

California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Meeting Agenda
(revised February 7, 2010)

Monday, February 8, 2010 at 9:30 AM
Tuesday, February 9, 2010 at 8:30 AM

Red Lion Hotel Eureka
1929 Fourth Street
Eureka, CA 95501

Public participation: Members of the public are invited to attend the meeting in person or view and listen to the meeting via simultaneous webcasting on the Internet; an archived version will be available approximately two days after the meeting. Please visit the Marine Life Protection Act (MLPA) website at www.dfg.ca.gov/mlpa/meetings_n.asp for more information.

The public will be invited to offer comments on the work of the MLPA North Coast Regional Stakeholder Group (NCRSG) at approximately **12:45 p.m. on Monday, February 8 and at 12:45 p.m. on Tuesday, February 9**. Note that the public comment period is for comments specific to the MLPA North Coast Regional Stakeholder Group; comments related to other MLPA Initiative activities or groups should be directed to those bodies or MLPA staff.

Meeting Objectives

- *Introduce the north coast project; review product goals, NCRSG charge and work plan, and project logistics*
- *Review and potentially adopt proposed NCRSG ground rules*
- *Present key findings of stakeholder assessment and implications for north coast project*
- *Share NCRSG member interests, areas of expertise, and geographic areas of importance*
- *Present update on north coast data and information*
- *Present BRTF guidance for developing MPA proposals*
- *Outline next steps to prepare for NCRSG meeting #2*

Meeting Agenda - Monday, February 8, 2010

Note: The NCRSG will break for lunch at approximately 11:45 a.m. and public comment will be taken immediately after lunch at approximately 12:45 p.m.

I. Introduction to the MLPA North Coast Project

A. Description of MLPA Initiative and North Coast Project Goals, Roles, and Responsibilities

- BRIEFING DOCUMENT A.1:** California Marine Life Protection Act (California Marine Life Protection Act Code Sections 2850 - 2863, as amended July 2004)
- BRIEFING DOCUMENT A.2:** California Marine Managed Areas Improvement Act (California Public Resources Code Sections 36600 - 36620, as amended January 2006)
- BRIEFING DOCUMENT A.3:** Amendment and Extension of Memorandum of Understanding for the California Marine Life Protection Act Initiative (July 2008)
- BRIEFING DOCUMENT A.4:** California Marine Life Protection Act Master Plan for Marine Protected Areas (January 2008) - main text only; appendices available upon request

** This facility is accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service (at least two days prior to the meeting) at 800.735.2929 (TTY) or 800.735.2922 (voice), or contact the California Marine Life Protection Act Initiative at 916.654.1885.*

- BRIEFING DOCUMENT A.5:** Charter of the MLPA Blue Ribbon Task Force, 2009 - 2010 (October 5, 2009)
- BRIEFING DOCUMENT A.6:** Charter of the 2009-2011 MLPA Master Plan Science Advisory Team (October 1, 2009)
- BRIEFING DOCUMENT A.7:** Charter of the MLPA North Coast Regional Stakeholder Group (February 1, 2010) – Handout Placeholder
- BRIEFING DOCUMENT A.8:** PowerPoint Presentation: Developing a System of Marine Protected Areas in California: An Introduction to the MLPA and MLPA Initiative – Handout Placeholder
- BRIEFING DOCUMENT A.9:** Frequently Asked Questions Regarding Appointments to the MLPA North Coast Regional Stakeholder Group (February 2, 2010)
- BRIEFING DOCUMENT A.10:** MLPA Blue Ribbon Task Force (2009-2010) Policy for an Open and Transparent Process (re-adopted November 18, 2009)
- BRIEFING DOCUMENT A.11:** California's Marine Life Protection Act Initiative North Coast Participants (revised July 19, 2009)

B. MPA Planning Process, Project Deliverables, and Timeline

- BRIEFING DOCUMENT B.1:** Calendar of Upcoming Dates for the MLPA North Coast Study Region (revised January 7, 2010)
- BRIEFING DOCUMENT B.2:** PowerPoint Presentation: North Coast Marine Protected Area Planning Process, Timeline and Deliverables

C. NCRSG Logistics (communications, travel reimbursement)

- BRIEFING DOCUMENT C.1:** Members of the North Coast Regional Stakeholder Group (revised February 6, 2010) - Handout Placeholder
- BRIEFING DOCUMENT C.2:** Public Contact Information for NCRSG Members (February 6, 2010) - Handout Placeholder
- BRIEFING DOCUMENT C.3:** California MLPA Initiative Third Phase Reimbursement Rate Guidelines (Adopted September 8, 2008; re-adopted November 18, 2009)
- BRIEFING DOCUMENT C.4:** Travel Reimbursement and Stipend Eligibility Guidelines for the MLPA North Coast Regional Stakeholder Group (February 2, 2010)
- BRIEFING DOCUMENT C.5:** MLPA Staff and Their Roles in the MLPA Initiative (revised January 5, 2010)
- BRIEFING DOCUMENT C.6:** Public Contact Information for Key MLPA Staff (revised February 6, 2010)

II. NCRSG Ground Rules

D. Review and Potentially Adopt NCRSG Ground Rules

- BRIEFING DOCUMENT D.1:** Charge and Draft Ground Rules for the MLPA North Coast Regional Stakeholder Group (January 30, 2010) – Handout Placeholder
- BRIEFING DOCUMENT D.2:** PowerPoint Presentation: Charge and Ground Rules for the MLPA North Coast Regional Stakeholder Group (Draft for review, revision and adoption) – Handout Placeholder

III. Stakeholder Assessment

E. Present Stakeholder Assessment and Discuss Implications for the MLPA North Coast Study Region

- BRIEFING DOCUMENT E.1:** Stakeholder Assessment Memorandum - North Coast Process (February 5, 2010) – Handout Placeholder
- BRIEFING DOCUMENT E.2:** PowerPoint Presentation: Stakeholder Assessment for the North Coast Study Region – Handout Placeholder

IV. Planning Tools

F. Update on Planning Tools for MLPA North Coast Study Region

- BRIEFING DOCUMENT F.1:** PowerPoint Presentation: Tools to Support MPA Planning in the North Coast Study Region – Handout Placeholder

V. Stakeholder Interests and Areas of Expertise

G. Plenary Session to Share Stakeholder Interests, Affiliations, and Areas of Expertise

- Focal questions: 1. What are your interests in and uses of the ocean in the study region?

2. What primary and secondary affiliations do you hold?
3. What geographic areas of the study region are you most familiar with?

Meeting Agenda - Tuesday, February 9, 2010

Note: The NCRSG will break for lunch at approximately 11:45 a.m. and public comment will be taken immediately after lunch at approximately 12:45 p.m.

Arrival, Refreshments and Greetings

VI. Ground Rules (cont.)

H. Revise and Adopt Ground Rules, as Needed

VII. Updates

I. MLPA Blue Ribbon Task Force

BRIEFING DOCUMENT I.1: Members of the MLPA Blue Ribbon Task Force (November 2009)

J. MLPA Master Plan Science Advisory Team

BRIEFING DOCUMENT J.1: Members of the MLPA Master Plan Science Advisory Team (October 22, 2009)

K. Public Outreach and Education

BRIEFING DOCUMENT K.1: Draft Strategy for Public Participation in the MLPA North Coast Study Region (draft revised November 17, 2009)

BRIEFING DOCUMENT K.2: Guidelines for Providing Public Comment to the MLPA North Coast Project (January 25, 2010)

L. Coordination with Tribes

VIII. Guidance for Developing MPA Proposals

M. NCRSG Role in Creating Alternative MPA Proposals

BRIEFING DOCUMENT M.1: Appendix J (Defined Terms) of the California Marine Life Protection Act Master Plan for Marine Protected Areas (January 2008)

BRIEFING DOCUMENT M.2: Commonly Used Acronyms and Abbreviated Terms (revised January 21, 2010)

BRIEFING DOCUMENT M.3: PowerPoint Presentation: Stakeholder Group Role in Creating Marine Protected Area Proposals – Handout Placeholder

N. NCRSG Coordination with the SAT

BRIEFING DOCUMENT N.1: MLPA staff memo regarding asking science questions of the MLPA Master Plan Science Advisory Team (February 5, 2010) – Handout Placeholder

BRIEFING DOCUMENT N.2: PowerPoint Presentation: Science Advisory Team and Regional Stakeholder Group: Working Together – Handout Placeholder

O. BRTF Guidance for Developing MPA Proposals

BRIEFING DOCUMENT O.1: MLPA staff memo regarding updated summary of key guidance provided in previous MLPA study regions (January 13, 2010)

BRIEFING DOCUMENT O.2: PowerPoint Presentation: Policy Guidance from the MLPA Blue Ribbon Task Force – Handout Placeholder

IX. Geographic Areas of Importance

P. Breakout Session Activity to Identify Areas of Geographic Importance

Focal question:

1. What geographic areas and specific locations within the study region are important to you that you want other NCRSG members to know about, and why? You may consider the following in your responses (you may address one or more of these):
 - a. Where are important areas for habitat representation, ecosystem protection, and sustaining marine life populations?
 - b. Where are important areas for consumptive recreational and commercial activities?
 - c. Where are important areas for non-consumptive recreational and commercial activities?
 - d. Where are important areas for educational, cultural and study opportunities?

X. Next Steps and Preparation for Second NCRSG Meeting (March 24-25, 2010)

Key Outcomes Memorandum

Date: February 25, 2010

To: Members, MLPA North Coast Regional Stakeholder Group (NCRSG)

From: Eric Poncelet and Ben Gettleman, Kearns & West

Re: Key Outcomes Memorandum – February 8-9, 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 February 8-9, 2010, the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) participated in its first meeting, in Eureka, CA. **Key outcomes** from the meeting are as follows:

- The NCRSG received a presentation of the project goals and the NCRSG's charge, and were provided with the opportunity to ask clarifying questions.
- The NCRSG discussed, revised and adopted ground rules to guide the NCRSG process.
- The NCRSG received a presentation on key findings from the stakeholder assessment memorandum.
- The NCRSG received presentations on: BRTF guidance for the north coast project; available tools and best readily available information; process and timeline for developing marine protected area (MPA) proposals; and how the NCRSG will coordinate with the MLPA Master Plan Science Advisory Team (SAT).
- In a plenary session, NCRSG members shared their key interests, affiliations, and geographic areas of expertise.
- MarineMap training was provided for NCRSG members.
- NCRSG members requested that additional time be provided for more comprehensive and accurate tribal information to be added to the regional profile. MLPA Initiative staff (I-Team) committed to discuss this request at a staff meeting on February 10, 2010 and to respond to NCRSG members by February 11, 2010. [Note: at the February 10 staff meeting, I-Team staff committed to provide California tribes and tribal communities with extra time (until April 1, 2010) to submit additional information for the regional profile. This information will not be edited by the I-Team and will be included in an additional appendix to the regional profile.]
- It was agreed that a follow-up NCRSG teleconference/webinar would be convened in late February to discuss and potentially vote on an NCRSG recommendation to the BRTF regarding how tribal uses should be addressed in the MPA planning process. The outcome will be presented to the BRTF at its March 1-2, 2010 meeting. It was also agreed that the NCRSG tribal and tribal community members would coordinate to produce the proposed text for the recommendation.

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

I. Meeting Objectives, Participants and Materials

On February 8-9, 2010, the NCRSG participated in a meeting in Eureka, CA. This *Key Outcomes Memorandum* summarizes the meeting's main results.

The primary objectives of the meeting were to:

1. Introduce the north coast project; review project goals, NCRSG charge and work plan, and project logistics
2. Review and adopt proposed NCRSG ground rules
3. Present key findings from the stakeholder assessment and implications for the north coast project
4. Share NCRSG member interests, areas of expertise, and geographic areas of importance
5. Present update on north coast data and information
6. Present BRTF guidance for developing MPA proposals
7. Outline next steps to prepare for Meeting #2

Thirty NCRSG members participated in the meeting.

MLPA Blue Ribbon Task Force (BRTF) member Jimmy Smith attended portions of the meeting and provided remarks.

MLPA Master Plan Science Advisory Team (SAT) member Craig Strong participated in the meeting.

MLPA Initiative, California Department of Parks and Recreation (State Parks), and California Department of Fish and Game (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_020810.asp

II. Key Outcomes

A. Welcome, Agenda Review and Brief Introductions

MLPA Initiative Executive Director Ken Wiseman and DFG Marine Region Habitat Conservation Program Manager Becky Ota provided opening remarks. Mr. Wiseman noted that the process of developing MPA arrays had already begun with the development of external arrays, and that I-Team staff was impressed by the MPA arrays that were submitted by February 1, 2010. He acknowledged that more NCRSG nominees were qualified than were appointed, but that the selection process aimed to assemble as diverse and broadly representative a stakeholder group as possible while keeping the group size manageable. Ms. Ota re-affirmed DFG's commitment to the NCRSG process to provide guidance and policy input, and that DFG will implement the MPAs when they are established.

Eric Poncelet from the facilitation team welcomed the NCRSG members and expressed appreciation for their commitment to the process and willingness to participate. Mr. Poncelet noted that the role of neutral facilitators is to make the process as effective as possible.

B. Description of MLPA Initiative and North Coast Project Goals, Roles and Responsibilities

I-Team staff gave an overview presentation on the MLPA and MLPA Initiative. The presentation included an introduction to the MLPA and MPAs, an introduction to the MLPA Initiative and California's MPA planning process, an overview of MLPA Initiative participants and their roles, opportunities for public involvement, and important process adaptations for the MLPA North Coast Study Region.

I-Team staff also provided several updates on logistics, including travel expense reimbursement and stipend eligibility. NCRSG members will receive reimbursement forms with instructions following the meeting. NCRSG members were also asked to verify their contact information (mail, phone, email).

C. NCRSG Charge and Ground Rules

I-Team staff provided an overview of the NCRSG charge and draft operating ground rules. The main elements of the charge of the NCRSG include the following tasks:

- Consider the extent to which the existing MPAs in the north coast study region meet the goals of the MLPA
- Work with fellow NCRSG members to develop alternative MPA proposals within the north coast study region by September 2010 that meet the goals of the MLPA, for consideration by the BRTF
- Contribute local knowledge to the MPA planning process
- Reach out to and involve broader constituent groups

The draft NCRSG ground rules, which are intended to foster and reinforce constructive interaction and deliberation among NCRSG members, were informed by confidential interviews conducted with a cross section of the nominees for the NCRSG, ground rules used in previous MLPA study regions, and Kearns & West's professional experience. Following the I-Team presentation on NCRSG ground rules, NCRSG members and I-Team staff discussed the ground rules. Key points raised included the following:

- NCRSG members requested that "California tribes and tribal communities" be used in all references to tribal peoples or affiliations.
- Staff clarified that the ground rules governing contact with the media are intended to help ensure that this contact is productive. These ground rules are not intended to discourage NCRSG members from using the media to reach out to their broader constituencies.
- NCRSG members expressed concern that the use of straw polls can turn out negatively, and that the results of a straw poll can be used against members who are in the minority.
- NCRSG members requested clarification on the issue of confidentiality and sharing information outside of the NCRSG.
- NCRSG members requested a clarification regarding the influence of the I-Team and SAT on the development of NCRSG products.
- NCRSG members requested clarification of their opportunity to speak during public comment in the broader MLPA Initiative MPA planning process.

On Day 2, the I-Team presented a revised set of ground rules responding to several of the concerns and questions raised by NCRSG members during the previous day. Key revisions included:

- Substituted “California tribes and tribal communities.”
- Added clarifying language on the issue of confidentiality.
- Added clarifying language on the use of straw polling, the purpose, how straw polls will be initiated, and how they will not be used to disenfranchise particular interests.
- Added a new paragraph describing when NCRSG members are able to speak during public comment at BRTF and SAT meetings.
- Added a new section and paragraph outlining the neutral role of MLPA Initiative staff.

After reviewing the revised ground rules and suggesting minor revisions, NCRSG members voted unanimously to adopt them. The adopted ground rules are attached to this *Key Outcomes Memorandum*.

D. Stakeholder Assessment

The facilitation team presented a stakeholder assessment memorandum. The memorandum outlined summary findings from interviews conducted by the facilitation team with a broad cross-section of NCRSG nominees, including all 32 appointed NCRSG members.

Overarching findings from the stakeholder assessment included:

- Stakeholders are keenly interested in the MLPA North Coast Project. The interviewed stakeholders want MLPA implementation to take into account the unique qualities of the north coast study region and the broad diversity of stakeholder interests that reside there.
- Stakeholders have considerable local knowledge and experience and are willing to bring this to the process.
- In general, stakeholders recognize the difficulties inherent in designing and proposing a set of MPAs that satisfies the diverse interests in the north coast study region.
- Stakeholders emphasized the importance of minimizing the negative socioeconomic impacts of MPAs on local communities and of working hard to ensure the buy-in of local communities.

E. Planning Process and Tools

I-Team staff outlined the broader planning process for the north coast study region, including the three-round iterative MPA proposal development process and timeline. I-Team staff also described the role of external MPA arrays in the MPA proposal development process, and the role of those individuals who helped develop external proposed MPA arrays for round 1 as this process transitions over to the NCRSG developing MPA proposals in rounds 2 and 3.

I-Team staff also provided an update on the status of key planning tools such as MarineMap and the north coast regional profile.

Comments and clarifying questions from NCRSG members included:

- The regional profile should be a living document. It could serve as a central place for incorporating new information during the discovery process. I-Team staff clarified that

best available information will continually be brought into the process through memos, presentations and participation by NCRSG members, and the regional profile will only be updated with the final substrate data in March (Note: after the meeting additional changes were included for the profile, see below).

- Several NCRSG tribal and tribal community members reviewed the draft north coast regional profile and were concerned that the tribal information captured in that document was incomplete and/or inaccurate. They emphasized that while other options may exist for bringing additional information into the process, they felt strongly that the regional profile is the most appropriate document for including tribal information. It was requested that additional time be provided for more comprehensive and accurate tribal information to be added, and requested that California tribes and tribal communities be provided until April 1, 2010 to provide that additional information. I-Team staff committed to discussing this request at a staff meeting on February 10, 2010 and responding to NCRSG members by February 11, 2010. [Note: at the February 10, 2010 staff meeting, I-Team staff committed to provide California tribes and tribal communities with extra time (until April 1, 2010) to submit additional information for the regional profile. This information will not be edited by I-Team staff and will be included in an appendix to the regional profile].

