



John Laird, Secretary for Natural Resources, Council Chair  
Gavin Newsom, Lieutenant Governor, State Lands Commission Chair  
Linda Adams, Secretary for Environmental Protection  
Susan Golding, Public Member  
Geraldine Knatz, Public Member  
Fran Pavley, State Senator  
Toni Atkins, State Assemblymember

## **California Ocean Protection Council MEETING SUMMARY**

March 11, 2011  
10 a.m. – 4 p.m.  
Coastal Hearing Room – CalEPA Building  
1001 I Street  
Sacramento, CA 95812-2815

### **Members in Attendance**

John Laird, Secretary for Natural Resources, Council Chair  
Linda Adams, Secretary for Environmental Protection  
Gavin Newsom, Lieutenant Governor, Chair of the State Lands Commission  
Susan Golding, Public Member  
Geraldine Knatz, Public Member  
Bill Craven for Fran Pavley, State Senator  
Cody Naylor for Toni Atkins, State Assemblymember

Secretary Laird called the meeting to order. Before proceeding with agenda items, he wanted to acknowledge the recent earthquake and tsunami waves that struck Japan the evening prior to the meeting, and that the waves were headed toward the California shore. Secretary Laird expressed his condolences to the victims of the recent earthquake and tsunami.

Environmental Protection Agency (EPA) Emergency response team staff briefed the Council on ongoing developments stating that the Federal Emergency Management Agency (FEMA) had activated the Regional Emergency Operations Center (REOC) in Oakland, and continued to monitor for surges in California along with the Cal-EMA. The California Geological Survey reported that it was working with Cal-EMA to help interpret warnings put forth by the West Coast and Alaska Tsunami Warning Center.

### **1. Welcome and Council Member Announcements**

Secretary Laird welcomed everyone to the OPC's first meeting of the year, introducing the new and continuing members.

Brian Baird, Assistant Secretary for Ocean and Coastal Policy at the Natural Resources Agency, briefed the Council on the first meeting of the Governance Coordination Committee of the National Ocean Council, held a day prior in Washington DC. California appointees to the Governance Coordination Committee include Brian Baird, representing the West Coast region (Washington, Oregon, and California), and Council member Geraldine Knatz, representing local



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governments. At this first meeting, there was a great deal of discussion on protecting the economy and protecting ocean resources as a means to protect jobs.

Council member Knatz added that there are plans to form Regional Planning Bodies, one of which will include California, Oregon and Washington. Each regional body will include federal and state representatives. Knatz stated that she saw a need for local-government representation given that local governments will be heavily involved with implementation.

Additionally, Baird stated that the National Ocean Council is seeking nation-wide comments on ways to meet the major goals of the National Ocean Policy. The West Coast Governor's Agreement and the Ocean Protection Council are working closely to provide comments to the National Ocean Council.

### **2. ACTION: Nominations and Election of Council Chair**

Sam Schuchat, Council Secretary, requested the nominations for an election of Council Chair. He explained that pursuant to the California Ocean Protection Act, a Chair for the Council must be selected among the Council members at the first meeting of the Council each calendar year.

Secretary Adams nominated Secretary Laird to chair the Council, and Council member Golding seconded the nomination. All Council members voted in favor of the nomination.

Secretary Laird expressed his longtime support for the OPC, beginning with his vote to create the OPC. He expressed support for the OPC's novel science-based approach to responding to ocean issues, and an eagerness to continue with the process. Secretary Laird accepted the Chairmanship.

### **3. Public comment on non-agenda items**

- Marc Shargel – Author and Photographer – Thanked members of the Council and Secretary Laird for their work. Shargel mentioned that through research for his books he learned the value of information; hence he wants to encourage efforts to fund and pursue monitoring and assessment of the oceans.
- Marla Jo Bruton – Citizen from Morro Bay – Expressed concern over decision makers that do not use science-based knowledge for planning purposes.
- Richard Sadowski – Citizen from Morro Bay – Stated that the OPC should demonstrate how climate change adaptation and sustainable economic prosperity can be complimentary.



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- Buffy Martin Tarbox, representing the public health project "Got Mercury?", shared results from a study conducted on mercury contamination in fish, in which 98 samples of swordfish, tuna, and salmon were tested from randomly chosen grocery locations, including 41 stores and 20 sushi restaurants. Martin Tarbox made recommendations for CA-landed seafood and offered to present results from further testing at the May OPC meeting.

