

**California Marine Life Protection Act Initiative
Central Coast Regional Stakeholder Group
CCCRSG Member Comments Submitted on the Adopted Provisional Goals, Objectives,
and Design and Implementation Considerations for the Central Coast Project
*September 19, 2005***

The comments compiled in this document were submitted by CCRSG members to MLPA staff regarding the adopted provisional goals, objectives, and design and Implementation considerations package. Each set of comments begins on a new page and they are presented in chronological order.

From: Tom Hafer [mailto:somethingsfishy@charter.net]
Sent: Friday, September 09, 2005 10:39 AM
To: ccrsgcomments@resources.ca.gov
Subject: Goal 3 Objective 3

I believe this should read - Develop collaborative scientific monitoring and research project evaluating MPAs that link with IMPROVING STOCK ASSESSMENTS, classroom science curricula, etc.

Rationale: Currently stock assessments have many gaps in their data. They are done statewide and not regionally. This would improve the ability to regionally manage fish stocks. There is NO other mention of using an MPA as a tool for collecting data related to stock assessments in the goals and objectives.

Tom Hafer

From: Steve Scheiblauber [<mailto:Scheibla@ci.monterey.ca.us>]
Sent: Tuesday, September 13, 2005 9:44 AM
To: MLPAComments@resources.ca.gov; mlpai_comments@resources.ca.gov
Subject: MLPAComments: other fishery/marine mgmt areas and regs

I was asked to collect a list of other areas and regulations, besides state-created mpas, that will contribute to the goals and objectives of the mlpa.

I spoke w/ several fishermen and here's what I came up with:

- 1) RCA---both the seasonal portions and the fixed portion...including the area that is outside of state waters, but which still contributes to the sustainability of species found within state waters.
- 2) the Monterey Bay National Marine Sanctuary---has broad activities in the areas of water quality protection, research, education, habitat protection, and multiple-use opportunities.
- 3) MBARI cable route---this 31-mile long undersea cable will create a @1/2 mile wide de-facto no fishing zone for all gears that fish close to the bottom. It will be installed later this year.
- 4) Essential Fish Habitat---areas have been identified, but the rules are not yet in place, for these areas which will restrict bottom trawling among other activities
- 5) State No Trawl zone
- 6) the regulations against the taking of abalone has created a de facto abalone mpa for all of the central coast study region
- 7) the NMFS Observer program for certain kinds of fishing in deep waters creates monitoring/research information.
- 8) the weekend squid closure
- 9) no driftnet fishing inside 12 miles except for white sea bass
- 10) the new crab bill, if it's signed, w/ a 250 pot limit
- 11) generally, far more restrictive ground fish regs
- 12) more restrictive salmon season
- 13) the Marine Mammal Protection Act
- 14) State krill offloading ban

If I think of more, I'll send them over.

Steve Scheiblauber

If I hear of any other regs that contribute, I will forward them.

From: Steve at The Otter Project [mailto:steve1096@sbcglobal.net]
Sent: Tuesday, September 13, 2005 4:53 PM
To: CCRSGcomments@resources.ca.gov
Subject: Comments: Design and Implementation memos

Dear Staff and Blue Ribbon Task Force:

I wanted to give enthusiastic support for the overall framing in the Sept. 2 Memo regarding Staff Analysis of Goals, Objectives and Design Considerations and the Sept. 6th memo regarding the TBD Bin items. I found both memos to be extremely helpful and believe that they were both important to achieving a good outcome at the RSG meeting in Cambria.

Frankly, I feel this guidance was absolutely critical in the process of the RSG and led to a successful agreement over the Goals and Objectives package. Without the guidance, we would have still been in Cambria!

I appreciate all of the hard work that went into preparing for the Sept. meeting and believe it was reflected in the outcome of the meeting.