F. Stakeholder Interests and Areas of Expertise

A plenary session was held during Day 1 where NCRSG members were provided with the opportunity to share their key interests, affiliations, and geographic areas of expertise. I-Team staff committed to collect written descriptions of these topics provided by individual NCRSG members and compile them into a single reference document.

The compilation of NCRSG member descriptions of their affiliations, interests, areas of expertise, and geographic areas of importance is attached to this *Key Outcomes Memorandum*. This is intended to be a key reference document for NCRSG members. It can be further updated as appropriate.

G. Updates – BRTF, SAT, Public Outreach and Education

I-Team staff presented on the status of efforts related to the BRTF, SAT and MLPA Public Outreach and Education (POE) Team.

During the POE update, I-Team staff invited input from NCRSG and community members on whether the central locations where MLPA materials are being housed are sufficient. I-Team staff also requested input on where future MLPA informational presentations are needed, and how to make the process more inclusive. An NCRSG member requested that public outreach documents be kept at the Ukiah Public Library. There was also a request for informational MLPA forums to be held in Fort Bragg and Ukiah in April.

H. Updates – Coordination with California Tribes and Tribal Communities

I-Team staff provided an update on the status of ongoing coordination between the State of California, the MLPA Initiative, and California tribes and tribal communities. During the update, there was extensive discussion about the use of marine resources by California tribes and tribal communities, and how these will be factored into the MLPA process. Key comments included:

- It is important to address the issue of tribal use early in the process.
- Will there be guidance on this issue for making MPA proposals? This needs to involve multiple state entities. Without this guidance, the NCRSG cannot move forward. I-Team staff confirmed that efforts are underway to provide this guidance, and that initial guidance is expected to be provided at the March 1, 2010 BRTF meeting. I-Team staff also emphasized that any guidance would need to be supported by both the BRTF and the California Fish and Game Commission.
- The master plan for MPAs needs to be revised to address California tribal and tribal community issues.
- Trust must be built with California tribes and tribal communities. I-Team staff can start by incorporating more tribal information into the north coast regional profile.
- The NCRSG needs to be educated on tribal governance issues. If tribes submit their own data for the regional profile, the data should not be revised by outside reviewers who disagree with it.
- Many NCRSG members expressed the view that California tribal and tribal community rights need to be respected, and there was broad support among NCRSG members around the view that tribal uses should be exempt from the MLPA. A few NCRSG members requested this issue be brought up for a straw poll and that the results be conveyed to the BRTF. I-Team staff confirmed that the NCRSG can develop such recommendations to the BRTF but recommended that this issue be discussed at a follow-up NCRSG meeting. The purpose of delaying this discussion is to provide time for specific, recommended text to be developed, for supporting materials to be identified and distributed to inform the discussion, and for the public to have an opportunity to provide input. It was agreed that an NCRSG teleconference/webinar would be convened the week before the March 1, 2010 BRTF meeting to discuss and potentially vote on an NCRSG recommendation to the BRTF on this topic. The outcomes will be presented to the BRTF at its March 1, 2010 meeting. It was also agreed that the NCRSG tribal and tribal community members would coordinate to produce the proposed text that would be discussed and voted upon during the conference call/webinar.
- An NCRSG member stated that he did not have enough information about the location or quantity of tribal uses of marine resources to participate in a straw poll.
- An NCRSG member requested that the I-Team clearly define the protocols for the NCRSG to make a recommendation to the BRTF.

I. Guidance for Developing MPA Proposals

I-Team staff provided several guidance-related presentations, including: NCRSG role in creating alternative MPA proposals, NCRSG coordination with SAT, and BRTF guidance for developing MPA proposals.

In response to the presentation on the NCRSG role in creating alternative MPA proposals, an NCRSG member requested the I-Team give a presentation illustrating how the development of goals and objectives proceeded in a previous study region.

During the BRTF guidance presentation, I-Team staff shared that the BRTF is considering how guidance for developing MPA proposals from previous study regions will apply to the north coast study region, and that this was a topic of discussion during the November 2009 and January 2010 BRTF meetings. The BRTF, which is expected to formalize its guidance during its March 1-2, 2010 meeting, could also provide additional guidance on tribal uses of marine

resources, wave energy projects, and the number of alternative MPA proposals in rounds 2 and 3.

J. Questions and Clarifications

Throughout the meeting, NCRSG members posed several clarifying questions and provided comments regarding science and policy aspects of the guidelines and informational presentations. I-Team staff responded to most of these issues during the meeting and will provide responses to the remaining questions that were not fully answered during the meeting. This includes science questions posed during public comment.

Key outstanding questions and comments included the following:

- Can reports from California tribes and tribal communities (and their environmental scientists) be included in “the science”?
- Can a geologic/tectonic layer be added to MarineMap and included in the evaluations?
- How do we account for the potential effects of possible wave energy projects?
- What does bioeconomics mean? There was a request for examples from other study regions of bioeconomic and economic evaluation results.
- How will the SAT be able to perform an analysis of tribal uses of marine resources if they don’t know which uses are taking place, nor where?
- What are examples of special closures and how they’ve been used in the past? Are there any existing ones in the north coast study region?
- Water quality shouldn’t be a secondary guideline. The SAT should consider making water quality guidelines equal to other science guidelines.

K. Public Comment

Members of the public provided comment during two separate public comment periods, one on Day 1 and one on Day 2. Comments included:

- Please review the level of protection (LOP) on smelt.
- A question as to whether break-out sessions during NCRSG meetings would be open to public comment (there will be public comment before the break-out sessions).
- A statement that the California Environmental Quality Act requires thorough analysis of the “no action” option and that the no action option should be considered seriously since the north coast region is unique.
- A statement that adequate science is not available for identifying MPAs. A speaker suggested that Chris Costello’s report on sources and sinks should be considered.
- Several statements that the town of Albion is not adequately represented on the NCRSG
- One speaker apologized to Native Americans for having to participate in the process. The speaker also felt the north coast External Proposed MPA Array B, developed by the Mendocino Ocean Community Alliance (MOCA), was a strong foundation to begin the NCRSG process.
- One speaker encouraged NCRSG members to question everything about the process and not just follow direction from I-Team staff. The speaker also stated that the language in external arrays does not protect native rights.
- One speaker requested the science guidelines be revised to give tribes a voice in the process.

- One speaker stated that transparency and fairness were necessary for the MLPA to gain support in the north coast region.

III. Recap of Next Steps

A. Key Next Steps for NCRSG Members

1. NCRSG members were asked to complete the following homework assignments prior to Meeting #2 on March 24-25, 2010.
 - a. View informational briefings that were presented at the most recent BRTF meeting – online or via DVD. An opportunity will be provided at the March NCRSG meeting to ask clarifying questions.
 - b. Read the north coast regional profile. The regional profile will be available online during the week of February 22, and NCRSG members will receive a print copy the following week.
 - c. View external MPA arrays online. [Materials for external arrays (including maps, proposed allowed uses, rationale, etc.) were made available on the MLPA Initiative website (http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp) and MarineMap (<http://northcoast.marinemap.org/>) under “Public Proposals” on Tuesday, February 16.]
 - d. Read the MarineMap instruction memo (sent on February 11 from Evan Fox), and become familiar with the data layers on MarineMap. In addition, two MarineMap training sessions are scheduled on February 24 and 25 for NCRSG members.
2. Review current contact information and inform the I-Team if revisions are needed.
3. NCRSG tribal and tribal community representatives will coordinate to develop text for a policy recommendation to the BRTF advising how tribal use of marine resources should be addressed by the MLPA, and to identify supporting materials to help inform this discussion.
4. NCRSG members will participate in a conference call/webinar to review the BRTF recommendation text, discuss the proposed action item, and potentially vote on whether to proceed.
5. NCRSG tribal and tribal community members will coordinate with other California tribes and tribal communities to provide additional information for the regional profile.

B. Key Next Steps for I-Team Staff

- I-Team staff will hold an internal conference call on February 10 to discuss options for incorporating tribal information into the regional profile, and will provide a response to the NCRSG by February 11.
- I-Team staff will organize a conference call for NCRSG members to review the BRTF recommendation text regarding tribal use of marine resources, discuss the proposed action item, and potentially vote on whether to proceed. I-Team staff will distribute the text to NCRSG members in advance of the conference call.

- I-Team staff will develop a summary document that defines the protocols for the NCRSG to make a recommendation to the BRTF.
- I-Team staff will make public outreach documents available at the Ukiah Public Library.
- Kelly Sayce, Public Outreach and Education Coordinator, will follow up with NCRSG members Tom Trumper and Atta Stevenson to set up informational MLPA forums in Fort Bragg and Ukiah in April 2010.

C. Upcoming NCRSG meetings

The NCRSG teleconference/webinar to discuss an NCRSG recommendation to the BRTF on tribal uses is scheduled for February 25, 2010, from 4:00 – 6:00 PM. An agenda and supporting materials are available online (http://www.dfg.ca.gov/mlpa/meeting_022510.asp).

The next NCRSG meeting is scheduled for March 24-25, 2010 in Crescent City.

Key objectives for the March 24-25, 2010 NCRSG meeting include:

- Discuss questions from informational videos that were assigned as homework
- Present guidelines/guidance for developing, and methods for evaluating, MPA proposals
- Present north coast goals and regional objectives
- Present and discuss evaluations of existing MPAs and north coast external proposed MPA arrays submitted by community groups.
- Discuss areas of geographic importance
- Outline strategy and work plan for developing NCRSG Round 2 MPA proposals

IV. Attachments Referenced

- A. Adopted NCRSG ground rules
- B. Compilation of NCRSG affiliations, interests, and areas of geographic expertise and importance

California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Meeting Agenda
(revised February 23, 2010)

Thursday, February 25, 2010 at 4:00 PM

via teleconference* and online meeting

Toll-free conference call
Dial-in number: 1 (877) 615-4337
Passcode: 7349737#

Presentations via GoToMeeting
Make your reservation now at
<https://www1.gotomeeting.com/register/346012657>

Public participation: Members of the public are invited to attend the meeting via conference call and webinar or may view and listen to the meeting via simultaneous webcasting on the Internet. Video and audio archives of the meeting may be accessed via the Internet approximately two days after the meeting. Please visit the Marine Life Protection Act (MLPA) website at http://www.dfg.ca.gov/mlpa/meetings_nc.asp for more information.

Public comment: The public will be invited to offer comments on the proposed MLPA North Coast Regional Stakeholder Group (NCRSG) recommendation to the MLPA Blue Ribbon Task Force (BRTF) at **approximately 5:25 p.m.** Time allotted for public comment is determined by the number of requests and can range from one to three minutes per comment; submitting written comments that can be easily summarized in one to two minutes is encouraged. Note that public comment at this meeting will be specific to the recommendation being made by the NCRSG.

Meeting materials will be posted to the MLPA website as soon as they are available. This agenda may be found on the MLPA website at http://www.dfg.ca.gov/mlpa/meetings_n.asp

Meeting Objectives

- *Outline process for developing NCRSG recommendations to the BRTF*
- *Introduce, confirm and discuss proposed NCRSG recommendation to the BRTF regarding tribal uses*
- *Outline next steps to complete voting process*

Meeting Agenda - Thursday, February 25, 2010

Note: Public comment on the potential action will be taken at approximately 5:25 p.m.

I. Proposed NCRSG Recommendation to the BRTF

A. Confirm Intent of Meeting and Describe Webinar Logistics

BRIEFING DOCUMENT A.1: PowerPoint Presentation: Meeting Overview, Discussion and Next Steps

BRIEFING DOCUMENT A.2: Procedure for Developing Recommendations to the MLPA Blue Ribbon Task Force (February 22, 2010)

** This facility is accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service (at least two days prior to the meeting) at 800.735.2929 (TTY) or 800.735.2922 (voice), or contact the California Marine Life Protection Act Initiative at 916.654.1885.*

B. Introduce, Review and Discuss Proposed NCRSG Recommendation to the BRTF Regarding Tribal Uses

Potential NCRSG Action: Approve the recommendation to the BRTF regarding tribal uses

BRIEFING DOCUMENT B.1: Proposed NCRSG recommendation to the MLPA Blue Ribbon Task Force – Handout Placeholder

BRIEFING DOCUMENT B.2: MLPA Initiative staff memo regarding legal guidance from the California Department of Fish and Game and California Fish and Game Commission staff (February 19, 2010)

C. Outline Next Steps to Complete Process

Adjourn

Key Outcomes Memorandum

Date: March 8, 2010

To: Members, MLPA North Coast Regional Stakeholder Group (NCRSG)

From: Eric Poncelet and Ben Gettleman, Kearns & West

Re: Key Outcomes Memorandum – February 25, 2010 NCRSG Meeting

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

On February 25, 2010, the NCRSG participated remotely in a webinar/teleconference meeting. This *Key Outcomes Memorandum* summarizes the meeting's main results.

I. Meeting Objectives, Participants and Materials

The primary objectives of the meeting were to:

1. Outline the process for developing NCRSG process recommendations to the BRTF
2. Introduce, discuss, revise as appropriate, and confirm the proposed NCRSG process recommendation to the BRTF regarding tribal uses
3. Outline the next steps to complete the voting process

Twenty-six NCRSG members participated in the meeting.

MLPA Blue Ribbon Task Force (BRTF) members Meg Caldwell and Greg Schem observed the meeting.

MLPA Initiative, California Department of Parks and Recreation (State Parks), and California Department of Fish and Game (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_022510.asp

II. Key Outcomes

A. Discussion of Memorandum Summarizing Legal Guidance from the California Department of Fish and Game and California Fish and Game Commission Staff, February 19, 2010

NCRSG members and I-Team staff discussed the February 19, 2010 memorandum summarizing anticipated legal guidance from the California Department of Fish and Game

(DFG) and California Fish and Game Commission staff regarding how California tribal and tribal community marine resource uses should be addressed in the MLPA Initiative process.

Key themes expressed by NCRSG members during their discussion included the following:

- NCRSG tribal and tribal community representatives, and other NCRSG members, expressed a general feeling of disappointment – though not great surprise – with the anticipated guidance outlined in the memo.
- NCRSG tribal and tribal community representatives stated that California tribes and tribal communities will need more time to develop an agreed-upon statement about tribal uses of marine resources. The statement will need to be discussed and approved by each of the tribal councils and governing bodies, and this cannot happen in time for the next BRTF meeting (March 1-2, 2010).
- Several NCRSG members stated that it will be difficult for the NCRSG to proceed effectively with its work without clear guidance of how tribal uses of marine resources will be considered in the MPA planning process.
- There was strong support for tribal perspectives to be heard in BRTF discussions about tribal uses of marine resources, and a desire for direct dialogue between tribal representatives and the BRTF regarding this matter.
- Several NCRSG members stated that the issue of tribal rights – including tribal uses of marine resources – needs to be addressed outside of the MLPA framework.
- There was a general concern that the views of all affected California tribes and tribal communities be considered in the development of the guidance.

B. Text for NCRSG Recommendation to the BRTF

NCRSG members discussed and revised the draft text for the proposed NCRSG recommendation to the BRTF regarding tribal and tribal community marine resource uses. NCRSG members agreed upon the following final text for the proposed recommendation:

The NCRSG promotes the following to the BRTF:

- 1. The NCRSG recognizes that California tribes and tribal communities are inadequately dealt with in the MLPA framework, including the Master Plan;*
- 2. That the NCRSG requires policy guidance on how to address this issue and that without such guidance, the NCRSG is unable to properly discharge its function and runs the risk of developing proposals that are less than robust;*
- 3. That the MLPA Initiative shall appropriately acknowledge that California tribes and tribal communities have aboriginal rights to take marine resources and to use and manage coastal areas for traditional subsistence, cultural, religious, ceremonial, and other customary purposes. The tribal coalition will provide draft language to the NCRSG, BRTF, and SAT.*
- 4. The NCRSG suggests establishing a separate tribal advisory group to the BRTF consisting of BRTF members, policy officials from DFG / Natural Resources Agency, appropriate federal agencies, and California tribes and tribal communities (at a minimum the NCRSG representatives) for the purposes of developing appropriate policy guidance to the NCRSG and to the CA Fish and Game Commission, and with a view toward amending the Master Plan.*

C. NCRSG Vote on Recommendation to the BRTF

Following the meeting, the proposed language was electronically sent to the NCRSG. NCRSG members were given three days to review the materials and submit their votes on the proposed recommendation directly to the facilitation team by email or phone. NCRSG members were asked to vote on whether they support (i.e., “can live with”) the proposed NCRSG recommendation to the BRTF. The preliminary results of the vote were reported at the March 1, 2010, BRTF meeting.¹

The final results of the vote are as follows (includes votes from all 34 NCRSG members):

| | |
|----------------|----|
| Yes | 28 |
| No | 3 |
| Abstain | 3 |

D. Next Steps

The next NCRSG meeting is scheduled to take place on March 24-25, 2010 in Crescent City.

¹ The preliminary voting results reported to the BRTF were as follow: yes-25, no-3, abstain-1, votes not yet received-5.

**California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Meeting Agenda
(revised March 25, 2010)**

**Wednesday, March 24, 2010 at 9:30 AM
Thursday, March 25, 2010 at 8:00 AM**

**Elk Valley Rancheria Community Center*
2332 Howland Hill Road
Crescent City, CA 95531**

Public participation: Members of the public are invited to attend the meeting in person or view and listen to the meeting via simultaneous webcasting on the Internet. Video and audio archives of the meeting may be accessed via the Internet approximately two days after the meeting. Please visit the Marine Life Protection Act (MLPA) website at www.dfg.ca.gov/mlpa/meetings_n.asp for more information. In addition, the following location will be open to the public to view and participate in the meeting remotely:

**C.V. Starr Community Center*
300 South Lincoln Street
Fort Bragg, CA 95437**

Public comment: The public will be invited to provide general comments on the work of the MLPA North Coast Regional Stakeholder Group (NCRSG) at approximately **12:40 p.m. on Thursday, March 25**. Speaker cards are requested and may be found at the entrance to the room. Time allotted for public comment is determined by the facilitators; submitting written comments that can be easily summarized in one to two minutes is encouraged. Note that the public comment period is for comments specific to the NCRSG; comments related to other MLPA Initiative activities or groups should be directed to those bodies or MLPA staff.

