

**CALIFORNIA OCEAN PROTECTION COUNCIL
MEETING MINUTES**

**Thursday June 8, 2006
Hyatt Regency Monterey, 1 Old Golf Course Road,
Monterey, California
9 a.m. – 5 p.m.**

Mike Chrisman, Secretary for Resources, Council Chair
Steve Westly, State Controller, Chair of the State Lands Commission
Linda Adams, Secretary for Environmental Protection
Sheila Kuehl, State Senator, Ex Officio Member
Pedro Nava, State Assemblymember, Ex Officio Member

1. Welcome and council member announcements

Mike Chrisman, Secretary for Resources, Council Chair

Linda Adams was welcomed as new Secretary for California Environmental Protection Agency. Cindy Aronberg was present representing Steve Westly. Pedro Nava and Sheila Kuehl were not present.

Drew Bohan was introduced as new Executive Policy Officer to the Council.

The Chair gave an overview of the meeting agenda and made the announcement that the week was National Ocean Week and that June 8 is National Ocean Day and World Ocean Day. The Chair will be traveling to DC, testifying before congressional committees, working with Coastal States Organization, and promoting ocean issues in general. The Chair also mentioned the large response to request for abstracts for the California and the World Ocean 2006 conference in September.

2. ACTION: Consideration and possible adoption of operating policies for OPC meetings.

Sam Schuchat, Executive Officer, State Coastal Conservancy and OPC Secretary

Mr. Schuchat described potential operating procedures for proxy voting by council members' representatives and the statement of incompatible activities. If approved, council would vote to allow a proxy the right to vote for the day. Two voting members are necessary to take action with respect to representatives, but only one voting member is needed to conduct a meeting.

RECOMMENDATION: "The California Ocean Protection Council adopts the recommended *Operating Procedures of the California Ocean Protection Council* and the *Statement of Incompatible Activities*."

**Linda Adams moved to adopt recommendation, Mike Chrisman seconded.
Recommendation was approved.**

Mr. Schuchat also suggested that the Council take up at a future meeting adopting the archived webcast video as the official meeting minutes. This is the procedure currently used by the Fish and Game Commission. The video can be tagged to the agenda, so that items can be viewed without downloading the meeting in its entirety.

3. ACTION: Consideration to grant a voting proxy for council members for this meeting.

The Chair reviewed the council's previous decision not to appoint proxies because of the importance of the principles attendance at the initial meetings, but believes it is now appropriate to reconsider. Chair suggested that council members be required to appoint a proxy 10 days before the meeting, so that the item may be placed on the agenda. Ms. Aronberg agreed, noting the Controller (Mr. Westly) sits on many boards and it is not possible to attend all of them.

Public Comment:

Warner Chabot (The Ocean Conservancy): Mr. Chabot indicated that the OPC is a unique body and that its importance is tied to the members attending. He wanted members to make every effort to attend meetings.

Rudy Murillo (Scripps): Mr. Murillo concurred with Mr. Chabot and made the distinction that it is actually an alternate not a proxy, since the latter suggests the power to vote without having heard the information provided in the meeting. Mr. Murrillo suggested that than what is intended by the procedure is an alternate. The Chair agreed.

Mike Sutton (Monterey Bay Aquarium and Center for the Future of the Oceans (CFFO): Mr. Sutton said the strength of the council is its cabinet level members, indicating it is the highest level body in the state, and perhaps any state looking at ocean issues. He suggested that only one alternate be allowed at each meeting.

John Fisher (Pacific Grove; no request to speak card): Mr. Fisher asked that the council members themselves please attend; it is an important committee and time is lost if voting members are not present.

Council Comments:

Mike Chrisman thanked everyone for their comments; scheduling conflicts were unavoidable and we must be realistic. He indicated that council will try the process to see how it works and encourage people to keep the council's "feet to the fire."

The Chair moved to allow designation of alternate by one of the three voting members for a council member upon ten days advance notice so that it will be placed on the agenda. That alternate will be designated in the minutes. Ms. Adams indicated that the council has come up with some pretty stringent criteria and seconded the motion. The motion was approved.

Adams motioned to allow Ms. Aronberg as a representative for this meeting; Chair seconded. The motion was approved.

4. ACTION: Consideration and adoption of April 20, 2006 meeting minutes

Linda Adams moved to approve the minutes as submitted, second by the Chair. The minutes were approved.

