

ATTACHMENT B

California Marine Life Protection Act Initiative Blue Ribbon Task Force Members' March 15, 2006 Comments on Central Coast MPA Packages

Initial Comments

Doug Wheeler

Regarding the context setting, should we continue to seek consensus? Part of our charter is to name a preferred alternative. Are we not better served by as close to a consensus as we can achieve? We should be more able to narrow the differences, more able to move forward. Stakeholder involvement is critical and we've had that.

Cathy Reheis-Boyd

All these packages are so much better than where we started. It would have been wonderful to have a consensus document, but we don't. We don't have a package I feel comfortable forwarding in its entirety. What we forward to the FGC should be as narrowly focused as possible. I would like to see us try today to take away the labels and narrow into the best package we can.

Meg Caldwell

I am reminded of a survey result in February on the development of new MPAs. The greater population of California really supports the goals and objectives of the MLPA. A vast majority of participants said they favor establishing new MPAs. This indicates a strong constituency for implementing the MLPA and creating new MPAs.

Bill Anderson

The most important thing to recognize is the intense commitment by stakeholders to work and promote their particular concerns as well as a willingness to compromise. As we get closer those compromises get harder. The BRTF has an obligation to look at our concerns with individual packages and attach provisions to them. We are going to attach some of our ideas and impacts.

Susan Golding

I agree with everything my colleagues have said. The work and honesty the stakeholders have brought has been exceptional. We are here to implement the act. Staff, stakeholders and all the interest groups have done an exemplary job in trying to come to consensus. You have accomplished that on a great many items.

It is important that what we forward has a scientific basis. There is a need to delineate the agreements so the FGC can understand where those agreements are. Of course the fishing community wants a sustainable fishery and we have to keep in mind this is not a fishing management decision. There are lots of other denizens of the ocean and more at stake than just fishing. We have the capacity to take the best out of each package. However, we still have not addressed impacts from land. We aren't looking at those things that also denigrate the ocean. The Legislature and the FGC need to do this. And this would only be a partial step. I want to make sure monitoring and research is able to be done. This is absolutely critical to be successful. And keep in mind, there will be changes once this is enacted, or not.

Chair Phil Isenberg

This process has had a universal low level of animosity. What is emerging is a slow realization of something changing and we are a part of it. Advocates and users of the ocean are coming to terms with management of ocean policies. This is only the beginning of the process.

I am dumbfounded by the similarities of the packages. Protections range from around 13 percent to 19 percent. I thought that spread would be much greater. There is micromanaging in the Monterey/Carmel/Pacific Grove area. I am not sure we should get too detailed as we have bigger fish to fry. The FGC will make its decision based on what the public is interested in. They will make some happy and others not so happy. We will just identify a range of options; identify to the department what changes we would like to see. We will give them our best advice

Specific Comments

Doug Wheeler

Package 3R: My reason for preferring Package 3R is best stated by John Pearse who pointed us in this direction a long time ago, who took it upon himself to find what I thought was the appropriate balance and I underscore balance between ecosystem management and our concern for the socioeconomic impacts of the packages before us. It is now the staff recommendation that we select package 3R as our preferred alternative and I accept that recommendation. Thanks to the staff for all their hard work.

I like the characterization that John provided for us this morning which is that essentially we have on one hand Package 1, which is the one favored most by fishermen for obvious reasons, and we have on the other hand Package 2 which has the strongest environmental protections for the reasons Meg has clearly stated. I'd like to be in the middle of that continuum and I believe that that is where package 3R puts us.

Cathy Reheis-Boyd

Package 1: I am not going to repeat any of the comments already made. I support some of the comments made but I just want to say that it is so commendable that the fishing community has come up with an agreed upon proposal and we really do commend you for that and it is one of the main reasons that we are recommending that it go forward.

Package 2: Only the same comment I made on Package 1, that I think it represents very well and I commend the folks that worked on it. The consensus reaching process was the best by far among all three packages and I would rather see it stand as it is.

Package 3R: I don't have any evidence that Package 3R wouldn't function as a network. I've heard from folks that it meets the requirements of the Marine Life Protection Act and the SAT guidelines, so I don't share the same concerns relative to its performance. With three modifications (increasing size of three sites to eighteen square miles, changing the designation around the breakwater to Charthouse to a marine reserve out to the 60 foot contour, and

moving the eastern boundary at the pinnacles) I am much more comfortable with 3R being the preferred alternative.

Bill Anderson

Package 1: My comments mirror Mayor Golding's, especially with respect to socioeconomic data. With respect to Package 1, I am not sure that the data we received accurately represents the true socioeconomic impact of what is being represented there or the socioeconomic impact in other packages as well. We talked about this yesterday. Mr. Wheeler raised this in more detail and I guess this is my main concern; the level and quality of the socioeconomic data we were given.

Susan Golding

Package 1: I think, as I have indicated, that Package 1 does meet the minimal SAT guidelines but I do think that it is not as strong as a network spatially and I am concerned that the marine reserves are so significantly less than the other proposals. However, one of the reasons I support forwarding it on is because I think it has been worked on and it is a very good proposal in terms of minimizing the socioeconomic impacts and as a guideline for that I think it is extremely important. One thing that concerns me is the other negative impacts on the marine life and where they come from and some of the other packages took that into account. One of the locations in Package 1 is around a power plant which I think has negative impacts on the surrounding ocean water, or can. I do have that concern but of course there isn't a package for which I don't have some concerns. I won't add comments that other people made, I just wanted to add those.

