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## DRAFT Key Outcomes Memorandum

**Date:** March 26, 2009

**To:** Members, Marine Life Protection Act (MLPA) Statewide Interests Group (SIG)

**From:** Scott McCreary and Rebecca Tuden, CONCUR, Inc.

**Re:** Key Outcomes Memorandum – February 13, 2009 SIG Meeting

**cc:** BRTF members, MLPA Initiative Staff, California Department of Fish and Game MLPA Staff, California Department of Parks and Recreation MLPA Staff

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### Participation and Materials

The following Marine Life Protection Act (MLPA) Statewide Interest Group (SIG) members participated in the February 13, 2009 meeting via conference call: Benjamin Acker, Dave Bitts, Harold Davis, Fred Euphrat, Karen Garrison, Jonathan Hardy, Angela Haren, Vivian Helliwell, Kenyon Hensel, Ken Kurtis, Jim Martin, Jere Melo, Samantha Murray, Shelly Walther, and Guangyu Wang.

Don Benninghoven participated as chair of the MLPA Blue Ribbon Task Force (BRTF).

Ken Wiseman, Melissa Miller-Henson and Craig Shuman participated on behalf of the MLPA Initiative staff (I-Team). Additional I-Team members Scott McCreary and Rebecca Tuden facilitated the meeting.

The meeting agenda and materials may be found on the MLPA website at <http://www.dfg.ca.gov/mlpa/meetings.asp>

### Key Outcomes

**Chair of the BRTF, Don Bennighoven, welcomed the newly appointed SIG members to the first SIG meeting of the MLPA Initiative's South Coast Study Region. Ken Wiseman, Executive Director for the MLPA Initiative summarized the charge of the SIG ( Briefing Document C.1) emphasizing its role of providing a forum for enhanced communication and to assist with improved implementation and participation. It was explained that all of the SIG meetings are expected to take place by conference call. The SIG members then introduced themselves.**

Key SIG comments included the following:

- SIG member Guangyu Wang raised a clarifying question about the SIG charge. I-Team staff noted that the language should be corrected to read, "...how to improve the progress in implementing, and to identify statewide issues that relate to and may affect, the MLPA Initiative".

- SIG Member Jim Martin noted that the SIG did not have any representation from charter boat operators. MLPA staff clarified that the SIG is different from the regional stakeholder groups in that the membership is not intended to represent every interest group in such a fine grained fashion. Rather, SIG discussions are intended to focus on a higher, statewide, level. Chair Benninghoven further commented that additional appointments may be entertained, as needed.

**SIG members received an overview describing the genesis of the MLPA, its six goals and the background on the public-private partnership that led to the formation of the MLPA Initiative. I-Team staff member Melissa Miller-Henson also provided a description of the respective entities that are involved in the MLPA Initiative and the active public involvement component underway to involve members of the public in the MLPA effort. Key outreach efforts discussed included the public workshops, monthly newsletters, MLPA brochure and the upcoming tribal forum.**

Key comments included the following:

- SIG member Ken Kurtis asked what information was available to SIG members who wished to conduct outreach to their constituents or interest groups. I-Team staff committed to transmit the existing PowerPoint presentation that has been made available to SCRSG members to assist with general talking points for public presentations.
- SIG member Shelly Walther raised the issue of the lengthy delay before meeting materials were available on the website. I-Team staff noted that a new software package, IQM2, is poised to be used by the MLPA Initiative and will allow for meeting materials to be available on the web simultaneously with the meetings rather than waiting for manual posting of documents to the website.
- SIG Member Ben Ackerman asked whether the California budget concerns affect the MLPA timeline. Ken Wiseman responded that the unique public-private partnership made it possible for the MLPA Initiative to continue with its planned timeline and, while some cost-cutting measures are in order, the planning process was generally unaffected. I-Team staff agreed to distribute the news release and letter from Secretary Chrisman explaining that budget implications were not directly affecting the MLPA Initiative.

