

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*
- *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 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 can 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

- 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)
- Briefing Document C.1: Charter of the MLPA Statewide Interests Group (January 11, 2010)
- 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)
- 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)
- Briefing Document F.1: Calendar of Upcoming Meetings for the MLPA North Coast Study Region (April 26, 2010)