

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
1	Christopher Kelley, Executive Director	Farallones Marine Sanctuary Association	Partnership Plan Full Text	Partnership Plan Full Text	Expressed support.	No action
2	Dana Murray	Heal the Bay	Partnership Plan Full Text	Partnership Plan Full Text	Want to see more interaction among state leadership and want to see how to better leverage this	Do not incorporate into Partnership Plan- BUT add to "To Do" list of items we need to address at a later point.
3	Jayson Smith, PhD, Co Chair	Orange County Marine Protected Areas Council	Partnership Plan Full Text	Partnership Plan Full Text	Believe the report is vague and requires additional detail on the mechanics of how a collaborative can interact with the Partnership Plan.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
4	Jayson Smith, PhD, Co Chair	Orange County Marine Protected Areas Council	Partnership Plan Full Text	Partnership Plan Full Text	Unclear how data collected outside of the Monitoring Enterprise may be integrated on a state level and among the Collaboratives The Partnership Plan lacks detail on how data would be managed and/or how it may be useful	Incorporate- Refer to sentence from OST
5	Jayson Smith, PhD, Co Chair	Orange County Marine Protected Areas Council	Partnership Plan Full Text	Partnership Plan Full Text	In order to create a sustainable network of collaborates that persist through time, the Partnership Plan should include an addendum detailing the operational framework. The addendum could detail the next steps in developing and improving a collaborative for long term sustainability and data exchange.	Do not incorporate into Partnership Plan- BUT add to "To Do" list of items we need to address at a later point.
6	Jayson Smith, PhD, Co Chair	Orange County Marine Protected Areas Council	Partnership Plan Full Text	Partnership Plan Full Text	Strategic Plan would benefit from a cost analysis of the activities and services that collaborates provide and how they result in substantial savings to the State.	No Action

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7	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Partnership Plan Full Text	Partnership Plan Full Text	The Plan would benefit from direct input from the CDAA and the coastal district attorneys with respect to all content related to MPA enforcement and compliance. I recommend that the Plan be officially shared with CDAA and the coastal DAs for their input.	Incorporate
8	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Partnership Plan Full Text	Partnership Plan Full Text	Notwithstanding the comprehensive and high-level nature of the Plan, we recommend including more detail and next steps to ensure that partners have a clear understanding of how they can achieve success, especially as related to enhanced inter-agency coordination and MPA guidance.	Do not incorporate into Partnership Plan- BUT add to "To Do" list of items we need to address at a later point.
9	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Partnership Plan Full Text	Partnership Plan Full Text	To build in accountability and help make this Plan a reality, we also suggest that OPC produce, by the second OPC meeting following adoption of this Plan, a work plan that documents the details of how the work will get done.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans

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10	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Partnership Plan Full Text	Partnership Plan Full Text	In order to fully achieve this mandate, the Plan should identify relevant regulatory schemes in place, and clearly articulate how partner agencies can implement, enforce and monitor parallel policies to bolster MPA implementation.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
11	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Partnership Plan Full Text	Partnership Plan Full Text	Plan could benefit from a more inclusive tone overall that emphasizes the roles of a broader suite of partners, beyond just those in the MPA Leadership Team.	Incorporate

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12	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Partnership Plan Full Text	Partnership Plan Full Text	The OPC Five-Year Strategic Plan provides that OPC will “identify opportunities to reduce pollution impacts to MPAs by working with the SWRCB.” We hope that the OPC will use the Partnership Plan as a forum to do so, by providing a more detailed description of relevant SWRCB Ocean Plan provisions, the ASBS and SWQPA policies, and other relevant regulations, as well as monitoring underway that overlaps with MPAs. We encourage you to articulate how these programs can and do enhance MPA protections.	Incorporate
13	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Partnership Plan Full Text	Partnership Plan Full Text	While we understand the Plan is meant to guide MPA implementation and management at a high level, we believe this document should include more detail and specific next steps, where plausible, throughout the Plan. This would ensure that partners have a clear understanding of how they can achieve success, especially as related to enhanced interagency coordination and MPA guidance.	Do not incorporate into Partnership Plan- BUT add to "To Do" list of items we need to address at a later point.
14	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Partnership Plan Full Text	Partnership Plan Full Text	in accordance with the OPC’s own Five-Year Strategic Plan, this document should identify relevant regulatory schemes in place and clearly articulate how partner agencies can implement, enforce and monitor parallel policies to bolster MPA implementation. The Plan should delineate the steps agencies are already taking to ensure sound decision-making on permit proposals that affect MPAs and identify opportunities the MPA Leadership Team itself could take to advance interagency coordination around permits and policies that may impact	Incorporate



