

**Marine Life Protection Act Initiative  
Public Comments Submitted  
through September 15, 2010**

**From:** Jim Martin  
**Sent:** Monday, September 13, 2010 1:05 PM  
**To:** MLPAComments  
**Subject:** RFA supports the Unified MPA Array in NorCal

Jim Martin  
West Coast Regional Director  
Recreational Fishing Alliance  
Fort Bragg, CA 95437

RESOLUTION LANGUAGE TO SUPPORT THE UNIFIED  
MARINE PROTECTED AREA ARRAY

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**WHEREAS**, the California Marine Life Protection Act (MLPA) calls for the reexamination and redesign of California's Marine Protected Area (MPA) system to increase its coherence and effectiveness at protecting the state's marine life, habitat, and ecosystems; and

**WHEREAS**, it is consistent with the MLPA and good public policy to redesign California's MPA system in a manner that gives meaningful consideration to the sustainability of ecological, economic, cultural, and social systems; and

**WHEREAS**, North Coast fisheries are currently sustainable or rebuilding under existing regulations<sup>1</sup>; and

**WHEREAS**, recent scientific research has demonstrated that the California Current Ecosystem is one of the most conservatively managed ecosystems in the world<sup>2</sup>; and

**WHEREAS**, Mendocino County, Humboldt County and Del Norte County are classified as vulnerable to changes in fisheries management measures<sup>3</sup> due to factors such as high economic dependence on fishing, high community isolation, limited industry diversification, high unemployment, and high poverty rates; and

**WHEREAS**, the MLPA Initiative Regional Stakeholder Group unified during Round Three of the MLPA Initiative process to develop a consensus based MPA array (Unified MPA Array) that meets the goals of the MLPA while minimizing impacts to social, cultural, and economic systems; and

**WHEREAS**, we recognize that, due to significantly distinct ecological, social, cultural and economic conditions in the North Coast, the Unified MPA Array does not precisely meet all the guidelines established by the MLPA Initiative Science Advisory Team, yet represents an MPA network consistent with the spirit of those guidelines and the goals and elements identified in the MLPA legislation; and

**WHEREAS**, the long term success of MPAs will require acceptance by local communities; and although many community members do not believe any new MPAs are warranted, the Unified MPA Array represents a compromise acceptable to North Coast residents, including recreational fishermen, commercial fishermen and conservation advocates; and

**WHEREAS**, California Indian Tribes and Tribal Communities are traditional and active stewards of marine ecosystems, and their continued gathering and use of marine resources is an ongoing and essential part of their culture and survival.

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<sup>1</sup> National Marine Fisheries Service. 2009. Our living oceans: report on the status of U.S. living marine resources, 6<sup>th</sup> edition. U.S. Dep. Commerce, NOAA Technical Memo. NMFS-F/SPO-80.

<sup>2</sup> Worm et al. 2009. Rebuilding Global Fisheries. Science 325: 578-585.

<sup>3</sup> Pacific Fishery Management Council and National Marine Fisheries Service. 2006. Proposed acceptable biological catch and optimum yield specifications and management measures for the 2007-2008 Pacific coast groundfish fishery, and Amendment 16-4: rebuilding plans for seven depleted Pacific coast groundfish species; final environmental impact statement including regulatory impact review and initial regulatory flexibility analysis. Pacific Fishery Management Council, Portland, Oregon, 2006.

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**NOW, THEREFORE, BE IT RESOLVED** by the RECREATIONAL FISHING ALLIANCE that we strongly urge the Marine Life Protection Act Initiative Blue Ribbon Task Force and the California Fish and Game Commission to support and adopt the Unified MPA Array developed by the Regional Stakeholder Group during Round 3 of the North Coast MLPA Initiative process.

**BE IT FURTHER RESOLVED THAT** if the Blue Ribbon Task Force makes the decision to redesign the Unified MPA Array contrary to the recommendation of the RECREATIONAL FISHING ALLIANCE then the redesign must be conducted in collaboration with North Coast Regional Stakeholders. Regional Stakeholders have worked for months to design a single cohesive array that incorporates the unique ecological, social, cultural and economic conditions of the North Coast within the framework of the statewide MLPA Initiative Guidelines and MLPA legislation. Because the alteration of any single element of the Unified MPA Array has the potential to undermine its cohesiveness, collaboration with Regional Stakeholders and local communities regarding any change to the Unified MPA Array is essential to retaining both its integrity and the support of local communities, factors that are vital to the long term success of the MPA system.

**BE IT FURTHER RESOLVED THAT** any approved MPA array design will need to allow traditional, non-commercial, gathering, subsistence, harvesting, ceremonial and stewardship activities by California Tribes and Tribal Communities.

