

California Marine Life Protection Act Initiative
Proposed Motion by MLPA Blue Ribbon Task Force Member Meg Caldwell
Regarding Traditional, Non-Commercial Tribal Uses of
Marine Resources in the MLPA North Coast Study Region

May 4, 2010

At the Marine Life Protection Act (MLPA) Blue Ribbon Task Force (BRTF) meeting on May 4, 2010, the BRTF discussed the decision-making context for tribal uses of marine resources in marine protected areas. During that discussion, BRTF member Meg Caldwell suggested a motion for possible action by the BRTF, which is included here in full with minor changes for grammar and context. This motion will be considered by the BRTF at a meeting to be held via teleconference and webinar on Monday, May 17, 2010.

“In consideration of California Secretary for Natural Resources Snow’s letter of May 3, 2010 to Ms. Kimber, and in recognition of the (BRTF) charge from the secretary for natural resources to exercise its best judgment in “[resolving] policy disputes and provide direction in the face of uncertainty,” and understanding the MLPA North Coast Regional Stakeholder Group (NCRSG) request for guidance on how best to proceed regarding traditional, non-commercial tribal uses of marine resources, the BRTF provides the following additional guidance for Round 2 of the north coast marine protected area planning process:

“The BRTF requests that the NCRSG try, where possible and as information allows, to avoid traditional non-commercial, ceremonial and cultural, tribal gathering areas and conform as closely as possible to the SAT guidelines. The BRTF is aware, however, that it may not be possible to altogether avoid traditional non-commercial ceremonial and cultural tribal gathering areas when designing MPAs in the north coast study region. As a matter of policy, the BRTF concludes that MPAs that are otherwise intended by the NCRSG as state marine reserves, but for continued traditional non-commercial ceremonial and cultural tribal gathering uses, should be designated as tribal resource protection state marine parks (SMPs) or state marine conservation areas (SMCAs). As the MLPA north coast process moves forward, the State of California should consult with any affected tribes to help ensure the highest possible level of protection for specific tribal resource Protection SMPs or SMCAs consistent with tribal values. Such consultation should include consideration of co-management opportunities.

“For the purposes of MLPA Master Plan Science Advisory Team (SAT) evaluations, tribal resource protection MPAs should be evaluated and displayed in SAT evaluation materials as very high level of protection SMPs or SMCAs.”