5. Public comment on non-agenda items*

Steve Mattieu (AGP Video): Mr. Mattieu demonstrated the ability to index the meeting video archive to match the agenda. He said AGP has the software to do that and the Fish and Game Commission is doing it already. He then showed the SLO-SPAN website. CAL-SPAN contains all of the OCP information as well as other state meetings. The site now has a dual screen with agenda, agenda items, and live/archived webcast. Electronic media is the future for archiving.

Chris Wills (California Geological Survey (CGS)): Mr. Wills discussed different marine habitats and mapping techniques; maps of sand movement. All maps are available at a small cost. CGS is completing onshore/offshore maps. Mr. Wills provided a Monterey map to the council. Brian Baird asked him if he knows of the work of the Coastal Sediment Management Workgroup. Mr. Wills assured Mr. Baird that the CGS is working with the group.

Mark Shargel (local diver): Mr. Shargel argued that the economy is based on healthy, vibrant marine ecosystems. Marine protected areas (MPAs) are very important. Mr. Shargel was on the regional stakeholder group for the MLPA process, and is concerned that DFG will undersize the MPAs. We need to implement adaptive management as data/monitoring is conducted.

Richard Sadowski (Central Coast Ocean Outfall Group (COOGers)): Mr. Sadowski outlined some problems in San Luis Obispo. The infrastructure is overly burdened, iodine problems and systemic problem with selective enforcement. He complained specifically about the district attorney. Drainage is not good. Sewer capacity is not enough—developers extend sewer lines without the proper approval. He criticized developers and local officials in approving permits. Mr. Sadowski wants the council to get involved with the extension of sewer lines within the Estero bight watershed.

Chair agreed to take it under advisement.

Marla Jo Bruton (Central Coast Ocean Outfall Group): Ms. Bruton discussed clean beaches program and beach testing for Morro Bay site. No one is reporting and they never show any closures, which doesn't mean that there are not problems. NPDES contact information is extremely out of date.

6. ACTION: Consideration and possible adoption of the *Ocean Protection Council Five-year Strategic Plan* (public comment)

Brian Baird, Assistant Secretary for Ocean and Coastal Policy, Resources Agency

Drew Bohan, Executive Policy Officer, Ocean Protection Council

Brian Baird introduced the background to the Strategic Plan, including adoption the Information, Research, and Outreach Strategy (named a national model by the Joint Ocean Commission Initiative). The Plan is critical to the preservation of the environment and important because the ocean is an economic engine for the state and the nation. Staff received a great deal of input from the public and agencies. The Plan lays out how the council will improve ocean governance at all levels of government.

Drew Bohan lauded the OPC staff and the Chair for their work on the Plan. Mr. Bohan then provided specifics about the Strategic Plan process and contents. He said he and the staff are still getting lots of input on the Plan, and from a large range of people. Mr. Bohan focused on priorities of plan, particularly Section 2. Staff looked to the Ocean Protection Act in developing the Plan. He highlighted two priorities under the governance section of the Plan: 1) Operational funding – the council needs to look at where money is spent and see what the needs are, then identify efficiencies; and 2) the Council needs to coordinate agency laws and mandates. There are very strict timelines which will require hard work by the council and staff. Mr. Bohan identified several activities/issues that the OPC could really push forward, with the analysis of once-through cooling technologies as an example.

Mr. Bohan also discussed the tools available to the council—chief among these is funding, and having procedures in place to ensure money is spent well. He mentioned the details in Appendix A, which is comprehensive but not exhaustive of the kinds of activities the council should undertake. The Plan sets out big goals but with priorities. It is intended to be a living document.

Public Comment:

Paul Michel (EPA Region IX): On behalf of Coastal America, Mr. Michel offered support and collaboration with federal members. He wanted to announce the Coastal America partnership in sponsoring the CWO '06 conference. He mentioned Coastal America's tools, the Gulf States' regional agreement, and the idea that a similar action should be undertaken on the west coast.

Santi Roberts (Oceana): Mr. Roberts thanked council; appreciated work on the Plan. He applauded that ecosystem-based management (EBM) is now a focus of the Plan. He expressed concern that the science team no longer provides recommendations. Regarding habitat damage, the Plan does not offer suggestions how to mitigate against damage cause by fishing gear (bottom trawling), and suggested "effects of bottom trawling be mitigated in all waters." Based on mapping data, Oceana and others identified important areas and yet many of these areas are not included in current MPLA process. Mr. Roberts wants the OPC to consider these areas as the MLPA process moves along the coast.

