

**CALIFORNIA MARINE LIFE PROTECTION ACT INITIATIVE  
BLUE RIBBON TASK FORCE  
Draft Meeting Summary  
January 10-11, 2005  
CSU Long Beach Foundation  
6300 State University Drive, Room 2004  
Long Beach, California**

*Note:* Audio and video recordings of this meeting are available on the Internet at <http://www.dfg.ca.gov/mrd/mlpa/meetings.html>. Please contact AGG Video Services at (805) 772-2715 to obtain DVD copies of these recordings.

**Monday, January 10, 2005**

**Attending:**

Phil Isenberg (Chair)  
Bill Anderson  
Meg Caldwell  
Dr. Fernando Guerra  
Dr. Jane Pisano  
Catherine Reheis-Boyd  
Doug Wheeler

**Absent:**

Ann D'Amato  
Susan Golding

**Introduction and Welcome**

*Phil Isenberg, Chair, MLPA Initiative Blue Ribbon Task Force*

Members of the MLPA Blue Ribbon Task Force (BRTF) introduced themselves and welcomed the public to their second meeting. The BRTF announced that video-conferencing would be used in this meeting to test whether the public can participate this way. Members of the public were invited to participate via video conference from locations in Arcata, Santa Cruz, Sacramento, and San Luis Obispo. The BRTF checked in with remote locations and requested that a representative be selected to aid with the technology.

**Remote sites:**

Arcata—5 people present  
Sacramento—Technician reports no attendees present  
Santa Cruz—6 people present but technical difficulties encountered  
San Luis Obispo—No response

The BRTF announced that the field trip to Catalina is cancelled due to weather concerns. Instead, the BRTF will have a field trip to Long Beach harbor and the Aquarium of the Pacific. The BRTF introduced new staff hired since the last meeting: John Kirlin, Executive Director; Melissa Miller-Henson, Operations & Communications Manager; Mike Weber, Senior Project Manager; and DFG staff (John Ugoretz, MLPA Policy Advisor).

## **Perspectives on Our Work**

*John Kirlin, Executive Director, MLPA Initiative*

The MLPA Initiative is an important policy process and novel public/private collaboration. The BRTF is a group of talented and committed people, and having this policy group is appropriate for this process. The BRTF has support from the secretary for resources and the governor. The BRTF will build on a foundation of strong science. The key challenges to this process will be: short timetable, history of conflict, the lack of existing organizational structure for the BRTF and staff. However, staff is optimistic that the process will be successful. The BRTF's work will: support formal policy making by the California Fish and Game Commission, be based in statute, seek to be inclusive but not paralyzed, encourage public dialogue, and be personally committed to achieving the objectives.

Staff briefly reviewed briefing document #3B, *Status of Tasks from October 2004 BRTF Meeting*. There has been progress on most items; however, the budget is not ready to be presented today.

A BRTF member asked about task #8, which is listed as deferred in the status report. Response: A timeline will be developed for this item.

A BRTF member asked for elaboration on who will be providing legal advice (e.g., CEQA) to staff and the task force. Response: the Department of Fish and Game (DFG) legal department is willing to provide advice on an informal basis. However, there is no legal liability protection for BRTF members or staff. This is a serious issue that will be addressed later in the meeting.

**TASK FORCE REQUEST:** A BRTF member recommended that legal counsel be secured regarding CEQA and other legal issues.

Staff noted that briefing document #00 had been added to the current agenda and is actually briefing document #13, *Summary of recent and ongoing processes related to MPLA Initiative*. In addition, staff has copies of *California's Living Marine Resources: A Status Report* for BRTF members and members should let staff know whether they want a hard copy of this report (very large binder) or electronic copy.

## **Master Plan Science Advisory Team**

*Mike Weber, Senior Project Manager, MLPA Initiative*

Members of the science team were selected through the following process: nominations requested, nominations reviewed, and appointments made by DFG. The first meeting of the science team was held in Oakland on Jan. 7, 2005. Steve Ralston was added to team at that date until a permanent fisheries scientist is selected. Stephen Barrager was appointed chair of the science team. Additional people are under consideration, but the team is nearly complete. The next two meetings will be held in Oakland. The meeting was successful—only one member was unable to attend.