Meeting materials will not be provided at the meeting but will be posted to the MLPA website as soon as they are available. This agenda may be found on the MLPA website at http://www.dfg.ca.gov/mlpa/meetings_n.asp

Meeting Objectives

- *Present guidelines/guidance for developing, and methods for evaluating, marine protected area (MPA) proposals*
- *Present and discuss external proposed MPA arrays, as well as the evaluations of existing MPAs and external proposed MPA arrays*
- *Present draft north coast goals and regional objectives*
- *Discuss areas of geographic importance*
- *Discuss questions from informational videos*
- *Outline strategy and work plan for NCRSG Round 2 MPA proposal development process, including key process guidance*

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Meeting Agenda - Wednesday, March 24, 2010

Note: The NCRSG will break for lunch at approximately 12:10 p.m.

I. Updates

A. MLPA North Coast Regional Stakeholder Group

BRIEFING DOCUMENT A.1: MLPA North Coast Regional Stakeholder Group Charge and Ground Rules (adopted on February 9, 2010)

BRIEFING DOCUMENT A.2: Public Contact Information for Members of the MLPA North Coast Regional Stakeholder Group (revised March 4, 2010)

BRIEFING DOCUMENT A.3: North Coast Regional Stakeholder Group: Summary of Interests and Areas of Expertise (Revised March 16, 2010)

B. MLPA Blue Ribbon Task Force (BRTF)

C. MLPA Master Plan Science Advisory Team (SAT)

D. MLPA Initiative Public Outreach and Education

BRIEFING DOCUMENT D.1: Strategy for Public Participation in the MLPA North Coast Study Region (adopted March 1, 2010)

E. MPA Planning Tools

II. Follow up from the February 8-9, 2010 NCRSG Meeting

F. Discuss Questions from Informational Videos

G. Responses to Questions Posed to the SAT

BRIEFING DOCUMENT G.1: Responses to Science Questions Posed During MLPA Public Meetings from January 20 to February 11, 2010 (March 17, 2010)

H. Identify Areas of Geographic Importance

Focal question: What geographic areas and specific locations within the study region are important to you that you want other NCRSG members to know about, and why? You may consider the following in your responses (you may address one or more of these):

- a. Where are important areas for habitat representation, ecosystem protection, and sustaining marine life populations?
- b. Where are important areas for consumptive recreational & commercial activities?
- c. Where are important areas for non-consumptive recreational & commercial activities?
- d. Where are important areas for educational, cultural, and study opportunities?

III. Existing MPAs and External MPA Arrays Prepared by Community Groups

I. Overview of Existing MPAs and External MPA Arrays

BRIEFING DOCUMENT I.1: PowerPoint Presentation: Overview of North Coast Round 1 External Proposed MPA Arrays from Community Groups - Handout Placeholder

BRIEFING DOCUMENT I.2: MLPA North Coast Study Region Round 1 Evaluations: Summary of MPAs by Designation Type and Level of Protection (March 9, 2010)

BRIEFING DOCUMENT I.3: External Proposed MPA Array A: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations

BRIEFING DOCUMENT I.4: External Proposed MPA Array B: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations

- BRIEFING DOCUMENT I.5:** External Proposed MPA Array C: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations
- BRIEFING DOCUMENT I.6:** External Proposed MPA Array D: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations
- BRIEFING DOCUMENT I.7:** External Proposed MPA Array E: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations
- BRIEFING DOCUMENT I.8:** External Proposed MPA Array F: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations
- BRIEFING DOCUMENT I.9:** External Proposed MPA Array G: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations
- BRIEFING DOCUMENT I.10:** External Proposed MPA Array H: Narrative Rationale, Staff Summary, Overview Map, Description of MPAs, Consideration of Existing MPAs, Subregional Maps, and Habitat Calculations
- BRIEFING DOCUMENT I.11:** Proposal 0 (Existing MPAs): Staff Summary, Overview Map, Description of MPAs, Subregional Maps, Habitat Calculations, and Subregional Maps
- BRIEFING DOCUMENT I.12:** Map of Overlap Between Round 1 North Coast External Proposed MPA Arrays (February 23, 2010)
- BRIEFING DOCUMENT I.13:** California MLPA North Central Coast Project: Habitat Calculations for the Northern Bioregion MPAs in the North Central Coast Integrated Preferred Alternative (IPA) (April 23, 2008)

IV. Evaluation Guidelines and MPA Evaluation Results for Existing MPAs and External MPA Arrays Developed by Community Groups

J. Presentation of Science Guidelines from the MLPA Master Plan and Other SAT Guidance

- BRIEFING DOCUMENT J.1:** Draft Methods Used to Evaluate Marine Protected Area Proposals in the MLPA North Coast Study Region (March 16, 2010)
- BRIEFING DOCUMENT J.2:** PowerPoint Presentation: Overview of Science Guidance from the Marine Life Protection Act, Master Plan for MPAs, and MLPA Master Plan Science Advisory Team - Handout Placeholder
- BRIEFING DOCUMENT J.3:** List of Species Likely to Benefit from MPAs in the MLPA North Coast Study Region (adopted March 17, 2010)

K. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results – Habitat Representation and Replication

- BRIEFING DOCUMENT K.1:** PowerPoint Presentation: Habitat Evaluations of the Round 1 External Proposed MPA Arrays for the North Coast Study Region - Handout Placeholder
- BRIEFING DOCUMENT K.2:** Evaluation of North Coast Round 1 External Proposed MPA Arrays: Habitat Representation, Habitat Replication, MPA Size, and MPA Spacing Analyses (revised March 22, 2010)

L. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results – MPA Size and MPA Spacing

- BRIEFING DOCUMENT L.1:** PowerPoint Presentation: Size and Spacing Evaluations of the Round 1 External Proposed MPA Arrays for the MLPA North Coast Study Region - Handout Placeholder

M. Presentation of Data Collection Methods, SAT Evaluation Methods and Round 1 Evaluation Results - Potential Impacts to Commercial and Recreational Fisheries

- BRIEFING DOCUMENT M.1:** Survey Methods and Summary Statistics for Ecotrust's North Coast Study Region Fisheries Uses and Value Project (Draft 16 March 2010)
- BRIEFING DOCUMENT M.2:** PowerPoint Presentation: Overview of North Coast Fisheries Uses and Values Project, and Round 1 Evaluation of Potential Impacts to Commercial and Recreational Fisheries - Handout Placeholder
- BRIEFING DOCUMENT M.3:** Summary of Potential Impacts of the February 2010 External Proposed MPA Arrays on Commercial and Recreational Fisheries in the North Coast Study Region (March 17, 2010) - Handout Placeholder

N. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results - Bioeconomic Modeling

BRIEFING DOCUMENT N.1: PowerPoint Presentation: Spatial Bioeconomic Model Evaluations of Round 1 External Proposed MPA Arrays for the MLPA North Coast Study Region - Handout Placeholder

O. Presentation of SAT Guidance, Evaluation Methods and Round 1 Evaluation Results - Water Quality

BRIEFING DOCUMENT O.1: PowerPoint Presentation: Water Quality Guidance and Evaluation Methods, and Round 1 Evaluation Results - Handout Placeholder

BRIEFING DOCUMENT O.2: Draft Recommendations for Considering Water Quality and Marine Protected Areas in the MLPA North Coast Study Region (Draft revised March 16, 2010)

BRIEFING DOCUMENT O.3: Water Quality Concerns and Opportunities: Draft Maps for the North Coast Study Region

BRIEFING DOCUMENT O.4: SAT Water Quality Evaluations: External Array Score Summary Handouts (March 22, 2010) - Handout Placeholder

Meeting Agenda - Thursday, March 25, 2010

Note: The NCRSG will break for lunch at approximately 11:55 a.m. and public comment will be taken at approximately 12:40 p.m.

P. Presentation of Evaluation Methods and Round 1 Evaluation Results - Birds and Mammals

BRIEFING DOCUMENT P.1: PowerPoint Presentation: Marine Birds and Marine Mammals Evaluations for Round 1 External Proposed MPA Arrays for the MLPA North Coast Study Region - Handout Placeholder

BRIEFING DOCUMENT P.2: Marine Birds Evaluation Results for Round 1 External MPA Arrays: Supplemental Information (March 17, 2010) - Handout Placeholder

BRIEFING DOCUMENT P.3: Marine Mammals Evaluation Results for Round 1 External MPA Arrays: Supplemental Information (March 17, 2010) - Handout Placeholder

Q. Presentation of California Department of Fish and Game (DFG) Guidance, Evaluation Methods, Evaluation of Existing North Coast Study Region MPAs, and Round 1 Evaluation Results

BRIEFING DOCUMENT Q.1: California Department of Fish and Game Feasibility Criteria and Evaluation Components for Marine Protected Area Proposals (Revised March 23, 2010) - Handout Placeholder

BRIEFING DOCUMENT Q.2: Handout Placeholder Withdrawn

BRIEFING DOCUMENT Q.3: California Department of Fish and Game Feasibility Evaluation of Existing MPAs in the North Coast Study Region (Revised 16 March 2010) - Handout Placeholder

BRIEFING DOCUMENT Q.4: PowerPoint Presentation: DFG Guidance and Evaluation Methods, Evaluation of Existing NCSR MPAs, and Results of Round 1 Evaluation - Handout Placeholder

BRIEFING DOCUMENT Q.5: California Department of Fish and Game Feasibility Evaluation of Round 1 Arrays for the North Coast Study Region (23 March 2010) - Handout Placeholder

BRIEFING DOCUMENT Q.6: California Department of Fish and Game Enforcement Division Memo Regarding Retrieval of Commercial Fishing Gear from Closed Areas to Fishing (March 23, 2010) - Handout

R. Presentation of California Department of Parks and Recreation (State Parks) Guidance, Evaluation Methods and Round 1 Evaluation Results

BRIEFING DOCUMENT R.1: California State Parks Guidelines for Developing Marine Managed Areas (March 23, 2010) - Handout Placeholder

BRIEFING DOCUMENT R.2: PowerPoint Presentation: State Parks Guidance and Evaluation Methods and Results of Round 1 Evaluation - Handout Placeholder

BRIEFING DOCUMENT R.3: California State Parks Evaluation of North Coast Round 1 External Proposed MPA Arrays (March 23, 2010) - Handout Placeholder

S. Description of Goal 3 and its Consideration in the MLPA Initiative

BRIEFING DOCUMENT S.1: PowerPoint Presentation: Goal 3 Consideration in the MLPA Initiative - Handout Placeholder

V. Guidance to Inform Development of MPA Proposals

T. Key Guidance from BRTF March 1-2 and March 18, 2010 Meetings

- BRIEFING DOCUMENT T.1:** Guidance Motions Related to Tribes and Tribal Communities Adopted at the March 18, 2010 MLPA Blue Ribbon Task Force Meeting (March 22, 2010) – Handout Placeholder
- BRIEFING DOCUMENT T.2:** PowerPoint Presentation: MLPA Blue Ribbon Task Force Guidance for Marine Protected Area Planning - Handout Placeholder

U. Present MLPA Goals and Proposed North Coast Regional Objectives

- BRIEFING DOCUMENT U.1:** MLPA Goals and Regional Objectives Adopted in the MLPA Central Coast, North Central Coast and South Coast Study Regions
- BRIEFING DOCUMENT U.2:** PowerPoint Presentation: MLPA Goals and Regional Objectives for the MLPA North Coast Study Region - Handout Placeholder
- BRIEFING DOCUMENT U.3:** Draft Goals, Regional Objectives, Stakeholder Priorities, and Design and Implementation Considerations for the MLPA North Coast Study Region (March 24, 2010 Draft) – Handout Placeholder

VI. Developing Round 2 MPA Proposals

V. Present Round 2 Work Group Charge and Assignments

- BRIEFING DOCUMENT V.1:** PowerPoint Presentation: Guidance to Work Groups for Developing Draft Marine Protected Area Proposals in Round 2 for the North Coast Study Region – Handout Placeholder
- BRIEFING DOCUMENT V.2:** Guidance to NCRSG Work Groups for Developing Marine Protected Area Proposals in the MLPA North Coast Study Region (March 22, 2010) – Handout Placeholder
- BRIEFING DOCUMENT V.3:** Summary of MLPA Guidance, Guidelines and Evaluation Approaches (Revised March 23, 2010) – Handout Placeholder

VII. Next Steps and Preparation for April 20-21 NCRSG Work Session

Adjourn

Key Outcomes Memorandum

Date: April 8, 2010

To: Members, MLPA North Coast Regional Stakeholder Group (NCRSG)

From: Eric Poncelet and Ben Gettleman, Kearns & West

Re: Key Outcomes Memorandum – March 24-25, 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 March 24-25, 2010, the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) participated in its third meeting, in Crescent City, CA. **Key outcomes** from the meeting are as follows:

- The NCRSG received a staff overview presentation on Round 1 external proposed marine protected area (MPA) arrays from community groups.
- The NCRSG received presentations on MLPA Master Plan Science Advisory Team (SAT) evaluation methods and evaluation results for Round 1 external proposed marine protected area (MPA) arrays, including habitat representation and replication, MPA size and spacing, potential impacts to commercial and recreational fisheries, bioeconomic models, marine birds and mammals, and water quality.
- The NCRSG received a presentation of California Department of Fish and Game (DFG) guidance, evaluation methods, evaluation of existing MLPA North Coast Study Region MPAs, and Round 1 evaluation results.
- The NCRSG received a presentation of California Department of Parks and Recreation (State Parks) guidance, evaluation methods and Round 1 evaluation results.
- The NCRSG received an overview presentation of the Round 1 external MPA arrays during Day 1, including presentation of rationale by proponents of the eight Round 1 external proposed MPA arrays.
- NCRSG members shared their geographic areas of importance.
- The NCRSG received a presentation of the MLPA goals and draft north coast regional objectives.
- The NCRSG received a presentation on I-Team guidance for Round 2 process design. NCRSG members provided feedback and participated in a straw poll to gauge the level of NCRSG member support for several options moving forward.
- I-Team staff committed to considering the NCRSG's feedback regarding Round 2 process design and outcome of the straw poll, and to meet early the week of March 29, 2010 to discuss possible modifications to the Round 2 process design.

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

I. Meeting Objectives, Participants and Materials

On March 24-25, 2010, the Marine Life Protection Act (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. Present guidelines/guidance for developing, and methods for evaluating, marine protected area (MPA) proposals
2. Present and discuss external proposed MPA arrays,
3. Receive evaluations of existing MPAs and external proposed MPA arrays
4. Present and review process for draft north coast goals and regional objectives
5. Discuss areas of geographic importance
6. Discuss questions from informational videos
7. Outline strategy and work plan for NCRSG Round 2 MPA proposal development process, including key process guidance

Thirty-three NCRSG members participated in the meeting.

MLPA Master Plan Science Advisory Team (SAT) members Eric Bjorkstedt, Mark Carr, Karina Nielsen, Astrid Scholz, and Craig Strong participated in the meeting.

MLPA Initiative, California Department of Parks and Recreation (State Parks), and California Department of Fish and Game (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_032410.asp

Materials relating to the Round 1 external arrays can be found at:

http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp

II. Key Outcomes

A. Welcome, Agenda Review and Brief Introductions

MLPA Initiative Executive Director Ken Wiseman provided opening remarks. Mr. Wiseman noted that there was a significant amount of material to cover during the meeting, and that the agenda would be full.

Eric Poncelet from the facilitation team welcomed the NCRSG members and expressed appreciation for their commitment to the process and willingness to participate.

NCRSG member Reweti Wiki, host on behalf of Elk Valley Rancheria, welcomed the meeting participants and stated that he looked forward to a constructive dialogue.

B. Updates – NCRSG, BRTF, SAT, POE, MPA Planning Tools

I-Team staff presented on the status of efforts related to the NCRSG, MLPA Blue Ribbon Task Force (BRTF), SAT and MLPA public outreach and education (POE).

During the NCRSG update, I-Team staff noted that four NCRSG members were present who did not attend the February 8-9 NCRSG meeting: Steve Chaney and Charlie Notthoff, who were unable to attend the February meeting; and Jim Burns and Bruce Campbell, who were recently appointed to the NCRSG. These four members gave brief presentations on their affiliations, interests and areas of geographic expertise.

During the POE update, it was noted that staff is seeking key communicators willing to assist with setting up and running remote meeting sites during BRTF, SAT and NCRSG meetings. I-Team staff also requested input on where additional MLPA informational presentations are needed. I-Team staff added that the recent informational meeting held in Petrolia (March 22, 2010) was successful in large part because NCRSG members were in attendance committed to representing the community's interests. I-Team staff thanked the NCRSG members for participating and helping make the meeting effective.

During the MPA planning tools update, I-Team staff provided updates on MarineMap and the north coast regional profile. During the May 3-4, 2010 BRTF meeting the public will have the opportunity to provide comments on the February 2010 regional profile, and are encouraged to submit any comments in writing by April 19 to allow the BRTF adequate time to review submitted comments prior to the meeting.

C. Areas of Geographic Importance

On Day 1 of the meeting, NCRSG members identified geographic areas and specific locations that are important to them and their constituencies.

The compilation of NCRSG member descriptions of their geographic areas of importance, along with affiliations, interests and areas of expertise, was provided as a briefing document (A.3). This is intended to be a key reference document for NCRSG members.