Aimee David (CFFO): Ms. David said the Plan provides a clear and meaningful vision statement and clear goals. We need to find ways to coordinate data and monitoring; mentioned the data synthesis center. She supports this idea and thinks the data center will help to implement the MLPA.

Linda Sheehan (Coastkeeper Alliance): Ms. Sheehan liked the increased focus on a few particular areas, including funding. She felt that the OPC is the last line of fishing protection based on what is happening on the federal level. Integrated ecosystem management should be a larger focus of the Plan. Ecosystem-Based Management is left out from other recommendations, including the steering committee. Enforcement is particularly important and the recommendation should be stronger, through coordination and deputizing the public by publishing data on the web. She offered ideas of how to include new ideas without delaying the approval of the plan.

Rudy Murillo (Scripps): Mr. Murillo applauded the plan and agreed to send comments to Drew in the next ten days. He mentioned the importance of CALCOFI; Scripps wants to work on MPA monitoring with the OPC.

Jim Curland (Defenders of Wildlife): Mr. Curland thought this version of the Plan was greatly improved. Mr. Curland felt that earlier versions did not address monitoring (water, mussel, and others) and sea otter health well enough. He wanted to hold off on plan approval until the Jessup presentation because still feels the plan lacks adequate info on sea otters. He wanted the Plan to be a living document.

Rod Fujita (Environmental Defense): Mr. Fujita mentioned comments from the Fishing Heritage Group. The Plan is good and wants to make sure that the OPC adds value—OPC has unique opportunity to solve difficult problems. He thought that the water issues mentioned earlier in the meeting would be a good project for the OPC. He suggested including in the agenda at future meetings time for the public to bring ideas and project proposals to the Council.

Warner Chabot (The Ocean Conservancy): Mr. Chabot thought the process was good. Supported adoption today but wants acknowledgement that it is a living document. Idea for evolvement is in the performance measures: thought that water quality ones are good, but the others were a little vague. Mr. Chabot noted that the vague measures were much more difficult to develop. He wanted these measures to keep improving.

Council Comments:

Mike Chrisman assured that the plan will continue to evolve and OPC will continue to work on it. Linda Adams thought the Plan was good and agreed about it being living document. Cindy Aronberg stated that the Plan is good and substantial. The Controller liked it and appreciated the openness of the process. Both Ms. Aronberg and Steve Westly though it should be living document. Ms. Aronberg reviewed several comments and wants edits made in the next week. Chrisman asserted that changes will be made in the next few weeks.

Brian Baird mentioned that the focus of the CWO conference is on the Strategic Plan, and staff will get lots of feedback during that meeting, a great opportunity to keep the document moving forward.

RECOMMENDATION: “The California Ocean Protection Council adopt the *California Ocean Protection Council Strategic Plan*, attached, and authorizes the Secretary to the Council to

finalize, and publish the document in a manner generally available to the Council and the public.”

Linda Adams moved to approve the recommendation, second by Cindy Aronberg, with previously mentioned comments (considered for inclusion). The recommendation was approved.

- 7. ACTION:** Consideration of adoption of *California Ocean Observing Program: A Recommendation for Supporting State Ocean Observing Efforts* and authorization to begin implementation of the Ocean Science Applications program

Sheila Semans provided the history and three main goals of the proposed Ocean Science Applications Program.

Public Comment:

Krista Kamer (CICORE, CSU): Ms. Kamer noted that programs are currently getting by on congressional earmarks. She liked that the plan is fairly inclusive and stresses the importance of all the state programs and how they tie into the Ocean Current Monitoring Program (COCMP). The Staff needs to be cognizant of other programs and their need for funding.

Jon Ugoretz (DFG): Mr. Ugoretz said that DFG agrees that an overarching coordinating body is necessary. All the groups give little priority to nearshore biological monitoring. The Channel Islands National Park’s kelp forest monitoring is a good example of this type of monitoring. DFG will continue to work with us on this issue.

Sheila Semans clarified COCMP future needs and why it is the focus of the report. Sam Schuchat also recognized the chaotic funding for all systems, and the need to move into the biological monitoring.