**MLPA Initiative staff gave a status report on the progress and status of the MLPA South Coast Project.**

Key comments included:

- SIG member Jonathan Hardy asked about the timing of SAT research and whether it was causing any delay in the SCRSG's process. I-Team staff clarified that the SAT does not conduct new research but relies on the best readily available science and information to develop methods to support the MLPA Initiative planning process. Many of the SAT's determinations about finalizing analytical methods based upon data for the south coast study region have

already been provided in preliminary form to the SCRSG and the final determinations were expected imminently.

- SIG Member Harold Davis asked about the expected timing to complete mapping of the substrate data for the study region. I-Team staff took the opportunity to discuss the newest MPA planning tool, MarineMap, and encourage the SIG members to explore the website and its usefulness in assisting with MPA planning. The final installment of the substrate data is expected to be delivered to MLPA staff by the end of February 2009.

**MLPA Initiative staff raised a question about the SIG members' preferred option for the timing and sequencing of future meetings. In previous study regions, the SIG has met after BRTF meetings to discuss emerging topics. It was determined that the next steps in the planning process in the south coast study region, including submittal of external proposals and initial draft arrays from the SCRSG merited a meeting in the near future. The facilitators also asked whether there were any key topics or items the SIG members would like to discuss at the upcoming meeting.**

Key comments included:

- A number of SIG members expressed their preference for meeting more frequently and, as needed, having shorter calls.
- SIG Member Jim Martin mentioned wave energy analysis as a potential topic for future SIG meetings with particular relevance in the north coast study region. Of potential consideration is how siting of future wave energy projects will affect the designation of marine protected areas.
- SIG member Ken Kurtis raised the issue of public access to the process and how best to enable the public to weigh in and provide input to the SCRSG process.

## Next Steps

Facilitator Scott McCreary and Executive Director Ken Wiseman thanked everyone for their participation in the SIG conference call and said that a formal date for the next SIG call has not been set but would be held sometime after the SCRSG meeting in early March. Staff will send out a "doodle poll" on preferred meeting dates.

Attachments:

MLPA Public Education and Outreach Powerpoint Presentation for Stakeholders  
MLPA News Release and letter from Secretary Mike Chrisman regarding the MLPA Initiative response on budget concerns  
MLPA Statewide Interests Group charter

# Marine Life Protection Act

- Signed into California state law in 1999
  - Improve the design and management of marine protected areas (MPAs) in state waters
  - Focuses on marine ecosystems and habitats rather than single species
- Requires
  - Master plan for MPAs
  - Use of “best readily available science”
  - Involvement of stakeholders and other interested parties