Steve Shimek
The Otter Project

**If all the beasts were gone, men would die
from a great loneliness of spirit, for whatever
happens to the beasts also happens to the man.
All things are connected.**

*~Chief Seattle of the Suwamish Tribe, letter to President
Franklin Pierce*

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To: Mike DeLapa
From: Steve Scheiblaue
Date: September 14, 2005
Subject: Comments on Materials

Adopted Provisional Regional Goals, Objectives, and Design Implementation Considerations

I still believe, given the 12 to 13 clarifying vote, that the socio-economic language should be moved from design considerations to become an objective. However, my greater comment is about our decision-making process. I believe that the way Conur is framing some of these questions becomes quite confusing. I certainly don't think this is deliberate, but I think that in our effort to move things along, we are adopting the lowest common denominator standard of "I can live with this" or "I can't live with this." The problem is that there are often other ways of phrasing these questions that would reveal more the intent of the group, whether it be a split decision or whether it be a majority affirmation or rejection of something. We have important decisions to make, so I hope that this can be cleared up.

Staff Analysis of TBD Issues

On page 3, in the recommendation, exists the statement "Impaired water quality in an area is not by itself a rationale for excluding an area as an MPA." I believe that impaired water quality could well, by itself, be a rationale for excluding an area as an MPA. The ensuing discussion that follows actually proves the point that impaired water quality may be by itself a reason to exclude an area as an MPA. I also note that bullet #3 states that "these impacts should be documented and not simply presumed." It may not be the case that areas which are known anecdotally to have chronically impaired water quality will necessarily have scientifically documented evidence of that. Lastly, in this section, it should be recognized that imposing a higher water quality standard on to a community that discharges may require significant mitigation funding. The conclusion of the memo alludes to this, but I believe it needs to be stated clearly that without this funding, imposing a higher water quality standard for the purpose of improving MPA cannot be justified.

Effects of Top-End Predators

The memo suggests that concern over the effects of top-end predators amounts to species management. However, in fact, it embodies the heart of ecosystem-based management, in as much as it is viewing the inter-relatedness of all species. The memo acknowledges that "no analysis has been conducted on the short-term or long-term impact of this consumption on populations of prey." Certainly, this needs to be done. The staff recommendation is correct regarding the need to monitor the effects of top-end predator impacts, at least in designated MPAs. And this information should be used in adaptive management of the MPAs. The recommendation also mentions evaluating the effects of MPAs in the design of MPAs; however, it is silent about what that means. I suggest that it should mean that even if only based on solid anecdotal information, that the presence of high populations of sea lions in an area, such as the area along Cannery Row, would be sufficient to disqualify an area for consideration, for at least a marine reserve.

Public Safety

Public safety considerations need to be an important part of the design criteria. Generally, MPAs that

restrict recreational fishing should be located far enough away from harbors or other launching sites used by recreational anglers, so as to not force small vessels farther from shore. In the example of the Santa Cruz area, there are small boat rental fleets off both Capitola and Santa Cruz wharves. MPAs that restrict angling should not be located within those vessels' standard operating ranges. In the case of Monterey, it is also important to understand when and by whom this consideration becomes critical. The "who" is primarily skiff fishermen, who inherently have a limited range, and the "when" is typically when weather conditions are less than ideal. In these cases, these small boats are likely to still go fishing, but want to stay close around the harbor area. Therefore, in using public safety as a critical design criteria, no MPA that restricts recreational angling should occur within a mile from the launch ramps at Monterey Harbor.

Clam Populations

Regarding the recommendation, I certainly hope there is some creative thinking about how to utilize these existing clam MPAs in ways that do not affect sea otters.

Desalinization

I concur with the recommendation.

Regarding the August 24th memo from John Kirlin, regarding "design considerations and implementation issues":

Although I understand it, I think that the insistence by the MLPAl team that regional objectives be "specific and measurable" in all circumstances is a mistake. Certainly the objectives, for lack of a better word, for individual MPAs need to have measurable standards. However, the goals of the MLPA are so broad that it is appropriate, in my opinion, that at least some regional objectives be included that are not necessarily precisely measurable. This might be in the category of "things we really want to make sure this MPA takes into account or accomplishes." This would be, in my opinion, a legitimate use of the word "objective" and should be included.