RECOMMENDATION: “The California Ocean Protection Council adopts the recommendations contained in the report *California Ocean Observing Program: A Recommendation for Supporting State Ocean Observing Efforts* (Exhibit 1) and authorizes the Secretary to take actions necessary for its planning and implementation.”

Cindy Aronberg moved to approve recommendation, second by Linda Adams. The recommendation was approved.

- 8. ACTION:** Consideration and possible adoption of Marine Protected Areas (MPA) monitoring design principles
Marina Cazorla, Project Manager, State Coastal Conservancy
Michael Weber, Program Officer for Oceans, Coasts, and Fisheries, Resources Law Group

Marina Cazorla provided background. Sam Schuchat discussed MLPA monitoring at the last meeting, and the OPC has been asked to take a leadership role in MLPA/MPA monitoring. Staff recommends adoption of the design principles, and more will come at the next meeting.

Mike Weber indicated the Strategic Plan includes MLPA monitoring. He reviewed the general design principles outlined in the staff report: 1) the monitoring should support ecosystem-Based Management, 2) the plan should integrate existing statewide monitoring programs and protocols, 3) the plan should provide leadership and coordination, and guided by good science and data management from the beginning and 4) the plan should communicate the results to decision makers and the public. The monitoring data should be useful and with sufficient funding to be reliable and flexible. Mr. Weber will help to develop the work plan that will be brought to the council in the fall.

Public Comment:

Jon Ugoretz (DFG): Mr. Ugoretz said that DFG supports OPC efforts to coordinate ocean observing systems. Fixed gear surveys are currently not included in the plan but are essential to determine MPA effects on fish.

Warner Chabot (The Ocean Conservancy): Mr. Chabot supported the document, and suggested there is a need to monitor MPAs if they are to be established.

Ms. Adams asked about the funding source. Sam Schuchat responded that tidelands oil revenues constitute the funding source.

RECOMMENDATION: “The California Ocean Protection Council hereby adopts the recommended MPA Monitoring Program Design Principles contained in this memorandum.”

Linda Adams moved to approve the recommendation, second by Aronberg. The recommendation was approved.

- 9. ACTION:** Consideration of the State Water Resources Control Board Ocean Protection Projects Funding List and possible 1) concurrence that these projects relate to at least one of the mutual priorities adopted by the Ocean Protection Council and State Water Board, and 2) recommendation to the State Water Board to approve these projects and award \$10,000,000 of funds reserved for such projects.

Rebecca Pollock, Project Manager, State Coastal Conservancy

Dominic Gregorio, Chief, Ocean Unit, State Water Resources Control Board

Rebecca Pollock provided a history of the mutual priorities with the Water Board, approved in January: rapid indicators of beach pathogens and control and elimination of nonpoint source pollution discharges into areas of special biological significance (ASBS). Fourteen proposals were invited back for full proposals; five were chosen for final funding, totaling \$10,021,317. Final approval will happen at the next Water Board meeting.

Dominic Gregorio reviewed the details and benefits/outcomes of the five projects selected, which can be found in Exhibits 2 and 3 of the staff recommendation.

Brian Baird commented that he is pleased about inclusion of rapid indicators in recommended projects list.

Public Comment:

Jim Curland (Defenders of Wildlife): Mr. Curland urged council to approve.

Al Wanger (Coastal Commission): Mr. Wanger supported the staff recommendation, adding that these projects are important and have state and national implications.

Linda Sheehan (Coastkeepers Alliance): Ms. Sheehan supported all of the projects, particularly the ASBS projects.

Rudy Murillo (Scripps): Mr. Murillo endorsed best management practices, good commitment by state and Scripps to partner in these projects.

Marla Jo Bruton (COOGers): Ms. Bruton thought these were good projects. Morro Bay sea otter mortality rate is high, hopefully projects will help. RWQCB in Morro Bay on May 11th heard a waiver for wastewater treatment plant, and the next day the Board granted NPDES for toxic waste treatment near dead otter areas, no public input.

RECOMMENDATION: “The Ocean Protection Council finds pursuant to Sections 35600, *et seq.*, of the Public Resources Code that the State Water Resources Control Board’s Ocean Protection Projects address the mutual priorities of the Ocean Protection Council and State Water Board, and recommends approval of these projects by the State Water Resources Control Board.”

Linda Adams said she was happy to see these projects, and moved to approve recommendation, Aronberg seconded. The recommendation was approved.