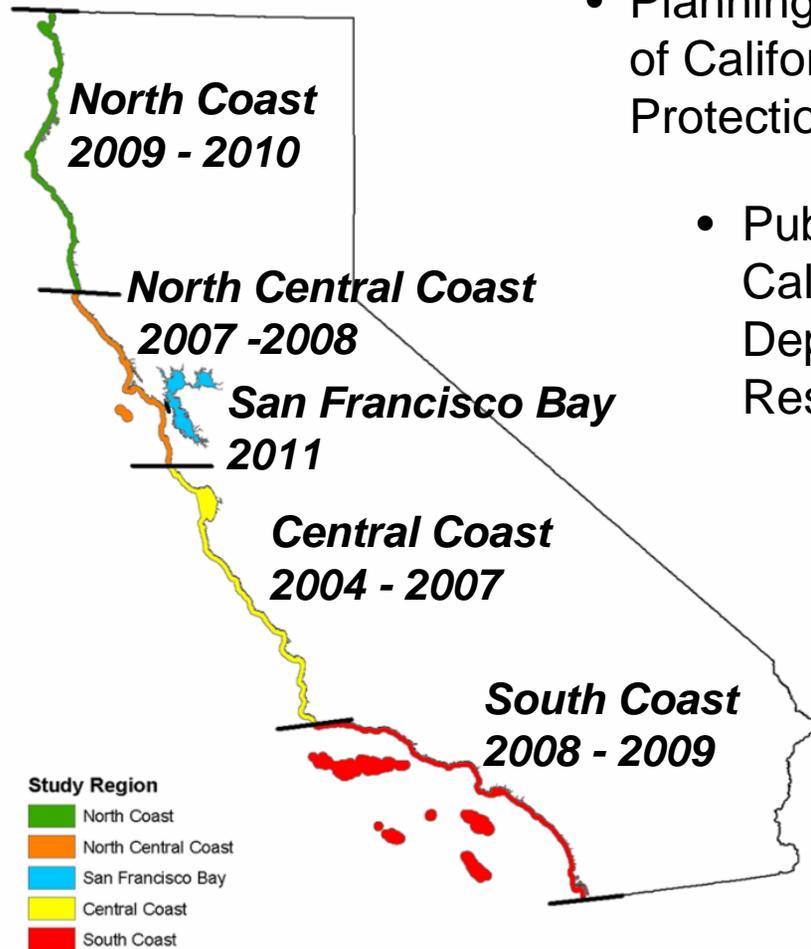
# Six Goals of MLPA

1. To protect the natural diversity and abundance of marine life, and the structure, function and integrity of marine ecosystems
2. To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted
3. To improve recreational, educational and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity

## Six Goals of MLPA (cont'd)

4. To protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value
5. To ensure that California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines
6. To ensure that the state's MPAs are designed and managed, to the extent possible, as a network

# The MLPA Initiative



- Planning process designed to help the State of California implement the Marine Life Protection Act
- Public-private partnership among California Resources Agency, California Department of Fish and Game, and Resources Legacy Fund Foundation
- California divided into five study regions
  - Stakeholder-driven, transparent process with public input at every stage

# MLPA Initiative Participants

- Institutional partners
- MLPA Initiative groups and contractors
- Stakeholders
- General public

