

California Marine Life Protection Act Initiative Blue Ribbon Task Force

MEMORANDUM

Phil Isenberg, *Chair*
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William Anderson
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John J. Kirlin, *Executive Director*

To: Interested parties
From: Phil Isenberg, Chair
Blue Ribbon Task Force (BRTF)
Subject: Process at the March Task Force Meeting
Date: March 8, 2006

At its January 31-February 1, 2006 meeting in Morro Bay, the MLPA Blue Ribbon Task Force (BRTF) considered various MPA package proposals from the Central Coast Regional Stakeholder Group (CCRSG), and those submitted from "outside" the stakeholder process. As you know, we deemed one proposal from the outside not in compliance with the MLPA Master Plan Framework and, concurring with the MLPA Master Plan Science Advisory Team (SAT), found it not to be a network of MPAs at all. That proposal was dropped.

Task force members then provided individual comments to the proponents of the surviving proposals, and also directed our MLPA Initiative staff to develop a preferred alternative for our consideration at the next meeting. The staff-developed Package S is in response to that directive.

The packages that will be before the BRTF on March 14-15 include:

- Package 0 = A "no project" alternative
- Package 1 = CCRSG proposal
- Package 2 = CCRSG proposal
- Package 3 = CCRSG proposal
- Package AC = NRDC/PRBO Conservation Science proposal
- Package S = MLPA Initiative staff proposal

At its March meeting, the BRTF will (a) forward alternative packages of proposed MPAs to the California Department of Fish and Game and (b) also recommended a preferred alternative to the department.

These decisions are anticipated in the memorandum of understanding that created the BRTF and in the MLPA Master Plan Framework adopted by the California Fish and Game Commission in August 2005. After our March decision, the department decides which alternative packages to forward to the commission and which preferred alternative will be recommended. The department may revise the forwarded

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information based on its judgment of package feasibility. The commission will conduct its own hearings and evaluate proposals.

The CCRSG ended its formal work in December 2005, though a number of individuals remain deeply involved in refining packages to this time. While the BRTF recognized the extensive work on packages 1, 2 and 3 from CCRSG members, and on the external Package AC, there was still divergence among packages. Accordingly, the BRTF directed MLPA Initiative staff to develop a preferred alternative, drawing upon the existing packages, habitat maps and information provided by the SAT and Department of Fish and Game, and the analyses of areas of stated importance to fishermen conducted by Ecotrust. Information available to MLPA Initiative staff was the same as that available to package proponents.

A detailed agenda for the next BRTF meeting has been posted to the MLPA website. We will start with information regarding changes to CCRSG packages 1, 2 and 3, plus any changes in the external Package AC. When we complete that discussion, we will hear about Package S, and then open the discussion for comments. At the end of the discussion, the task force will decide whether to forward some or all of the proposed packages to the department and will also identify a preferred alternative.

I look forward to seeing many of you in Monterey.

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To: Interested parties

From: Phil Isenberg, Chair
Blue Ribbon Task Force (BRTF)

Subject: Comments, suggestions and process rules for the next two BRTF meetings (January 31 – February 1, 2006 and March 14-15, 2006)

Date: January 9, 2006

Many of you have been writing or calling with questions and suggestions about how the BRTF should proceed to receive, review and ultimately decide on alternative network components of marine protected areas (MPAs) along the central coast. Your input has been very helpful and I have discussed many of your questions with other task force members. This memo is to lay out some procedural guidance for the next two BRTF meetings.

Our staff has prepared a short summary chronology of events on the Central Coast Project, starting with formation of the Central Coast Regional Stakeholder Group (CCRSG) in June 2005. That chronology is attached to this memo, and we recommend you review it carefully as it also lays out steps through 2006.

At our January 31 – February 1, 2006 meeting, we will address the following major items:

1. Central Coast Project: Consider proposed packages of MPAs for the Central Coast and develop guidance for revisions of those packages
2. Long-Term Financing Strategy: Take final action
3. Management Plan Framework: Receive first draft
4. Adaptive Management, Monitoring and Evaluation Plan Framework: Receive first draft

To respond to questions about how the BRTF will handle proposed packages of MPAs and move toward a decision in March 2006, I offer the following:

- The BRTF will consider the proposed packages of MPAs submitted from the CCRSG (there are three), and two proposed

packages from outside the CCRSG (the consolidated proposal from NRDC and staff of PRBO Conservation, and a separate proposal from Helping Our Peninsula Environment [HOPE]).

However, the proposal from HOPE raises questions as to whether it complies with the MLPA requirement to establish networks of MPAs or with provisions of the MLPA Master Plan Framework. The MLPA Master Plan Science Advisory Team (SAT) evaluation sub-team has tentatively advised staff that, as submitted, the HOPE proposal cannot be evaluated as a network. A final observation from the SAT on this point will be received prior to our next meeting. If all legal questions and science issues can be satisfactorily resolved prior to the meeting we will review five proposals. If not, there will be four proposals to review.

