

MEETING SUMMARY

November 29, 2010

10 a.m. – 5 p.m.

CalEPA Building

Sierra Hearing Room

1001 I Street

Sacramento, California 95812-2815

Council Members in Attendance:

Lester Snow, Secretary for Natural Resources, Council Chair

Linda Adams, Secretary for Environmental Protection

Cindy Aronberg for John Chiang, State Controller, Chair of the State Lands Commission

Susan Golding, Public Member

Geraldine Knatz, Public Member

Pedro Nava, State Assemblymember

Fran Pavley, State Senator

Bill Craven for Fran Pavley, State Senator

1. Welcome and Council Member Announcements

Secretary Snow welcomed everyone to the meeting and noted that this would be the last meeting under the Schwarzenegger Administration. He highlighted recent efforts led by Senator Pavley towards Assembly Bill 32, the Global Warming Solutions Act, and Secretary Adams for the Governors' Global Climate Summit 3 in Davis, CA. Secretary Snow gave updates on the progress of the Marine Life Protection Act, California Seafloor Mapping Program, and West Coast Governors' Agreement for Ocean Health. He concluded by giving summaries of the California and the World Ocean Conference and the OPC Program Evaluation.

The members of the Council presented individual updates. Cindy Aronberg announced that Curtis Fossam is the interim Executive Officer of the State Lands Commission since Paul Thayer retired. Susan Golding stated that she is optimistic that the OPC can continue to improve ocean health. She recommended that everyone read a book titled *The Big Burn: Teddy Roosevelt and the Fire that Saved America*. Senator Pavley thanked Secretary Snow for his service and mentioned that despite concerns about long-term funding, it is important to have an umbrella organization like the OPC that can oversee ocean protection from many vantage points. Assemblymember Nava mentioned that this would be his last meeting. Speaking from his experience of many years serving on the California Coastal Commission and OPC, he discussed the dynamics of financial market upturns and downturns on conservation efforts. Secretary Adams provided details about the recent Governors' Global Climate Summit 3.

2. Public comment was heard on non-agenda items:

Richard Sadowski – Individual – Spoke regarding citizens' lack of ability to have recourse concerning environmental laws in certain special districts. He commented on the

need for appointed officials to recognize that no one is sovereign from environmental laws.

Marla Jo Bruton – Individual – Suggested that the OPC needs to better educate elected officials, community planners, and other agency staff.

3. Report from the Executive Director:

Dr. Amber Mace, Executive Director, thanked the Council for their leadership, time, and effort. Dr. Mace noted that the Director's report was provided summarizing OPC activities since the last meeting for members and the public.

4. Report from the Council Secretary

Sam Schuchat presented the report of the Council Secretary in which he indicated that the proposed dates for quarterly meetings in 2011 (February 17, May 5, August 4, December 8) will be considered the final schedule, and provided a summary of the current funding available to the OPC. Mr. Schuchat presented an update on the San Clemente Dam Removal Project and stated that this project may be brought back to the OPC to help facilitate implementation. Secretary Snow stated his strong support for the project.

5. Report from the Science Advisor

Skyli McAfee, Science Advisor to the OPC, introduced Rebecca Gentry, Ocean Science Trust's new lead on Coastal and Marine Spatial Planning and Aquatic Invasive Species. Ms. McAfee spoke about the involvement of the Science Advisory Team in the development of Sea Grant Research Priorities and Sea Level Rise guidance. She noted that there will be a public nomination process for new team members early in 2011. She also highlighted the recent progress of the Marine Protected Areas Monitoring Enterprise. Ms. McAfee discussed the need to gather all organizations together who work in the field of science informing policy, and Secretary Snow requested that that be undertaken and with a report back within a year.

6. Report on West Coast Regional Ocean Partnership Efforts

Brian Baird presented the recent efforts of two West Coast Regional Ocean Partnerships. The West Coast Governor's Agreement for Ocean Health (WCGA) received a \$500,000 congressional appropriation to support implementation of its west coast action agenda. The money has been awarded to a variety of "action coordination teams" made up of government, industry, academia, NGOs, tribes, and the private sector to implement these actions on-the-ground. The awards support reduction of polluted runoff and marine debris, addressing climate change, eliminating invasive species, addressing renewable energy, supporting sea floor mapping, managing coastal sediments, and supporting public education. Through NOAA's Regional Ocean Partnership Funding Program, there is a possible \$20 million in grants for regional partnerships that might bring \$3-\$4 million to the West Coast. The WCGA is coordinating proposals to submit to this federal funding opportunity.