# Institutional Partners



California Natural Resources Agency



California Department of Fish and Game

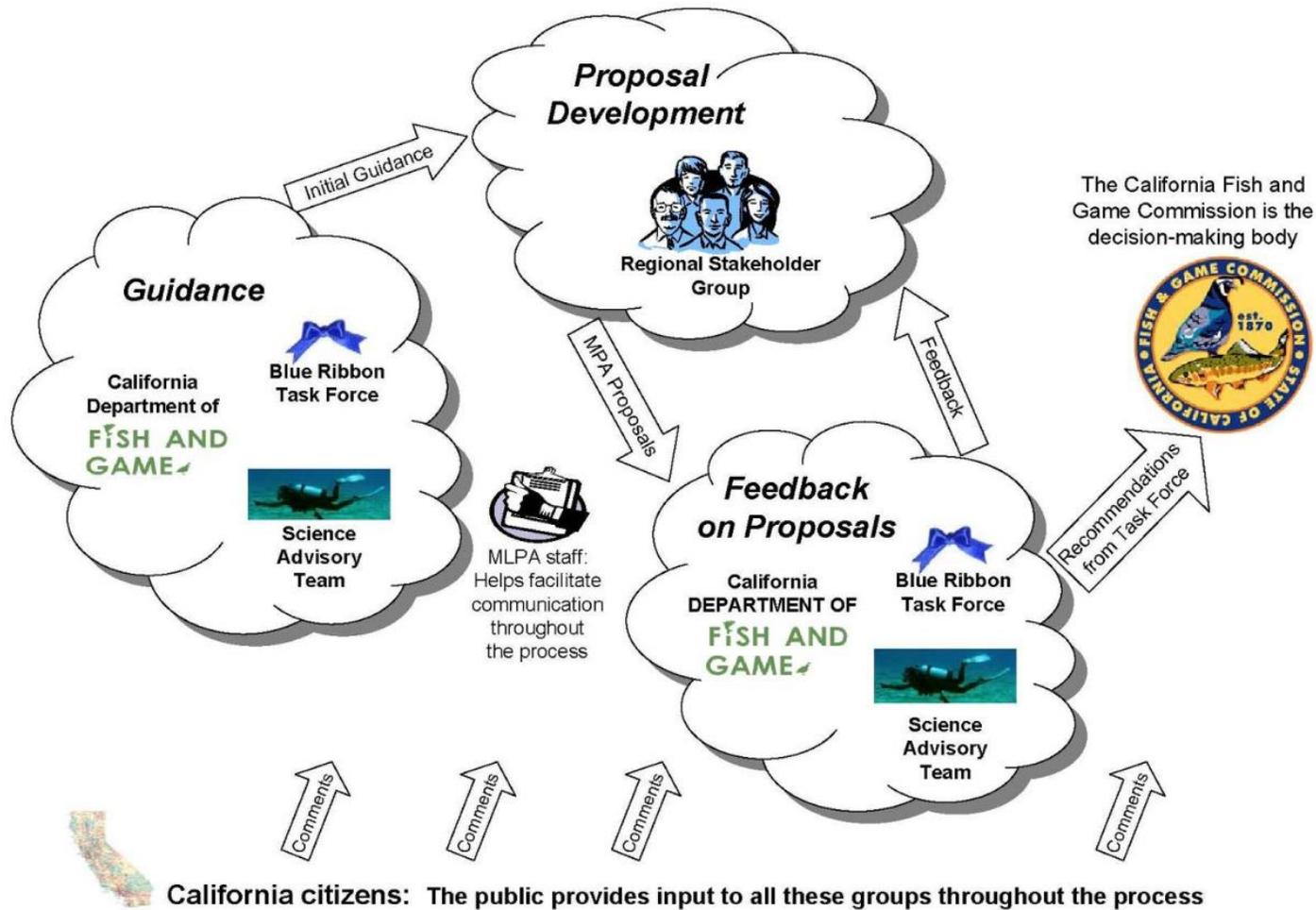


Resources Legacy Fund Foundation

# MLPA Initiative Groups

- Blue ribbon task force
- Statewide interests group
- Regional stakeholder group
- Master plan science advisory team
- Staff and contractors

# Information Flow



# Existing Marine Protected Areas



**Map 2.0 - 1 South Coast Study Region**  
*Existing Marine Protected Areas*

- Study Region Boundary
- Existing State Marine Conservation Area (SMCA)
- Existing State Marine Park (SMP)
- Existing State Marine Reserve (SMR = No Take)
- Existing Special Closure

Marine Life Protection Act Initiative

Jul 01, 2008



Projection: California Teale Albers NAD 83

Scale 1:1,394,775

# Marine Protected Areas (MPAs)

- **SMCA** - State Marine Conservation Area
- **SMP** - State Marine Park
- **SMR** - State Marine Reserve

# Common Concerns

- There is **NOT** a minimum area in each study region that needs to be set aside as MPAs
- The science team does **NOT** “draws lines” for MPA proposals
- Private foundations do **NOT** direct the development or adoption of MPA proposals
- There is **NOT** a dearth of scientific data that MPAs are a useful management tool
- All human activities do **NOT** end after an area is designated as an MPA

# Learn More, Become Involved!

- Visit the MLPA website or contact staff
- Contact a member of the stakeholder group to express your interests and views
- Attend public meetings, or watch them (live and archived) on the MLPA website
- Add yourself to the mailing list
- Comment on draft documents and proposals
- Send comments (e-mail, fax or postal)

# Contact Information

- **Email:** [MLPAComments@resources.ca.gov](mailto:MLPAComments@resources.ca.gov)
- **Website:** [www.dfg.ca.gov/mlpa/](http://www.dfg.ca.gov/mlpa/)
- **Fax:** 916-653-8102 Attn: MLPA Initiative
- **Phone:** 916-654-1885
- **Mail:** MLPA Initiative  
c/o California Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