10. Staff report

Sam Schuchat, Executive Officer, State Coastal Conservancy and OPC Secretary

Mr. Schuchat thanked the staff for the Strategic Plan, with special thanks to Mike Weber and Mary Selkirk. There are two books by David Helvarg that the council members will be receiving after the meeting.

- A. Approval of proposed schedule for additional public meeting proposed for October or November 2006

Mr. Schuchat proposed an additional OPC meeting in October or November in Sacramento. **The council informally agreed and approved a meeting sometime in October or November.**

B. Current status of OPC funded-projects and level of funding

Mr. Schuchat provided brief updates on a few key OPC funded projects, including the Klamath River, derelict fishing gear removal, fisheries revolving loan fund (now the Fisheries Fund), and the Matilija Dam removal projects. Mike Chrisman commented on dam removal projects.

11. Projects

- A. ACTION:** Consideration of the California Public Ocean Awareness Campaign and possible 1) determination that it is a high priority project and 2) authorization for the council's Secretary to take actions needed to provide up to \$110,000 for its implementation.

Rebecca Pollock, Project Manager, State Coastal Conservancy

Rebecca Pollock provided an overview and background to the importance of funding a statewide ocean awareness campaign.

Columbine Culberg (NOAA National Marine Sanctuary Program) provided additional details of NOAA and the Resources Agency work over the previous year and other details about the project. The Ocean Communicators Alliance (OCA) is a group nearly 200 representatives. NOAA is providing \$100,000 and two full time staff to this effort, and grant applications have been submitted to other organizations.

Brian Baird lauded the project as a terrific effort and an extension of the Governor's Ocean Action Plan, and noted it allows people to find out how to get involved.

Public Comment:

Dennis Long (Monterey Bay Sanctuary Foundation): Mr. Long said MBSF was a sister organization to the National Marine Sanctuary Foundation in DC, who is the grantee for this project, and voiced support the staff recommendation.

Jim Curland (Defenders of Wildlife): Mr. Curland had attended a couple of OCA meetings and the enthusiasm was great. He wholly supports this effort.

RECOMMENDATION: "The Ocean Protection Council finds pursuant to Sections 35600, *et seq.* of the Public Resources Code that the California Public Ocean Awareness Campaign, as herein described, is of high priority for ocean conservation and authorizes the Council Secretary to take actions necessary to provide up to \$110,000 for its implementation."

Cindy Aronberg moved to approve recommendation, Linda Adams seconded. The recommendation was approved.

- B. ACTION:** Consideration of the Santa Barbara Channel Marine Mapping Project and possible 1) determination that it is a high priority project and 2) authorization for the

council's Secretary to take actions needed to provide up to \$400,000 for its implementation.

Marina Cazorla, Project Manager, State Coastal Conservancy

Marina Cazorla described the southern California mapping project.

Sam Johnson (USGS) provided additional details about the project, through a power point presentation about current mapping efforts on the Southern California coast. The project will provide high resolution bathymetric maps with will provide geologic maps of the ocean bottom. With 18-24 months with data acquisition USGS will have series of maps and geologic interpretations based upon the data. This information will be useful in analyzing benthic habitats, sediment transport related to Matilija Dam and other projects, tsunami and earthquake hazards, oil seeps and offshore infrastructure.

Public Comment:

Kate Wing (NRDC): Ms. Wing supported the project and thought Mr. Kvitek's shop did great work. She asserted that we need to do more work about the biological connections, living species and how they use these habitats. After this is completed, staff should be encouraged to look for new mapping projects that take us into living resources as well as the physical habitats.

Chris Wills (CGS): Sediment maps from Matilija down coastline; planned to move into an onshore/offshore map similar to what's been done for Monterey. Mr. Wills supports this partnership and efforts.

Sam Schuchat brought to attention of the council that as we map more and move into biological habitat mapping, the state will be creating a public database of the best places to fish. This has implications for our efforts to conserve and safeguard natural resources. New coastal access has brought with it the opportunities for people to exploit coastal resources.

RECOMMENDATION: "The Ocean Protection Council finds pursuant to Sections 35600, *et seq.* of the Public Resources Code that the Santa Barbara Channel Marine Mapping Project, as herein described, is of high priority for ocean conservation and authorizes the Council Secretary to take actions necessary to provide up to \$400,000 for its implementation."