D. Overview of Existing MPAs and External MPA Arrays

Dr. Satie Airamé (MLPA Initiative Science and Planning Advisor) provided an overview of existing MPAs, the Round 1 external proposed MPA arrays, and the MPA planning process. Dr. Airamé noted that there are three rounds of MPA planning, and that the iterative process was designed to gather information, test ideas, and learn from evaluations and other feedback. Dr. Airamé shared that eight Round 1 external proposed MPA arrays were submitted, and that many of these arrays were informed by broad, cross-interest collaboration. These external arrays, combined with the existing MPAs or “no action alternative,” were evaluated in Round 1.

Dr. Airamé then introduced the eight external array groups, and noted several considerations concerning the arrays, including: not all data were available in MarineMap prior to the February 1, 2010, deadline for submitting external proposed MPA arrays (including some fine-scale substrate data), and, while external MPA arrays largely proposed tribal uses in MPAs, the SAT was not able to integrate information about tribal uses into its analyses since limited information was available and

guidance for consideration of tribal uses is not finalized. Dr. Airamé then invited external MPA array proponents to give brief presentations of their proposed MPA arrays. The list of external proposed MPA arrays and presenters follows:

- External Array A – Foodshed – Tom Shaver (presented remotely from Fort Bragg via videoconference)
- External Array B – Mendocino Ocean Community Alliance (MOCA) – Autumn Bremer
- External Array C – Conservation Coalition – Jen Savage
- External Array D – Northern Redwoods Oceanic – Bill Lemos
- External Array E – Students for Environmental Action (SEA) – Robert Jamgochian
- External Array F – Albion Harbor Regional Alliance (AHRA) – Mike Carpenter
- External Array G – North Coast Local Interest MPA Work Group (“Tri-County”) – Adam Wagschal
- External Array H – California Fisheries Coalition – Jim Martin

Following the external MPA array presentations, Dr. Airamé provided an overview of the geographic placement of proposed MPAs in the external arrays, identifying key points of overlap and differences amongst arrays. She also outlined the considerations that the SAT took into account when evaluating Round 1 arrays. Finally, Dr. Airamé provided key planning guidance for Round 2 MPA proposal development.

E. Presentation of Science Guidelines from the MLPA Master Plan and Other SAT Guidance

Dr. Airamé presented an overview of the science guidelines that inform the development and evaluation of MPA proposals, outlining the three sources of science guidance: the Marine Life Protection Act, the *California Marine Life Protection Act Master Plan for Marine Protected Areas*, and the SAT. Dr. Airamé also provided an overview of the purpose of SAT evaluations and SAT evaluation steps. Dr. Airamé added that there is flexibility within the guidelines.

SAT member Mark Carr presented on the list of species likely to benefit from MPAs, which the SAT adopted on March 17, 2010. Dr. Carr also presented on levels of protection (LOP), which included walking through the conceptual model the SAT uses in LOP designations, and identifying important assumptions that are made.

I-Team staff confirmed that the role of the SAT was to provide guidance to the NCRSG and to evaluate draft MPA arrays and proposals, but not to make recommendations for the placement of MPAs.

F. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results – Habitat Representation and Replication

SAT member Karina Nielsen presented on the habitat representation and replication methods and evaluations of the Round 1 external proposed MPA arrays. Her presentation outlined key habitat protection guidelines and key habitat questions that were considered in evaluating the external MPA arrays.

Dr. Nielsen also identified several general considerations concerning the Round 1 evaluations that apply to evaluations of habitat representation and replication, and MPA size and spacing, including: the SAT did not have sufficient information in Round 1 to integrate tribal uses in evaluations, SMCAs

in External Array C that proposed tribal uses only were evaluated as SMRs, and mobile MPAs in External Array A were treated as static for the purpose of evaluation.

G. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results – MPA Size and MPA Spacing

SAT member Dr. Mark Carr presented on the size and spacing evaluations of the Round 1 external proposed MPA arrays. Dr. Carr noted that in order to protect marine life populations, MPAs should be large enough that adults do not move out of them too frequently and become vulnerable to fishing, and close enough together that larvae can move from one to the next. Dr. Carr outlined the MPA size guidelines and size analysis methods that were used in the evaluations, and gave an overview of the results of the Round 1 evaluations according to the size guidelines. Dr. Carr then reviewed the MPA spacing analysis methods, and gave an overview of the results of the evaluations according to the spacing guidelines.

H. Presentation of Data Collection Methods, SAT Evaluation Methods and Round 1 Evaluation Results – Potential Impacts to Commercial and Recreational Fisheries

SAT member Dr. Astrid Scholz presented on the purpose, scope and methods of the socioeconomic data Ecotrust collected on commercial, commercial passenger fishing vessel, and recreational fishing. These data will be used to inform the MPA design process through the use of regional and port level maps and summary statistics. Dr. Scholz then provided an overview of how the external MPA arrays performed in the evaluations regarding potential economic impacts. She also noted that the focus of the data collected and economic impact evaluations was on the fisheries themselves, not on the regional multipliers of potential economic impact.

I. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results – Bioeconomic Modeling

SAT member Dr. Eric Bjorkstedt presented on the bioeconomic modeling evaluation methods and results for Round 1 external proposed MPA arrays. His presentation included how and why bioeconomic models are used, and an overview of the inputs and outputs that relate to the bioeconomic modeling process. Dr. Bjorkstedt then provided an overview of how the external MPA arrays performed in the evaluations with regard to bioeconomic modeling.

J. Presentation of Evaluation Methods and Round 1 Evaluation Results – Birds and Mammals

SAT member Craig Strong presented on the marine birds and marine mammals evaluations for Round 1 external proposed MPA arrays. His presentation included an overview of the species that inhabit the north coast study region, and the threats to their survival. Mr. Strong clarified that three categories were considered in evaluating how the external proposed MPA arrays would benefit marine bird and mammal populations: breeding, nesting and foraging.

K. Presentation of SAT Evaluation Methods and Round 1 Evaluation Results – Water Quality

I-Team staff member and DFG Marine Biologist Brian Owens presented on the SAT evaluation of water and sediment quality for Round 1 external proposed MPA arrays. His presentation identified areas of special biological significance, water quality concerns, special considerations, and water quality guidance from the SAT. Mr. Owens outlined the evaluation scoring methods for water quality, and compared the scores of the Round 1 external proposed MPA arrays. Mr. Owens also noted that water quality evaluations are not mandated by the master plan and should be considered secondary to other science guidelines.

L. Presentation of DFG Guidance, Evaluations Methods, Evaluation of Existing North Coast Study Region MPAs, and Round 1 Evaluation Results

I-Team staff member and DFG Marine Biologist Rebecca Studebaker presented on DFG guidance, evaluation methods, and the results of DFG's evaluation of existing MPAs and Round 1 external proposed MPA arrays. Ms. Studebaker outlined DFG's feasibility criteria, which are intended to create MPAs that are easy for the public to understand, are enforceable, and to avoid MPAs that either have poor design qualities or create a management burden. These criteria are MPA names, boundaries, take regulations, design considerations, and other guidance, including special closures. Ms. Studebaker then reviewed the results of DFG's evaluation of the existing north coast MPAs and the Round 1 external proposed MPA arrays.

M. Presentation of State Parks Guidance, Evaluations Methods and Round 1 Evaluation Results

I-Team staff member and State Parks Natural Resources Program Manager Craig Swolgaard presented on State Parks guidance, evaluation methods, and the results of State Parks' evaluation of Round 1 external proposed MPA arrays. Mr. Swolgaard shared that, overall, the external proposed MPAs arrays performed well in State Parks' evaluation, with some exceptions that can be modified in the future. Mr. Swolgaard outlined some of State Parks' concerns regarding MPA development, including boundary issues, "stewardship zones" and the enforcement challenges they present, and placing MPAs off State Parks property.

N. Goal 3 and its Consideration in the MLPA Initiative

I-Team staff member and MLPA Initiative Marine Planner Darci Connor presented on MLPA goal 3, which aims to improve recreational, educational, and study opportunities by marine ecosystems that are subject to minimal human disturbance. Ms. Conner noted that goal 3 was not considered in the evaluation of Round 1 external proposed MPA arrays, and that guidance on how goal 3 should be considered in MPA planning, as well as information on how MPA proposals will be assessed relative to goal 3, will be provided to the NCRSG prior to the April 20-21 NCRSG work session. In addition, the NCRSG will receive a guidance document prior to its upcoming work session.

O. Key Guidance from BRTF March 1-2 and March 18, 2010 Meetings

I-Team staff member and MLPA Initiative Program Manager Melissa Miller-Henson presented on key guidance developed in two recent BRTF meetings: March 1-2 and March 18, 2010. Ms. Miller-Henson

noted that guidance from previous study regions was summarized and approved by the BRTF during its March 1-2, 2010 meeting. Key topics included guidance on science guidelines, cross-interest support, SAT evaluations, DFG feasibility criteria, water quality, special closures, best readily available data, funding, and military use areas.

Ms. Miller-Henson reported that during the March 18 BRTF meeting (via webinar/conference call), the BRTF discussed guidance to the NCRSG regarding tribal and tribal community use activities. The BRTF discussed a memorandum from the InterTribal Sinkyone Wilderness Council. Later, the BRTF adopted specific language to supplement the guidance it had provided to date. In summary, the BRTF's guidance states that the NCRSG should:

- Work with California tribes and tribal communities to learn about practices and resource use
- Where possible, avoid high priority tribal use areas when recommending MPAs
- Where it is not possible to avoid tribal use areas, propose specific allowed uses in a state marine conservation area (SMCA) or state marine park (SMP)

The BRTF also clarified in its guidance that DFG guidance concerning allowed uses should apply to all Californians and not be specific to any tribe or tribal community.

Ms. Miller Henson also noted that the BRTF will support DFG and State Parks' efforts in pursuing long-term solutions regarding tribal use of marine resources, and that a meeting involving state and federal agencies and California tribes and tribal communities will take place on April 9, 2010. This meeting will help define the timeline of developing a long-term solution for accommodating tribal uses.

Lastly, Ms. Miller-Henson shared that the BRTF may provide additional guidance as needed.

Following the I-Team presentation, NCRSG members and I-Team staff discussed the BRTF guidance. Key points raised included the following:

- An NCRSG member stated that other tribes want to have their own language considered by the BRTF regarding tribal use, and he planned to submit additional language to the BRTF.
- An NCRSG member expressed concern with the phrase "high priority tribal use area," stating that it would lead to prioritizing one use area over the other.
- I-Team staff stated that there may be opportunities to allow some tribal uses in state parks, and that State Parks staff would be providing this information.
- An NCRSG member expressed the view that the MLPA process has no jurisdiction over tribal rights, and that the dual citizenship of tribal members should be respected.
- An NCRSG member noted that he does not know where California tribes and tribal communities use marine resources, and that he needs this information to move forward in an informed way.
- I-Team staff stated that the information submitted by California tribes and tribal communities for the special appendix to the north coast regional profile could serve as a basis for NCRSG members to better understand the uses and needs of the tribes; this information will be useful along with information in the main text of the regional profile, information generated by the SAT tribal work group, and other information shared by California tribes and tribal communities through the MPA planning process.
- Several NCRSG tribal members expressed concerns about the implementation of such guidance and stated that tribes consider their entire ancestral territory to be a high use area and if the tribes produced a list of species they extract from any given area then that list would include over 100 species.

P. MLPA Goals and Proposed North Coast Regional Objectives

DFG Marine Biologist Brian Owens presented on MLPA goals and draft north coast regional objectives. His presentation defined goals, regional objectives, site-specific rationales, and stakeholder priorities, and explained how these terms are considered and incorporated into the MPA process and how they are used to inform monitoring and evaluation. Mr. Owens outlined the next steps in developing north coast regional objectives, the most immediate that NCRSG members should review the draft document (Briefing Document U.1) and provide written comments to the I-Team by April 6, 2010.

In addition, an NCRSG Goals and Objectives Work Group will be convened to work with the I-Team to revise the draft regional objectives document. Six NCRSG members volunteered to participate in the NCRSG Goals and Objectives Work Group: Zack Larson, Bill Lemos, Jennifer Savage, Reweti Wiki, and Dave Wright.

Q. Guidance for Round 2 Proposal Development

I-Team staff presented its guidance to the NCRSG for developing draft MPAs in Round 2, which included an overview of recommended Round 2 process design. A key element of the process design entailed organizing NCRSG members into two cross-interest “gem” work groups (named “sapphire” and “ruby”) that would be charged with developing draft MPA proposals in Round 2. Each work group would aim to develop a single Round 2 proposal with broad-based support, and the work groups would build on ideas contained in, and evaluation results of, Round 1 external proposed MPA arrays.

Following the I-Team presentation, several NCRSG members expressed concern with the approach and indicated a preference that the NCRSG remain as a single group for developing Round 2 draft MPA proposals. NCRSG members and I-Team staff had a robust discussion concerning the benefits and challenges of a one-group versus a two-group approach.

Key Interests Expressed by Individual NCRSG Members

1. Hear all NCRSG perspectives in MPA development discussions
2. Build on relationships from external array process
3. Work together toward a single MPA proposal by the end of the process
4. Make decisions as a whole group
5. Ensure that NCRSG members can focus on the geographies they know best
6. Ensure efficient deliberations
7. Ensure full participation by all NCRSG members in Round 2 proposal development

Key Interests Expressed by MLPA Initiative Staff

1. Ensure efficient deliberations
2. Ensure full participation by all NCRSG members in Round 2 proposal development
3. Ensure cross-interest dialogue
4. Emphasize Round 2 as still being an important opportunity to learn and gather information in the MPA development process
5. Aim for convergence across interests
6. Ensure the NCRSG generates Round 2 MPA proposals that follow MLPA Blue Ribbon Task Force guidance and address outstanding issues that external arrays were not able to address in Round 1

Following the discussion, the NCRSG participated in a straw poll to gauge the level of support for the options of using work groups or a single group in Round 2.

The results of the straw poll were as follows¹:

- Option 1: Either one full group or two work groups (could live with either option) – 14 votes
- Option 2: One full group operating in plenary – 11 votes
- Option 3: Two work groups (original staff approach described in document V.2) – 5 votes
- Option 4: Three work groups – 1 vote

I-Team staff committed to consider the NCRSG's discussion and the outcomes of the straw poll, and to meet to discuss Round 2 process design at a meeting early during the week of March 29, 2010. [Note that on April 2, 2010, a memorandum was distributed to the NCRSG presenting I-Team staff's modified process guidance for Round 2 MPA proposal development.]

R. Summary of Science Questions

Throughout the March 24-25, 2010 meeting, NCRSG members posed close to 70 clarifying questions regarding science aspects of the many presentations they received. MLPA Initiative staff and SAT members responded to a majority of these questions during the meeting. The remaining questions that were not fully answered during the meeting will go through the protocol for submitting science questions to the SAT, and may be answered by MLPA Initiative staff or the SAT. Key topics of outstanding questions/comments included the following:

- Adaptive management for urchins and related level of protection (LOP)
- Inclusion of intrinsic values and benefits from recreational activities in SAT evaluations
- Difference between minimum and preferred guidelines
- Response to MPAs by species likely to benefit
- Species/fisheries included in socioeconomic evaluation
- Predicting economic impacts using models and the potential to include MPAs from the north coast study region in socioeconomic evaluations
- Consideration of larval production in modeling
- Impacts of various activities on marine birds and mammals and foraging locations for selected species
- Water quality impacts not included in the water and sediment quality evaluation (e.g., hydrocarbon pollution, wave energy, spent fuel from nuclear power plant)
- Suggestions to improve graphics in SAT evaluation presentations

S. Public Comment

Members of the public provided comment on Day 2, including members of the public who participated via videoconference from Fort Bragg. Key themes from public comment included:

- Concerns over economic impacts to local communities.

¹ Three NCRSG members were not present when the straw poll was conducted on March 25, 2010. The MLPA Initiative facilitation team followed up with these three individuals, invited them to view the video of the NCRSG discussion, and requested their participation in the straw poll. Votes were received by email or phone, and included an additional vote for option 2 and an additional vote for option 3.

- Support for a high level of protection for sea urchin.
- Support for external MPA arrays B, C, D, E and F and Proposal 0 at different times by different people
- Concerns over placing MPAs near state parks.
- Concern that poaching is taking place at a higher rate than most realize.
- Concern that forcing fishermen into smaller areas will harm the resources in those areas.
- Support for adaptive co-management.
- Concerns that the science is not matching local knowledge.
- Concern that California tribal interests are appropriately addressed in the process.
- Belief that MPA planning needs to take into account the successes of existing fishery regulations.
- Safe access is critical.
- Economic contribution by fishermen to local economies should be considered in the economic analysis.

III. Recap of Next Steps

A. Key Next Steps for NCRSG Members

1. NCRSG members were asked to complete the following work prior to the work session on April 20-21, 2010.
 - a. Review and provide comments on the draft north coast regional goals and objectives document by April 2, 2010 (though can be extended to April 6 if extra time is needed).
 - i. The goals and objectives work group will convene prior to the April 20-21 work session.
 - b. View informational briefings on DVD, if not yet completed. Special emphasis should be placed on viewing the informational briefing on how fisheries management is considered in the MLPA process (Bjorkstedt and Wertz).
 - c. Continue review of north coast external proposed MPA arrays by community groups and evaluation results.
 - d. Come to the April 20-21 work session equipped with suggestions for MPAs. This can include modifications to existing ideas or new ideas.
 - i. Use MarineMap to create MPA ideas and run reports
 - ii. Share your ideas in MarineMap with your Round 2 gems work group
 - e. Review the February 2010 north coast regional profile and consider submitting comments or additional information to the BRTF by April 19, 2010.

B. Key Next Steps for I-Team Staff

- I-Team staff will consider the NCRSG's feedback concerning Round 2 process design and the outcomes of the straw poll, and will again discuss Round 2 process design at a staff meeting during the week of March 29, 2010.
- I-Team staff will re-send the summary document regarding BRTF guidance from previous study regions.
- I-Team staff will re-send the draft goals and regional objectives document (U.3) to the NCRSG for review and comment prior to the April 20-21 work session.