ENDORSED BY



West Coast Regional Director  
The Recreational Fishing Alliance

On September 9, 2010

**From:** Frank Galusha  
**Sent:** Monday, September 13, 2010 11:57 AM  
**To:** MLPAComments  
**Subject:** North Coast Unified Array

To BRTF members:

I am writing to express my support for the Unified Array prepared by the Regional Stakeholders Group for the North Coast MLPA/MPA. I have reviewed and agree completely with the Recreational Fishing Alliance Resolution. Thank you, Frank Galusha, editor/publisher, [www.myoutdoorbuddy.com](http://www.myoutdoorbuddy.com)

**From:** Randall Ray Nelums  
**Sent:** Monday, September 13, 2010 11:20 AM  
**To:** MLPAComments  
**Subject:** North coast MLPA

I am in support of the RSG's "Unified Array" for marine protected areas on California's North Coast Marine Life Protection Act (MLPA) Initiative process.

Randall Ray Nelums  
Castro Valley, CA

From: John Corbett  
Sent: Tuesday, September 14, 2010 10:53 AM  
To: Ken Wiseman; Satie Airame; Becky Ota; Stephen Wertz; MLPAComments  
Subject: FW: E-mail Message from LEGAL DEPT YUROK TRIBE

This Yurok study should nicely compliment the recent Otter study by testing for microcystins in the intertidal areas to see whether there is contamination from the upstream Klamath dams.

PS Melissa (This is one of the studies I referred to)

Attachment

## **Project Description**

This research project examines the health, geospatial, and social relationships between subsistence resources within Yurok Ancestral Lands and Yurok People, including coastal and riverine environments. Information on known contaminants and the current conditions of specific aquatic species vital to Yurok culture, subsistence and lifeways will be collected to assist the Tribe in its ongoing efforts in monitoring and protecting Klamath River water quality.

This project will rely upon Yurok cultural geography and traditional ecological knowledge about resource health, abundance, and management to identify sampling species and locations, as well as to record information on changes in resource health over time. The project is considered a screening study (U.S. EPA 2000) and is designed to identify the presence, absence, and concentration of a range of chemicals of concern within key subsistence populations. The main goal is to collect and provide validated scientific information to the tribal membership on the overall purity of key subsistence resources that may help identify potential risks and routes of exposure, and to develop educational programs and materials designed to reduce, minimize, or prevent risks of exposures to any contaminants identified through sampling and analysis conducted during this study.

## **Experimental Sampling Design**

Primary data collection for this study includes the sampling and analysis of ten key Yurok subsistence species for a range of chemicals of concern and is intended as a screening test. Those chemicals of concern include both natural and synthetic toxins and residues that have a high probability of bioaccumulating in selected species as well as chemicals known to have been used historically or contemporarily within the Klamath River basin.

Species, collection locations, and timing of sampling have been identified for sampling based on previous CBPR (Yurok Tribe 2006, Sloan and McConnell 2007, 2009 and 2009a). Ten populations of key subsistence species to be sampled include:

- Fall Coho (*Oncorhynchus kisutch*),
- Winter Steelhead (*Oncorhynchus mykiss*),
- Surf fish/ smelt (*Hypomesus pretiosus*),
- Green Sturgeon (*Acipenser medirostris*),
- Pacific Lamprey (*Lampetra tridentata*),
- Fresh Water Mussels (*Gonidea spp.*),
- Ocean Mussels (*Mytilus californianus*),
- Sea lettuce (*Ulva lactuca*),
- Razor Clams (*Siliqua patula*), and
- Washington Clams (*Saxidomus giganteus*).



Additionally, surface water samples will be collected from 3 resource procurement locations on the Lower Klamath River and will occur at the same time as tissue sampling. No coastal sites will be included in the water sampling as there are comparability issues with analyzing water with high salinity rates. An isokinetic depth-integrated sampler will be used to ensure a representative sample within the water column.

A list of targeted chemical groups and families for screening are listed below:

- Microcystins
- Organochlorines
- Organophosphates
- Polychlorinated Biphenyls (PCBs)
- Polycyclic aromatic hydrocarbons (PAHs)
- Polybrominated diphenylethers (PBDEs)
- Phenols
- Dioxins and Furans
- Pyrethroids/Pyrethrins
- Triazines
- Carbamates
- Mercury
- Trace elements

EPA guidelines and standards in addition to QA/QC procedures and protocols identified by the lab will be followed for all phases of this study. All samples collected by YTEP for transport to the lab for tissue analysis will be collected following the SOPs identified by the lab for each species.

Both water and tissues sample analysis and reporting will be conducted at the Marine Pollution Studies Laboratory (MPSL), a collaborative institution between research scientists of Moss Landing Marine Laboratories (MLML), the California Department of Fish and Game (DFG), and the University of California, Davis (UC Davis). They perform the most current state of science in pollution investigation and have built a reputation for research excellence. Their facilities and capabilities cover a broad spectrum of environmental pollution research and analysis that complements this project's research design. In addition, they currently manage the database for the California state-wide Surface Waters Ambient Monitoring Program (SWAMP); a centralized database developed using standardized data transfer protocols (SDTP) for data exchange and Data Entering/Editing Forms for field data and observations, making them eminently qualified to assist with this project's analysis phase.