Additionally, the leaders of the Pacific Coast Collaborative (PCC - Governors of California, Oregon, and Washington, and the Premier of British Columbia) met at the Governors Global Climate Conference on November 16th and took three major actions: (1) Ocean

Observations: The PCC sent a letter to leadership in the United States and Canada asking for continued and expanded support for integrated ocean observation systems; (2) Marine Debris: The PCC announced the formation of a West Coast Marine Debris Alliance to support a regional approach to eliminating marine debris; and (3) Eliminating Spartina: The PCC committed to eradicate invasive spartina on the entire west coast by 2018.

7. **OPC Program Evaluation**

Dr. Mace presented a resolution to adopt the OPC's Five Year Program Evaluation. She noted that public comments were received and addressed. Dr. Mace explained how the evaluation will help inform the next Strategic Planning process that will take place in 2011.

Public Comment:

Leila Monroe – Natural Resources Defense Council – Spoke in support, noted her appreciation of the opportunity for public comment on the evaluation, and expressed hope for more such opportunities on future OPC reports.

Linda Sheehan – California Coastkeepers Alliance – Spoke in support, encouraged the Council to have an even stronger leadership role, and encouraged the Council to establish guidelines for receiving and appropriately managing corporate private funds.

Richard Sadowski – Individual – Spoke in support, and emphasized the need for sustainable jobs that can put people to work.

Action: The item was moved for approval by Knatz, seconded by Golding, and approved.

8. **Consent Calendar:**

Item 8a was pulled from the Consent Calendar and staff presented the project; Item 8b remained on the Consent Calendar, but was also addressed by public speakers.

The Council discussed the possibility of reimbursement for the Aquaculture Programmatic Environmental Impact Report (PEIR), expressed concern regarding overall cost and progress, and asked that the item be pulled from the Consent Calendar. Valerie Termini, Project Manager, presented a recommendation to disburse an additional \$100,000 to ICF International to complete the PEIR.

Public Comment:

Leila Monroe – Natural Resources Defense Council – Regarding Item 8a: Expressed concern regarding the project progress and suggested the need for more details; noted that classifying this project as encouraging sustainable economic activity is at odds with Item 9 regarding sustainable seafood because AB 1217 does not include aquaculture. Spoke in support of Item 8b.

James Ferro – Ocean Conservancy – Spoke in support of Item 8a, noting that a scientifically and legally robust PEIR is needed. Spoke in support of Item 8b.

Actions: Item 8a was moved for approval by Knatz, seconded by Adams, and approved. Councilmember Golding requested to review the project workplan. In Item 8b, the Council approved \$114,902 to the California Fish and Game Commission for Marine

Policy and Technical Services. The item was moved for approval by Knatz, seconded by Adams, and approved.

9. California Sustainable Seafood Program

Valerie Termini, Project Manager, discussed the background of the California Sustainable Seafood Program and the goals of Assembly Bill 1217.

Public Comment:

Lia Protopapadakis – Santa Monica Bay Restoration Commission – Spoke in support of the topic; noted that SMBRC has a clean bay restoration program that is looking to expand to include sustainable seafood; noted a perception that seafood caught locally is contaminated and unhealthy; suggested making inclusion of levels of toxicity in the labels mandatory, not optional.

Chris Pincetich – Sea Turtle Restoration Project – Spoke in support and recommended setting a higher bar of 100% instead of 80% for threatened and endangered species protection and stock status.

Sarah Sikich – Heal the Bay – Spoke in support, wants to encourage goal of 80% across categories, agreed with the previous two public comments, and added the suggestion of including carbon footprint on the label by identifying the point of origin.

10. Collaborative Fisheries Research Program

Moira McEnespy, Program Manager, presented a staff recommendation to grant \$1,500,000 to the Pacific States Marine Fisheries Commission and the University of California Sea Grant Program to further develop the Collaborative Fisheries Research (CFR) organization and to fund collaborative research projects. Dr. Pete Nelson, the Executive Director of the CFR organization, presented additional information about the program and potential research projects.

The Council discussed the lack of long-term funding for the CFR organization and debated funding development of the organization prior to funding the research projects. Upon hearing reasons why the two components should move forward in parallel, the Council approved the entire project with the additional condition that the business plan and Request for Proposals come back to the Council for subsequent approval.

Public Comment:

Sarah Bates – California Salmon Council – Spoke in support, noted that this project will not get any collaboration from the California fleet unless it has money in-hand because fishermen must be able to cover their costs, and encouraged funding of the whole project.

Tim Maricich – Commercial Fisherman – Spoke in support.

Kaitilin Gaffney – Ocean Conservancy – Spoke in support; noted support of creation of the organization in 2008; noted that various pieces of this project work together, and that having funds is best way to do outreach; opposed creating a new set of priorities, and encouraged building on and integrating with the existing priorities of the Council.