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15	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Partnership Plan Full Text	Partnership Plan Full Text	the Plan could benefit from a more inclusive tone overall that emphasizes the roles of a broader suite of partners, beyond just those in the MPA Leadership Team. Countless agencies, as well as myriad NGOs, tribes and other entities, have been intimately involved in MPA implementation activities over the last several years. The Plan should acknowledge these efforts as well as the suite of volunteer-based monitoring and other citizen science programs that currently collect data and generate opportunities for education and stewardship.	Incorporate
16	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 1	62	We recommend opening the document with a brief overview of California’s ocean and coastal leadership, generally, including the California Coastal Act, the state’s four national marine sanctuaries, and the number of coastal state park units. This would not only help put the MLPA into a broader context, but also acknowledge the importance of other state and federal partners from the start.	Incorporate
17	David Dickerson, President	California Sportfishing League	Section 1	65	CSL notes that the Marine Life Protection Act (MLPA) Initiative Blue Ribbon Task Force members were appointed by the Secretary of the Natural Resources Agency, not the Governor.	Incorporate

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18	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 1	69	We recommend clarifying that California is now turning its attention to the management and implementation of our MPAs, not the MLPA. The MLPA is the legislation that mandated the creation of our statewide network, but the MPAs are what now require long-term stewardship. Both management and implementation of this MPA network are of paramount importance.	Incorporate
19	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 1	82	We recommend adding a brief overview after this line, recognizing the past and current efforts of many partners, from federal agencies to local citizens, in implementing MPAs. Both in the Channel Islands and in all four of the MLPA study regions, scores of partners from within and outside government have been working diligently on a wide range of MPA-related implementation and management actions for many years. The Plan as currently drafted may inadvertently give the impression that partnerships are a new approach. It would be better to first highlight past and existing efforts and then explain that this Plan is a logical next step that builds on the successes of the past. Note that text on page 4, Lines 196-205 describes some efforts by state actors, but the topic warrants more discussion in this section, by way of background.	Incorporate
20	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 1	93	We suggest adding a location or link to the most current MLPA Master Plan, since it is referred to throughout the document.	Do Not Incorporate

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22	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director.	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 1	104	We suggest adding “non-consumptive recreational users” to the list of audiences that could engage and support the California Collaborative approach. These stakeholders should also be added to other potential partner audiences referenced throughout the document (such as in Line 183).	Incorporate
23	David Dickerson, President	California Sportfishing League	Section 1	105	The term “fishermen” is found in several places in the Plan. CSL recommends that wherever the term “fishermen” is used in the Plan that it be replaced with the term “angler” or “anglers.”	Do Not Incorporate- keep as fishermen
24	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDA)	Section 1	Box 1	This important additional message should be expressed in the Plan: “The prosecution of serious MPA violations is a key element in effective enforcement, compliance and deterrence.”	Incorporate

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26	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.1	130	We suggest adding “California has exceeded this target for the establishment of MPAs.” This addition sets the stage for the subsequent discussion of the importance not just of creating, but also implementing MPAs.	Incorporate

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28	David Dickerson, President	California Sportfishing League	Section 2.1	149	The draft Master Plan for Marine Protected Areas (2008) is currently a DRAFT Master Plan as posted on the California Department of Fish and Wildlife website. The plan should acknowledge that the MLPA for San Francisco Bay has not been completed. Further, we recommend that proposed amendments to the draft Master Plan be included in the Plan as they may have significant impact on available resources to implement the MLPA. We expect that any proposed changes to the draft Master Plan as it shifts from planning to implementation and management strengthen the timelines for adaptive management for each MPA established by the Commission.	Incorporate- DFW will provide 2-3 specific sentence that are from the Master Plan to incorporate.

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30	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.1	149	It is our understanding that the MPA Master Plan may not be revised until early 2015. If that is accurate, we suggest changing this language to reflect this fact. We also recommend explaining more specifically what MPA implementation and management guidance the MLPA Master Plan will include and how it will interface with this document.	Incorporate

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31	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.1	152-160	We recommend deleting this text or moving to an appendix, as it is not directly relevant to MPA implementation or partnerships.	Incorporate
32	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.2	166	We enthusiastically support the creation of an integrated internal work plan by the MPA Leadership Team. We recommend providing additional information about this work plan, including examples of key milestones in the Final Plan.	Do Not Incorporate -PP is guidance document and additional details will be developed via agency workplans

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34	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.2	169	We recommend deleting the following text on lines 169-170: "However, it is also important to have overarching objectives that span the entire network, and therefore..." To enhance clarity, instead begin this sentence with: "Four network wide objectives..."	Incorporate
35	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 2.2	176	“Objective, reliable and timely scientific information is used in management decisions for stewardship of the statewide network” should be revised to explicitly include enforcement data as well as scientific information.	Incorporate- “Objective, reliable and timely scientific information and enforcement data is used in management decisions for stewardship of the statewide network”