Staff briefly reviewed the briefing document #4A, *Science Advisory Team draft meeting agenda*. Principal agenda items were: selection of central coast project area, addition of language that would address where natural and socio-economic breaks occur along coast (discussed in detail later in meeting), and contents for the master plan framework.

The briefing document *Summary of Science Team meeting* was distributed to the BRTF (now available on the website). At the first meeting, the science team started to discuss the following items: what

issues demand scientific expertise, interrelationship between different parts of the master plan, draft requirements for alternative network proposals, short-term literature reviews to gather initial information for the master plan framework (MPF).

The science team's initial recommendations included: gap analysis of biological and socio-economic data, examination of how MPAs might affect fisheries sustainability, review of what species that might be affected, and definition of MPA goals. The science team also discussed important technological tools to be used in this process, including sidescan sonar that is being used to determine bottom habitat along the central coast and a geographic information system developed by Environmental Defense involving stakeholders. Other issues raised included how staff can frame questions that the science team can respond to and establishing sub-teams on particular issues.

The next meetings are scheduled for February 11 and March 23 in Oakland. Overall, the science team had a great start—email traffic is already picking up with scientists providing literature, information, and perspectives.

A BRTF member asked about the timeline for work products from the science team. Response: Initially the science team will review two drafts of the MPF.

A BRTF member asked about adding additional scientists to the science team. Response: Staff is interested in receiving additional nominations for scientists with expertise in fisheries stock assessment.

A BRTF member asked that additional names be suggested by 5 p.m. this Friday to Mike Weber (mike.weber@resources.ca.gov).

**Public comment**

A public member said that he/she has more names for the science team. The speaker encouraged the BRTF to consider the hardship of attending meetings for scientists. The requirements are so rigorous (all day meetings on weekdays) that scientists have declined. The speaker also expressed concerns about the initiative's short timeline. Response: Yes, timeline is short but this short timeline is better than further delays in the implementation of the MLPA.

A BRTF member suggested scientists not on the science team be asked to comment on specific issues. Response: Staff is considering consulting with scientists outside the science team. The other option for scientific input is peer review.

Staff notes that another area where additional nominations are needed is in fisheries resource economics.

A BRTF member commented that the statute is biased toward an understanding of California resources, so scientists with expertise in California are important to this process.

Remote sites:

Arcata—Who will make up the science team sub-groups? Is there any plan for the previous MPA processes to be incorporated? Response: The science team chair will designate science members to sit on sub-teams depending on issue and expertise. There will be regional working groups to implement the MPF in different regions.

A public member suggested that the BRTF should avoid re-opening deadlines.

### **Statewide Interests Group**

*Melissa Miller-Henson, Operations and Communications Manager, MLPA Initiative*

The Statewide Interests Group (SIG) is a group of stakeholders interested in the MLPA process. The SIG was formed to help the BRTF do a better job of communicating and to establish an information exchange mechanism. SIG members were nominated by stakeholders. The first meeting was December 16 on a conference call with about 35 people. A summary of the meeting is briefing document #5A (posted to website). The SIG will meet approximately monthly to every 6 weeks. Meetings are expected to be held about 2 weeks after BRTF meetings to help prepare for the next BRTF meeting.

### **Task Force Operations and Budget**

*Phil Isenberg, Chair, and John Kirlin, Executive Director*

#### ***Legal liability***

The BRTF discussed the issue of legal liability protection for BRTF members and staff. Staff has contacted McGeorge School of Law, which runs a government policy and law center, about adding coverage for the BRTF into university legal coverage. Staff requested BRTF authorization to continue these negotiations.

A BRTF member asked whether there would be a distinction between BRTF members and staff. Response: The BRTF chair and executive director are the ones most likely to be named in a lawsuit. There is no easy solution to this problem. A BRTF member asked whether the attorney general's office specified why they were concerned about staff.

#### ***Public comment***

A public member asked about the exposure for members of the SIG.

**TASK FORCE REQUEST:** Staff should address this issue of legal protection for SIG members.

**TACK FORCE ACTION:** The BRTF authorized negotiations to continue to secure legal liability coverage for BRTF members and staff.