- I-Team staff will create work group listservs and MarineMap work group accounts, as appropriate.
- I-Team staff will send the Goal 3 guidance and evaluation methods document to the NCRSG.
- I-Team staff will compile tribal information for the special appendix to the north coast regional profile.
- I-Team staff will draw on NCRSG comments and work with the NCRSG Goals and Objectives Work Group to revise the north coast goals and objectives document.

C. Upcoming NCRSG meetings

The NCRSG will next meet in a work session scheduled for April 20-21, 2010 in Fort Bragg.

Key objectives for the April 20-21, 2010 NCRSG work session include:

- Discuss evaluation results for Round 1 external proposed MPA arrays
- Begin developing Round 2 draft MPA proposals in work group setting; receive periodic feedback from full NCRSG
- Select Round 2 work group co-leads
- Plan next steps to prepare for May 19-20, 2010 NCRSG work session and meeting

**California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Work Session Schedule
(revised April 14, 2010)**

**Tuesday, April 20, 2010 at 9:30 AM
Wednesday, April 21, 2010 at 8:00 AM**

**C.V. Starr Community Center*
300 S. Lincoln Street
Fort Bragg, CA 95437**

Public participation: Members of the public are invited to attend the work session as observers. For more information (including this agenda) please visit the Marine Life Protection Act (MLPA) website at http://www.dfg.ca.gov/mlpa/meetings_n.asp.

Work Session Objectives

- *Discuss evaluation results for Round 1 external marine protected area (MPA) arrays*
- *Begin developing Round 2 draft MPA proposals in work group setting; receive periodic feedback from NCRSG work groups*
- *Select Round 2 work group co-leads*
- *Plan next steps to prepare for May 19, 2010 NCRSG work session and May 20 meeting*

Work Session Schedule - Tuesday, April 20, 2010

Note: NCRSG work groups will break for lunch at approximately 12:00 p.m. and recess at approximately 6:00 p.m.

[Combined Work Groups] Welcome, Introductions and Agenda Review

- I. **[Combined Work Groups] Receive Updates and Review Relevant Guidance**
- II. **[Combined Work Groups] Discuss Evaluation Results for Round 1 External MPA Arrays**
- III. **[Ruby and Sapphire Work Groups] Begin Developing Round 2 Draft MPA Proposals (to be continued on day 2)**

Recess

Work Session Schedule - Wednesday, April 21, 2010

Note: NCRSG work groups will break for lunch at approximately 12:00 p.m.

- III. **[Ruby and Sapphire Work Groups] Begin Developing Round 2 Draft MPA Proposals (continued from day 1)**

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IV. [Ruby and Sapphire Work Groups] Select Round 2 Work Group Co-Leads, Discuss Next Steps, and Prepare Status Report

V. [Combined Work Groups] Provide Status Report and Receive Feedback on Interim Work Group Products

VI. [Combined Work Groups] Confirm Next Steps

Adjourn

**California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Work Session Schedule
(revised May 16, 2010)**

Wednesday, May 19, 2010 at 9:00 AM

**Hampton Inn & Suites
100 A Street
Crescent City, CA 95531**

Public participation: Members of the public are invited to attend the work session as observers. For more information (including this agenda) please visit the Marine Life Protection Act (MLPA) website at http://www.dfg.ca.gov/mlpa/meetings_n.asp.

Definition of a Work Session: Work sessions provide NCRSG members with focused, face-to-face opportunities to pursue their charge of developing alternative MPA proposals. NCRSG work sessions are not formal public meetings and are not videotaped or webcast. All work sessions are open to members of the public who may attend as observers; while there is not formal public comment, there are informal opportunities for members of the public to share their perspectives with NCRSG members and MLPA Initiative staff before and after the work sessions and during breaks and lunch.

Work Session Objectives

- *Receive update on recent guidance from MLPA Blue Ribbon Task Force (BRTF), MLPA Master Plan Science Advisory Team (SAT), and MLPA Initiative staff*
- *Continue development of Round 2 draft MPA proposals*

Work Session Schedule – Wednesday, May 19, 2010

Note: NCRSG work groups will break for lunch at approximately 12:00 p.m. and for dinner at approximately 6:00 p.m.

[Combined Work Groups] Welcome, Introductions and Agenda Review

[Combined Work Groups] Updates and Relevant Guidance

[Ruby and Sapphire Work Groups] Develop Round 2 Draft MPA Proposals

[Ruby and Sapphire Work Groups] Prepare Status Update

[Ruby and Sapphire Work Groups] Optional Evening Session

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California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Meeting Agenda
(revised May 19, 2010)

Thursday, May 20, 2010 at 8:00 AM

Elk Valley Rancheria Community Center
2332 Howland Hill Road
Crescent City, CA

Public Participation: Members of the public are invited to attend the meeting in person or may view and listen to the meeting via simultaneous webcasting on the Internet. Video and audio archives of the meeting may be accessed via the Internet approximately two days after the meeting. Please visit the Marine Life Protection Act (MLPA) website at http://www.dfg.ca.gov/mlpa/meetings_n.asp for more information. In addition, the following locations will be open to the public to view and participate in the meeting remotely:

C.V. Starr Community Center*
300 South Lincoln Street
Fort Bragg, CA 95437

Humboldt Bay Aquatic Center*
921 Waterfront Drive, Room 211
Eureka, CA 95501

Public comment: The public will be invited to provide general comment on subjects related to the work of the MLPA North Coast Regional Stakeholder Group (NCRSG) **at approximately 10:15 a.m.** Speaker cards are requested and may be found at the entrance to the room. Time allotted for public comment is determined by the number of requests and can range from one to three minutes per comment; submitting written comments that can be easily summarized in one to two minutes is encouraged. Note that the public comment period is for comments specific to the NCRSG; comments related to the MLPA Blue Ribbon Task Force, science advisory team, or other MLPA Initiative activities should be directed to those bodies, MLPA staff, or submitted as written public comments to MLPAComments@resources.ca.gov.

Meeting materials will not be provided at the meeting but will be posted to the MLPA website as soon as they are available. This agenda may be found on the MLPA website at http://www.dfg.ca.gov/mlpa/meeting_052010.asp.

Meeting Objectives

- *Receive updates on the MLPA Blue Ribbon Task Force (BRTF), the MLPA Master Plan Science Advisory Team (SAT), MLPA North Coast Project, and public outreach and education*
- *Present and receive feedback on interim ideas for Round 2 MPA proposals*
- *Present revised Round 2 draft MPA proposals for consideration in Round 2 evaluations*
- *Review next steps in the Round 2 MPA proposal evaluation process and opportunities for public input*

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Meeting Agenda - Thursday May 20, 2010

Note: Public comment will be taken at approximately 10:15 a.m. and the NCRSG will recess for lunch and work sessions at approximately 11:45 a.m.

Welcome, Introductions and Review of Agenda

I. Updates

A. MLPA Blue Ribbon Task Force

- BRIEFING DOCUMENT A.1:** Summary of Marine Life Protection Act Guidance, Guidelines and Evaluation Approaches (Briefing Document V.3 from March 24-25, 2010 NCRSG meeting)
- BRIEFING DOCUMENT A.2:** MLPA Initiative Staff Memo Regarding Summary of MLPA Blue Ribbon Task Force Guidance for Round 2 (May 11, 2010)
- BRIEFING DOCUMENT A.3:** MLPA Blue Ribbon Task Force Motion Regarding Traditional, Non-Commercial Tribal Uses of Marine Resources in the MLPA North Coast Study Region (adopted May 17, 2010) – Handout Placeholder
- BRIEFING DOCUMENT A.4:** MLPA Blue Ribbon Task Force Policy Guidance on Tribal Uses: How to Incorporate into the Development of MPA Proposals (revised May 19, 2010) – Handout Placeholder

B. MLPA North Coast Project

- BRIEFING DOCUMENT B.1:** Draft Guidelines to Assist Stakeholders in Addressing Goal 3 of the Marine Life Protection Act in the MLPA North Coast Study Region (April 13, 2010 draft)
- BRIEFING DOCUMENT B.2:** Goals, Regional Objectives, Stakeholder Priorities, and Design and Considerations for the MLPA North Coast Study Region (revised April 26, 2010) – Handout Placeholder
- BRIEFING DOCUMENT B.3:** Potential Special Closures Discussed by the MLPA North Coast Study Region Special Closures Work Group – Handout Placeholder

C. MLPA Master Plan Science Advisory Team

D. Response to NCRSG Questions

- BRIEFING DOCUMENT D.1:** Response to Questions Posed during MLPA Meetings from March 1 to 25, 2010 (Revised May 12, 2010)
- BRIEFING DOCUMENT D.2:** Response to Question Related to the Status of Fisheries Posed during the MLPA North Coast Regional Stakeholder Group Meeting on March 24-25, 2010 (Revised May 12, 2010)

E. Education and Outreach Activities

II. Status of Draft MPA Proposals for Round 2

F. Presentation of Status of NCRSG Work Group Efforts

Recess

[Work Sessions: Work Groups Discuss Draft MPA Proposals]
(Elk Valley Rancheria Community Center and Hampton Inn & Suites)

Reconvene

III. Presentation of NCRSG Work Group Round 2 Draft MPA Proposals

IV. Next Steps

Adjourn

**California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Work Session Schedule
(revised May 18, 2010)**

Wednesday, May 19, 2010 at 9:00 AM

**Hampton Inn & Suites
100 A Street
Crescent City, CA 95531**

Public participation: Members of the public are invited to attend the work session as observers. For more information (including this agenda) please visit the Marine Life Protection Act (MLPA) website at http://www.dfg.ca.gov/mlpa/meetings_n.asp.

Definition of a Work Session: Work sessions provide MLPA North Coast Regional Stakeholder Group (NCRSG) members with focused, face-to-face opportunities to pursue their charge of developing alternative marine protected area (MPA) proposals. NCRSG work sessions are not formal public meetings and are not videotaped or webcast. All work sessions are open to members of the public who may attend as observers; while there is not formal public comment, there are informal opportunities for members of the public to share their perspectives with NCRSG members and MLPA Initiative staff before and after the work sessions and during breaks and lunch.

Work Session Objectives

- *Receive update on recent guidance from MLPA Blue Ribbon Task Force (BRTF), MLPA Master Plan Science Advisory Team (SAT), and MLPA Initiative staff*
- *Continue development of Round 2 draft MPA proposals*

Work Session Schedule - Wednesday, May 19, 2010

Note: NCRSG work groups will break for lunch at approximately 12:00 p.m. and for dinner at approximately 6:00 p.m.

[Combined Work Groups] Welcome, Introductions and Agenda Review

[Combined Work Groups] Updates and Relevant Guidance

[Ruby and Sapphire Work Groups] Develop Round 2 Draft MPA Proposals

[Ruby and Sapphire Work Groups] Prepare Status Update

[Ruby and Sapphire Work Groups] Optional Evening Session

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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.

**California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Meeting Agenda
(revised August 5, 2010)**

**Thursday, July 29, 2010 at 9:00 AM
Friday, July 30, 2010 at 8:00 AM**

**C.V. Starr Community Center
300 S. Lincoln Street
Fort Bragg, CA 95437**

Public participation: Members of the public are invited to attend the meeting in person or view and listen to the meeting via simultaneous webcasting on the Internet. Video and audio archives of the meeting may be accessed via the Internet approximately two days after the meeting. Please visit the Marine Life Protection Act (MLPA) website at www.dfg.ca.gov/mlpa/meetings_n.asp for more information. In addition, the following locations will be open to the public to view and participate in the meeting remotely:

**Humboldt Bay Aquatic Center*
Room 214
921 Waterfront Drive
Eureka, CA 95501**

**Flynn Center*
Multipurpose Room
981 H Street
Crescent City, CA 95531**

Accredited media and members of the public may record MLPA North Coast Regional Stakeholder Group (NCRSG) meetings. An area will be designated in the meeting room for cameras in order to help ensure that NCRSG members can conduct their work with minimal disruption. Accredited media and members of the public interested in video or audio taping an NCRSG meeting are asked to contact the MLPA Initiative [media relations team](#).

Public comment: The public will be invited to provide general comments on the work of the NCRSG at approximately **12:45 p.m. on Thursday, July 29**. Speaker cards are requested and may be found at the entrance to the room. Time allotted for public comment is determined by the facilitators; submitting written comments that can be easily summarized in one to two minutes is encouraged. Note that the public comment period is for comments specific to the NCRSG; comments related to other MLPA Initiative activities or groups should be directed to those bodies or MLPA staff.

Meeting materials will not be provided at the meeting but will be posted to the MLPA website as soon as they are available. This agenda may be found on the MLPA website at http://www.dfg.ca.gov/mlpa/meetings_n.asp.

Meeting Objectives

- *Present and discuss evaluation results for the Round 2 NCRSG draft marine protected area (MPA) proposals*
- *Outline strategy and work plan for developing NCRSG Round 3 MPA proposal(s), including key process guidance*
- *Begin development of Round 3 NCRSG MPA proposal(s)*
- *Select Round 3 co-leads*

** This facility is accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service (at least two days prior to the meeting) at 800.735.2929 (TTY) or 800.735.2922 (voice), or contact the California Marine Life Protection Act Initiative at 916.654.1885.*

Meeting Agenda – Thursday, July 29, 2010

Note: The NCRSG will break for lunch at approximately 12:00 p.m.

I. Updates

A. MLPA North Coast Regional Stakeholder Group

B. MLPA Blue Ribbon Task Force

C. MLPA Master Plan Science Advisory Team

D. Responses to Science Questions

- BRIEFING DOCUMENT D.1:** Staff Responses to Science Questions Posed During MLPA Public Meetings from May to July 2010 (July 28, 2010) – Handout Placeholder
- BRIEFING DOCUMENT D.2:** California MLPA Master Plan Science Advisory Team Approved Responses to Science Questions Posed during MLPA Public Meetings and via Email from May 3 to May 20, 2010 (revised July 5, 2010) – Handout Placeholder
- BRIEFING DOCUMENT D.3:** California MLPA Master Plan Science Advisory Team Responses to Science Questions Posed during the June 29-30, 2010 MLPA Master Plan Science Advisory Team Meeting (revised July 28, 2010) – Handout Placeholder

E. Outreach to California Tribes and Tribal Communities

- BRIEFING DOCUMENT E.1:** PowerPoint Presentation: Summary of Input from North Coast Tribes and Tribal Communities – Handout Placeholder
- BRIEFING DOCUMENT E.2:** Proposed Uses for Round 2 Draft MPA Proposals from North Coast Tribes and Tribal Communities (July 28, 2010) – Handout Placeholder
- BRIEFING DOCUMENT E.3:** Comments on Proposed Special Closures from North Coast Tribes and Tribal Communities (July 28, 2010) – Handout Placeholder
- BRIEFING DOCUMENT E.4:** Aggregated List of Species Gathered by North Coast Tribes and Tribal Communities (July 28, 2010) – Handout Placeholder
- BRIEFING DOCUMENT E.5:** Summary of Input from Tribes and Tribal Communities on the MLPA Initiative North Coast Project (July 28, 2010) – Handout Placeholder

F. MLPA Initiative Public Outreach and Education

- BRIEFING DOCUMENT F.1:** Sample Summer 2010 Open House Outreach Materials: Flyer, Open House Guide, Key Resources, Comment Form

II. Developing Round 3 MPA Proposal(s)

G. Round 3 Process Guidance

- BRIEFING DOCUMENT G.1:** PowerPoint Presentation: Round 3 Process Design – Handout Placeholder
- BRIEFING DOCUMENT G.2:** MLPA Blue Ribbon Task Force Motion Regarding Round 3 of the Marine Protected Area Planning Process for the MLPA North Coast Study Region (adopted July 22, 2010; dated July 23, 2010) – Handout Placeholder

III. Evaluation Results for NCRSG Round 2 Draft MPA Proposals

H. Overview of NCRSG Round 2 Draft MPA Proposals

- BRIEFING DOCUMENT H.1:** PowerPoint Presentation: Overview of North Coast Round 2 Draft MPA Proposals
- BRIEFING DOCUMENT H.2:** Comparison of Existing MPAs (Proposal 0) and Round 2 NCRSG Draft MPA Proposals by Designation Type and Level of Protection (July 16, 2010)
- BRIEFING DOCUMENT H.3:** Ruby Draft MPA Proposal 1: Overview Map, Staff Summary, Bioregional Maps, Description of MPAs (including consideration of existing MPAs), Habitat Calculations, and MPA Goals and Regional Objectives (compiled July 12, 2010)

- BRIEFING DOCUMENT H.4:** Ruby Draft MPA Proposal 2: Overview Map, Staff Summary, Bioregional Maps, Description of MPAs (including consideration of existing MPAs), Habitat Calculations, and MPA Goals and Regional Objectives (compiled July 12, 2010)
- BRIEFING DOCUMENT H.5:** Sapphire Draft MPA Proposal 1: Overview Map, Staff Summary, Bioregional Maps, Description of MPAs (including consideration of existing MPAs), Habitat Calculations, and MPA Goals and Regional Objectives (compiled July 12, 2010)
- BRIEFING DOCUMENT H.6:** Sapphire Draft MPA Proposal 2: Overview Map, Staff Summary, Bioregional Maps, Description of MPAs (including consideration of existing MPAs), Habitat Calculations, and MPA Goals and Regional Objectives (compiled July 12, 2010)
- BRIEFING DOCUMENT H.7:** MPA Proposal 0 (existing MPAs): Overview Map, Staff Summary, Description of MPAs, and Habitat Calculations (compiled July 12, 2010)
- BRIEFING DOCUMENT H.8:** Side-by-Side Maps and Proposed Regulations for NCRSG draft MPA proposals Ruby 1, Ruby 2, Sapphire 1 and Sapphire 2, and MPA Proposal 0 (existing MPAs) (July 12, 2010)
- BRIEFING DOCUMENT H.9:** Summary of Public Comments Received Regarding the Round 2 NCRSG Draft MPA Proposals in the MLPA North Coast Study Region (July 19, 2010)
- BRIEFING DOCUMENT H.10:** Public Comments Received Regarding the Round 2 NCRSG Draft MPA Proposals in the MLPA North Coast Study Region (updated July 26, 2010)

