn about the Round 2 draft MPA proposals. I-Team staff described the following steps: the Round 2 draft MPA proposals will be posted on the MLPA website and available in MarineMap, a message will be sent to NCRSG members and the public when the proposals are ready for public review, a message will be sent to local media outlets, public open houses will be held July 6-8, the SAT will present its preliminary evaluation results during its June 29-30, 2010 meeting in Eureka, and the draft MPA proposals and all evaluations (SAT, DFG, State Parks and MLPA staff) will be presented during the BRTF's July 21-22 meeting.
- **Availability of special closures information.** A question regarding whether the special closures will be included in the information available to the public. I-Team staff indicated that they would be included, but that special closures are considered separate recommendations from the Round 2 draft MPA proposals.

- **NCRSG process design.** NCRSG members expressed preferences for the Round 3 process design. Several expressed support for the NCRSG to remain in one group during Round 3. Others expressed support for the NCRSG to conduct future work sessions in two groups, particularly if more than two proposals are requested for Round 3. MLPA staff will consider this input in the crafting the Round 3 process design. [Note: At the May 19, 2010 work session, NCRSG members were provided with a copy of a memo sent by the Facilitation Team to MLPA Initiative Executive Director Ken Wiseman. This memo, dated May 17, 2010, described the Facilitation Team's rationale for retaining the NCRSG Round 2 work group process design. A copy of this memo is appended to this Key Outcomes Memorandum.]

F. Summary of Science Questions Posed

During the May 20, 2010 meeting, NCRSG members and the public posed several science-related questions. I-Team staff was able to respond to these questions during the meeting. One science question was not fully answered during the NCRSG meeting and will be submitted to the SAT for a response:

- What is the geographic extent of the oceanographic data used in the bioeconomic modeling evaluation?

I-Team staff provided a partial response to this question, indicating that the oceanographic data in the bioeconomic model extend beyond the northern and southern boundary of the study region and that this is intentional and beneficial to avoid problems with analytical artifacts that occur at the edges of the data. I-Team staff will follow up with the SAT Modeling Work Group to confirm that results of the bioeconomic modeling evaluation are scaled to the study region.

G. Public Comment

Members of the public provided comment on the NCRSG's interim work products and other topics. Members of the public participated onsite in Crescent City and via conference call from Fort Bragg and Eureka. Key themes from public comment included:

- Concerns about the potential socioeconomic impacts associated with the proposed MPA at Wilson Rock.
- Support for not placing any MPAs between the mouths of the Smith and Klamath rivers.
- Support for not having an MPA at Cape Mendocino, which is important for recreational anglers.
- Importance of a 10-mile safety zone around harbors.
- Gratitude from Petrolia residents for having their interests incorporated into the Round 2 draft MPA proposals.
- Support for future NCRSG work sessions to proceed with a single work group.
- Support for proposed MPAs to consider wave energy and other ocean development.
- Support for the SAT to allow tribal uses in the evaluations of proposed MPAs.
- Recognition of native peoples as part of the ecosystem.
- Concern that certain potential special closures could impact navigation routes.
- Support for groundtruthing nearshore habitat data.
- Acknowledgement that Albion campground and the fishermen who visit there are important for the local economy.
- Request that NCRSG members continue to reach out to constituents.

III. Recap of Next Steps

A. Key Next Steps for NCRSG Members

1. Work group (Ruby and Sapphire) members should work with their co-leads and I-Team staff over the coming week to confirm the accuracy of the information contained in MarineMap for the Round 2 draft MPA proposals. Volunteers from each work group will work with DFG to confirm the goals and regional objectives assigned to each proposed MPA in Round 2 draft MPA proposals.
2. NCRSG members should consider participating in at least one of the upcoming public open houses (July 6-8, 2010), as they provide an important opportunity for members of the public to review and comment on the Round 2 draft MPA proposals, ask clarifying questions about the proposals, and share ideas with NCRSG members.
3. NCRSG members should continue to generate ideas and meet informally (if appropriate) before the next public meeting/work session on July 29-30, 2010, in Fort Bragg.