#### ***Staffing***

BRTF staff (John Kirlin, Mike Weber and Melissa Miller-Henson) were hired in late November. BRTF staff plus DFG MLPA staff (John Ugoretz, Dave Parker, Paul Reilly and Laura Rogers-Bennett) form the MLPA Steering Committee for the MLPA Initiative. Three short-term contracts for research, literature review, and communications are underway. It is hoped that a clerical staff member will start within two weeks.

#### ***Travel reimbursement guidelines***

See briefing document #6D, *Revised reimbursement rate guidelines*, which has been simplified from the first draft guidelines approved in October.

**TASK FORCE ACTION:** the BRTF adopted *Revised reimbursement rate guidelines* (briefing document #6D), which increases the hotel rate to a maximum of \$150/day and allows for any future changes to the mileage rate so that it is consistent with the federal mileage rate.

**Budget**

Staff distributed a budget summary to the BRTF (available online). Information needed for a fully developed budget was not available at this time. The budget summary is a rough outline of available funds. Approximately \$7.5 million in private funds have been committed to the MLPA Initiative. The full amount is not currently available but the Resources Legacy Fund Foundation has been awarded the full amount projected over the life of the MLPA Initiative. As of December 2004, \$131K has been expended and an additional \$290K is allocated for staff and contracts through June 30, 2005. A substantial balance (\$1.4 million) remains. Expenses will continue and staff is constructing expectations on how it will be spent.

Staff requested authorization to spend \$250K before the next meeting subject to approval by the executive director and BRTF chair.

A BRTF member asked about funds not allocated in the current budget. Response: Staff thinks that funds will be available for life of project.

A BRTF member asked how the \$250K requested for authorization would be used. Response: Potentially, it would be used in part to establish Melissa Miller-Henson's position because the state has been unable to establish a position for her at this time. It may also be used for additional contracts.

A BRTF member asked about other partners in the project. Response: the California Resources Agency is contributing substantial in-kind services, as will the National MPA Science Center and others.

**TASK FORCE REQUEST:** A BRTF member asked for a list of all financial contributions to the MLPA Initiative (both direct and in-kind contributions) and that it continue to be updated.

A BRTF member asked what part of the \$250K requested for authorization would be used for contracts. Response: Unknown precisely at this time.

**Public comment**

A public member requested list of contributors to MLPA Initiative.

Public member asked for communication to be defined. Response: MLPA Initiative communication strategy includes email, regular mail, phone, web, etc.—any and all methods available for increasing public awareness and involvement in the process.

A public member asked whether the budget for communications includes general public education. The public member also suggested that local access television be used to broadcast BRTF meetings. Response: No, general public education about MPAs is not part of the MLPA Initiative's communication strategy. General education would be beyond what can be done with the BRTF budget.

A public member asked for an explanation of how the BRTF budget fits in with the state budget and DFG's budget. Response: the BRTF budget is not included in the state budget since it is private funds. The memorandum of understanding establishing the initiative includes language that the state should make its best effort to increase funding to DFG. The BRTF does not have access to agency budgets.

Remote sites:

Arcata—A public member suggested that the working groups from the previous MLPA effort be included on the SIG email list.

Santa Cruz—A public member asked whether there would be money put aside for enforcement and clean water. Response: the BRTF budget is only available for two years. The BRTF will recommend to agencies how to address those issues. The BRTF effort is to establish policy on developing successful MPAs statewide. Enforcement and water quality are both important policy responsibilities.

San Louis Obispo—Public comment offered but the audio was corrupted.

A public member commented that it is important that the master plan framework (MPF) consider clean water. There may be money in the governor's budget for a clean water account where the BRTF and stakeholders may be able to apply for funds.

**TASK FORCE ACTION:** the BRTF authorized its chair and the executive director to spend up to \$250K before the next meeting.

A BRTF member requested that task force members be notified by email of any large expenditures.

### **Stakeholder Participation in MLPA Process**

*Melissa Miller-Henson, Operations and Communications Manager, MLPA Initiative*

Staff apologized that the Strategy for Stakeholder and Interested Public Participation was not finalized in time for this meeting. At the October BRTF meeting, Gail Bingham presented options for stakeholder involvement. A number of these options are appropriate for this process. For this process, a stakeholder is defined as any organization or individual who stands to gain or lose from the MLPA effort including divers, commercial and recreational fisherman, photographers, agencies, scientists, industry, hotels, etc. Examples of communication methods being or to be used in this process include: mail, email, list server, phone calls, stakeholder panel presentations, MLPA Statewide Interests Group, a regional stakeholder working group, roundtable discussions the first ones held in August and September of 2004), and field trips (the first one this afternoon to meet with fishing and diving interests and visit the Aquarium of the Pacific). In addition, the National MPA Science Center has proposed a set of workshops for educating the general public. Once the strategy is completed, it will be posted to the MLPA website for public review and comment.