I. Overview of Round 2 Draft Recommendations for Special Closures

- BRIEFING DOCUMENT I.1:** Detail Maps, Descriptions, and Basic Information for Round 2 NCRSG Draft Proposed Special Closures in the MLPA North Coast Study Region (compiled July 12, 2010)
- BRIEFING DOCUMENT I.2:** PowerPoint Presentation: Overview of NCRSG Draft Recommended Special Closures
- BRIEFING DOCUMENT I.3:** Summary of Public Comments Received Regarding NCRSG Draft Recommendations for Special Closures in the MLPA North Coast Study Region (July 19, 2010)

J. Presentation of Round 2 Evaluation Results – Water Quality

- BRIEFING DOCUMENT J.1:** PowerPoint Presentation: SAT Evaluation of Water and Sediment Quality of Round 2 North Coast Draft Marine Protected Area Proposals
- BRIEFING DOCUMENT J.2:** Summary of SAT Water and Sediment Quality Evaluation of Round 2 NCRSG Draft MPA Proposals for the North Coast Study Region (revised June 21, 2010)

K. Presentation of Round 2 Evaluation Results – Habitat Representation and Habitat Replication

- BRIEFING DOCUMENT K.1:** PowerPoint Presentation: Habitat Evaluations of Round 2 NCRSG Draft MPA Proposals for the North Coast Study Region
- BRIEFING DOCUMENT K.2:** Evaluation of North Coast Round 2 Draft MPA Proposals: Habitat Representation, Habitat Replication, MPA Size and MPA Spacing Analyses (revised July 14, 2010)

L. Presentation of Round 2 Evaluation Results – MPA Size and MPA Spacing

- BRIEFING DOCUMENT L.1:** PowerPoint Presentation: Size and Spacing Evaluations of Round 2 NCRSG Draft MPA Proposals

M. Presentation of Round 2 Evaluation Results – Potential Impacts to Commercial and Recreational Fisheries

- BRIEFING DOCUMENT M.1:** PowerPoint Presentation: Round 2 Evaluation of Potential Impacts to Commercial and Recreational Fisheries in the North Coast Study Region
- BRIEFING DOCUMENT M.2:** Summary of Potential Impacts of Round 2 North Coast Regional Stakeholder Group Draft Marine Protected Area Proposals on Commercial and Recreational Fisheries in the North Coast Study Region (revised July 1, 2010)

N. Presentation of Round 2 Evaluation Results – Bioeconomic Modeling

BRIEFING DOCUMENT N.1: PowerPoint Presentation: Spatial Bioeconomic Model Evaluations of Round 2 NCRSG Draft MPA Proposals for the MLPA North Coast Study Region

BRIEFING DOCUMENT N.2: Summary of Bioeconomic Model Evaluations of Round 2 NCRSG Draft Marine Protected Area Proposals for the MLPA North Coast Study Region (revised June 30, 2010)

O. Presentation of Round 2 Evaluation Results – Marine Birds and Marine Mammals

BRIEFING DOCUMENT O.1: PowerPoint Presentation: Marine Birds and Marine Mammals Evaluations for Round 2 Draft MPA Proposals in the MLPA North Coast Study Region

BRIEFING DOCUMENT O.2: Evaluations of Benefits to Marine Birds from Round 2 North Coast Regional Stakeholder Group Draft Marine Protected Area Proposals and Associated Special Closures (revised July 1, 2010)

BRIEFING DOCUMENT O.3: Evaluation of Benefits to Marine Mammals from Round 2 North Coast Regional Stakeholder Group Draft Marine Protected Area Proposals and Associated Special Closures (revised July 1, 2010)

P. Presentation of Round 2 Feasibility Evaluation – California Department of Fish and Game

BRIEFING DOCUMENT P.1: PowerPoint Presentation: DFG Evaluation of Round 2 NCRSG Draft MPA Proposals 3

BRIEFING DOCUMENT P.2: California Department of Fish and Game Feasibility Evaluation of Round 2 NCRSG Draft MPA Proposals for the MLPA North Coast Study Region 3

Q. Presentation of Round 2 Evaluation Results – California Department of Parks and Recreation

BRIEFING DOCUMENT Q.1: PowerPoint Presentation: California State Parks Evaluation of North Coast Round 2 Draft MPA Proposals

BRIEFING DOCUMENT Q.2: California State Parks Evaluation of Round 2 North Coast Regional Stakeholder Group Draft Marine Protected Area Proposals (June 29, 2010)

BRIEFING DOCUMENT Q.3: Summary of California State Parks Coastal Units in the North Coast Study Region (April 14, 2010)

R. Presentation of Round 2 Evaluation Results – Goal 3 of the MLPA

BRIEFING DOCUMENT R.1: PowerPoint Presentation: Goal 3 Evaluation of Round 2 NCRSG Draft MPA Proposals

BRIEFING DOCUMENT R.2: Goal 3 Evaluation of Round 2 NCRSG Draft MPA Proposals for the MLPA North Coast Study Region (July 16, 2010)

Meeting Agenda – Friday, July 30, 2010

Note: The NCRSG will break for lunch at approximately 12:00 p.m.

IV. Round 3 MPA Proposal(s)

S. Begin to Develop Round 3 Proposal(s)

BRIEFING DOCUMENT S.1: Geographic Availability of Open Coast Habitat Replicates in the North Coast Study Region (July 30, 2010)

BRIEFING DOCUMENT S.2: Spacing between Estuarine Habitats in the North Coast Study Region (July 30, 2010)

V. Process Check-in and Outline Next Steps

Key Outcomes Memorandum

Date: August 18, 2010

To: Members, MLPA North Coast Regional Stakeholder Group (NCRSG)

From: Eric Poncelet and Ben Gettleman, Kearns & West

Re: Key Outcomes Memorandum – July 29-30, 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 July 29-30, 2010, the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) participated in its sixth meeting, in Fort Bragg, CA. **Key outcomes** from the meeting are as follows:

- The NCRSG received a presentation on BRTF and I-Team guidance for Round 3 process design.
- The NCRSG received staff overview presentations of the Round 2 draft marine protected area (MPA) proposals and draft proposed special closures.
- The NCRSG received presentations on MLPA Master Plan Science Advisory Team (SAT) evaluation results of the Round 2 draft MPA proposals, including habitat representation and replication, MPA size and spacing, potential impacts to commercial and recreational fisheries, bioeconomic models, marine birds and mammals, and water quality.
- The NCRSG received a presentation of California Department of Fish and Game (DFG) evaluation results of the Round 2 draft MPA proposals.
- The NCRSG received a presentation of California Department of Parks and Recreation (State Parks) evaluation results of the Round 2 draft MPA proposals.
- The NCRSG received a presentation on the MLPA Goal 3 evaluation results of the Round 2 draft MPA proposals.
- The NCRSG began developing its Round 3 MPA proposal(s) as a full group and specifically identified potential MPA options for the homework groups to build from during their efforts in between the NCRSG's July and August meeting.
- The NCRSG selected its Round 3 co-leads: Brandi Easter, Zack Larson, Bill Lemos, Jennifer Savage, Tom Trumper, and Adam Wagschal.
- Four homework groups (southern bioregion, northern bioregion, estuaries, and special closures) were created and participants were identified to continue developing ideas to be incorporated into the Round 3 MPA proposal(s).

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

I. Meeting Objectives, Participants and Materials

On July 29-30, 2010, the NCRSG participated in a meeting in Fort Bragg, CA. This *Key Outcomes Memorandum* summarizes the meeting's main results.

The primary objectives of the meeting were to:

1. Present and discuss evaluation results for the NCRSG Round 2 draft MPA proposals
2. Outline strategy and work plan for developing NCRSG Round 3 MPA proposal(s), including key process guidance
3. Begin development of NCRSG Round 3 MPA proposal(s)
4. Select Round 3 co-leads

Thirty-one NCRSG members participated in the meeting.

MLPA Master Plan Science Advisory Team (SAT) members Eric Bjorkstedt, Ron LeValley, and Karina Nielsen participated in the meeting.

MLPA Initiative, California Department of Parks and Recreation (State Parks), and California Department of Fish and Game (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_072910.asp

Materials relating to the Round 2 NCRSG MPA proposals can be found at:

http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp

II. Key Outcomes

A. Welcome, Agenda Review and Brief Introductions

MLPA Initiative Executive Director Ken Wiseman provided opening remarks.

Eric Poncelet from the facilitation team welcomed the NCRSG members and reviewed the meeting agenda and objectives.

B. Updates – NCRSG, BRTF, SAT, POE, MPA Planning Tools

I-Team staff presented on the status of efforts related to the NCRSG, MLPA Blue Ribbon Task Force (BRTF), SAT, responses to science questions, outreach to California tribes and tribal communities, and MLPA public outreach and education (POE).

During the NCRSG update, I-Team staff noted that two NCRSG members would not be attending the meeting: Pete Nichols and Skip Wollenberg.

During the SAT update, it was noted that the SAT had met twice since the May 19-20, 2010, NCRSG meeting. During its June 29-30 meeting, the SAT reviewed and approved updates to the evaluation methods document and draft evaluations for the Round 2 draft MPA proposals. The SAT also approved revised methods of developing the proxy line for nearshore habitat, building off of methods used in previous MLPA study regions. Staff noted that this change in the proxy line affected some results in the Round 2 evaluations. The SAT also approved draft responses to science questions. The

SAT participated in a teleconference/webinar on July 28, during which the SAT discussed BRTF guidance for Round 3, approved a complete draft of the evaluation methods document, reviewed and approved science questions and approved the summary of Round 2 evaluations of habitat representation and replication and MPA size and spacing. The SAT tribal work group met with individuals from California tribes and tribal communities on June 29 to receive additional input about how additional information could be gathered and integrated to account for traditional tribal uses in planning and evaluation of proposed MPAs.

During the update on outreach to California tribes and tribal communities, I-Team staff reported that there has been a significant effort to bring California tribes and tribal communities further into the MLPA process and to invite input on the Round 2 draft MPA proposals, allowed uses and proposed special closures. Key information from the update included:

- A letter had been sent by US mail and the MLPA listserv inviting members of California tribes and tribal communities to meet with DFG and MLPA Initiative staff. The letter included a statement of confidentiality to protect the identities of individuals who shared information.
- At the time of the NCRSG meeting, DFG and MLPA Initiative staff met with individuals from 18 California tribes and tribal communities.
- Information about the proposed uses for Round 2 draft MPAs from California tribes and tribal communities is incomplete, and the outreach effort will continue in the coming months. The information provided to the NCRSG, SAT and BRTF will be updated as new input is submitted.
- The information about proposed tribal uses is aggregated to protect confidentiality, and all proposed uses and gear types are included. The data set captures both oral and written information.
- Additional information should be submitted before August 23 to be shared with the NCRSG at their next meeting on August 30-31. MLPA Initiative staff will continue to incorporate information as long as possible. Information must be submitted by the October 25-27, 2010 joint NCRSG-BRTF meeting to be taken into consideration.
- Information shared during NCRSG meetings regarding proposed uses for MPAs will not be included in the data set. Information only is incorporated into the aggregated data set if the person who submits the information requests that it be included with other input from tribes and tribal communities.

Comments from NCRSG members included:

- Some tribal councils may lack a complete understanding of the traditional uses. Others have very extensive knowledge of aboriginal territories.
- There should be a characterization that information from certain California tribes and tribal communities was not provided, and an explanation of why they did not participate.
- An additional outreach effort to capture oral testimony should be made. Any tribal elders, leaders or members should be able to testify at the Oct. 13-14, 2010 SAT meeting.

During the POE update, I-Team staff reported that a series of public open houses were conducted from July 6-8, 2010. The open houses were designed to provide members of the public with an opportunity to review the Round 2 draft MPA proposals, discuss them with I-Team staff and NCRSG members, and share comments for the full NCRSG to consider. Several products were developed based on the public comments received including a summary of public comments on the Round 2 draft MPA proposals, a summary of public comments on special closures and a compilation of all the public comments submitted through July 19. It was noted that all comments from the workshops had been aggregated into a summary document, and that, while a small number of comments inadvertently did not appear in the initial version, they would be included in the revised version.

C. Round 3 Process Design

I-Team staff presented the process design for developing Round 3 MPA proposal(s), noting that it drew upon BRTF guidance to date, interests and preferences expressed by the NCRSG, and I-Team staff experience and professional judgment in developing the Round 3 process design. Key elements of the Round 3 process design include:

- The NCRSG will work primarily in a full group setting toward developing a cross-interest proposal
- The proposal must meet the minimum science guidelines to the extent possible, with a specific focus on habitat replication and MPA spacing to account for gaps in Round 2 draft MPA proposals
- If the NCRSG cannot come to agreement on a single proposal, it should work to identify key areas where the group cannot come to agreement on a single design and create multiple proposals to address those differences
- All NCRSG members should be able to live with at least one Round 3 MPA proposal
- NCRSG members will have the opportunity to express support for Round 3 MPA proposal(s) at the Oct.25-27 joint BRTF-NCRSG meeting
- The Round 3 process design is contingent upon the NCRSG making sufficient progress, and the I-Team may modify the Round 3 process to ensure the NCRSG's completion of its charge
- There will be two sets of SAT evaluations for Round 3. For the first evaluation, the SAT will perform its evaluation according to the evaluation methods. The SAT also will conduct a supplementary evaluation to include all levels of protection for MPAs that are proposed for exclusive tribal use, specifically for Round 3 evaluations of habitat replication and MPA size and spacing.

I-Team staff also reviewed guidance that was provided by the BRTF during its July 22, 2010 meeting, including guidance on how the NCRSG should consider the uses of California tribes and tribal communities in developing Round 3 MPA proposals. Key elements of this tribal-related guidance include:

- The NCRSG should adhere to previous BRTF guidance to avoid areas of tribal, traditional, non-commercial use, to the extent possible
- Where avoidance is not possible, the use of state marine conservation areas (SMCAs) may be considered as shoreline ribbons to acknowledge and accommodate tribal uses that are protective of the marine environment, recognizing that the BRTF has been advised by DFG that such uses will be available for all non-commercial users until relevant legislative action is taken
- The NCRSG should state its intent regarding how traditional tribal uses should be acknowledged and accommodated within specific SMCAs
- The NCRSG is encouraged to take into consideration tribal proposals to implement avoidance with regard to specific areas of tribal use

Following the I-Team presentation, NCRSG members and I-Team staff discussed the Round 3 process design and BRTF guidance. Key points raised included the following:

- An NCRSG member expressed concern that allowing all recreational uses that accommodate traditional, non-commercial tribal use in an MPA could reduce its level of protection (LOP).
- An NCRSG member expressed concern that following the BRTF guidance to avoid tribal use areas was not realistic.
- Several NCRSG members raised the point that not all north coast tribes and tribal communities participated in the information collection effort and therefore, those lists may not be complete.

- An NCRSG member stated that members of California tribes and tribal communities should not be considered local people; they should be given a unique status.
- An NCRSG member expressed concern with using a uniform approach to addressing tribal uses, as different California tribes and tribal communities gather marine resource in different ways.
- An NCRSG member expressed concern that the guidance coming from the BRTF, DFG, and I-Team can at times be in conflict. In response, I-Team staff stated that the NCRSG was not expected to resolve potential conflicts in guidance and should instead weigh the tradeoffs involved. If the NCRSG makes a decision that runs contrary to guidance, it should provide a strong rationale for why guidance was not followed or certain guidelines were not met. This information would be important for the BRTF to consider when reviewing the Round 3 proposal(s).

D. Overview of Round 2 North Coast Draft MPA Proposals

MLPA Initiative Science and Planning Advisor Dr. Satie Airamé provided an overview of the Round 2 North Coast Draft MPA Proposals (referred to as Ruby 1, Ruby 2, Sapphire 1 and Sapphire 2). Dr. Airamé noted several key considerations for the Round 2 draft MPA proposals, including:

- To accommodate tribal uses in some areas, nearshore ribbon SMCAs were created and clustered with an offshore state marine reserve (SMR). No SMRs proposed tribal uses.
- The revised nearshore habitat (0-30 m) proxy line was refined after the Round 2 draft MPA proposals were submitted.
- The Stewarts Point SMR in the MLPA North Central Coast Study Region was amended during the June 24, 2010 California Fish and Game Commission meeting to accommodate tribal uses. The new SMR/SMCA cluster caused a reduction of total area for each protected habitat at a very high level of protection, and the area of beaches was reduced to below minimum replicate size. This will have implications for the spacing of the beach habitat for the north coast study region.

Dr. Airamé provided an overview of the geographic placement of the Round 2 draft MPA proposals, and provided summary information from the Round 2 evaluations. Dr. Airamé also identified key gaps in habitat replication and MPA spacing.

E. Overview of Round 2 Draft Recommendations for Special Closures

I-Team staff member and MLPA Initiative Marine Planner Dominique Monié provided an overview of the Round 2 draft recommendations for special closures. Ms. Monié noted that a special closures work group made up of NCRSG members and interested members of the public was convened during Round 2, and that the work group developed ten special closure options for the NCRSG to consider. A draft list of proposed special closures was developed to accompany each Round 2 draft MPA proposal; these special closures are separate from the draft MPA proposals but linked in design. Ms. Monié identified which draft special closures accompanied each of the Round 2 draft MPA proposals, and whether the special closures were intended to be year-round or seasonal, and the justification for doing so. Finally, Ms. Monié invited NCRSG members to participate in the special closures homework group that will be convened during Round 3.

F. Presentation of Round 2 Evaluation Results – Habitat Representation and Replication

SAT member Karina Nielsen presented the methods for and evaluations of habitat representation and replication for the Round 2 draft MPA proposals. Her presentation outlined key habitat protection

guidelines and key habitat questions that were considered in evaluating the Round 2 draft MPA proposals.

Dr. Nielsen noted that, with respect to habitat availability and spacing, nearshore rocky habitats and kelp are less abundant in the northern bioregion; habitats greater than 100 meters depth are relatively rare across the region; and soft bottom habitats are abundant in the northern bioregion. Dr. Nielsen pointed out that low percentages of shoreline, nearshore, and estuarine habitats were included at very high protection across all the Round 2 draft MPA proposals.