## **California Marine Life Protection Act Initiative**

1416 Ninth Street, Suite 1311 Sacramento, CA 95814 916.653.5656

### **FOR IMMEDIATE RELEASE:**

Jan. 29, 2009

### **CONTACT:**

**Annie Reisewitz, California MLPA Initiative**

858-228-0526

**Jordan Traverso, Department of Fish and Game**

916-654-9937

### **CALIFORNIA'S MLPA INITIATIVE CONTINUES PUBLIC PROCESS TO COMPLETE RECOMMENDATIONS FOR MARINE PROTECTED AREAS**

*Public-private partnership provides bridge funding for mapping project*

SACRAMENTO – California's Marine Life Protection Act (MLPA) Initiative will continue its public process to complete recommendations for a statewide network of marine protected areas. The MLPA's planning budget has not been impacted by the state's current fiscal issues.

In response to the state's temporary freeze of bond funds, the MLPA Initiative has secured private funding through its public-private partnership to complete a habitat-mapping project that will support the marine protected area (MPA) planning process in Southern California. The initiative is also seeking additional private support for scientific monitoring along the central coast and north central coast, as well as to supplement public funding as necessary to successfully achieve the goals of the MLPA.

"The task force is charged with developing recommendations for MPAs in the south coast, as well as identifying ways to improve state and federal coordination," said Don Benninghoven, chair of the MLPA Initiative Blue Ribbon Task Force. "I am confident that we will continue to meet the objectives of the public-private partnership during these tough economic times."

The California Natural Resources Agency and California Department of Fish and Game have partnered with the Resources Legacy Fund Foundation and others to achieve the MLPA goals. This public-private partnership combines both state and private funding to conduct the planning work leading up to implementation. The planning process is guided by the advice of scientists, resource managers, experts, stakeholders and by members of the public.

"We owe it to our stakeholders, scientists and members of the public who have dedicated their valuable time and energy to carry this public process forward," said MLPA Initiative Executive Director Ken Wiseman. "Today Secretary for Natural Resources Mike Chrisman confirmed the Governor's commitment to meeting the statutory goals of the MLPA, and working together we will ensure that this stakeholder-driven process is successfully completed."

Secretary Chrisman appoints the members of the MLPA Blue Ribbon Task Force, which is charged with overseeing the MLPA Initiative. In a letter to members of the Partnership for Sustainable Oceans, he made it clear that public-private partnerships will continue to be key in implementing the MLPA and other natural resource management statutes.

"California already has numerous partners engaged in the long-term management of our natural resources, whether it is enforcement and outreach or research and on-site

management, and those essential relationships will continue to be the foundation of our management strategy,” said Secretary Chrisman. [The secretary’s letter is attached.]

The MLPA, enacted in 1999, directs the state to design and manage a system of MPAs in order to, among other things, protect marine life and habitats, marine ecosystems, and marine natural heritage, as well as improve recreational, educational and study opportunities provided by marine ecosystems. MPAs are discrete geographic marine or estuarine areas designed to protect or conserve marine life and habitat.

A regional approach is being used in the MLPA Initiative, where California’s 1,100- mile coastline has been divided into five study regions. In September of 2007, regulations for the first of the five study regions were implemented for the central coast (Pigeon Point in San Mateo County to Point Conception in Santa Barbara County). In the second study region, four proposals for redesigning MPAs in the north central coast (Alder Creek in Mendocino County to Pigeon Point ) are under consideration by the California Fish and Game Commission; regulations are expected to be adopted by the commission in 2009.

The MLPA Initiative is currently in the planning process in the MLPA South Coast Study Region (Point Conception to the California border with Mexico in San Diego County, including offshore islands); recommendations for this study region are expected to be presented to the California Fish and Game Commission in late 2009.

The MLPA requires the California Fish and Game Commission to adopt a master plan, based on the best readily available science, that will guide the adoption and implementation of a Marine Life Protection Program within the California Department of Fish and Game. In addition to the MLPA South Coast Study Region planning process, two other study region planning processes (north coast and San Francisco Bay) will take place between 2009 and 2011.