Action: The item was moved for approval by Knatz, seconded by Golding, and approved

with the additional condition that the business plan and Request for Proposals come back to the Council for subsequent approval.

11. Central Coast Groundfish Project – Trawl Study

Valerie Termini, Project Manager, presented a staff recommendation to grant \$455,356 to support the continuation of the Central Coast Groundfish Project. Mary Gleason, Lead Scientist for the California Coastal and Marine Program at the Nature Conservancy, presented the progress of the project over the past year.

Public Comment:

Tim Maricich – Commercial Fisherman – Spoke in support, indicating that he has been a part of this study from beginning and also doing ROV work.

Kaitilin Gaffney – Ocean Conservancy – Spoke in support.

Action: The item was moved for approval by Aronberg, seconded by Adams, and approved.

12. Seafood Market at San Francisco’s Fisherman’s Wharf

This item was postponed until later in the meeting to accommodate the schedules of those speaking on the Sea Level Rise items.

13. Spotlight on Science: Sea Level Rise

Skyli McAfee introduced Dr. Daniel Cayan from Scripps Institute of Oceanography. Dr. Cayan presented research on sea level rise projections.

14. Draft Resolution on Sea Level Rise

Abe Doherty, Project Specialist, presented a draft resolution on sea level rise. Council members discussed amending the language in the resolution to make it stronger. The public comment period closes January 14, 2011. Staff will bring back the revised resolution for OPC approval in 2011.

Public Comment:

Steve Aceti – California Coastal Coalition – Noted that the Coalition so-sponsored AB64 regarding a public beach restoration program, suggested that the modeling take into account that the shoreline is not static, and emphasized the importance of LiDAR collection over time.

Sara Aminzadeh – California Coastal Keeper – Suggested significant revisions to the draft resolution because it does not reflect key principles in the State’s climate adaptation strategy, specifically that California must (1) protect health, safety, and critical infrastructure; (2) protect, restore, enhance coastal and ocean ecosystems, and address the need for non-structural approaches and natural adaptive capacity; and (3) ensure that SLR does not impact coastal access and recreation; and recommended that the Sea Level Rise Task Force include a public representative.

Doug George – ESA/PWA – Recommended that the resolution focus on water levels and the increased risks of erosion, and address the use of sediment as a resource for adaptation and restoration.

12. Seafood Market at San Francisco’s Fisherman’s Wharf

Valerie Termini, Project Manager, presented the staff recommendation to grant \$250,000 to Ecotrust for the operation of a Sustainable Seafood Market at San Francisco’s Fisherman’s Wharf.

Action: The item was moved for approval by Knatz, seconded by Adams, and approved.

15. Research Program 2011

Pam Rittelmeyer, California OPC Sea Grant Fellow, presented the staff recommendation to adopt the 2011 OPC/Sea Grant Research Priorities and authorize a grant of \$800,000 to the University of California Sea Grant Program and \$280,000 to the University of Southern California Sea Grant Program to fund research consistent with these priorities. Skyli McAfee provided details regarding the process with which the priorities were drafted.

Action: The item was moved for approval by Golding, seconded by Knatz, and approved.

16. Coastal and Marine Spatial Planning – Conceptual Workplan

Laura Engeman, Project Manager, presented the staff recommendation to adopt a conceptual workplan towards implementing coastal and marine spatial planning (CMSP). Council members discussed the details of the eventual implementation of CMSP.

Public Comment:

Leila Monroe - Natural Resources Defense Council – Spoke in support, indicating that NRDC supports the CMSP process as a way to implement ecosystem-based management; suggested adding language to the definition of CMSP to include “protecting and restoring” in addition to “sustaining.”

Kaitilin Gaffney – Ocean Conservancy – Spoke in support; suggested strengthening the definition of CMSP to keep a spotlight on goal of CMSP, which is better outcomes for the coast and ocean, and improved ecosystem protection; noted that the Federal and Ruskin definitions contain stronger protection language.

Linda Sheehan – California Coastkeeper Alliance – Echoed prior comments; noted that the priority goal is protection and enhancement of coastal and ocean ecosystems; recommended developing data before planning.

Jim Haussener – California Marine Affairs – Recommended insisting on more local government participation at the federal level; emphasized the importance of socioeconomic data; noted the need to move at a scale appropriate to incorporate individual communities.

Sarah Sikich – Heal the Bay – Spoke in support, encouraged strengthening the definition of CMSP as suggested by the previous public comments, and supported science-based planning; suggested including watershed impacts to a spatially explicit geospatial tool.

Action: The item was moved for approval by Adams, seconded by Aronberg, and approved.

17. Secretary Snow adjourned the meeting at 4:20 p.m.