Regarding habitat replication, Dr. Nielsen noted that none of the Round 2 draft MPA proposals replicated kelp or 0-30 meter rock in the northern bioregion at or above moderate-high protection. Dr. Nielsen also reported that the SAT decided not to consider the MPAs near Punta Gorda as a cluster, but the SAT noted the concentration of MPAs in this region and the habitats they encompass.

G. Presentation of Round 2 Evaluation Results – MPA Size and MPA Spacing

SAT member Eric Bjorkstedt presented the evaluation of MPA size and spacing for Round 2 draft MPA proposals. Dr. Bjorkstedt outlined the MPA size guidelines and methods for evaluating MPA size and gave an overview of the Round 2 MPA size evaluation results. Dr. Bjorkstedt then reviewed the MPA spacing guidelines and methods for evaluation, and presented the Round 2 spacing evaluation results.

With respect to MPA size, Dr. Bjorkstedt noted the following about the Round 2 proposals: all MPAs across all proposals meeting minimum size guidelines at moderate-high protection; no proposals include preferred cluster size at high or very high protection; and the Ruby 1 and Sapphire 1 proposals include two preferred size clusters at moderate-high protection. Regarding MPA spacing, Dr. Bjorkstedt noted the following: no Round 2 draft MPA proposal meets spacing guidelines for any habitat at any level of protection, with especially large gaps for 0-30m rock and kelp; at moderate-high protection, Ruby 1, Sapphire 1 and Sapphire 2 approach the guidelines for minimum spacing for 30-100m and 100-3000m rock and soft bottom; at undetermined protection, Ruby 1 has the fewest gaps that greatly exceed the guideline or minimum possible spacing; and Ruby 1 and Sapphire 1 most closely approach the spacing guidelines for estuarine habitats at undetermined protection.

H. Presentation of Round 2 Evaluation Results – Marine Birds and Marine Mammals

SAT member Ron LeValley presented the evaluation of marine birds and marine mammals for the Round 2 draft MPA proposals. His presentation included an overview of the species that inhabit the north coast study region, and the threats to their survival. Mr. LeValley clarified that three categories were considered in evaluating how the external proposed MPA arrays would benefit marine bird and mammal populations: breeding, resting and foraging. Mr. LeValley stated that, while harbor seal haulouts and foraging areas were underrepresented in all of the Round 2 draft MPA proposals, this is not significant since there are abundant rocks off the coast they can use. Mr. LeValley noted the following: Ruby 1 provided the most benefit to breeding seabirds partially due to the inclusion of Green Rock and Flatiron Rock special closures; Ruby 1 and Sapphire 1 benefited the highest number of pinnipeds and included both Steller sea lion rookeries found in the study region in special closures.

I. Presentation of SAT Evaluation Methods and Round 2 Evaluation Results – Bioeconomic Modeling

SAT member Eric Bjorkstedt presented the bioeconomic modeling evaluation methods and results for Round 2 draft MPA proposals. His presentation included how and why bioeconomic models are used,

and an overview of the inputs and outputs that relate to the bioeconomic modeling process. Dr. Bjorkstedt then provided an overview of how the Round 2 draft MPA proposals performed in the evaluations with regard to bioeconomic modeling. Dr. Bjorkstedt noted that, assuming no uses were permitted in MPAs unless described by species and gear type: Sapphire 1, Ruby 1, and Sapphire 2 consistently had highest relative biomass. Sapphire 1 and Sapphire 2 had highest relative fishery yield under unsuccessful management, while the existing MPAs (Proposal 0) and Ruby 2 had the highest relative fishery yield under maximum sustainable yield (MSY)-type or conservative management.

J. Presentation of Round 2 Evaluation Results – Potential Impacts to Commercial and Recreational Fisheries

On behalf of Ecotrust, MLPA Initiative Science and Planning Advisor Satie Airamé presented the results of evaluations of potential impacts of Round 2 draft MPA proposals to commercial and recreational fisheries. Dr. Airamé also noted that the focus of the data collected and economic impact evaluations was on the fisheries themselves, not on the regional multipliers of potential economic impact. Dr. Airamé pointed out that the socioeconomic impacts associated with the NCRSG's Round 2 proposals were generally less than the Round 2 proposals in the other study regions. The estimated average net economic impact across all Round 2 draft MPA proposals varied between commercial (2.3%) and commercial passenger fishing vessel (CPFV; 5.4%). Sapphire 1 generally had higher potential impacts than other proposals for commercial and CPFV fisheries. The rockfish fishery generally had the highest potential impact among recreational fisheries.

K. Presentation of Round 2 Evaluation Results – Water Quality

MLPA Initiative Marine Planner Dominique Monié presented the SAT evaluation of water and sediment quality for the Round 2 draft MPA proposals. Her presentation summarized water quality guidance and identified areas of water quality concern and opportunity. Ms. Monié outlined the evaluation scoring methods for water quality, and compared the scores of the Round 2 draft MPA proposals. In general, all of the Round 2 proposals were relatively successful in avoiding areas of water impairment. Ms. Monié also noted that water quality evaluations are not mandated by the master plan and should be considered secondary to other science guidelines.

L. Presentation of DFG Guidance, Evaluations Methods, Evaluation of Existing North Coast Study Region MPAs, and Round 1 Evaluation Results

DFG Marine Biologist Rebecca Studebaker presented on DFG guidance, evaluation methods, and the results of DFG's evaluation of the Round 2 draft MPA proposals. Ms. Studebaker outlined DFG's feasibility criteria, which are intended to create MPAs that are easy for the public to understand, are enforceable, and to avoid MPAs that either have poor design qualities or create a management burden. These criteria are MPA names, boundaries, take regulations, design considerations, and other guidance, including special closures. Ms. Studebaker then reviewed the results of DFG's evaluation of the Round 2 draft MPA proposals. Ms. Studebaker noted that the Round 2 proposals did relatively well in meeting the DFG feasibility guidelines relative to previous study regions, although additional improvements are still needed.

M. Presentation of Round 2 Evaluation Results – California Department of Parks and Recreation

State Parks Senior Environmental Scientist Kevin Fleming presented on State Parks guidance, evaluation methods, and the results of State Parks' evaluation of the Round 2 draft MPA proposals.

Mr. Fleming shared that, overall, the Round 2 draft MPA proposals performed well in State Parks' evaluation, with some exceptions that can be modified in the future.

N. Presentation of Round 2 Evaluation Results – Goal 3 of the MLPA

MLPA Initiative Marine Planner Darci Connor presented on the MLPA Goal 3 evaluation results, which focused on improvements to recreational, educational, and study opportunities for marine ecosystems that are subject to minimal human disturbance. Ms. Connor noted that the Round 2 draft MPA proposals performed well with respect to Goal 3. Sapphire 1 met the Goal 3 criteria and the other proposals only needed to address educational opportunities in the northern bioregion. It was identified that the NCRSG could improve upon Goal 3 in Round 3 by better stating when and why MPAs address Goal 3 and its key elements.

O. Initial Development of Round 3 MPA Proposals

On July 30, the NCRSG began its development of Round 3 MPA proposals. Below is a summary of the key outcomes during the day:

1. Meeting Overview. Facilitator Eric Poncelet reviewed the meeting's process flow and keys to success, many of which derived from the NCRSG's adopted ground rules.
2. Discussion of Key Round 3 Issues. The NCRSG deliberated and collectively decided how to move forward regarding the following two issues:
 - a. Recent California Fish and Game Commission changes to the Stewarts Point MPA. Since the newly amended Stewarts Point SMR/SMCA resulted in the loss of a replicate of beach habitat, the NCRSG discussed whether it should aim to capture this habitat in its Round 3 MPA proposal(s) to compensate for the loss. Ultimately the group decided not to address this loss of beach habitat since the change occurred after the completion of Round 2 draft MPA proposals.
 - b. Addressing tribal use of marine resources. The NCRSG discussed how best to consider California tribes and tribal communities in developing Round 3 MPA proposal(s). The group decided to proceed as follows:
 - i. All nearshore SMCAs and SMPs should allow for recreational uses that accommodate all traditional, non-commercial tribal uses.
 - ii. For these nearshore SMCAs and SMPs, additional allowed recreational and commercial uses should be called out on a case-by-case basis. It was noted that allowing additional uses may have implications for SAT evaluation of Round 3.
 - iii. For offshore SMCAs, the NCRSG should specify whether non-commercial tribal uses will be allowed.
3. Key Gaps. I-Team staff provided a summary of key gaps in habitat replication and MPA spacing from the Round 2 draft MPA proposals for the NCRSG to consider in developing its Round 3 proposal(s).
4. Areas of Emerging Agreement. The NCRSG identified four key geographies where agreement within the group was beginning to emerge in terms of draft MPAs' boundaries, designations and allowed uses: Vizcaino, Reading Rock, and Punta Gorda.
5. Discussion of North Coast Backbone MPAs. The NCRSG discussed and identified the backbone MPA options – from Round 1, Round 2, and stakeholder ideas generated since the completion of Round 2 (commonly referred to as Emerald options) – they would like to move forward for future NCRSG discussion. These options will be captured in MarineMap and homework groups are expected to review those options and put forth a recommendation for MPA designs in the key geographies; the homework groups should aim for single designs

where possible and narrow down the range of options where the group cannot come to agreement.

P. Process Check-in and Next Steps

During the July 30 meeting, NCRSG members were invited to share their responses to two questions regarding the Round 3 process:

1. Is sufficient progress being made in the full group setting?
2. Are your interests and/or those of your constituents' being achieved through the current proposal(s)?

Responses from NCRSG members included:

- Disappointment and concern that the NCRSG is not further along in developing its Round 3 MPA proposal(s).
- Progress was being made earlier in the day, and it was compromised when the format was changed. The group wants to discuss Round 3 MPAs in more detail, not on a surface level.
- Frustration with the rigid structure of the meeting; the group dialogue should be more engaging and less controlled.
- I-Team staff should be more flexible and responsive to the needs of the group. The NCRSG was ready to get to work and it wasn't allowed to.
- The I-Team is putting too much emphasis on the process, and not enough on the product.
- Concern that today's meeting will end without concrete ideas to share with constituents.
- Frustration with changes occurring (i.e., increased beaches spacing gap, refined 0-30 m proxy line, estuaries included in spacing analysis).
- The SAT presentations during the first day were not an effective use of time; most NCRSG members already knew the information that was presented.
- Concern that the MPA spacing guidelines are not being met, and that the group is not working to address this.
- Concern that how the gaps in replication and MPA spacing will be addressed has not yet been discussed. Estuaries have not been discussed yet.
- Too much time was spent discussing the issue of accommodating tribal uses.
- Appreciation for NCRSG members supporting tribal gathering rights.
- Convergence among the NCRSG is beginning to happen.
- Appreciation of working in the full group setting.
- Homework groups will be necessary and important.
- Homework groups should be divided geographically, perhaps by counties.
- Tribal NCRSG members should be included in homework groups.
- Interests are generally being met.
- Unclear whether interests are being met, the group hasn't yet gotten to the areas where my interests lie.

Q. Summary of Science Questions

Throughout the July 29-30, 2010 meeting, NCRSG members asked a number of clarifying questions regarding science aspects of the presentations they received. MLPA Initiative staff and SAT members responded to a majority of these questions during the meeting. The remaining questions that were not fully answered during the meeting will go through the protocol for submitting science questions to the SAT, and may be answered by MLPA Initiative staff or the SAT. Key outstanding questions included the following:

- Is it possible for the minimum threshold for a replicate of hard substrate 0-30m proxy to be less rigid than the thresholds for other habitats since there is some uncertainty associated with the proxy line?
- What is the spacing between key habitats across the north coast study region?
- If spacing between habitats exceeds the spacing guideline, what is gained by placing an MPA closer versus farther away from the next adjacent MPA that protects that habitat?
- For seabird protection in special closures, is it more important to capture greater species diversity and abundance, or special status species?
- What is the confidence associated with the bioeconomic models and do the models predict within 10% what the model species and fishery will look like in 50 years?
- What will be the level of protection (LOP) for take of urchin under adaptive management?

R. Public Comment

Members of the public provided comment on July 29, including members of the public who participated via teleconference from Eureka and Crescent City. Key themes from public comment included:

- Support for increasing the percentage of the north coast study region that will be protected.
- Concern that tribal interests were not adequately considered in the creation of the MLPA.
- Concern that information is not available in advance of MLPA meetings, and that this limits the public's ability to provide thoughtful input.
- Support for the NCRSG developing a unified proposal for Round 3.
- Support for incorporating the local knowledge of fishermen.
- Support for Proposal 0.
- Concern that the SAT is not taking advantage of opportunities to obtain more accurate data.
- Support for including language in Round 3 proposals that would recommend against offshore drilling, and for creating an SMCA in Mendocino County to prevent wave energy projects.
- Support for the state adopting a special category for tribal use.
- Concern that the MLPA process does not address water quality or industrialization.
- Concern that the state will not have sufficient resources to enforce the MPAs that will be created.
- Support for meeting the science guidelines while taking into account socioeconomic concerns.
- Concerns over economic impacts to local communities.

III. Recap of Next Steps

A. Key Next Steps for NCRSG Members

1. NCRSG members were asked to complete the following work prior to the next meeting on August 30-31, 2010.
 - a. Meet in homework groups to review MPA options identified at the July NCRSG meeting and develop recommendations for MPA designs in key geographies for the full NCRSG to consider for the Round 3 MPA proposal(s). NCRSG members volunteered to participate in the homework groups and a lead was identified for each group. Group leads are:
 - i. Northern bioregion: Zack Larson
 - ii. Southern bioregion: Dave Wright
 - iii. Estuaries: Greg Dale
 - iv. Special closures: Dominique Monié (I-team staff identified as lead since work group was already established in Round 2)

B. Key Next Steps for I-Team Staff

- I-Team staff will capture the MPA options discussed during the July 29-30 NCRSG meeting in MarineMap and share those MPA options with the NCRSG (both in one array and in geographically-specific sub arrays)
- I-Team staff will coordinate with homework group leads to ensure they have adequate support for running their meetings effectively.
- I-Team staff will provide the following documents to the NCRSG:
 - Responses to science questions that were approved by the SAT at its June 29-30, 2010 meeting
 - Geographic availability of open coast habitat replicates in the north coast study region
 - Spacing between estuarine habitats in the north coast study region

C. Upcoming NCRSG meetings

The next NCRSG meeting will take place August 30-31, 2010 in Fortuna.

Key objectives for the August 30-31, 2010 NCRSG meeting include:

- Develop the final round of MPA proposals to be forwarded to the SAT and BRTF
- Discuss next steps for presenting the final round of MPA proposals to the BRTF
- Ensure the accuracy of MPA boundaries and allowed uses

California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Draft Meeting Agenda
(revised August 31, 2010)

Monday, August 30, 2010 at 9:00 AM
Tuesday, August 31, 2010 at 8:00 AM

River Lodge Conference Center
1800 Riverwalk Drive
Fortuna, CA 95540

Public participation: Members of the public are invited to attend the meeting in person or view and listen to the meeting via simultaneous webcasting on the Internet. Video and audio archives of the meeting may be accessed via the Internet approximately two days after the meeting. Please visit the Marine Life Protection Act (MLPA) website at www.dfg.ca.gov/mlpa/meetings_n.asp for more information.

Accredited media and members of the public may record MLPA North Coast Regional Stakeholder Group (NCRSG) meetings. An area will be designated in the meeting room for cameras in order to help ensure that NCRSG members can conduct their work with minimal disruption. Accredited media and members of the public interested in video or audio taping an NCRSG meeting are asked to contact the MLPA Initiative [media relations team](#).

Public comment: The public will be invited to provide general comments on the work of the NCRSG during a single public comment period split into two time slots to maximize the opportunity for members of the north coast community to provide input to the NCRSG. The first time slot for public comment will be at approximately **4:30 p.m. on Monday, August 30, 2010** and the second time slot will be at approximately **11:00 a.m. on Tuesday, August 31, 2010**. Individuals are requested to speak on either August 30 or August 31, but not both days. Speaker cards are requested and may be found at the entrance to the room. Time allotted for public comment is determined by the facilitators; submitting written comments that can be easily summarized in one to two minutes is encouraged. Note that the public comment period is for comments specific to the NCRSG; comments related to other MLPA Initiative activities or groups should be directed to those bodies or MLPA staff. Please see attached document for more information about providing public comment.

Meeting materials will not be provided at the meeting but will be posted to the MLPA website as soon as they are available. This agenda may be found on the MLPA website at http://www.dfg.ca.gov/mlpa/meetings_n.asp.

Note: The NCRSG will hold a voluntary, in-person work session on Wednesday, September 1, 2010 beginning at 8:00 a.m.; a subset of the NCRSG will start the quality control process for specific attribute information for the NCRSG MPA proposal(s), including site-specific rationale, goals and objectives, and other design considerations.

** This facility is accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service (at least two days prior to the meeting) at 800.735.2929 (TTY) or 800.735.2922 (voice), or contact the California Marine Life Protection Act Initiative at 916.654.1885.*

Meeting Objectives

- Develop Round 3 NCRSG marine protected area (MPA) proposal(s) to be forwarded to the MLPA Blue Ribbon Task Force (BRTF)
- Ensure accuracy of MPA proposal boundaries, designation types, and allowed uses
- Discuss next steps for presenting the Round 3 NCRSG MPA proposal(s) to the BRTF

Meeting Agenda – Monday, August 30, 2010

Note: The NCRSG will break for lunch at approximately 12:00 p.m.

