

From: [CNRA COPC Public](#)
To: [COPC Public Distro List](#)
Subject: FW: Non-Agenda Comment: Single Use Plastic Reduction
Date: Thursday, December 2, 2021 8:08:49 PM

From: Hoiyin Ip <hoiyini@hotmail.com>
Sent: Thursday, December 2, 2021 8:07:39 PM (UTC-08:00) Pacific Time (US & Canada)
To: CNRA COPC Public <COPCPublic@resources.ca.gov>
Subject: Non-Agenda Comment: Single Use Plastic Reduction

Dear Ocean Protection Council,

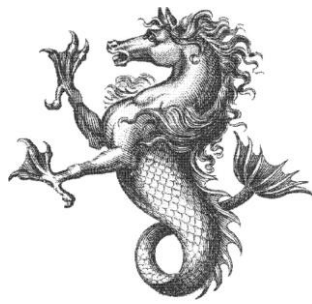
As a cleanup volunteer in the conservative Orange County, I really appreciate your leadership in prevention and reduction of plastic pollution, and the [10 Actions](#) you adopted in Feb.

And, Senator Allen and Assemblymember Stone, thanks so much for the numerous plastic bills you authored. I hope you will introduce new bills to achieve the following:

- Require reusable foodware for dine-in.
 - This is encouraged by Action #7, and was part of AB 1276 (Carrillo) that you co-authored. An increasing number of Cities have adopted [ordinances](#) to require this.
- Expand the scope of AB 1162 (Kalra) Single Use Hotel Toiletries to no single-use plastic bottled water in hotel rooms.
 - At your Ocean Litter Strategy Webinar in May, [Coastal Commission](#) said they required Ritz Carlton Half Moon Bay to eliminate single-use plastics in guestrooms. Bottled water seems to be a practical start for all.
- Expand the scope of SB 1335 (Allen) at State Parks to:
 - Ban sale and distribution of single-use plastic bottled water and bags. The Obama administration banned the sale of single-use plastic water bottles in national parks, which was reversed by the Trump administration. In July, [340 organizations](#) jointly made a request to Deb Haaland/Secretary of the Interior to ban the sale or distribution of single-use plastics. It's safe to say many of them will support such a ban in California State Parks.
 - Ban use of single-use plastic foodware on beaches, parks and trails. Laguna Beach has set an example ([municipal code](#) chapter 7.05).
 - Ban sale, distribution and use of balloons. Numerous Cities, such as [Manhattan Beach](#), have done it.

Please let me know if you need more info. Thanks and happy holidays!

Hoiyin Ip



SEA of CLOUDS

December 6, 2021

Wade Crowfoot, Secretary for Natural Resources
Chair, California Ocean Protection Council
California Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
SENT VIA EMAIL

RE: 12/7 MEETING, NON-AGENDA ITEM – RECOGNIZING MARITIME HERITAGE CONSERVATION
WITHIN THE MPA DECADAL MANAGEMENT REVIEW

Dear Chair Crowfoot,

Sea of Clouds is a multi-disciplinary nonprofit practice engaged in recognizing and protecting coastal cultural resources. We submit the following comments to the Ocean Protection Council (OPC) in its role as policy lead for California's Marine Protected Areas (MPAs) and a listed partner in the MPA Decadal Management Review.¹

CALIFORNIA'S MMA SYSTEM ENVISIONS AND INTENDS MARINE CULTURAL HERITAGE CONSERVATION

The revision and expansion of California's MPA network is implemented through two laws: the Marine Life Protection Act (MLPA) and the less-frequently referenced Marine Managed Areas Improvement Act (MMAIA).² The MLPA sets forth six objectives to increase the coherence and effectiveness of the state's MPA system.³ These objectives represent a performance criteria set for the upcoming MPA Decadal Management Review.

