

**Marine Life Protection Act Initiative
Public Comments Submitted
through July 21, 2010**

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July 16, 2010

Cindy Gustafson
Chair
Blue Ribbon Task Force
Marine Life Protection Initiative
North Coast Region
c/o Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

**Re: Request for Addition to Agenda for Blue Ribbon Task Force
Meetings on July 21 and 22**

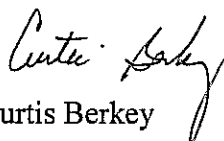
Dear Ms. Gustafson:

We represent the InterTribal Sinkyone Wilderness Council. I am writing on the Council's behalf to request an opportunity to address the Blue Ribbon Task Force in a separate agenda item devoted exclusively to Tribal issues. The question of how best to accommodate Tribal uses in the MPA design process raises a number of issues that deserve special focus and consideration when the Task Force meets. The time allotted for public comment is not sufficient to adequately address these issues. In particular, we are concerned that the policy of avoiding Tribal use areas is not being fully implemented in the MPA evaluation process. Further, the question of whether Tribal uses should be treated as another form of recreational use in the MPAs requires more extensive discussion than would be possible under the published agenda.

Thank you for your consideration.

Very truly yours,

ALEXANDER, BERKEY, WILLIAMS & WEATHERS LLP


Curtis Berkey

cc: BRTF Members
Priscilla Hunter



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
California Coastal National Monument
299 Foam Street
Monterey, California 93940
Telephone: (831) 372-6115

In Reply Refer To:
8200 (P)
CA-939

June 12, 2010

North Coast Regional Stakeholders Group
Marine Life Protection Act Initiative
c/o 1416 Ninth Street
Sacramento, CA 95814

RE: Marine Protected Areas for California's North Coast

Dear North Coast Regional Stakeholders Group:

I am writing in support of the use of Special Closures associated with the Marine Life Protection Act (MLPA) initiative to establish marine protected areas along California's North Coast region. As the manager of the California Coastal National Monument, I have a strong interest in the protection of unique California coastal resources.

The California Coastal National Monument (CCNM) is one of the Nation's most unique national monuments. It consists of more than 20,000 rocks, small islands located off the 1,100 miles of the California coastline. Under the responsibility of the United States Department of the Interior's Bureau of Land Management (commonly referred to as the "BLM"), the CCNM is part of the National Landscape Conservation System. Established on January 11, 2000, by Presidential Proclamation under the authority of section 2 of the Antiquities Act of 1906, the CCNM is among the most viewed but the least recognized of any of the Nation's national monuments. As stated in the Presidential Proclamation, the CCNM was established to elevate the protection of "all unappropriated or unreserved lands and interest in lands owned or controlled by the United States in the form of islands, rocks, exposed reefs, and pinnacles above mean high tide within 12 nautical miles of the shoreline of the State of California." The Presidential Proclamation recognizes the need to protect the CCNM's overwhelming scenic quality and natural beauty, and it specifically directs the protection of the geologic formations and the habitat that these rocks and small islands (i.e., the portion above mean high tide) provide for seabirds, sea mammals, and other plant and animal life (both terrestrial and marine) on the CCNM. In addition, the Presidential Proclamation recognizes the CCNM as containing "irreplaceable scientific values vital to protecting the fragile ecosystems of the California coastline."

The CCNM Resource Management Plan (RMP), which provides the "blueprint" for the management of the CCNM and was completed in September 2005, identified "protecting the CCNM resources and resource values" and "seabird conservation" as two of the six CCNM major implementation priorities. We are, therefore, very interested in and supportive of the concept of Special Closures associated with MLPA marine protected areas along California's North Coast region. This concept is very consistent with the objectives of our seabird conservation initiative. As you are aware, California's North Coast is a critical area for breeding seabirds, supporting the largest concentrations

of breeding seabirds in the contiguous United States outside of the Farallones (This cluster of rocks and small islands, located about 28 miles west of the Golden Gate Bridge, is a National Wildlife Refuge administered by the U.S. Fish and Wildlife Service). The rocks and small islands of the CCNM in the North Coast provide breeding habitat for a fair portion of this critical seabird breeding area.