**Cindy Aronberg moved to approve recommendation, Linda Adams seconded.
The recommendation was approved.**

- C. ACTION:** Consideration of an engineering study of power plants using once-through cooling technology and possible 1) determination that it is a high priority study and 2) authorization for the council's Secretary to take actions needed to provide up to \$300,000 for its implementation.

Christine Blackburn, Project Manager, State Coastal Conservancy

Chris Blackburn presented the proposed once-through cooling (OTC) power plant study.

Public Comment:

Al Wanger (CCC): Mr. Wanger was supportive of the project. He suggested more objective analysis could be folded into the processes. He recognized that not all power plants can be switched from once-through cooling technology, but at sites where it is possible, we should require more environmentally sustainable activity.

Tom Gross (Southern CA Edison, representing CCEEB): Mr. Gross thought the study is fairly broad and liked that. Overall this was a good starting point to have this information put together. He supported more inter-agency coordination on this issue.

Linda Sheehan (Coastkeepers Alliance): Ms. Sheehan supported the study and highlighted three items regarding the scope of work on page 3. 1) Item 3: She cautioned that this could eat up almost all the \$300,000 depending on how it's done. EPA has documentation, and she urged staff to start with this. Also, she cautioned that legally the last sentence may mean the state does a site specific evaluation of costs feasibility for each plant. Feasibility is not the goal. Focus should be the analysis on implementing the law, protecting the beneficial uses. 2) Item 4: this item should identify additional points. 3) Costs: To make sense of the data, this item needs to be broader. Look at overall costs, capital and operating costs over the life of the plant (available on line from a study by John Malbetsch). Data should be focused on how to implement the law - protecting waterways - not on feasibility. She supported approval of this project but with these considerations made to the scope of work.

Richard Sadowski (COOGers): Mr. Sadowski approved of this study, with Ms. Sheehan's cautions. In Morro Bay, the plant recently received a new 50 year lease and was subsequently sold.

Council Comments:

Cindy Aronberg posed question with the study will look at compliance with law. Chris Blackburn mentioned that most of Linda's comments are actually in the scope of work already but that these details were lost in drafting the staff recommendation, which is a general overview.

RECOMMENDATION: "The Ocean Protection Council finds pursuant to Sections 35600, *et seq.* of the Public Resources Code that obtaining information about possible engineering and operational changes at coastal power plants that may reduce the negative environmental impacts of once-through cooling technologies, as herein described, is of high priority for ocean conservation and authorizes the Secretary of the Council to take actions necessary for its planning or implementation, including the allocation of up to \$300,000 for the purposes of this project."

Cindy Aronberg moved to approve recommendation, Adams seconded. The recommendation was approved.

- D. ACTION:** Consideration of a coastal aquaculture Programmatic Environmental Impact Report (PEIR) and possible 1) determination that it is a high priority project and 2) authorization for the council's Secretary to take actions needed to provide up to \$300,000 for its planning or implementation.

Christine Blackburn, Project Manager, State Coastal Conservancy

Chris Blackburn explained the aquaculture PEIR proposal. She noted the Council has received two letters in support (Lucas and Maurice) of the project and one letter in opposition.

Public Comment:

John Ugoretz (DFG): Mr. Ugoretz said a PEIR will serve an immediate need and hope to use the draft 2003 report content to help complete a more rigorous document. DFG will contract with a qualified consulting company that will be hired with these funds if approved.

Al Wanger (CCC): Mr. Wanger supported the project. He drew attention to language the bill: and staff should be prepared to consult with an aquaculture committee. This aquaculture committee does not currently exist. DFG, CCC, RWB, NOAA Fisheries, and other important stakeholders should be a part of this committee. The committee provides a forum for resolution of issues and serves as a liaison between state and future federal legislation. He made a suggestion that the funds be used in part to form this committee.

Kate Wing (NRDC): SB201: She supports the project. The aquaculture committee should include people in coastal communities. She discussed background of the bill: initially people believed that environmental groups pushed the EIR requirement because, as DFG will never be able to afford to fund the EIR, this inability to fund would essentially ban aquaculture. However, this requirement is now viewed as an endorsement of aquaculture. It is very important to determine if there are areas of the coast where aquaculture should never occur.

Warner Chabot (The Ocean Conservancy): Mr. Chabot suggested that this will help move the process forward. Federal government seems to support offshore aquaculture without standards. By signing SB201 and funding the EIR, California will again be a leader.