Secretary Adams mentioned that CalEPA's Office of Environmental Health Hazard Assessment issues warnings on fish consumption and requested that this issue be put on the next meeting's agenda to provide an opportunity for her office to present on the matter.

- Kaitlin Gaffney – Ocean Conservancy – Reminded the Council that the report on the annual coastal cleanup would soon be published and would make sure the Council members get a copy of this report.
- Sarah Sikich – Heal the Bay – Thanked the Council for adopting the resolution and implementation plan for marine debris prevention and reduction.
- Erwin Haydock – the Newport Bay Conservancy – Praised Council members for their work, and Brian Baird for his leadership. He stated that education is important and urged the Council to work towards making the OPC's impacts have a lasting meaning.

#### **4. Introduction to the Ocean Protection Council and Report from the Executive Director**

Dr. Amber Mace, Executive Director of the OPC, echoed Secretary Laird's condolences to the victims of the recent earthquake and tsunami. Mace welcomed the Council to the first meeting of 2011 and highlighted some of the significant accomplishments the OPC has made over the last five years. The OPC has elevated coastal issues to the cabinet level of state government and raised public awareness about threats and solutions by crafting forward-looking policy recommendations like the marine debris resolutions. The OPC has brought agencies and stakeholders together to tackle complex cross cutting issues like climate adaptation and to improve efficiency and effectiveness of management. The OPC has funded innovative projects that change how we manage our resources, like the trawl study in Morro Bay that will help make our fisheries more sustainable. The OPC has strengthened the integration of science into decision making helping to move policy forward such as informing legislation on oil platform decommissioning and policy guidance on sea level rise. The OPC has also created a science team of world renowned experts that informs the work of the council. The OPC is expert at building partnership and leveraging funds to bring greater investment to CA such as with the sea floor



mapping program that leveraged an additional \$20M. And the OPC has a dedicated, nimble, and talented staff.

#### Public Comment

- Leila Monroe – Natural Resources Defense Council (NRDC) – Thanked Mace for the Executive Director’s report, specifically for convening various stakeholder groups to address resource management challenges.

### **5. Report from the Council Secretary**

Sam Schuchat, Council Secretary, introduced two new OPC staff members: Sarah Flores, 2011 Sea Grant fellow, and Clare O’Reilly. He also mentioned this was Deputy Attorney General Matt Campbell’s last OPC meeting, and that he would be replaced by Senior Attorney General John Saurenman.

Other Sea Grant fellows were introduced: Shannon Yee at the Natural Resources Agency, Aaron McGregor at the California Ocean Science Trust, and Isaac Pearlman at the Department of Parks and Recreation.

Schuchat updated the Council on the financial status, stating that this year starts with \$23.9M of funding, most of which is from Proposition 84.

He also updated the Council on the sustainable seafood eco-labeling process required by AB 1217 (Monning). First, the OPC has developed an advisory council of fishermen, retailers, processors, environmental advocates, and scientists that have convened three times since last year, in a public forum. Staff intends to present findings at the next OPC meeting (May 12, in Morro Bay). Second, AB 337 (Monning) has been introduced to address some of the difficulties that the Administrative Procedures Act could have on development of the guidelines.

Last, he discussed the LiDAR data gathered from high resolution mapping of the California coastline (shore to an elevation of 10 meters), which will provide a unique tool to plan for sea-level rise. The maps will be made available this fall on the NOAA Coastal Services Center’s Digital Coast website, through a visual interface that will enable state agencies and local governments to access data needed to plan for sea level rise.

### **6. Report from the Science Advisor**

Skyli McAfee, Executive Director of the California Ocean Science Trust (OST) and science advisor to the OPC, gave the new Council members an introduction to the OST, and emphasized



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that the OST supports policy decisions for the State with sound science and scientific information.

McAfee stated that the Marine Debris and the California Marine Ecosystem report should be out in May—this will act as a synthesis of what is known about marine debris, including sources and pathways, and the fate of marine debris in the ecosystem.

McAfee also provided updates on the Aquatic Invasive Species Study, which is looking at six vectors for bio-invasers, and conducting an assessment of risk of vectors; this is approximately 18 months out.

She also mentioned the Management Agencies Needs Assessment, which aims to develop a repeatable process to address what science needs are holding up management decisions in order to better guide where to best allocate resources.

Last, she mentioned the Marine Protected Area (MPA) Monitoring Enterprise and stated that there is special attention towards developing key partnerships to enhance and support the long-term viability of the program.