I. Updates

A. Guidance for Completing Round 3 MPA Proposal(s) and Next Steps for Presentation to BRTF

Dr. Eric Poncelet, Lead Facilitator, MLPA Initiative
Darci Connor, Marine Planner, MLPA Initiative

BRIEFING DOCUMENT A.1: PowerPoint Presentation: Overview of the MLPA North Coast Regional Stakeholder Group Meeting – Handout Placeholder

B. MLPA Master Plan Science Advisory Team

Dr. Satie Aïramé, Science and Planning Advisor, MLPA Initiative
Emily Saarman, Science Planner, MLPA Initiative

BRIEFING DOCUMENT B.1: Draft Staff Responses to Questions Posed During MLPA Public Meetings from July to August 2010 (August 26, 2010 Draft) – Handout Placeholder

BRIEFING DOCUMENT B.2: Draft SAT Responses to Science Questions Posed During the July 29-30, 2010 MLPA North Coast Regional Stakeholder Group Meeting (August 26, 2010 Draft) – Handout Placeholder

BRIEFING DOCUMENT B.3: Draft levels of protection – Handout Placeholder

BRIEFING DOCUMENT B.4: Draft Methods Used to Evaluate Marine Protected Area Proposals in the MLPA North Coast Study Region (July 27, 2010 draft)

BRIEFING DOCUMENT B.5: Updated Evaluation Methods: Chapter 10. Water and Sediment Quality (revised July 28, 2010)

BRIEFING DOCUMENT B.6: Updated Maps for Areas of Water Quality Concern and Areas of Water Quality Opportunity (revised August 16, 2010)

C. Outreach to California Tribes and Tribal Communities

Satie Aïramé

BRIEFING DOCUMENT C.1: Summary of Input from North Coast Tribes and Tribal Communities Regarding the MLPA North Coast Project (input submitted through August 25, 2010) – Handout Placeholder

BRIEFING DOCUMENT C.2: Proposed Uses from North Coast Tribes and Tribal Communities for Round 2 Draft MPA Proposals (input received through August 25, 2010) – Handout Placeholder

II. Round 3 MPA Proposal(s)

D. Continue Developing Round 3 MPA Proposal(s)

Meeting Agenda – Tuesday, August 31, 2010

Note: The NCRSG will break for lunch at approximately 12:00 p.m.

II. Round 3 MPA Proposal(s) (continued)

F. Complete Round 3 NCRSG MPA Proposal(s)

BRIEFING DOCUMENT F.1 PowerPoint Presentation: Proposed State Marine Reserves with Proposed Tribal Uses – Handout

G. Confirm Round 3 NCRSG MPA Proposal(s) Boundaries, Designation Types and Regulations

III. Next Steps

Adjourn

Wednesday, September 1, 2010

Note: The NCRSG will hold a voluntary, in-person work session on Wednesday, September 1, 2010 beginning at 8:00 a.m.; a subset of the NCRSG will start the quality control process for specific attribute information for the NCRSG MPA proposal(s), including site-specific rationale, goals and objectives, and other design considerations. There is no agenda for this work session as NCRSG members will work on specific MPA attribute information either individually or in small groups with the assistance of staff.

Key Outcomes Memorandum

Date: September 24, 2010

To: Members, MLPA North Coast Regional Stakeholder Group

From: Eric Poncelet and Ben Gettleman, Kearns & West

Re: Key Outcomes Memorandum – August 30-31, 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 August 30-31, 2010, the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) participated in its seventh meeting, in Fortuna, CA.

Key outcomes from the meeting are as follows:

- The NCRSG completed a single Round 3 marine protected area (MPA) proposal.
- The NCRSG produced a recommendation for special closures; the recommendation includes seven year-round or seasonal special closures.
- The NCRSG agreed (with one abstention) to forward its Round 3 MPA proposal and its recommendation for special closures to the MLPA Master Plan Science Advisory Team (SAT), the California Department of Fish and Game (DFG), and the California Department of Parks and Recreation for evaluation, and to the MLPA Blue Ribbon Task Force (BRTF) for consideration.
- The NCRSG voted on a proposed motion regarding State of California recognition of a traditional tribal use category within MPAs. The motion received broad though not unanimous NCRSG support.

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

I. Meeting Objectives, Participants and Materials

On August 30-31, 2010, the Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) participated in a meeting in Fortuna, CA. This *Key Outcomes Memorandum* summarizes the meeting's main results.

The primary objectives of the meeting were to:

1. Develop Round 3 NCRSG marine protected area (MPA) proposal(s) to be forwarded to the MLPA Blue Ribbon Task Force (BRTF)
2. Ensure accuracy of MPA proposal boundaries, designation types, and allowed uses
3. Discuss next steps for presenting the Round 3 NCRSG MPA proposal(s) to the BRTF

Thirty NCRSG members participated in the meeting.

BRTF Chair Cindy Gustafson and BRTF member Roberta Cordero participated in the meeting.

MLPA Master Plan Science Advisory Team (SAT) Co-chair Eric Bjorkstedt participated in the meeting.

MLPA Initiative, California Department of Parks and Recreation (State Parks), and California Department of Fish and Game (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_083010.asp

II. Key Outcomes

A. Welcome, Agenda Review and Brief Introductions

MLPA Initiative Executive Director Ken Wiseman provided opening remarks, and requested that the NCRSG meeting be dedicated in memory of Harold “Skip” Wollenberg.

Mr. Wiseman then introduced BRTF Chair Cindy Gustafson and Adrianna Shea, Deputy Executive Director of the California Fish and Game Commission. Chair Gustafson thanked the NCRSG members for their hard work.

Mr. Wiseman thanked five NCRSG members (Brandi Easter, Kevin McGrath, Jennifer Savage, Tom Trumper and Dave Wright) who attended the Shelter Cove community information session on August 29.

Eric Poncelet from the facilitation team welcomed the NCRSG members and reviewed the meeting agenda and objectives. He also noted that the meeting was being held in Wiyot territory.

B. Updates

I-Team staff presented guidance for completing Round 3 MPA proposal(s). Facilitator Eric Poncelet reviewed the meeting flow, key elements, and keys to success for the two-day meeting. Marine Planner Darci Connor then reviewed the key next steps for finalizing the NCRSG Round 3 MPA proposal(s) and preparing for the October 25-26 BRTF meeting. Eric Poncelet noted that during the upcoming BRTF meeting, NCRSG members would be invited to explain the decisions made during

their Round 3 deliberations, and how they ultimately arrived at their Round 3 proposal(s). Mr. Poncelet added that NCRSG members also would have the opportunity to express support and preference for the Round 3 proposal(s) at the BRTF meeting.

Science and Planning Advisor Dr. Satie Airamé reviewed the meeting's SAT-related briefing documents. Dr. Airamé noted that both the SAT and staff responses to science questions documents were in draft form and had not yet been approved by the SAT.

Dr. Airamé then presented an update on outreach to California tribes and tribal communities. She noted that no new input on proposed uses in MPAs had been provided since the July 29-30 NCRSG meeting, but that revisions and clarifications had been made. Dr. Airamé added that during the meeting, it would be important for the NCRSG to clarify for each proposed MPA whether tribal uses are intended to be allowed, and if so, whether the full list of species and gear types (Document E4 from the July 29-30 NCRSG meeting) would be used or whether the MPA-specific list of species would be used (briefing document C.2).

C. Completion of Round 3 NCRSG MPA Proposal(s)

The NCRSG spent nearly all of August 30 and much of August 31 continuing development of its Round 3 MPA proposal(s). On the afternoon of August 31, the NCRSG completed a single Round 3 NCRSG MPA Proposal. The group agreed (with one abstention) to forward this proposal to the SAT, DFG, State Parks, and I-Team staff for evaluation, and to the BRTF for consideration.

Below is a summary of key issues discussed:

1. During their August 30 deliberations, several NCRSG members asked whether it would be possible to include state marine reserves (SMRs) that allowed for tribal uses in the Round 3 MPA proposal(s). I-Team staff reiterated that, by law, SMRs do not allow for any take. I-Team staff also agreed to further consider the issue to provide additional clarity. On the morning of August 31, Dr. Satie Airamé and DFG Senior Marine Biologist Susan Ashcraft presented on the different options for the NCRSG to express intent for an SMR with proposed activities for tribal traditional, non-commercial gathering, harvesting and fishing for subsistence, ceremonial or stewardship purposes. Dr. Airamé and Ms. Ashcraft highlighted the implications of different designation options and how these options would affect SAT evaluation and regulations in the future (Presentation slide included as Appendix A). The three options were:
 - a. *SMR that would not allow any take* (including non-commercial uses intended to accommodate tribal uses) until potential future legislation addressed the issue.
 - b. *SMCA with proposed activities that would accommodate tribal uses only*. This option would need to allow use by all non-commercial users in order to accommodate tribal uses.
 - c. *Nearshore SMCA paired with an offshore SMR*. Nearshore, this option would allow use by all non-commercial users in order to accommodate tribal uses nearshore. Offshore, it would not allow any take (including non-commercial uses intended to accommodate tribal uses) until potential future legislation addressed the issue.
2. On August 30, NCRSG members discussed briefly whether, for SMCAs intended to allow tribal non-commercial uses, they wanted to include the list of tribal uses identified for the entire north coast study region, or whether they wanted to include the MPA-specific lists of uses. NCRSG members acknowledged that both lists were still incomplete. After discussion, NCRSG members requested that their intent to include tribal uses be made clear in the Round 3 MPA proposal(s), and that following the NCRSG meeting I-Team staff work to identify the

- appropriate set of proposed allowed uses (including species and gear types) intended to accommodate tribal uses for each MPA with input from tribes and tribal communities.
3. The NCRSG discussed whether to include with its Round 3 MPA proposal a recommendation to prohibit the installation of seafloor pipelines and/or sub-seabed slant holes to transport hydrocarbon products from offshore sedimentary basins in state waters. The NCRSG created a subcommittee—consisting of Pete Nichols, Zack Larson and Dave Jensen—to develop a draft motion for review by NCRSG members and eventual discussion and consideration at the BRTF's October meeting.
 4. The NCRSG selected six co-leads to help lead the quality control process and present the NCRSG MPA proposal to the BRTF: Brandi Easter, Zack Larson, Bill Lemos, Jennifer Savage, Tom Trumper and Adam Wagschal.

D. Special Closures

The NCRSG deliberated on and completed a recommendation for north coast special closures to be considered by the BRTF.

The following special closures were broadly supported by the group:

- Southwest Seal Rock Special Closure
- Castle Rock Special Closure
- False Klamath Rock Seasonal* Special Closure
- Sugarloaf Island Special Closure
- Steamboat Rock Seasonal* Special Closure

NCRSG members were mixed on other proposed special closures. The facilitators used straw polls to assess the current level of support for these, including proposed special closures at False Cape Rock, Rockport Rocks and Vizcaino Rock. The results of the straw polls are listed below.

- Rockport Rocks Seasonal* Special Closure – First straw poll
 - Yes – 6
 - No – 7
 - Abstain – 8
- Rockport Rocks Seasonal* Special Closure – Second straw poll
 - Yes – 16
 - No – 0
 - Abstain – 3
- Vizcaino Rock Seasonal* Special Closure
 - Yes – 12
 - No – 6
 - Abstain – 2
- False Cape Rock Special Closure
 - Yes – 5
 - No – 13
 - Abstain – 8

*Note: All proposed seasonal closures are from March 1 to August 31

Since the Rockport Rocks and Vizcaino Rock special closures were generally supported among the NCRSG, the NCRSG agreed with the staff recommendation based on the straw poll results to include these two special closures as part of their recommendation to the BRTF. Due to a lack of support, the False Cape Rock special closure was not included.

Several NCRSG members noted that they did not believe they had adequate time to fully discuss all the special closures in detail. I-Team staff noted that the NCRSG would have the opportunity to address any outstanding issues concerning its special closures recommendation at the October 25-26, 2010 BRTF meeting.

E. Tribal Use Motion

NCRSG member Jacque Hostler presented a proposed motion regarding State of California recognition of a traditional tribal use category within MPAs (proposed motion included as Appendix B). After deliberating on the proposal, NCRSG members voted on two motions related to this topic. The results of both votes are included below (Note: five NCRSG members were not present when the vote took place; the votes of the five absent members were secured after the meeting and have been included in the vote totals below).

- Motion 1: Whether to support the proposed motion to the BRTF (the first 2 paragraphs of the attached document).
 - Yes – 27
 - No – 0
 - Abstain – 4
 - Note: One person at the meeting did not vote on this motion

- Motion 2: Whether to include the following text in the “design considerations box” for all of the MPAs in the NCRSG Round 3 proposal: “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.”
 - Yes – 30
 - No – 0
 - Abstain – 2

F. Public Comment

Members of the public provided comment on August 30 and August 31, including members of the public who participated via teleconference from Fort Bragg and Crescent City. Key themes from public comment included:

- Concern that the state will not have sufficient resources to enforce the MPAs that will be created
- Support for Proposal 0
- Support for protecting traditional gathering by California tribes and tribal communities
- Appreciation for the NCRSG’s hard work
- Appreciation for the consideration of Petrolia in the process
- Concerns over potential economic impacts to local communities
- Support for meeting the minimum science guidelines
- Request for special closures not to be placed near ports and harbors
- Support for modifying the northern boundary of the proposed Ten Mile MPA
- Appreciation for considering California tribes and tribal communities in the process
- Concern over the science guidelines not being met

- Support for adaptive management and an urchin experiment at Point Cabrillo
- Support for prohibiting industrialization in all MPAs
- Support for delaying the process to resolve tribal rights issues
- Support for limiting potential impacts on commercial fishing

III. Recap of Next Steps

A. Key Next Steps for NCRSG Members

- A work session was to be held with volunteer NCRSG members and I-Team staff on September 1, 2010, to complete supporting MPA attribute information for the Round 3 NCRSG MPA Proposal, including site-specific rationale, goals/objectives, and other design considerations.
- A quality control (QC) process would follow the NCRSG meeting to confirm the accuracy of the Round 3 NCRSG MPA Proposal. During this process, the NCRSG also would be able to finalize the supporting attribute information drafted on September 1. [Note: The co-leads submitted a list of recommended changes to staff on September 8.]
- In addition, co-leads would draft NCRSG supporting materials to accompany the Round 3 NCRSG MPA Proposal and offer any additional thinking and work done since the conclusion of Round 3. [Note: These materials were shared with the NCRSG and submitted to staff during the week of September 13].

B. Key Next Steps for I-Team Staff

- During the weeks of September 6 and September 13, 2010, I-Team staff will produce materials that provide basic information about the Round 3 NCRSG MPA Proposal, including:
 - Description of MPAs – A document that details for each MPA the name, proposed allowed uses, written boundary descriptions, 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 spreadsheet that presents the amount of habitat captured in each proposed MPA; this will be similar to the information that can be exported directly from MarineMap.
 - Special Closures - A document describing proposed special closures with maps in PDF format showing proposed boundaries. A document that shows basic information for each proposed special closure, including the amount of habitat captured in each proposed special closure.
- I-Team staff will make available to the public the Round 3 NCRSG MPA Proposal and accompanying Round 3 NCRSG Special Closures Recommendation 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, which is expected to be on or around September 22.
- Additional materials regarding the MPA proposal will be posted to the MLPA Initiative website, including evaluation results, as they become available.

APPENDIX A

Marine Life Protection Act Initiative



Proposed State Marine Reserves with Proposed Tribal Uses

Presented to the North Coast Regional Stakeholder Group
August 31, 2010 • Fortuna, CA

Satie Airamé, Science and Planning Advisor • California MLPA Initiative



Proposed SMRs with Tribal Uses

| NCRSG Intent | SAT Evaluation | Regulations* |
|---|--|---|
| SMR with proposed activities for tribal traditional, non-commercial gathering, harvesting and fishing for subsistence, ceremonial or stewardship purposes | (a) SMR | (a) no take |
| | (b) SMCA (proposed activities to accommodate tribal uses only) | (b) proposed activities open to all non-commercial users to accommodate traditional, non-commercial gathering, harvesting and fishing activities |
| | (c) nearshore SMCA (to 1000 feet or other feasible distance; proposed activities to accommodate tribal uses only) paired with offshore SMR | (c) offshore SMR is no take; nearshore SMCA includes proposed activities open to all non-commercial users to accommodate traditional, non-commercial gathering, harvesting and fishing activities |

* Potential future modification to allow tribal traditional, non-commercial gathering, harvesting and fishing

SMR = state marine reserve SMCA = state marine conservation area

APPENDIX B

MLPA North Coast Regional Stakeholder Group Motion Regarding State of California Recognition of a Traditional Tribal Use Category within Marine Protected Areas under the Marine Life Protection Act *Adopted August 31, 2010*

Motion

By this formal, approved motion, the MLPAI North Coast Regional Stakeholder Group (NCRSG) requests that the MLPA Blue Ribbon Task Force advise and strongly urge the California Department of Fish and Game (DFG) and the California Fish and Game Commission (F&GC) to formally adopt a special category of tribal uses within marine protected areas (MPAs) in order to protect and preserve the traditional cultural practices and heritage of California Indian tribes and tribal communities, and to develop co-management arrangements between tribes and tribal communities and the State of California.

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."

Background

Ample authority exists for the state's recognition and separate treatment of aboriginal tribal uses within MPA regulations. The Legislature has found that "[j]urisdiction over the protection and development of natural resources, especially the fish resource, is of great importance to both the State of California and California Indian tribes." Further, California law acknowledges tribes as a separate and distinct category of users, and that tribal gathering and harvesting has a cultural purpose which the state should protect: "To California Indian tribes, control over their minerals, lands, water, wildlife and other resources is crucial to their economic self-sufficiency and the preservation of their heritage." The California State Legislature also has found that the state and the tribes share, as a mutual goal "the protection and preservation of the fish resource". Fish and Game Code §16000.

California MPAs are part of the National System of Marine Protected Areas, which were created by federal executive order in 2000. That order explicitly states that the creation and management of MPAs shall "not diminish, affect, or abrogate...the United States trust responsibilities to Indian tribes." California is therefore obligated under federal law to respect and protect Indian use rights in the MLPA process. Executive Order 13158, May 26, 2000, 65 Fed. Reg. 105,34909 (May 31, 2000).

In adopting and implementing regulations pursuant to the MLPA, DFG and F&GC are subject to the above stated statutory provisions, in addition to the provisions of the MLPA, which requires that "interested parties" (e.g., tribes and tribal communities) be consulted in the process for establishment of new MPAs.

The above provisions collectively provide ample authority for the state's separate and distinct treatment of tribal uses.