For more information about the MLPA Initiative, please visit <http://www.dfg.ca.gov/mlpa>.



January 29, 2009

Gordon Robertson, Vice President  
American Sportfishing Association

Bob Franko, Chairman  
Coastside Fishing Club

Jim Klark, Government Affairs  
Southern California Marine Association

Bob Fletcher, President  
Sportfishing Association of California

Dear Gordon, Bob, Jim and Bob,

Thank you for your January 14, 2009, letter to Governor Schwarzenegger regarding implementation of the California Marine Life Protection Act (MLPA). The Governor has asked me to respond on his behalf. Specifically, you raised concerns about the availability of funds necessary to implement the MLPA going forward and the cost of implementing marine protected areas (MPAs) during the state's fiscal crisis. Be assured that the current MLPA process is appropriately funded and will continue, as you agree in your letter that it should.

The most recent budget the Governor sent to the Legislature, and in fact every budget he has sent to the Legislature since taking office, has included funding for the MLPA process. As you know, the Schwarzenegger Administration has been tireless in our commitment to protect California's oceans and coasts. While the Pooled Money Investment Board has suspended bond funding for certain MLPA-related research and monitoring activities, bond funds will become available again once the Legislature is able to pass a budget that the Governor can sign. In at least one case, alternative funding has already been solicited and approved to continue the work; we have advised all projects impacted by the bond freeze to take similar actions to ensure minimal disruption. The public-private partnership, established to ensure the success of MLPA Initiative, has continued to assist California in identifying other sources of funding for these important projects.

The MLPA planning process is currently unaffected by the state's fiscal issues and our public-private partnership is strong, enabling us to continue the good work of redesigning and implementing California's system of marine protected areas.

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Members of Partnership for Sustainable Oceans

January 29, 2009

Page 2

I share your concerns regarding enforcement, public outreach and education, and scientific research and monitoring. The truth is that having complete funding to manage alone manage all of California's natural resources is an insurmountable task. This is why public-private partnerships, like the MLPA Initiative, are so important, not only for planning purposes, but also for long-term management.

California already has numerous partners engaged in the long-term management of our natural resources, whether it is enforcement and outreach or research and on-site management, and those essential relationships will continue to be the foundation of our management strategy. In ocean resource management, we will continue to work with our government and not-for-profit partners, such as the National Marine Sanctuary Program, National Marine Protected Areas Center, and Marine Conservation Biology Institute, to help ensure long-term stewardship for current and future generations.

Currently there are more than 60 MPAs along California's coast that were established outside of the current MLPA Initiative and without any coherent plan or with a basis in sound scientific guidelines. Many of these MPAs even lack clearly defined purposes. As a result, the existing array of MPAs falls far short of its potential to protect and conserve living marine resources. Modifying the existing collection of MPAs to ensure that they are designed in accordance with sound science and clear, ecosystem-based goals and guidelines allows us to take greater advantage of the multiple benefits that can be derived from a system of marine protected areas.

We appreciate that fisheries management in California has improved in recent years and that some of those management activities may help meet the goals of the MLPA. In fact, the MLPA expressly states that MPAs and fisheries management are complementary. California's primary state fisheries management statute, the Marine Life Management Act, acknowledges that conservation and management programs (such as that being developed under the MLPA) help ensure conservation and facilitate long-term protection of fishery resources.

Although MPAs and fisheries management are complementary, they are not equivalent. The purpose of habitat protection in the MLMA is to advance the "primary fishery management goal" of sustainability and so may only provide limited protection of a particular habitat. Conversely, although the MLPA considers fishery habitat, it also encompasses broader, ecosystem-based objectives that are not limited to *only*

Members of Partnership for Sustainable Oceans

January 29, 2009

Page 2

Managing fisheries; the MLPA is intended to improve our system of MPAs in order to protect marine life, habitat and ecosystems. In short, some goals of the MLPA simply cannot be achieved with traditional fisheries management.