### **Public comment**

A public member asked what government representatives will be presenting at tomorrow's meeting. Response: Representatives of the U.S. military, NMFS and NOAA.

A public member asked whether the scientific articles on the MLPA website have been provided to members of the BRTF. Response: Hard copies have not been provided to the BRTF. The science team will be assessing this literature. There is an enormous amount of information on the website and the BRTF members cannot be expected to read all of it.

Staff added that posting public comments on the website will be part of the communication strategy.

A BRTF member commented that this is not an open invitation to submit papers to DFG for posting.

Remote sites:

Santa Cruz—A public member thanked the BRTF for making video conferencing available and encouraged it to continue.

San Luis Obispo—A public member started to speak but the sound was corrupted.

The BRTF promised to address the technical problems with video conferencing for tomorrow's meeting

**Tuesday, January 11, 2005**

**Attending:**

Phil Isenberg (Chair)  
Bill Anderson  
Meg Caldwell  
Dr. Jane Pisano  
Catherine Reheis-Boyd  
Doug Wheeler

**Absent:**

Ann D'Amato  
Susan Golding  
Dr. Fernando Guerra

**Mapping Resources, Regulated Areas, Uses and Actors**

*John Ugoretz, MLPA Policy Advisor, DFG*

Geographic information systems (GIS) allow the mapping of marine data, including MPAs and other spatial regulations. DFG uses fishing blocks to track commercial catch levels and locations. A BRTF member asked what data is used to estimate catch levels. Response: logbooks and landings are used. DFG has checked logbook data quality and logbook data is fairly accurate.

Depth contours can be mapped with GIS, allowing the overlay of depth-limited closures such as the rockfish conservation areas (RCA). The recreational RCA has closures for certain gear types and species which vary by time of year, depth and regions of the state. The commercial non-trawl RCA has variable depth closures out to 150 fathoms depending on the region of the state. Other closed areas include: military closure areas and safety zones around nuclear plants (1 mile security zone). Other examples of data that can be mapped include: log book data, recreational data from party boats, and biological resources such as kelp distribution from overflights. GIS can be used at meetings in real time to add or subtract layers and see how different configurations of MPAs work. If you show all overlays on one map, it would be incomprehensible. The advantage of GIS is that you can separate the layers. GIS would be very useful in a live meeting format.

A BRTF member asked how these regulations are communicated to fisherman. Response: DFG distributes pamphlets to fisherman at the start of each season. There are in-season changes and it is anglers' responsibility to follow the regulation changes.

A BRTF member asked whether these GIS databases are accessible to the public online. Response: Some data are available online but it is difficult to make GIS available online. There are efforts to organize GIS information online, such as Ocean Map.

**Public comment**

A public member asked why there was no kelp around the rocks offshore of Catalina. Response: Kelp is highly variable over time.

A public member asked about the level of compliance with log book requirements. Response: Compliance is increasing. Log book and observer data are surprisingly similar.

A public member asked how these federal regulations affect state waters. Response: A state water layer could be added to see the overlay of regulations.

A public member asked about Diablo Canyon nuclear safety zone. Response: Diablo Canyon safety zone is not on NOAA navigation charts because it is a new federal regulation.

A public member asked how complete is the GIS database. Response: it is almost complete—cable crossings need to be added.

Remote sites:

San Louis Obispo—A public member attempted to speak but the audio was not functioning.

Santa Cruz—Same sound problem

A public member commented that, in the past, logbooks have been used against fisherman. It is difficult for fisherman to 'swallow' that data might be used to pick MPA sites. Response: If decision-makers did not have that data they could not evaluate socio-economic impacts of potential MPAs. Evaluating socio-economics is one of the many requirements of the law.

A BRTF member asked a public member whether it is his/her position that only areas that are not fished should be closed. Public member responded, no, that is not the position but wonders why it can't be that closed areas are located so that they will not impact fishermen so much.