Secretary Laird asked about the actions that can be taken from the forthcoming Aquatic Invasive Species Study. McAfee explained that there are two phases of the project: the first is aimed at gathering new information on vectors including what species are transported, which is largely unknown, and the second is aimed at identifying the most feasible options for management. Ultimately the report should inform the state on pathways regarding invasive species.

Council member Geraldine Knatz asked if the "Management Agencies Needs Assessment" includes the issues of bird-exclusion devices on bathing beaches. McAfee responded that she is aware of the issue and added that it should be considered.

Council member Golding wanted to acknowledge that for a number of issues, although all the scientific knowledge may not be complete, enough is known to be able to start addressing select issues. Specifically, if we know an action will be harmful to the ocean, Golding would like to see the OPC take a position to change that.

McAfee announced that the Marine Debris report on knowledge-to-date will be available in a few months, and this should help inform action. She also agreed with Golding's position that we should not necessarily wait before taking action.



**7. ACTION: Authorize \$2,780,000 to California Ocean Science Trust for Science Coordination and Statewide Marine Protected Area Monitoring**

Sheila Semans, OPC Project Specialist, recommended that the Council authorize disbursement of up to \$2,780,000 to the OST to continue funding of two OST programs: the Science Integration Program and the Marine Protected Area (MPA) Monitoring Enterprise.

Dr. Liz Whiteman, Interim Director for the MPA Monitoring Enterprise, explained that the MPA Monitoring Enterprise provides a new approach to maintain health of ocean ecosystems and evaluate the effectiveness of management actions. She explained that to understand whether or not the MPAs are working, it is important to evaluate performance through science-based, useful, and cost-effective monitoring.

Whiteman stated that the first MPA plan (North Coast) was adopted by the Fish and Game Commission in April 2010, and that the MPA Monitoring Enterprise will work to develop a platform to share the results. The platform will be based on a data visualization tool to share information in a way that is clear and intuitive, and provide interpretable results that are visual.

Council member Golding expressed support of monitoring at a state-wide scale in order to know if MPAs have been effective.

Public Comment:

- Kevin Hunting – California Department of Fish and Game (DFG) – Spoke in support of the Monitoring Enterprise, and noted that the collaboration between DFG and the Monitoring Enterprise is an example of how partnerships should work.
- Kaitlin Gaffney – Ocean Conservancy – Spoke in support of the funding request.
- Leila Monroe – NRDC – Submitted a letter of support, and emphasized the essential role that the integration of science bears on decision-making.
- Aimee David – Monterey Bay Aquarium – Stressed the importance of this item for the protection of coastal and ocean resources.
- Sarah Aminzadeh – California Coast Keeper Alliance – Spoke in strong support for approval of this funding.
- Sarah Sikich – Heal the Bay – Spoke in support of the scientific integration proposal and the leveraged use of funds.
- Heather Kerkering – California’s Ocean Observing System – Spoke in support of the science integration proposal and highlighted the benefits from science-based management.





Council member Knatz suggested that, in order to minimize confusion in the future, staff should summarize previous actions in the report and not attach previous staff reports as exhibits.

The item was moved for approval by Council member Knatz, seconded by Council member Golding, and approved.

**APPROVED:** Ayes: 5 Nays: 0

## 8. Water Quality Monitoring Council Presentation

Jon Marshack, Coordinator, California Water Quality Monitoring Council Office of Information Management and Analysis, State Water Resources Control Board, presented on maximizing the effectiveness of water quality data collection and dissemination. He stated that currently there are many needs, including: the standardization of data, the improvement of a monitoring and management procedures, as well as coordination of the various water monitoring programs. To that end, the "My Water Quality" website was created. This portal will provide access to summary aquatic and ecosystem monitoring data in a map-based interface (<http://www.waterboards.ca.gov/mywaterquality/>). Other portals are being developed, including an ocean ecosystem health portal.

### Public Comment:

- Richard Sadowski – Citizen – Stated that there is a need for accurate data, and enforcement and accountability.
- Leila Monroe – NRDC – Supported the OPC's collaboration with the water quality monitoring group.
- Sarah Aminzadeh – California Coast Keeper Alliance – Commended the work of John Marshack; was impressed with the success in connecting the public and decision-makers.
- Marla Jo Bruton – Citizen from Morro Bay – Supported the My Water Quality portal, and wondered what other venues exist to improve information for water quality.

Secretary Laird asked Marshack if enough data exist to make the portal significant, and if major monitoring gaps exist. Marshack stated that currently there is an assessment of what is being monitored in order to reduce redundancy and find ways to redirect funds to address monitoring gaps.