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37	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.2	178	Also, to make this Objective read similarly to others (i.e.. as an outcome), add “is high” at the end of Objective 3. We appreciate the succinctness of four objectives, but also see the value of including education as an objective or as an element of the compliance objective. For example, Objective 3 could be amended to read: “Compliance with the regulations and participation in management and stewardship of the statewide network is high due to effective education and broad awareness of the MPAs.” Highlighting education makes sense both because interagency and partner coordination can enhance it, and because on Page 5, line 247, the Plan lists education and outreach as the first area around which the Collaboratives will coordinate.	Incorporate- Approve BEC recommendation

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39	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.2	183	We suggest adding “non-consumptive recreational users” to the list of audiences that could engage and support the California Collaborative approach. These stakeholders should also be added to other potential partner audiences referenced throughout the document (such as in Line 183).	Incorporate

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41	Dana Murray	Heal the Bay	Section 2.3	Entire section	Need more of a nexus of the management goals and the ecological goals- we can have the best management but it could not work for ecological reasons. Need to have more ecological minded goals within the MPA Plan.	Do Not Incorporate - language achieves goals as is
42	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 2.3	187	The Plan should include mention of the state’s network of environmental task forces, the important role they have in enforcement, and explore use of these existing task forces to assist with MPA implementation.	Incorporate- add task force and attorney general in the document, but not in this specific location.
43	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 2.3	184-194	Expressed support	No Action

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44	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 2.3	184-194	In this document, it may be helpful to have some example organizational approaches that could be used as templates for Collaborative establishment and growth, e.g., types of governing and organizational structures, communication methods, meeting frequencies, needs for facilitation, roles of OPC and state agency staff, activities that require funding, etc. This is not meant to dictate structures, but rather to provide options for organizational effectiveness to facilitate adherence to the guiding principles.	Incorporate - add in sentence that states that more information will come as the process and work plan are being finalized
45	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.3	187-194	We recommend the following refinements to guiding principles (edits added in bold): o Leveraging Resources: Agencies and other partners will seek opportunities to streamline efforts and leverage human and financial resources to advance management, <b>monitoring, and education</b> in the most cost-effective manner for the state.	Incorporate

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47	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.3	187-194	o Engaging in Partnerships: Agencies and other partners understand the importance and value that exists from communicating and working together and will strive to support one another through strong partnerships to achieve effective MPA network management <b>as well as enhance implementation and achieve regional and overarching MPA objectives.</b>	Incorporate

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48	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.4	205	It may be appropriate to note that Central Coast long-term monitoring is moving forward, where a Draft Monitoring Plan has been released and up to \$3 million was approved in funding by the OPC on June 10, 2014.	Incorporate
49	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 2.4	196-214	The current text is focused on a suite of actions by a few specific agencies (primarily the MPA Leadership Team). Consider enhancing this section by adding examples of work by other partner agencies, which would better showcase the existing breadth of partnership activities that are already underway and will be built upon in the years to come.	Incorporate

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
50	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Section 2.4	196-214	The MPA Leadership Team should consider enhancing this section by adding examples of work by other partner agencies. This would better showcase the existing breadth of partnership activities that are already underway and will be built upon in the years to come.	Incorporate
51	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	section 2.4	206-214	We thus encourage OPC and the Drafting Oversight Group to consider how UC (either in its totality or individual campuses) can be involved as a partner(s) in these Collaboratives. Suggest expanding UC participation.	Do Not Incorporate- do not call out UC specifically but offer clarifying text that all are welcome and encouraged to participate in the Collaboratives
52	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3	217-224	As written, this text is somewhat confusing and does not add value. We recommend deleting or, at a minimum, condensing and clarifying	Incorporate

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53	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3.1	229-235	This language is difficult to follow due to repeated use of the terms "collaborative," "community," and "local." We suggest revising and condensing.	Incorporate
54	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3.1	264-267	We suggest that the Plan explain the characteristics of a more “formal organization” of the Community Collaboratives and include an example of such a group. For instance, would it be similar to the Orange County Marine Protected Area Council (OCMPAC)?	Incorporate
55	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 3.1	Box 2	Section 3.1 should explicitly recognize the role DAs and environmental task forces have in local MPA enforcement	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans



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56	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3.1	Figure 1. Representation of the California Collaborative Top-Down/Bottom-up Approach	This graphic is confusing and is not very informative for its use of space in this document. If OPC decides to keep this graphic, it would be helpful to include: 1) the generic types of NGO partners at the local level; 2) a better depiction of how the MPA Leadership Team interacts with the Local Level via Community Collaborative network interactions. As depicted, there appears to be a thick line between local level input and the MPA Leadership Team, which is counter to the intent of the entire Plan. Alternatively, OPC could consider replacing the figure with other information, such as a statewide map that reflects the regional coverage of Community Collaboratives, alongside a tiered structure of the work interface between the Community Collaboratives, MPA Collaborative Implementation Program, and MPA Leadership Team. During the June 10, 2014 OPC MPA Partnership Plan workshop, Calla Allison gave a presentation on the Community Collaboratives that included some useful diagrams on the Collaboratives' structure and functions, and their	Feedback on public comment provided by Drafting Oversight Group Member at a later point.
57	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3.2	277	We suggest revising to read, "...Forums, to help provide a structured process for communicating the work being done in the Community Collaboratives to decision-makers at the state level. This will ensure a coordinated and effective effort across scales of government as well as support the success of the top-down/bottom-up approach intended in this Plan."	Incorporate

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58	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3.2	277	Additionally, this effort would be well served by identifying a staff person at the California Department of Fish and Wildlife (CDFW) and the OPC as the designated points of contact to the Collaboratives. That specific action could be added to this section.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
59	Jenn Eckerle, Ocean Policy Consultant	The Natural Resources Defense Council	Section 3.2	278	Potentially having more than one meeting for the CC per year. Benefit to have than one meeting per year include increased communication to deal with needs. Increase Information exchange. Really think we need more than one meeting per year.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
60	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 3.2	278	It is unclear (page 6, line 278) if the “Community Collaboratives within an MLPA designation region” that are to meet “at least once a year” are the same as Regional Community Collaborative Forums. We presume that they are, and suggest that more detail should be included about how Community Collaboratives could operate within the year.	Incorporate

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61	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 3.2	275-294	This language could be condensed and simplified and there needs to be a more consistent use of the words “will” and “would.” But overall we strongly agree with the value of regular regional meetings as an opportunity for interaction, sharing, and learning between state agencies and local entities, and commend the MPA Leadership Team for outlining a process to do so. In addition, we strongly support the implementation of a State of MPA Community Collaboratives Forum and encourage OPC to prioritize and commit to an annual Forum, rather than meetings being contingent on whether funding and other resources are available, as currently written (Lines 293-294). The opportunity for sharing between Collaboratives and illuminating common challenges, strengths, and trends across the network is crucial in helping to make progress toward achieving Goal 6 of the MLPA. We see <del>convening partners and information sharing as</del>	Incorporate - add in sentence that states state wide meeting will occur approximately once a year
62	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 3.2	289 (Figure 2: Regional Coordination for Marine Protected Areas)	There should be a DA representative for each of the 4 MPA regions	Do Not Incorporate - outside scope of document
63	Leslie Rosenfeld CeNCOOS Program Director	CENTRAL AND NORTHERN CALIFORNIA OCEAN OBSERVING SYSTEM (CeNCOOS)	Section 4	Entire section	While CeNCOOS may not fit the definition of a partner under this plan, we do think it worthy of mention in this plan, at least as a continuing source of data and expertise to inform adaptive management. Surely, CeNCOOS and its southern California counterpart, SCCOOS, deserve mention in Section 4 “Opportunities for California Collaborative Partners”. Consider modifying the partnership plan to include mention of the role of California’s ocean observing systems in ensuring the success of <del>the State’s MPAs</del>	Incorporate

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64	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 4	Entire section	I recommend revision of the Plan to include specific reference to the key components for enforcement. Add overarching text: “Effective MPA enforcement, compliance and deterrence requires vigilance, local community involvement, innovative technology and district attorney support and engagement.”	Incorporate
65	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4	297-300	Consider deleting this sentence to reduce duplication.	Do Not Incorporate - existing language reinforces important points.
66	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 4.1	304-366	We thus encourage OPC and the Drafting Oversight Group to consider how UC (either in its totality or individual campuses) can be involved as a partner(s) in these Collaboratives. Suggest expanding UC participation.	Feedback on public comment provided by Drafting Oversight Group Member at a later point.

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67	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	313-314	We recommend the Plan explain what is meant by "guiding the policy direction of the network of MPAs." There is considerable confusion over the policy role of the OPC in the MPA community and it would be useful if this Plan could help clarify this issue, using one to two specific examples.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
68	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	313-330	Generally, the language in Lines 313-330 is a bit repetitive and could benefit from some additional editing.	No Action

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69	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	317-320	This section should describe how the OPC will, in its role as convener and coordinator, interact with and coordinate agencies that are not part of the MPA Leadership Team, but have authority over projects with an MPA nexus. These include the State Lands Commission (SLC), California Coastal Commission (CCC), and the State Water Resources Control Board (SWRCB). These groups should also be included in Table 1 (Page 9) in the Partnership Coordination row.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
70	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Section 4.1	317-320	This section should describe how the OPC will, in its role as convener and coordinator, interact with and coordinate agencies that are not part of the MPA Leadership Team, but have authority over projects with an MPA nexus. These include the State Lands Commission (SLC), California Coastal Commission (CCC), and the State Water Resources Control Board (SWRCB). These groups should also be included in Table 1 (Page 9) in the Partnership Coordination row.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans

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71	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	332-336	It would be useful to also note that the FGC and CDFW have a broader mission and role to play as the agencies that set state policy for wildlife resource management	Do Not Incorporate - existing language is OK for scope of this document
72	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	337-341	It would be useful to also note that the FGC and CDFW have a broader mission and role to play as the agencies that set state policy for wildlife resource management	Do Not Incorporate - existing language is OK for scope of this document
73	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 4.1	341	Add: “the prosecution of state MPA poaching and pollution violations rests in the hands of city and district attorneys.”	Incorporate

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74	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	345-350	This text is confusing. What does it mean to say that State Parks has "primary responsibility" in the first sentence and that they "collaborate" in the second sentence?	Incorporate
75	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	347-364	The current text is very focused on permitting authority, when many of the agencies listed have much broader roles that are also relevant to MPA management.	Incorporate



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76	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	351-352	The SWRCB is referenced only briefly in the Partnership Plan, when in fact the agency has an important role to play in MPA implementation. The MLPA Science Advisory Team recommended that MPAs be sited to avoid areas of poor or threatened water quality, such as areas receiving storm runoff from developed watersheds and areas near municipal sewage or industrial wastewater outfalls. The SWRCB helps fulfill this mandate by regulating coastal water quality through the Ocean Plan including the creation of “building blocks for a sustainable, resilient coastal environment and economy,” through its oversight of thirty-four Areas of Special Biological Significance (ASBS), many of which overlap with and are proximate to the state’s MPAs. The SWRCB also has the authority to designate State Water Quality Protection Areas (SWQPAs) over MPAs. Accordingly, MPA <del>implementation, monitoring and assessment</del>	Incorporate
77	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	355	The Plan states that the CCC is directed by the “California Coastal Zone Management Act.” We believe this should read “the California Coastal Act,” which provides the legislative mandate to CCC. The Coastal Zone Management Act is the federal law that the CCC works to administer at the state level.	Incorporate

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78	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	356-359	It is worth mentioning that the CCC’s mission is to "[p]rotect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations." It is also worth noting that they have extensive educational programming, a major focus on public access, and that they manage California’s annual coastal cleanup day and offer a grants program (Whale Tail grants). All of these pieces can interact with MPAs, yet the current text makes CCC’s role seem limited to permitting seawalls near MPAs.	Incorporate
79	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	360-362	As written, this language is vague. Due to overlapping jurisdictions of our ocean and coastal resources, interagency permitting has always been important in California. We agree that MPAs require and provide an opportunity for even more interagency coordination, but we recommend elaborating on this point so as to clarify that MPAs will not require agencies to seek an additional layer of permitting by CDFW or any other agency.	Incorporate

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80	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	362	We suggest adding a new paragraph after Line 362, stating that, “[A]gencies have already begun to take steps in this direction by: developing internal guidance for handling permit proposals that could affect MPAs; emphasizing early multi-agency coordination and early consultation with proponents to promote consideration of alternative sites; providing the public with maps showing MPAs overlaid with proposed project site alternatives; and coordinating with OST to proactively identify scientific information that will support good decisions. The MPA Leadership Team will meet at least annually with staff of permitting agencies to promote agreement on priorities and alignment on permitting decisions.”	Incorporate
81	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	362	Additionally, the Plan should consider including an action item that states that CDFW and the OPC will present on the issue of MPA implementation to a range of relevant agencies, following on the successful May 2014 presentation before the California Coastal Commission.	Incorporate

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82	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Section 4.1	362	We suggest adding a new paragraph on Page 8 after Line 362 that explains the activities that agencies such as the CCC, SLC and SWRCB have already begun taking to ensure consistency and alignment on permitting decisions.	Incorporate
83	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 4.1	377 (Table 1. Summary of Core State Agency MPA Management and State Legislatively	11 Core MPA enforcement agencies include the district attorneys, city attorneys, city prosecutors, U.S. attorneys and the state attorney general. (The California Attorney General has jurisdiction in state MPA cases when the DA declares a conflict or sometimes in multi jurisdictional cases.)	Incorporate
84	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	377 (Table 1. Summary of Core State Agency MPA Management and State Legislatively Mandated Partner Authorities, Roles, and Supporting Policies and Regulations)	In the Coastal Development role, “California Coastal Act” should replace “Coastal Zone Management Act.” The “Enforcement” row should also list the Attorney General.	Incorporate