**Presentations (invited)**

*U.S. Department of Defense*

The military representative thanked the BRTF for the opportunity to provide a briefing on the importance of California waters to national security. He thanked Brian Baird, California Resources Agency, for working with them in the past. The mission of the Department of Defense is to maintain the capability to defend the nation. Part of their mission is also promoting the highest environmental stewardship possible. They have successfully protected many endangered species on their lands, including the loggerhead shrike and the least tern. At the same time, robust, multi-dimensional training is necessary. Southern California is the largest concentration of sea-land training in world. Having access to test ranges (air, land, and sea) to test military systems is essential to providing safe and effective weapons for troops. Realistic testing saves lives. For example, the only location where the military can practice shooting from submarines is at Point Mugu Sea Range.

California waters are very important to the Marine Corps. Marine Corps bases are close to the ocean since the Marine Corps is an amphibious military unit and, hence, dependent on the sea. Today, they are employing expeditionary maneuver warfare; for example, they planned on moving 400 miles from the ocean into Afghanistan. They must train as they fight. New LNG terminals and vessel traffic are a concern for the Marine Corps. They are also more than just war fighters: they provide humanitarian aid

and peacekeeping support. Future needs will be well beyond today's capabilities. California waters are also important to the U.S. Air Force at Vandenberg Air Force Base.

Military concerns about the MLPA include: future impacts to training and testing flexibility and MLPA designations that potentially may limit training and testing operations. In the future, training areas will continue to balance preservation of biodiversity, public access and training. The MLPA must recognize the significance of southern California to the military. The bottom line is preserving our national security consistent with environmental management and bringing sons and daughters home safely.

A BRTF member asked how current MPAs impact the military. Response: there are no current MPAs around military areas today but interrupted access would be problematic for training. The concern is that if more areas are set aside, then there will be more pressure to fish in military areas. Staff noted that there is one MPA adjacent to Vandenberg Air Force Base. Military representative says this is an important point that different military bases have different needs e.g. Air Force does not need water access.

A BRTF member commented that the management of terrestrial resources on military lands has helped preserve California biodiversity and asked how the MLPA could be compatible with the Department of Defense. The military representative responded that they are willing to work together to meet both needs.

**Public comment**

Santa Cruz—reports that their sound quality is too low to understand what is being said in the presentations.

SLO—same problem

A public member asked whether there are any studies being conducted in military closed areas. Response: most studies are being conducted on land. A public member asked whether non “no-take” reserves impact the military. Response: any limitations to access would impact the military.

A public member asked whether the military would be willing to share data. The military has an MLPA manager to handle these issues.

*National Marine Fisheries Service*

The National Marine Fisheries Service (NMFS) representative, distributed a copy of his presentation titled, *Federal Fishery Management, Time-Area Closures, National Marine Fisheries Service/ Pacific Management Council*. The presentation is available on the MLPA website.

A BRTF member asked how much federal regulations overlay state waters. Response: The coordinates for federal regulation limits are posted in the federal register.

A BRTF member asked about collaboration between DFG and NMFS.

**National Marine Sanctuary Program**

The National Marine Sanctuary Program (NMSP) representative described their activities, which is a system of 13, soon to be 14, sites in the United States. Sanctuaries off the central California coast are Cordell Bank, Gulf of the Farallones, and Monterey Bay National Marine Sanctuaries. A third of California's coast is adjacent to national marine sanctuaries (NMSs). The NMSP is focused on

research, education, and resource protection. They facilitate coordinated interagency planning and management through partnerships, public involvement, and sanctuary advisory councils. Regulated activities in sanctuaries include discharging or depositing materials, alteration of the seabed, disturbing marine mammals, moving or injuring historical resources, oil and gas exploration, aircraft elevation restrictions, motorized personal watercraft, and attracting white sharks.