- It is our intention to limit our review to the submitted proposals, not to entertain completely new plans which did not meet the deadline of October 15, 2005 for submission of proposals from outside the CCRSG process.
- The SAT will provide the BRTF with its evaluations of these proposals. We are advised that the SAT evaluation sub-team plans to report its draft evaluations by end of day on January 13, 2006, and the full SAT will act on the draft report at its January 20 meeting.
- The BRTF invites proponents for each package to respond to the evaluation and any suggestions from the SAT, indicating how and in what way they propose to modify their current proposed package. Such a response should be submitted to MLPAcomments@resources.ca.gov no later than 5 PM on January 24, 2006, so that they may be distributed and posted in advance of the BRTF meeting. These modifications will not be evaluated by the SAT or staff before the January 31-February 1 BRTF meeting but the staff will organize the proposed modifications as needed for consideration by the BRTF.
- The BRTF may, at the January/February meeting, decide if any, all or some of the submitted proposals meet the standards of the MLPA statute.
- The BRTF is directed by mandate from Resources Secretary Mike Chrisman to submit "alternative networks of marine protected areas in the central coast" by March 2006.
- The BRTF may recommend a preferred alternative to the Department of Fish Game, which has the statutory role of recommending a preferred alternative to the California Fish and Game Commission.
- The BRTF fully expects to consider, and if appropriate, adopt modifications to proposed packages. For example, at our January 31 – February 1 meeting we may direct staff, or package proponents, to make appropriate adjustments in light of SAT evaluations of a proposed package. Similarly, the BRTF may extract and analyze various pieces from each of the packages to create a recommended package (or hybrid package/s) if that seems appropriate.
- The BRTF has asked our staff to be ready, both at the January/February session, and again in March, with a list of "issues with substantial concurrence" and "issues of substantial divergence."

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There is a lot of work which must be done this month and next. Task force members have been impressed with the level of dedication and interest shown by all of you over the last 16 months and we are confident that we can mutually make the final stages of this process successful.

See you in Morro Bay later this month.

California Marine Life Protection Act Initiative
Chronology of Proposed Packages of MPAs for the
Central Coast Study Region
January 6, 2006

1. June 8-9, 2005 – Central Coast Regional Stakeholder Group (CCRSG) begins series of seven meetings; there were, in addition, several working group meetings. Master Plan Science Advisory Team (SAT) members attended CCRSG meetings, and the SAT responded to science questions from the CCRSG.
2. October 15, 2005 – final date for submission of packages of MPAs from outside the CCRSG
3. December 7-8, 2005 – final meeting of the CCRSG
4. December 15, 2005 – final clarifications and adjustments to proposed packages
5. December 15-January 13, 2006 – SAT evaluation sub-team and MLPA Initiative staff analyses of packages
6. January 16, 2006 – SAT evaluation sub-team draft evaluations of proposed packages posted to MLPA website
7. January 20, 2006 – SAT meeting to finalize evaluations of proposed packages
8. January 24, 2006, 5 PM – any proponent modifications to proposed packages in response to SAT evaluations submitted to MLPAComments@resources.ca.gov
9. January 31-February 1, 2006 – Blue Ribbon Task Force (BRTF) meeting to consider proposed packages and provide guidance for modification, if any, of those proposed packages
10. February 1 through February 24, 2006 – proposed packages refined pursuant to BRTF guidance
11. March 1, 2006 – Final proposed packages posted to MLPA website
12. March 14-15, 2006 – BRTF meeting with action on proposed packages as revised
13. March 15 to May 2006 – Department of Fish and Game prepares suite of alternatives, including preferred alternative, for California Fish and Game Commission
14. May 25, 2006 – California Fish and Game Commission begins period of consideration of alternatives, including receipt of public comments

California Marine Life Protection Act Initiative Blue Ribbon Task Force

August 30, 2005

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Dear Central Coast Regional Stakeholder Group members,

The Blue Ribbon Task Force (BRTF) members would like to express our deep appreciation for your energy, dedication, and hard work. You volunteered for a difficult job, and are working hard to achieve a common goal. As you know, the California Fish and Game Commission approved a slightly modified MLPA Master Plan Framework at its August 2005 meeting. We are extremely pleased that the commission did so, since it indicates that they view this process seriously, and will consider task force recommendations in detail.

As you work to develop your alternatives for our consideration, we want to make a few comments about the process over the next few months:

- The task force remains committed to achieving our mandated outcomes within the time schedule provided and thanks the CCRSG members for their important contributions to implementation of the Marine Life Protection Act (MLPA) in the central coast region. Though it will be difficult, we are confident that you will adhere to the timetable.
- Consistent with the mandate given our task force by Secretary for Resources Mike Chrisman, your work products will be transmitted to us for review and possible changes. After BRTF evaluation, the Department of Fish and Game will assess the work products for possible changes. Finally the Fish and Game Commission, which is the statutory decision maker under the MLPA, will conclude the review of the central coast process. This multi-step process includes opportunities for additional public input before the BRTF and the commission.
- We ask that you focus on the work products identified in your charter:
 1. Develop regional goals and objectives consistent with the MLPA,
 2. Evaluate existing marine protected areas within the central coast study region against those goals and objectives and the design considerations in the MLPA Master Plan Framework, and
 3. Identify and value alternative proposals for marine protected areas, including new or modified MPAs within the central coast study region.

- Your final work product will be the alternative proposals developed in your process and the supporting explanations of how each contributes to meeting the design guidance and regional goals and objectives.

The task force has directed MLPA Initiative staff to support your effort, including:

- Designing effective processes for the CCRSG
- Articulating work flow among the CCRSG, SAT, and BRTF
- Facilitating the work of the CCRSG, SAT and BRTF
- Providing professional judgments on matters of substance where desirable
- Exercising professional discretion on matters of process where necessary.

Finally, several of us have been queried about what might happen in the unlikely event the CCRSG should be unable to complete their work on time. If that should happen, which we doubt, the BRTF would still be obligated to meet the timelines of our mandate from Secretary Chrisman. We would expect our staff to review your work and from that starting point assemble alternative recommendations to be brought to the BRTF for consideration and possible changes.

In closing, let me again thank you for your important contributions to implementation of the MLPA. You are key to the success of this effort and we need you to focus your energy on moving a work product forward. We are confident that your contributions will result in better proposals for protecting marine life.

Sincerely,

A handwritten signature in black ink that reads "Phil Isenberg". The signature is written in a cursive style with a large, stylized initial "P".

Phil Isenberg
Chair
MLPA Blue Ribbon Task Force