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85	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Section 4.1	377 (Table 1. Summary of Core State Agency MPA Management and State Legislatively Mandated Partner Authorities, Roles, and Supporting Policies and	This section should describe how the OPC will, in its role as convener and coordinator, interact with and coordinate agencies that are not part of the MPA Leadership Team, but have authority over projects with an MPA nexus. These include the State Lands Commission (SLC), California Coastal Commission (CCC), and the State Water Resources Control Board (SWRCB). These groups should also be included in Table 1 (Page 9) in the Partnership Coordination row.	Incorporate
86	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	381-384	We recommend rewriting to clarify the kinds of roles federal agencies can and do play with respect to MPAs in state waters (joint enforcement actions, research missions, permitting, etc.). Federal agencies frequently exercise a wide range of authority in state waters, which can be significant. For example, the National Park Service (NPS), US Navy, Coast Guard, National Marine Sanctuaries, Environmental Protection Agency, and Army Corps of Engineers are just a few federal agencies that engage in activities in state waters in or around MPAs. Existing text understates the role of the federal government. It may also be worth clarifying that there are several areas of the MPA network that do actually have shared federal jurisdiction. Point Reyes National Seashore, Channel Islands National Park, Drakes Estero, Monterey Bay, Gulf of the Farallones and Channel Islands National Marine Sanctuaries, and San Clemente Island are a few examples.	Incorporate

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87	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Section 4.1	381-384	We recommend rewriting to clarify the kinds of roles federal agencies can and do play with respect to MPAs in state waters (joint enforcement actions, research missions, permitting, etc.). Federal agencies frequently exercise a wide range of authority in state waters which can be significant.	Incorporate
88	Sarah Allen, PhD, Acting Chief, Natural Resource Programs	National Park Service, Pacific West Region	Section 4.1	385 (Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation)	We also want to emphasize the role of the parks in a. providing additional outreach materials and display panels at beach access points for interpretation at all of the coastal parks in California b. and collaborating on research and monitoring that feeds into the adaptive management program.	Incorporate
89	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	385 (Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation)	The Bureau of Land Management has played a significant role in helping with outreach and enforcement at Sea Lion Cove State Marine Conservation Area. We therefore recommend adding that they can “coordinate enforcement efforts” and “contribute education and outreach capacity.”	Incorporate

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90	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	385 (Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation)	NPS should have strengthened language regarding its enforcement role, more in line with that of the National Marine Sanctuaries. The NPS can and does coordinate enforcement efforts with CDFW.	Incorporate
91	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 4.1	385 (Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation)	NOAA: We note that regional ocean observing systems (Regional OOS) of the national Integrated Ocean Observing System (IOOS) are not listed in this table. CeNCOOS is the regional association for central and northern California. SCCOOS is the association for Southern California.	Incorporate
92	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 4.1	385 (Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation)	BOEM: The Bureau of Ocean Energy Management (BOEM) should be added to the list of federal agencies with possible supporting roles in MPA management.	Incorporate

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93	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 4.1	385 (Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation)	NPS: In addition to the roles outlined for the National Park Service, we suggest that the following be additional role to reflect present collaborations between NPS and our rocky intertidal monitoring program (similar to the research/monitoring role for NOAA NMS): "conduct and support research and monitoring that could feed into adaptive management".	Incorporate
94	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	388-444	Expressed support	No Action



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95	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	395-398	Rewriting lines 395-398 to clarify the FGC and CDFW roles might help prevent an undue focus on OPC in this section.	No Action
96	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	418	consider defining the term “managing entity” in Line 418	No Action

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97	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	450	We also recommend adding a line to the end of the paragraph that says, “Appendix C details roles for engaging in the California Collaborative Approach.”	Incorporate
98	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA)	Section 4.1	459	This table should be both revised in content and retitled “Local and Regional Government Existing and Potential Roles and Responsibilities” to reflect the fact that many of the activities included in the table are already underway.	Incorporate
99	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	426-429	Expressed support	No Action

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100	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	446-450	We recommend adding new text describing the important roles of District Attorneys, City Attorneys and lifeguards.	Incorporate- add in lifeguards into local enforcement, place under (e.g.)
101	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	459 (Table 3. Local and Regional Government Potential Role and Responsibilities)	The title should be “Existing and Potential Roles” to reflect that some of these actions are already underway.	Incorporate

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102	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	459 (Table 3. Local and Regional Government Potential Role and Responsibilities)	It would be useful to clarify that this is not a complete list but only a few examples.	Incorporate
103	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	459 (Table 3. Local and Regional Government Potential Role and Responsibilities)	It might make more sense to divide by “City,” “County” and “Other” and include County Fish and Game Commissions under the County section. Boards of Supervisors could also be included here and might, like City Councils, adopt local ordinances in support of and consistent with state laws on MPAs. This text should be expanded to include the broader range of City Council and Board of Supervisor roles, such as adopting General Plans and other planning documents that include references to MPAs. There are likely a wide range of actions local governments can take that would assist in MPA implementation and management.	Incorporate