At the same time, the MMAIA contextualizes MPAs, and therefore the MLPA, within a larger marine conservation project. **The MMAIA recognizes that marine conservation must include both natural and cultural resources.** MPAs are a subset of marine managed areas (MMAs) with conservation priorities focused on nature. MPAs are part of an MMA portfolio but constitutively different than cultural-based, maritime heritage classifications.⁴

The MMAIA intends for MMA, maritime heritage conservation in three ways. First, it explicitly articulates a two-part objective for state marine conservation: "to ensure the long-term ecological viability and biological productivity of marine and estuarine ecosystems and to preserve cultural resources in the coastal sea."⁵ Second, the MMAIA defines

¹ wildlife.ca.gov/Conservation/Marine/MPAs/Management/Decadal-Review#51794503-ocean-protection-council

² MLPA: Cal. Fish & G Code §§ 2850-2863; MMAIA: Cal. Pub. Res. Code §§ 36600-36900.

³ Cal. Fish & G. Code § 2853.

⁴ Cal. Pub. Res. Code § 36602 (e).

⁵ Cal. Pub. Res. Code § 36620. This dual commitment to protect both natural and cultural resources on public lands has a tradition in California conservation, as far back as the 1928

maritime heritage classifications within the overall MMA system; each classification possesses a primary conservation focus of cultural, historical, or recreational resource conservation.⁶ Third, the MMAIA recognizes that geographic areas may have multiple MMA designations: marine landscapes may simultaneously possess, and express, a variety of natural and cultural resource conservation opportunities.⁷

CALIFORNIA HAS NOT IMPLEMENTED THE MMAIA FOR MARITIME HERITAGE RESOURCES

Between 2003-2012, California conducted spatial planning for marine natural resources. The result has been a revision to, and expansion of, the state's MPA network--over 100 revised or newly- designated areas placing more than 840 marine square miles under conservation.⁸ **However, in more than 20 years since the MMAIA's enactment, California has not undertaken similar spatial planning for maritime heritage resources.**⁹ There are no state-designated marine areas conserving exceptional recreational or cultural heritage resources. Given the significant resources required to initially expand California's MPA network, we find a singular focus on natural resource conservation understandable, consistent with broader patterns of marine conservation...and nevertheless incomplete.

A consequence of a natural resource-only marine conservation project has been to conceptually flatten the multiple ways people and communities connect to marine landscapes into one set of values. That is, an area's natural resource importance is the exclusive representation within the current network. This not only prevents maritime heritage resources from consideration for intended state-level protection, but also blocks communities from expressing a full range of interests and priorities within the public trust context. We find this limitation to be an important policy, conservation, and social justice oversight.

MARITIME HERITAGE CAN BE INCLUDED WITHIN THE MPA DECADAL MANAGEMENT REVIEW

As policy lead for California MPAs and partner in the upcoming MPA Decadal Management Review, the Ocean Protection Council is well-positioned to widen the aperture of how MPAs function--placing them within a larger, unfinished, marine conservation project. This contextualization is consistent with enabling legislation and acknowledges marine landscapes may possess overlapping natural and cultural values. We believe such acknowledgement would not unduly burden the MPA review process or otherwise improperly increase the review's scope.

We endorse the proposed social-ecological system (SES) framework in which to study MPA network performance.¹⁰ The SES framework, which considers human, ecological, and governance

Olmstead survey for California State Parks
([babel.hathitrust.org/cgi/pt?id=uc1.\\$b50946&view=1up&seq=5](http://babel.hathitrust.org/cgi/pt?id=uc1.$b50946&view=1up&seq=5)).

⁶ Cal. Pub. Res. Code §§ 36670 (d), (e).

⁷ Cal. Pub. Res. Code § 36700.

⁸ NOAA National MPA Center Inventory (2020);
marineprotectedareas.noaa.gov/dataanalysis/mpainventory

⁹ Beyond marine spatial planning, California has also not implemented many of the MMAIA's administrative sections, which provide individuals or organizations an opportunity to submit maritime heritage nominations. Cal. Pub. Res. Code §§ 36800-36900.