This memo also does not speak to the relative importance of objectives, design or implementation considerations. Perhaps this is for a future memo.

Regarding the September 1st memo from Mike DeLapa regarding "responses to your request for information":

Regarding California sea lions:

The statement that California sea lions consume around 8500 tons of prey species in 2001 and 2002 may well be correct. However, there are cycles of sea lions which occur in the Monterey Bay and that was a low year. In following years, which were much better squid years, there were approximately 10 to 15 times the number of California sea lions, at least in the southern end of Monterey Bay, who stayed for about seven months. The consumption rate is cyclic, and I believe the number quoted is a low average.

Regarding the several discussions in this memo regarding larval transport, questions like "What species are in need of larval enhancement and how do we know this?" and "Can we identify larvae sufficiently to know from where they came and to whence they go?" and finally "What are the effects of good, conventional management measures on larval transport and recruitment?" All these questions need to be explored.

Regarding section B-25:

As a general remark, I hope that none of the socioeconomic materials being developed are publicly released until they have been externally (to the SAT) professionally peer-reviewed. Specifically, the statement in this section that says, "Conventional wisdom also suggests that simply restricting certain kinds of users from an area can increase the value of that area for other users" is nearly meaningless. What kind of value? If economic value is what is inferred, that is not necessarily true. If you mean personal intrinsic value, then that is probably a fair statement, but also relatively meaningless in terms of our determination of MPA sites.

Regarding section B-29

The statement "If you were to set a goal of minimizing negative impacts, you would end up locating MPAs only where there are no people" is simply false and needs to be removed. Likewise the statement, "The only way to minimize impacts on non-extractors is by reducing extraction" is also not a correct statement and needs to be removed. Especially troubling in this section is the statement "This does not mean that every individual is better off because of an MPA. Someone who incurs a cost represents a "negative" net benefit. In order to maximize total net benefit, we need to make sure that any net benefit to one party is greater than any cost (net negative benefit) that an MPA may impose on another party." This section is very troubling because it would set the stage for the destruction of one economic activity center in favor of another, which is a different concept than minimizing socioeconomic costs to users. I do not believe that the language of the MLPA supports this interpretation of the role of socioeconomics, and this section should be removed or substantially modified.

Framework for Evaluating Existing MPAs

This framework should be a useful tool, provided that all levels of protection, enforcement, monitoring, education, etc., are incorporated, which should be inclusive rather than exclusive during this process. At some point, the end result of this process needs to be a fairly clear statement of what goals and objectives have been accomplished by the State's existing system of MPAs, other closed areas, and fishery and other marine management measures. It is only then that we'll be able to know what need to be added, if anything, to fulfill the requirements of the act.

Thank you for considering these thoughts.

From: Linda G. McIntyre [mailto:mcintyre@mosslandingharbor.dst.ca.us]
Subject: Comments

I concur with the comments made by Steve Scheiblaue, attached.

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[See September 14, 2005 comments from Steve Scheiblaue]

From: Kaitilin Gaffney [mailto:kgaffney@psinet.com]

Subject: MLPA_ITEAM: Comments on memo (TBD and Goals and Objectives)

Dear I-Team Members:

First of all, congratulations on the successful adoption of the Regional Goals, Objectives, and Design and Implementation Considerations.

Second, I wanted to weigh in voicing general support for the overall framing in the Sept. 2 Memo regarding Staff Analysis of Goals, Objectives and Design Considerations and the Sept. 6th memo regarding the TBD Bin items. I found both memos to be extremely helpful and believe that they were both important to achieving a good outcome at the RSG meeting in Cambria. Specifically, I can support the staff recommendations regarding the issues raised in the TBD memo. I believe these recommendations are all reasonable and provide a useful way to move forward and focus on the priority tasks for the RSG. I appreciate all of the hard work that went into preparing for the Sept. meeting and believe it was reflected in the outcome of the meeting.

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