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104	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.1	459 (Table 3. Local and Regional Government Potential Role and Responsibilities)	The existing description of the role of District Attorneys needs correction, since not all have environmental units.	Incorporate
105	Leslie Rosenfeld CeNCOOS Program Director	CENTRAL AND NORTHERN CALIFORNIA OCEAN OBSERVING SYSTEM (CeNCOOS)	Section 4.1	Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in	Table 2 on page 10 some of the “supporting roles in MPA management” that are ascribed to NOAA/NMFS are also functions assigned to the regional ocean observing systems by NOAA/NOS/IOOS, including conducting monitoring and data collection that could inform adaptive management, and fostering partnerships with state, tribal, federal and NGOs.	Incorporate

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
106	Lexie Bell, Assistant Director	Morro Bay National Estuary Program	Section 4.2	Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation	In Table 2 (Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation), the US Environmental Protection Agency and the National Estuaries (sic) Program are both listed. Does the National Estuaries Program item refer to the three individual estuary programs listed under the US Environmental Protection Agency item? If so, it should read “National Estuary Programs”, not “National Estuaries Program”. The footnote listed (#36) has a link that does not work, so it is difficult to discern what is meant by aerial surveys. The eelgrass mapping surveys our program does on occasion are not required and are heavily contingent upon available funding and weather conditions. Under the US Environmental Protection Agency item, our full name is “Morro Bay National Estuary Program”.	Incorporate
107	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.2	471	We suggest expanding the list of partners to include other stakeholder groups, including non-consumptive recreational users (e.g., tourism sector, dive clubs, wildlife viewing operations).	Incorporate

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
108	Diane Castaneda; Richard Charter; Brad Hunt; Mike Schaadt; Steve Shimek; Jinger Wallace; Lance Morgan; Jim Curland; Susan Jordan; Ray Hiemstra; William Lemos; Jennifer Savage	WILDCOAST; The Ocean Foundation; Save our Shores; Cabrillo Marine Aquarium; Monterey Coastkeeper; Laguna Bluebelt; Marine Conservation Institute; Friends of the Sea Otter; California Coastal Protection Network; Orange County Coastkeeper; Mendocino Abalone Watch; Northcoast Environmental Center	Section 4.2	471-472	We suggest expanding the list of partners to include other stakeholder groups, including non-consumptive recreational users (e.g., tourism sector, dive clubs, wildlife viewing operations).	Incorporate
109	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.2	473	States, “there are several key roles for NGOs and local governments to play.” It is confusing to include both sectors here, since local government was included in the previous section. We recommend excluding “and local government.”	Incorporate

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110	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.2	485 (Table 4. Summary of Potential Roles for Non-Governmental Partners)	In the “Outreach and Education” row, the 7th bullet (“[o]rganize MPA Watch Groups to encourage compliance”) is mischaracterized. We suggest moving this bullet to the “Research and Monitoring” row, under citizen science, with a specific description of “Organize MPA Watch groups to evaluate human use in and around MPAs.” MPA Watch is a citizen science initiative to monitor human use of coastal natural resources in MPAs by training and supporting volunteers in the collection of relevant, scientifically rigorous, and broadly accessible data. Data are meant to inform the management, enforcement, and monitoring of California's MPAs and provide information about if/how human uses are changing as a result of MPA implementation. By involving local communities in this work, MPA Watch programs inspire and empower stewardship, and educate citizens about California’s ocean ecosystems. If the MPA Leadership Team also decides to include an MPA Watch bullet in the Outreach and Education, we suggest changing the word “compliance” to	Incorporate
111	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.2	485 (Table 4. Summary of Potential Roles for Non-Governmental Partners)	In the “Research and Monitoring” row, we suggest moving “including citizen-science” in bullet 3 to the end of bullet 4 and adding examples. Suggested text for bullet 4 is “Administer volunteer-based monitoring programs, including citizen science (e.g., MPA Watch and Reef Check).”	Incorporate



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112	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 4.2	485 (Table 4. Summary of Potential Roles for Non-Governmental Partners)	In the “Partnership Coordination” row, we suggest adding a bullet, “Participate in local Community Collaboratives.”	Incorporate
113	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 4.2	485 (Table 4. Summary of Potential Roles for Non-Governmental Partners)	The MPA Partnership Plan could expand on the supporting roles of research partners in Table 4 "Table 4. Summary of Potential Roles for Non-Governmental Partners" to include "Research and development of innovative techniques for cost-effective monitoring". Work to establish cost-effective and sensitive methods for quantifying ecological condition is a research and development (R&D) effort not captured in the two research bullets “Conduct research and monitoring to inform baseline programs and adaptive management” and “Engage in collaborative research projects”. We suggest that R&D work is a third and necessary component to reflect the range of scientific work relevant to MPAs.	Incorporate- refer to revised table 4 bullets from OST