The NMSP's mandate is to protect the entire ecosystem so they look at fisheries as they impact whole ecosystems. When the NMSP mandate intersects with fisheries on the west coast, they undergo the following process: NMSP consults with the Pacific Fishery Management Council, National Marine Fisheries Service, the State of California, and affected stakeholders. If the fishery management agency cannot address sanctuary concerns, then the sanctuaries can undergo a process to add fishery management to their jurisdiction. The Channel Islands National Marine Sanctuary is coordinating with the state on existing MPAs. A joint management plan review is in process for Cordell Bank, Gulf of the Farallones, and Monterey Bay NMSs with a stakeholder working group on fishing for the Gulf of the Farallones. Monterey Bay has a stakeholder working group looking at the potential design of MPAs in the sanctuary. Discussions with the state regarding appropriate mechanisms and levels of coordination between the state and sanctuaries are ongoing. Options for coordination range from no coordination to full coordination of the MLPA Initiative and the sanctuary MPA working group.

A BRTF member asked whether the NMSP has independent regulatory authority. Response: Yes, over the seabed in sanctuaries.

A BRTF member asked why sanctuaries are interested in establishing MPAs. Response: There are very few MPAs in sanctuaries. The working group is looking at a flexible range of options. Sanctuaries have to go through a complicated process to gain authority for fishery management. They prefer to work with federal management agencies to draft regulations.

A BRTF member asked who has ultimate authority. Response: Fisheries management agencies have authority currently, but sanctuaries can undergo a process to attain authority.

A BRTF member asked which arm of the federal government the sanctuaries are part of. Response: the National Oceanic and Atmospheric Administration under the U.S. Department of Commerce.

A BRTF member asked about the differences between the National Marine Sanctuaries Act and MLPA. Response: These acts are similar in terms of ecosystem protection but differ in timeline. The MLPA has a shorter timeline.

A BRTF member asked what is the time lag for the sanctuaries to follow the state process at the Channel Islands. Response: A sanctuary proposal for the Channel Islands reserves is going through the PFMC now. Staff noted that the Fish and Game Commission has existing authority to install MPAs in state waters. The sanctuaries would have to go through a designation document change, fundamentally altering the legal basis of each sanctuary, to have this same authority.

#### **Work plan for draft Master Plan Framework**

*Mike Weber, Senior Project Manager, MLPA Initiative*

Staff reviewed briefing document #10C, *Suggested timeline for preparing the draft Master Plan Framework*.

A BRTF member asked about the additional month of time added to the timeline. Response: Staff added this month to accommodate the work load and short-term literature reviews. The Fish and Game Commission is holding a special public hearing meeting in May for the MLPA. Two hearing are planned for the commission. August 19 (in Morro Bay) is the target date for adoption of a master plan framework.

A BRTF member asked if the commission controls their timeline and whether this date is a projection. Response: Yes, August 19 is only a projected date and is the earliest the commission could act.

A BRTF member asked what opportunities for integration with sanctuary exists with the timeline. Response: There may not be much need for integration on the framework process. Coordination may be more important with the regional working group. The sanctuaries are a great informational resource. There are differences between the MLPA and sanctuary act. Sanctuaries are not designated for regulating fishing. If an activity is not identified in their designation document, the sanctuary must amend the designation document, basically rewriting its 'constitution'. This is one important difference between the Fish and Game Commission and sanctuaries. The MLPA has more in terms of criteria for identifying areas and different kinds of designations. The purposes from the legislature are different from the 1972 Sanctuary program. There is lots of room for collaboration, but these processes are not a perfect match. Sanctuaries have tremendous resources and they too will benefit from the state process. The BRTF members and staff agreed that collaboration is needed.

Staff reviewed briefing document #10B, *Proposed contents of the draft Master Plan Framework*.

The BRTF requested comments on the draft table of contents (TOC) by December 4, 2004. Staff incorporated many of these comments and added substance to the TOC. Some comments were not relevant to the MPF but were incorporated in other areas. Comments included: evaluating existing MPAs, establishing baseline data, identifying funding, clear definitions of key terms, mapping existing regulations, workshops for science, wording for the TOC, etc. Comments were very helpful and staff encourages more. Draft reports from literature reviews are due in January, and they will be incorporated into the draft MPF. The structure of the MPF will evolve. Staff is working hard to make sure nothing is left out and interrelationships considered. The MPF must be flexible enough to be applicable and implemented statewide.

**TASK FORCE REQUEST:** A BRTF member asked for a "red line version" of drafts so that task force members and the public can quickly see what has changed.

A BRTF member asked whether there will likely be more narrative in the MPF. Response: the MPF will probably be about 50 pages. Appendices will include guidance on implementing the MPF. The MPF needs to be concise—a roadmap for implementing the MLPA. The MPF may need to be revised after the central coast process because science and the regulatory environment will be changing. The MPF will be a solid ground to start this process.