Thank you again for your attention to the MLPA process and for expressing your concerns that we all share and will continue to address. On behalf of Governor Schwarzenegger, thank you too for your continued support of the MLPA process. It is only by working together that we will ensure the healthy future of California's ocean and coast.

Sincerely,



Mike Chrisman  
Secretary for Natural Resources

cc: Vickie Bradshaw, Cabinet Secretary  
David Crane, Senior Advisor to Governor Schwarzenegger  
Donald Koch, Director, California Department of Fish and Game  
Members, California Fish and Game Commission  
John Carlson, Executive Director, California Fish and Game Commission  
Members, MLPA Blue Ribbon Task Force  
Ken Wiseman, Executive Director, MLPA Initiative  
Members, California State Senate  
Members, California State Assembly

**California Marine Life Protection Act Initiative**  
**Charter of the MLPA Statewide Interests Group, 2009**  
*Revised February 17, 2009*

**Official Name:** This group officially is designated as the MLPA Statewide Interests Group (SIG) to the MLPA Blue Ribbon Task Force (BRTF).

**Background:** The California Department of Fish and Game (DFG) was tasked by the 1999 Marine Life Protection Act (MLPA) to prepare, or cause to be prepared, a master plan, with recommended alternative networks of marine protected areas within the state's coastal waters, for proposed adoption by the California Fish and Game Commission. Designing and implementing marine protected areas is challenging. Therefore, the secretary for resources determined it beneficial to convene an MLPA Blue Ribbon Task Force (BRTF) to enhance the state's ability to carry out the mandate under the Marine Life Protection Act.

Creation of a BRTF was initially stipulated in a 2004 memorandum of understanding (MOU) to which the California Resources Agency, DFG, and Resources Legacy Fund Foundation were parties. The MOU created a public-private partnership, known as the MLPA Initiative, to help the state implement the MLPA. One element of the initiative was a pilot project along the central coast (Pigeon Point in San Mateo County to Point Conception in Santa Barbara County). The MOU expired in December 2006 and a second MOU was signed for the purpose of continuing the public-private partnership, including the blue ribbon task force, in the north central coast (Alder Creek in Mendocino County to Pigeon Point in San Mateo County). The second MOU was amended in July 2008 to continue the public-private partnership in the remaining study regions (south coast, north coast and San Francisco Bay).

To assist the task force in communicating with stakeholders and the public on a statewide basis regarding implementation of the MLPA and recommendations of the BRTF, the MLPA Statewide Interests Group was created under the first phase MOU and has been created again under the second phase MOU.

**Membership:** The SIG will consist of approximately 15 individuals with the willingness and capacity to communicate with as broad a constituency as possible. The individuals selected will achieve a diversity of perspectives, constituencies and geography. Members are appointed by the MLPA Initiative executive director in consultation with the chair of the BRTF.

**Term:** Each member of the SIG shall serve through December 2009, or until relieved of duties, at the pleasure of the chair of the BRTF.

**Charge:** The SIG is intended to provide a forum for enhanced communication between the task force and stakeholders during the MLPA South Coast Project. To that end, the SIG will advise the chair of the task force and MLPA staff regarding:

- how to improve the progress in implementing, and to identify statewide issues that relate to or may affect, the MLPA Initiative,
- ways to increase public and stakeholder participation in the MLPA Initiative,
- strategies for outreach to constituent groups,
- potential panel speakers for task force and other meetings, and
- other issues as identified by the task force.

The SIG's role is not to negotiate or decide issues for the task force, and participants are not expected to make commitments on behalf of their constituencies.

**Attendance:** The members of the SIG are expected to participate in all regular meetings of the group, which shall generally be scheduled by teleconference before or after BRTF meetings between February and December 2009. The chair of the BRTF, or her/his designee, shall participate in all regular meetings of the SIG.

**Remuneration:** Members of the SIG will, upon request, be reimbursed for any travel expenditures related to the MLPA Initiative, but not for time. All meetings are expected to be conducted via conference call through a toll-free number, so participation costs to SIG members are not anticipated.