¹⁰ Scientific Guidance for Evaluating California's Marine Protected Area Network, June, 2021
opc.ca.gov/webmaster/_media_library/2021/07/Evaluating-Californias-Marine-Protected-Area-Network-2021_ADA_OST.pdf

domains as well as domain-domain interactions, recognizes the fundamental importance of human connections/actions on MPAs. The SES framework can readily incorporate maritime heritage values. Unfortunately, human domain research represents an important data gap in the upcoming MPA review, and maritime heritage conservation values are not included at all.¹¹

RECOMMENDATIONS

Despite California's coastal history—Native American settlement and seafaring, colonial expansion, commercial and military activity and, more recently, recreation and leisure—there are no state-designated marine areas conserving exceptional recreational or cultural heritage resources. While not the intent of the MLPA itself, it is within the context—legislative, conservation, and equity—in which the MLPA, and the decadal review, sits. We ask the OPC to make the following recommendations:

- (1) Acknowledge the MMAIA's dual-mandate context for marine natural and cultural resource conservation within the MPA Decadal Management Review.
- (2) Survey existing MPAs for cultural, historical, and recreational resources for potential MMA designation.¹²
- (3) Consider how OPC and partner agencies use "MPA" (narrow) when it could use "MMA" (inclusive). Example: "The Ocean Protection Council is the policy lead for California MMAs." The MMA Statewide Leadership Team.

Thank you for the opportunity to provide these comments. On behalf of Sea of Clouds, we wish the Council much success in its work preparing for the decadal review. I am available at your convenience to respond to questions or to further discuss these ideas.

Kind regards,

Michael Blum
Executive Director

Enclosure











¹¹ *ibid.*, pg. 55.

¹² This recommendation preceded the MLPA process: "In addition to the master plan for living marine resources required pursuant to AB 993 (MLPA), a similar evaluation should be conducted for existing sites intended to protect or manage cultural resources, recreational values, and water quality to determine their adequacy in meeting the proposed objectives of the MMA system." pp 8-9 in California's System of Marine Managed Areas: Final Report of the State Interagency Marine Managed Areas Workshop, January 2000.

CONSERVING CALIFORNIA'S MARITIME HERITAGE RESOURCES: TOWARD AN ACCURATE, ENRICHED, AND EQUITABLE COASTAL IDENTITY

Despite California's coastal history—Native American settlement and seafaring, colonial expansion, commercial and military activity and, more recently, recreation and leisure—there are no state-designated marine or estuarine areas conserving exceptional recreational, cultural, or historical resources. California has statutory authority to designate such maritime heritage areas, and thereby fulfill its dual conservation mandate to both, “ensure ecological viability...and preserve cultural resources in the coastal sea.”¹

Between 2003 and 2012 California established a marine protected area (MPA) network to conserve and protect imperiled species and their habitats. The spatial planning initiative resulted in more than 100 revised or newly-created protected areas representing nearly 840 marine sq. miles under conservation. The legislation which enabled California's MPA network also includes classifications for conserving maritime heritage resources.¹ Recognizing and protecting the ways people are connected to coastal ecosystems is the next 'pillar' to be erected in California's marine conservation program.

STATE MARINE CLASSIFICATION ²		MPA	CONSERV. FOCUS ³	NO., TOTAL ⁴	NO., SINCE '00 ⁴	TOTAL AREA ^{4,5}
Conservation Area			Nat. Herit.	72	70	378.1
Park			Nat. Herit. / Cult. Herit.	7	0	1.6
Reserve			Nat. Herit. / Sust. Prod.	48	44	458.7
Water Quality Protection Area⁶			Nat. Herit.	34	0	895.4
Recreation Management Area (hunting)			Nat. Herit. / Cult. Herit.	5	5	4.0
Recreation Management Area (non-hunting)			Cult. Herit.	0	0	0
Cultural Preservation Area			Cult. Herit.	0	0	0

1. Marine Managed Area Improvement Act (MMAIA) (Cal. Pub. Res. Code § 36600 *et seq.*)

2. MMAIA: Cal. Pub. Res. Code § 36700 (a)-(f); § 36725

3. Conservation Focus: Natural Heritage, Cultural Heritage, or Sustainable Production

4. Data from Marine Protected Areas Inventory, 2018 (NOAA)

5. In marine square miles

6. As Areas of Special Biological Significance