#### ***Public comment***

A public member commented that he/she wants to design the best possible network—siting guidelines are in the MLPA already. There is a section in the MLPA that the process can adapt. The public member suggested that this is something that the BRTF may need guidance from the science team on. Response: There is one suite of surveys to capture design of MPAs, so that everyone can get to the same level of understanding.

A public member asked about workshops for the design of MPAs. Response: Workshops are being considered. Siting guidelines will be at the top of the list because it is the core of the MLPA.

A public member commented that he/she submitted lengthy comments and does not think that many comments have been incorporated into the TOC. One comment was the need to evaluate existing MPAs and other closed areas. The only place this is addressed is in under the preferred alternative. A BRTF member asked whether examining existing MPAs is a statutory mandate. Response: The statute says to modify the existing system.

A public member asked what is the purpose and value of the MPF—the BRTF should give the Fish and Game Commission values on how to choose. Response: The literature review is identifying objectives. Staff is wary of a MPF that stipulates a specific answer.

A BRTF member asked about the legislative history of the MLPA—was “expanded” network removed in favor of “improved” network. Response: This change suggests that considering the existing network is important. Staff is looking for ideas on marine conservation areas and marine parks because there have been more studies of marine reserves.

A public member commented that incorporating new science is important. The first finding of the MLPA is that the existing network falls short and an improved network is needed. This suggests that the reference to having habitat types and communities represented in two or more reserves in the region be removed (p. 10, b, l) Response: The law requires this replication.

A public member asked who will be drawing the lines on the map in this process. Response: Regional working groups and a science sub-team will work with DFG and the commission to draw lines on maps.

A public member commented that he/she is uncomfortable with this process organically growing. The BRTF noted that public comments are similar in that they think the MPF should be objective.

Staff commented that the MPF will not be a conclusive judgment of fact. They will assess previous analyses of existing MPAs but the process needs to be able to adapt so there will not be a definitive judgment. They will not know precisely how they will interact with other groups but they will say that collaboration must happen and suggest their best shot at that. The BRTF has not wrestled enough with these issues—the timeline does not currently allow it.

A public member commented that the MPF would benefit from more discussion of selecting a network that considers clean water quality. There may be federal monies for this. Literature searches should be expanded to areas of special biological significance, under marine managed areas. The State Water Resources Control Board website has a lot of information on this.

A public member commented that the BRTF should define criteria and address the replicate issue.

A public member commented that if this network is implemented correctly than we can answer some of these questions about MPAs

**TASK FORCE ACTION:** the BRTF agreed that they do not need to officially adopt drafts of the MPF at meetings.

A BRTF member asked when the first draft of the MPF will be available for public comment. Response: The first draft will be available by mid-February. Staff will accept comments on the drafts at all times.

A public member asked where the public can get these documents. Response: The DFG marine region website is best. The release of documents will be announced on the listserv. Clerical support will help with this.

A BRTF member asked whether the BRTF will look at the first draft at the next meeting. Response: The aim is to get the draft MPF to the BRTF a few days before the meeting.

A BRTF member commented that the MPF will be a “living document.” As such, the BRTF should suggest whether staff is on a correct course and suggested that the work plan is good.

**TASK FORCE ACTION:** the BRTF unanimously adopts the revised work plan, briefing document #10C, *Suggested timeline for preparing the draft Master Plan Framework.*

A BRTF member asked whether there is an alternative approach—addition of more adjectives and more meat.

**TASK FORCE ACTION:** the BRTF voted unanimously that staff move in same direction on the MPF.

A BRTF member suggested that drafts be released to the task force and the public as units rather than waiting for the whole document to be finished, to allow more time for review and comment.

### **Lunch**

The BRTF announced that Laura Rogers-Bennett is a member of the MLPA Steering Committee and dedicated liaison from the science team to the BRTF.

### **Central Coast MLPA Project Area**

*John Kirlin, Executive Director, MLPA Initiative*

Staff reviewed briefing document #11, *Draft criteria for selecting Central Coast Project Area.*

In their first meeting, the science team recommended adding biophysical and human activity boundaries to the criteria. Staff recommended that these recommendations be added to the criteria.