Mike Sutton (CFFO): Mr. Sutton supported the staff recommendation with the caveat that this project does not start a precedent for funding things because money cannot be found elsewhere, then OPC becomes the funding source of last resort. The project in this instance falls in OPC purview because it involves many agencies and therefore falls within the coordination function of the council.

Council Comments:

Mr. Chrisman commented that he is pleased the Governor decided to sign the bill, and glad the council is a part of the solution.

RECOMMENDATION: “The Ocean Protection Council finds pursuant to Sections 35600, *et seq.* of the Public Resources Code that the programmatic environmental impact report for coastal aquaculture called for in California Senate Bill 201, and as herein described, is of high priority for ocean conservation and authorizes the Secretary of the Council to take actions necessary for its planning or implementation, including the allocation of up to \$300,000 for the purposes of this project.”

Cindy Aronberg moved to approve the recommendation, Adams seconded. The recommendation was approved.

12. Federal and State affairs

Brian Baird, Assistant Secretary for Ocean and Coastal Policy, Resources Agency

Sam Schuchat, Executive Officer, State Coastal Conservancy and OPC Secretary

Brian Baird provided a briefing on federal affairs, including the Western Governors Association resolution on ocean and coastal policy. The Pew and U.S. Oceans Commission reports talk about regional governance. West coast governors are working on a west coast regional governance agreement. Mr. Baird also mentioned Sea Grant programs' joint application for a grant to do regional research.

Sam Schuchat briefed the council on state affairs, including an MLPA update. Alternatives for the central coast are currently be evaluated by Fish and Game Commission. The budget conference committee had just approved \$5 million for OPC and \$8 million to DFG for MLPA implementation. The staff needs to review interim funding guidelines to insure they are consistent with the Strategic Plan. New projects will also reference the Strategic Plan.

Mike Chrisman mentioned that the Fish and Game Commission may start discussing the preferred alternative at their next meeting.

13. PRESENTATION: Update on the California Sustainable Fisheries Fund

Rod Fujita, Environmental Defense

Mike Dickerson, Shorebank Enterprises

Rod Fujita updated the council on the sustainable fisheries fund (SFF), and indicated that ShoreBank Enterprise Pacific is a great consultant in this effort. Mike Dickerson reviewed the purpose of the fund. Public input will begin soon on the concept paper and then phase 2 (business plan) will begin this summer. Mr. Dickerson presented data about fisheries decreases and negative impacts to the economy. He related findings of inadequate resources for management of fisheries and unsustainable incentives to race-to-fish. Fisheries managers need to tailor fishing management to local resources and needs. Security and stability are the two most important concerns of stakeholders.

Public Comment:

Marla Jo Bruton (COOGers): Ms. Brunton liked this approach and looked where the funding comes from. The power plant is currently the major funder for the fishery, so fishermen were not against once-through cooling. It's good to have funding available from other sources.

Mike Sutton (CFFO): Mr. Sutton applauded outside-the-box thinking and the council for funding it. Harbor masters are all very excited, as this represented an opportunity to cut through difficult discussions between environmentalists and fishermen. He will promote more sustainable

fishing—proven to work in the Northwest—which was long overdue and the council should keep supporting this.

Mike Chrisman inquired on the next steps.

Mr. Fujita responded 1) there is a need to find pilot fisheries to provide proof of concept, 2) will begin business plan for review in the fall, and 3) renew OPC and state commitment to implementing the MLPA and MLMA.

Council Comments:

Mike Chrisman asserted we needed to engage and this is a great way to do it—coordination is impressive and will ultimately lead to success. We continue to support this and work with Environmental Defense and others to ensure implementation.

Sam Schuchat commented that there may be cultural changes in agencies and changes in regulations based on this approach and therefore there is certainly a role for the OPC.

14. PRESENTATION: Impacts of land-based activities on sea otter mortality

Dave Jessup, Department of Fish and Game

Dr. Jessup thanked Jim Curland for continuing to recommend that Dr. Jessup present to the council. Mr. Jessup presented his talk, focused on land-sea connection and impacts of various sources on sea otter mortality.

Public Comment:

Mike Sutton (CFFO): Mr. Sutton suggested the labeling of cat litter, funding for sea otter research, and supports the pending bill.

15. Adjournment

Council members

The Chair announced that the OPC will open the CWO conference and adjourned the meeting.