B. Key Next Steps for I-Team Staff

- During the weeks of May 23 and May 30, I-Team staff will produce materials that provide basic information about the Round 2 draft MPA proposals. These materials include:
 - Description of MPAs - A document that details for each MPA the name, proposed allowed uses, site-specific rationale, and other attribute information. This document will be similar to the "Array Spreadsheet" available in MarineMap for each proposal.
 - Maps - A set of maps in PDF format that graphically show the proposed MPAs; proposed special closures also will be displayed.
 - Habitat Calculations - A document that shows the amount of habitat captured in each proposed MPA. This will be similar to the information you can export directly from MarineMap. Numbers for each habitat can be compared to the thresholds for habitat replication to determine whether an MPA meets, or is close to meeting, the guidelines for replication and spacing.
 - Consideration of Existing MPAs - A document that describes whether the proposal recommends to retain, modify or remove each of the five existing state MPAs.
 - Special Closures - A document describing proposed special closures with maps in PDF format showing proposed boundaries.
- By June 3, I-Team staff will make available to the public the Round 2 draft MPA proposals and accompanying draft special closure recommendations in MarineMap and the materials described above on the MLPA website (http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp); NCRSG members and the public will receive an email notification when these materials have been posted.
- DFG staff will investigate the inclusion of Stone Lagoon in the MLPA North Coast Study Region and report back to the NCRSG.
- DFG and MLPA Initiative staff will be meeting with tribes and tribal communities for input on the Round 2 proposed MPAs.

C. Upcoming NCRSG meetings

The next NCRSG meeting is scheduled for July 29, 2010 in Fort Bragg. Key objectives for the July 29, 2010 meeting include:

- Receive and discuss evaluation results for Round 2 draft MPA proposals
- Potentially receive additional guidance from the BRTF regarding development of Round 3 MPA proposals

On July 30, 2010, NCRSG members will participate in a work session to begin developing Round 3 MPA proposals.

Date: May 17, 2010

From: Eric Poncelet and Ben Gettleman, Kearns & West, MLPA Initiative Facilitators

To: Ken Wiseman, Executive Director, MLPA Initiative

Su: Rationale for Retaining NCRSG Round 2 Work Group Process Design

This memo outlines the facilitation team's rationale for retaining the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) Round 2 Work Group process design.

Key points regarding the NCRSG Round 2 process design:

- The Round 2 “gem” work group process design was developed by the project facilitators and presented to NCRSG members in an April 2, 2010 memo. This process design was developed based on the following factors:
 - *Input from NCRSG members and MLPA Initiative staff.* At the March 24-25, 2010 NCRSG meeting, NCRSG members and MLPA Initiative staff commented on the original Round 2 process design.
 - Some NCRSG members pointed out the benefits of having all of the NCRSG members present to hear each others' views and learn from one another.
 - Other NCRSG members and MLPA Initiative staff noted that smaller group discussions will be more efficient and allow everyone's voices to be better heard, particularly given the size of the group (34 members).

The facilitation team took these interests into account when they crafted the current “hybrid” Round 2 approach, which provides for both efficient work group development of MPA ideas and significant opportunities for reporting back and discussion in the full NCRSG setting.
 - *Key tool for collaborative processes.* Use of work groups in collaborative settings is a key tool in a facilitator's professional tool box. Work group processes provide increased opportunities for NCRSG members to speak, share their interests, and incorporate the interests of others. They also help avoid situations where negotiations are dominated by a few dominant voices. The facilitation team has used work group processes extensively in our ten years facilitating collaborative stakeholder processes. In evaluations of past collaborative processes, stakeholder participants commonly describe time spent in work group discussions as among the most productive time spent.
 - *Supported in past MLPA study regions.* Similarly, evaluation results from previous MLPA study regions have significant support from past regional stakeholder group members for the work group processes.
- The NCRSG has been operating according to this hybrid process design throughout Round 2. The facilitation team strongly recommends against changing the process design part way through Round 2. In our professional opinion, this would significantly impede the ability of NCRSG members to provide a range of draft MPA proposals by the end of Round 2, as has been requested by the MLPA Blue Ribbon Task Force.

In addition to the key points articulated above, we would like to offer additional clarifications about how NCRSG process design is developed:

- In the MLPA Initiative process, regional stakeholder group process design is determined by the professional facilitators, who have been hired by the MLPA Initiative as 3rd party neutrals to assist the regional stakeholder group in achieving its charge in a timely manner. In the north coast process, consistent with past study regions, the facilitation team has incorporated input from the I-Team and NCRSG members themselves into the NCRSG process design. NCRSG member input has been received through the initial stakeholder interviews and comments received during NCRSG meetings.
- Process design is appropriately the responsibility of the neutral facilitators because, unlike the NCRSG members, the facilitators do not have a stake in the results of the MPA planning process.
- The role of the facilitators as neutrals is clearly spelled out in the NCRSG's adopted ground rules.