Lieutenant Governor Newsom asked if the data would be available to allow for the private sector to conduct their own assessments. He urged it provide the public with a direct data feed. Marshack stated that this was one of the goals, and that this effort was in the works.



Secretary Adams lauded the effort for creating this portal without additional funding.

## 9. SPOTLIGHT ON SCIENCE: Climate Change

Skyli McAfee introduced Dr. David Pierce, Scripps Institution of Oceanography, University of California, San Diego, who presented the *Spotlight on Science*. Dr. Pierce presented a talk entitled “The Science of Climate Change” that provided an excellent presentation to the Council describing the scientific consensus regarding climate change, its impacts, and its causes. His presentation summarized years of data and information in a succinct and understandable way to make a simple point: climate change is happening and we need to take action to address it.

## 10. DISCUSSION: Ocean Protection Council Science Advisory Team Position Statement on Climate Change

Skyli McAfee introduced Dr. Gary Griggs, OPC Science Advisory Team (SAT) co-chair, who presented the SAT’s Position Statement on Climate Change. The Council received the Position Statement and thanked Dr. Griggs for his work on this project. Secretary Laird directed staff to draft a response to the statement for presentation at a future meeting.

## 11. Sea-Level Rise Guidance

Amber Mace, OPC Executive Director, reported to the Council on the development of an Interim Sea-Level Rise Guidance Document. The guidance document provides science-based projections of sea-level rise and identifies important considerations for assessing sea-level rise impacts and vulnerabilities and incorporating them into planning.

Garth Hopkins, Chief of the Office of Regional and Interagency Planning at the California Department of Transportation (Caltrans), indicated that Caltrans needs data on sea-level rise projections to consider how to adjust designs of transportation projects and that it is helpful to have state agencies come to agreement on the projections of sea-level rise. He said that Caltrans will soon have guidance for staff on how to incorporate sea-level rise into planning for transportation projects.

Susan Hansch, Chief Deputy Director at the California Coastal Commission, discussed how many of the Coastal Act policies guide consideration of climate change issues and that the California Adaptation Strategy identifies Local Coastal Programs (LCPs) as one of the key implementing tools for addressing sea-level rise. She said that it is important to have more detailed information to support amendments of LCPs. She said that the guidance document is helpful because it is science-based and having agreement among the sixteen state agencies shows that the Commission is not alone in identifying projections for sea-level rise. She said that it is





difficult now with limited staff at the Coastal Commission and asked for support in avoiding further staffing reductions.

## 12. Resolution on Sea-Level Rise

Abe Doherty, OPC Project Specialist, presented the resolution on sea-level rise to the Council. Based on the Council's requests for more specific actions on how to address sea-level rise, OPC Executive Director Amber Mace stated that OPC staff will outline a public process for expanding upon the CA Adaptation Strategy and will provide a report on the stakeholder process and bring a more comprehensive resolution on climate change at a subsequent OPC meeting later this year.

### Public Comment:

- Sarah Newkirk– The Nature Conservancy – Spoke in support, recommended commencement of a stakeholder process immediately, asked for identification of goals and objectives of the stakeholder process, recommended development of spatially-explicit guidance on adaptation actions and other actions to provide guidance on how to implement the California Adaptation Strategy.
- Lesli Daniel – Sierra Club – Spoke in support, asked for commitment to develop guidance on implementation of the California Adaptation Strategy by the end of the year and asked for criteria and goals for the stakeholder process, encouraged state to emphasize use of natural systems instead of seawalls.
- Sara Aminzadeh – California Coastkeeper Alliance – Spoke in support, urged OPC to take additional action to address issues raised in previous comment letter to OPC on the draft resolution, emphasized the need for guidance on how to implement the Adaptation Strategy, requested that the next OPC meeting include an update on the public stakeholder process to clarify and expand upon the Adaptation Strategy.
- Leila Monroe – Natural Resources Defense Council – Spoke in support, urged OPC to address comments raised in previous comment letter to OPC on the draft resolution, requested more specific strong directions for implementation of the Adaptation Strategy.
- Kaitilin Gaffney – Ocean Conservancy – Spoke in support; noted the link with coastal flooding hazards from the tsunami, called for widespread and significant action, emphasized the importance of moving forward promptly with the stakeholder process.

The item was moved for approval by Golding, seconded by Adams, and approved unanimously.

**APPROVED:** Ayes: 5 Nays: 0



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### 13. Adjourn