A BRTF member asked whether the science team discussed boundaries for the central coast project. Response: The topic was discussed but no recommendation was made from the science team. The science team discussed two avenues for the pilot project—“easy or hard.” A BRTF member commented that his/her intuition would be to take on the hardest test in the pilot.

Staff commented that the science team also discussed that the availability of data should be considered in the criteria.

A BRTF member asked whether scientists talked about replicability. Response: The project area has to be big enough so that there is enough room for replicates. The science team agreed that the selection of the project area is a policy decision. Scientists can make a recommendation on where to put MPAs for any project area. The science team talked about scales of repetition and diversity.

A BRTF member commented that criteria should be broad. Response: They will be broad but they need to be specific enough to make a decision.

A BRTF member commented that the issue of replicability is hugely important—the more lessons learned the better. Response: People are talking about two types of replicability (habitat and project); these terms need to be clarified.

**Public comment**

A public member asked whether there will be replication within bioregions. Response: These criteria are for selecting the central coast project area. The science team will consider bioregions within the project area.

A public member commented that there are two key bio-geographic regions in California—north and south of Point Conception. Response: The central coast project is being selected within the central coast area, between Pt. Conception and Pt. Arena.

A public member suggested Bodega Head to Cambria as the central coast project area. This range includes both Point Lobos and Big Creek marine reserves.

A public member commented that he/she supports additions to the criteria. The six objectives of the law include recreation. Monterey is the most popular diving area—Breakwater to Lovers Point is a key area. A project area south of there would have less impact.

A public member commented that the science team recognized in their meeting that biophysical boundaries can be fuzzy; for instance it would not make sense to split a fishery based on biophysical boundaries. The project area should be large enough to have replication for habitat and big enough to grapple with key questions.

A public member commented that divers want science-based management. The big fish are gone because there is not enough area set aside.

**TASK FORCE ACTION:** the BRTF adopted additional criteria recommended by the science team to *Draft criteria for selecting Central Coast Project Area.*

**Information required for alternative network proposals**

*Mike Weber, Senior Project Manager, MLPA Initiative*

Staff briefly summarized briefing document #12, *Revised outline of information required for proposals for alternative networks of MPAs.*

At the October BRTF meeting, a draft outline of information required for proposals for alternative networks of MPAs was provided to structure the development of specific proposals. A few comments were received regarding the need for a gap analysis and current management of human activities.

**Public comment**

A public member requested that documents be made available on the website as MS Word files so that they can more easily respond and comment.

A public member commented that there is lots of data available that could expedite the MLPA process. Nuclear plant area may be closed to fishing but they can suck in eggs and kill them.

The BRTF encouraged written comments like this one and from all other speakers.

A public member commented that the MLPA network design should take into account kelp beds. Southern California has lost 80% of its kelp beds.

**TASK FORCE ACTION:** the BRTF adopted *Revised outline of information required for proposals for alternative networks of MPAs.*

### **Other MPA processes**

Staff called attention to BD#13, *Summary of recent and ongoing processes related to the MLPA Initiative.*

A BRTF member suggested that the California Resources Agency update their 1997 report with this information.

The BRTF members acknowledged the technology problems with this meeting and will work to improve them at next meeting.

### **Public comment**

A public member commented that he/she would like more advance notice on meetings. Response: Notification of meetings will improve. Notices will be sent to listserv first.

A public member commented that he/she is concerned about adequate enforcement of MPAs.

A public member thanked the BRTF for spending time with them on the field trip yesterday.

A public member encouraged the BRTF to seek first-hand experience from resources users.

A public member asked about MLPA plans for public education. Response: the BRTF will not be having a public education plan but ideas will be helpful to think broadly about this.

A public member encouraged the BRTF to have informal meetings with stakeholders.

A public member suggested that the BRTF prepare a flow chart of how different groups—task force, science team, DFG, Fish and Game Commission, etc.—are related.

A public member commented that he/she has a boat to take BRTF members on a field trip in Monterey. Chair Isenberg asked the public to send to staff written suggestions for the Monterey meeting.

Additional comment letters were distributed to the BRTF and will be available online.

The next meeting date is February 22-23 in Monterey and the following meeting is April 11-12 (location to be determined).

### **Meeting adjourned**