Package 2: I have already stated earlier on, perhaps too early, that I would recommend Package 2 as the preferred alternative but I do think 3R, as it is today, is a good proposal although I don't think it addresses some of the issues that Package 2 addresses. One of my concerns about Package 2, as Meg Caldwell already noted and we've already heard today, about a problem with a user in Proposal 2. But overall, it probably does the best in terms of networking and spacing that is closer to ideal for the MLPA. I will always have concerns about impacts on users as this goes further. Someone said to me earlier, we can't make policy based on one person. That may be true, but I think it is incumbent upon us if we can to avoid them. But that being said, where we are today, unless we are going to take more time to hear, for example from packages 1 and 2 to the extent we heard about Package 3 and make modifications to adjust as we think. If we are going to move this forward today, we don't have time to do that and I would still say that we forward packages 1, 2, and 3R with the changes Meg and others indicated in Package 2, with 2 being preferred.

Package 3R: I am going to continue to support Package 2 as the preferred alternative, although with Cathy's suggested changes to package 3R, it comes much closer to what I would like to see. The problem I have with it is the deep rock and I can't say that it meets all the requirements of the act so I can't recommend it as the preferred alternative and we haven't had time to review it as a complete package, nor have we had the time to fiddle around with Package 2 as we did with package 3R so I feel, from the process, more comfortable forwarding 1, 2, and 3R with Cathy's changes, but with 2 as the preferred alternative. I want to be able to eat fish from California, not areas with total environmental degradation, so I know the Fish and Game Commission is going to take that into account when they look at these.

Chair Phil Isenberg

Package 1: I want to make 3 comments. First, I think the total amount of coverage is low. Second, I know the reserve coverage is low; I am not suggesting what should be a higher level but listening to the debate, that is what I have concluded. However, the third thing, and perhaps for all the rest of the packages one of the most important things, the knowledge base and the fishing community has informed the rest of the proposals. It's not doing what you want it to do in some cases, to be sure, but it has informed and makes the packages more logical and sensitive. For that, it is very valuable and very important.

Package 2: I thought it was a very coherent package. Package proponents get extra credit for explaining it in English so that I could almost understand it since you were dealing with a deficient audience in me as I suspect. As Ms. Caldwell stated, I think it had some deficiencies that 3R adjusted for and I think that was useful.

Meg Caldwell

Package 1 weaknesses: It doesn't meet the goals of the MLPA. If the BRTF sends it forward, we should be very clear about the flaws that keep it from meeting the goals and guidelines. For example:

- Package 1 doesn't meet minimum standards for coverage of representative habitats in high protection areas (high protection is needed to meet Goals 1 ecosystem protection, Goal 4 protection of representative and unique habitats for their intrinsic value and Goal 6.) Package 1 doesn't appear to meet even a rock-bottom minimum level of 10% coverage in high protection areas (the desired level is 20% to 30% coverage) for several critical habitats, including shallow rock, deep rock and shallow canyon (the SAT summary wasn't crystal clear on this point, so questions of scientists are a good idea)
- This package does not function as a network. It provides no protection for species like canary and bocaccio rockfish, because it has only 2 areas in the preferred size range, at a much greater distance than the maximum spacing. This package will not help rebuild the very species that need that help most.
- The level of protection in Package 1 isn't high enough, and some high value natural heritage sites are not included. SMRs and, where appropriate, high protection SMCAs, are needed to protect the whole food web, particularly in areas of high biodiversity and ecological value. Package 1 has little area in SMRs (only 5% of the region covered) and high protection areas, and places like Point Sur and Piedras Blancas lack MPAs that extend from shore to the 3-mile line, as recommended in the guidelines.

Package 2 should be the preferred package:

- Consistently evaluated as one of two strongest alternative by SAT and fully meets goals and guidelines
- Engaged stakeholders from other viewpoints
- Reduced fishing impacts through every iteration
- Is the package that best creates a coherent network as required by the act
- Best configuration for squid fishing along Cannery Row – the top squid area in Northern California

Suggested change to Package 2: Take the Package. 3R solution for the northern part of Monterey Peninsula (down to Pacific Grove/Asilomar) with the addition of an SMR from the breakwater to Chart House with the 60' contour as the seaward boundary (this only partially satisfies divers because the divers don't get the full area from Breakwater to Lovers Point as an SMR). This also allows hand harvest of kelp at existing levels.

- Consistently heard speakers say that kelp harvest, at the levels practiced, does little harm
- Balance – divers lose their full scale reserve, but benefit from elimination of fishing from Breakwater
- Recreational fishing opportunity still exists other places (Monterey Wharf and beyond Lovers Point)
- Hopkins has buoyed their state marine reserve for 20-30 years

Problems with Package 3R:

- No deep rock habitat represented in SMR. MLPA Section 2856 requires marine reserves in each bioregion must encompass a representative variety of marine habitat types and communities, of which deep rock habitat is one. And, Section 2857 requires that we include replicate reserves in each biog. Region. We all know that it is the Central Coast that provides the opportunity to represent and replicate deep rock habitat because it is nearly impossible to do so elsewhere in the biog. Region. (MG: options are at Port. Ledge, Julia P-B, Lobos to Carmel Canyon).
- Not put together as a coherent pkg. in terms of serving as a network, which is required by MLPA section 2853 A, the preamble to MLPA goals. We have no idea how this will function as a network, although we can look to pkg. 3 stats as an indication. Package 3 does not perform as well as a network as Package 2.
- Contains roughly half the number of MPA cluster areas in the SAT preferable size range. MPA clusters are important for connectivity and protecting the full range of species, including benthic species.