The MLPA North Coast Special Closures Ruby working group has identified 10 specific locations that they have determined warrant “special closure” status. Five of the 10 areas consist of rocks and small islands that are part of the CCNM. These are Green Rock, Flatiron Rock, False Cape Rock, Steamboat Rock, and Vizcaino Rock. In addition, Rockport Rocks includes a combination of rocks that are part of the CCNM, as well as two islets (i.e., Vizcaino #1 and Vizcaino #2) that are in private ownership. Also, two of the other potential Special Closures (i.e., Southwest Seal Rock and Sugarloaf Island) are currently under the administrative jurisdiction of the U.S. Coast Guard until they can be transferred to the BLM to become part of the CCNM.

As for the other two potential Special Closures, False Klamath Rock is under the jurisdiction of the National Park Service (as are all rocks and islets within a quarter mile offshore of Redwood National and State Parks boundaries) and the 19-acre Castle Rock that makes up the Castle Rock National Wildlife Refuge managed by the U.S. Fish and Wildlife Service. All of the smaller rocks and exposed reefs around the immediate area of Castle Rock are part of the CCNM, including the sea lion rookery on the northern side of the big islet.

I strongly support all 10 of these Special Closures as a needed effort to help protect the dwindling seabird habitat along the California coast. There is, however, concern from two of our formal CCNM Stewards, the Trinidad Rancheria and the Yurok Tribe, regarding Green Rock and Flatiron Rock. The concern regarding these rocks includes both commercial and recreational fishing, as well as kayaking access. Part of the argument is that the current fishing and boating activities around these rocks does not disturb nesting seabirds, primarily because the top nesting colonies are high above the fishing and boating activities. The current activities around these rocks are relatively minimal, but they are also increasing. I would be willing to consider other alternatives, including development and implementation of a formal seabird and pinniped monitoring program for both Green Rock and Flatiron Rock and/or the initiation of a BLM closure to human access to the rocks, if the Special Closure alternative is not applied to either Green Rock or Flatiron Rock.

I do see the use of Special Closures for five locations associated with the CCNM, as well as the other five locations within California’s north coast region, as a means of applying a more holistic approach to the MLPA’s marine protected areas, provides an important tool for helping protect critical seabird and pinniped habitats. The use of this tool will demonstrate that the MLPA initiative is truly an ecosystem approach.

In addition, the use of Special Closures around rocks that are part of the CCNM is very consistent with the protection purpose for establishing the CCNM. The BLM has the authority to establish closures, including temporary, seasonal, or permanent, on the CCNM, but not the authority to establish closures around the CCNM. That is one of the major reasons that the BLM has partnered with other governmental agencies and entities that do have jurisdiction adjacent to the CCNM. In order to collaborate on the long-term administration and oversight of the CCNM, BLM has developed a “core-managing” partnership with the California Department of Fish and Game and California State Parks. The BLM has also developed numerous “collaborative” partners (including U.S. Fish and Wildlife Service) and a few select “Stewards.” With these partners, we will be relying on them to assist us in providing appropriate protective actions that will enhance the protection

needs for specific locations associated with the CCNM. Using the Special Closure concept would be an appropriate protective action.

If you have any questions or need clarification or further explanation, please do not hesitate to contact me at (831) 372-6105 or via e-mail at hhanks@ca.blm.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Herrick E. Hanks". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Herrick E. Hanks
CCNM Manager

cc: Lynda Roush
Field Manager
Arcata Field Office
USDI Bureau of Land Management
1695 Heindon Road
Arcata, CA 95521-4573

From: Marcia
Sent: Monday, July 19, 2010 8:15 PM
To: MLPAComments
Subject: To the Blue Ribbon Task Force

I am a resident and landowner in Petrolia, CA and I am vitally interested in the decisions you are making for the coastal region up and down the North Coast.

Please give as much weight and priority to the needs of the residents of my small community as you possibly can. It is a full 2 hours to drive to reach any other access to the Pacific Ocean from Petrolia. Many of my neighbors harvest seaweed as an integral part of their daily diet. Others fish off the rocks within the limits of the fishing seasons allowed. I myself harvest one dozen mussels twice a year, that's all, but it is a blessing to be able to do this.

I understand what is at stake in the MLPA. Please use as light a touch as possible for the stretch of the coast near Petrolia. For this reason I support the Petrolia MPA Configuration that has been offered and reviewed by the Scientific Committee of the MLPA process. It promotes biodiversity, captures a number of necessary habitats and yet still allows locals to harvest some of the abundance off our shores.

Sincerely,
Marcia Ehrlich
Petrolia, CA 95558