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114	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 5.1	502-549	Although we agree that it’s important to set expectations around conflict resolution, this text seems generic overall and not specific to the Plan. Consider moving to Appendix D on general partnership approaches.	No Action
115	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 5.1	Figure 3. Spectrum of Partnership	We suggest that the spectrum of partnership be modified, because the term “partnership” is used in three very different contexts. In the figure, “Partnership” is used to describe the most formalized type of collaboration, whereas the title “spectrum of partnership” includes less formal organizational relationships such as alliances and coordination/collaboration) and the entire document text refers to “partnerships” at any point along that spectrum. We suggest either replacing the term “Partnership” in the figure (e.g., “formalized agreements”), or deleting all titles (“Partnership”, “Alliance”, “Coordination and Collaboration”) while noting that partnerships can be called a number of different terms such as these (and others). Some other groups have worked to characterize types of partnerships, which may be of useful reference.	Incorporate

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116	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 6	550-575	In general, this section also feels out of place. Consider moving much of the general background information found in Lines 552-575 into an appendix and reserving this space for a more applied explanation of the specific role of partners in adaptive management.	Do Not Incorporate - existing language is appropriate
117	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 6	550-575	suggest addition of a paragraph in this section that summarizes current linkages between the SWRCB and MPA monitoring programs, as well as emerging opportunities to enhance data comparability and linkages between the programs and collect data through integrated platforms.	Incorporate
118	David Dickerson, President	California Sportfishing League	Section 6	561	Expressed support.	No Action
119	David Dickerson, President	California Sportfishing League	Section 6	576	urge the OPC to recommend that the Commission reinforce its support for the timelines for MPA reviews in the draft Master Plan. Further, when each MPA is evaluated, we recommend that it be given a “pass” or “fail” on achieving its stated objectives and state “why” it achieved (or did not achieve) those objectives.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans

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120	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 6	589	The Central Coast should be included along with the North Central and South Coast, since the draft updated Central Coast MPA Monitoring Plan was recently released in May 2014.	Incorporate
121	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 6	601	Suggest adding here: “In addition, evaluation will take into account contextual information about compliance level, the history of uses, relevant design features and other factors.”	Incorporate

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122	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.1	634-639	We suggest including a bullet in the list of in-kind support examples “MPA monitoring through citizen science initiatives.” We understand the list of examples is not intended to be exhaustive, but feel it is important to reiterate throughout the document the valuable role citizen science programs can play in leveraging resources and expanding capacity, especially in regards to monitoring.	Incorporate
123	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Section 7.2	641-677	Reliance on a diversified funding plan for Community Collaborative success will be a challenging approach, unless a number of formalized partnerships can provide a stable foundation to which less formal collaborations can contribute. This section could benefit from a brief description of the leadership roles of OPC and state agencies in forging formalized partnerships for development of stable Community Collaboratives.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
124	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.2	651-654	Instead of characterizing Proposition 84 funds as “twilighting,” it may be better to note that bond funds are not suited to ongoing program costs and are inherently variable over time.	Incorporate

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125	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.2	656	Instead of referring to key MPA management tasks as "priority gaps" it would be more accurate to simply state that these are areas of work that require ongoing support/funding.	Do Not Incorporate - language achieves goals as is
126	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.2	658-661	It would be helpful to break out the projected funding needs for each of the four bullets listed in lines 658-661, such as is done for monitoring (\$1.6 million) in line 664. This will allow for a better understanding of the magnitude of funding needs for each of the four priorities identified.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans

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127	Jenn Eckerle, Ocean Policy Consultant	The Natural Resources Defense Council	Section 7.2		Section on ongoing funding- no discussion on potential use of civil penalties or fines from MPA enforcement. Could be a potential source for funding. How can we integrate this in?	Incorporate- add in sentence around line 687 about civil penalties use
128	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.3	685	The end of the first paragraph of Section 7.3 should include a statement about when and how the Leadership Team intends to evaluate funding sources and identify those most appropriate for further assessment.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans

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129	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.3	699-710	To the existing list of current and potential funding streams for MPA management, we suggest adding 1) CDFW violation fines and 2) parking fees in areas adjacent to MPAs. Any changes should also be reflected in Appendix F.	Incorporate- add in 1) CDFW violation fines
130	Phil Morlock, Director, Environmental Affairs	Shimano American Corporation	Section 7.3	706	The fish and game preservation fund is not appropriate or available for MPA management- according to Fish and Game Code 711 (a) (1) – The fish and game preservation fund may not be used for nongame fish and wildlife programs.	Incorporate
131	David Dickerson, President	California Sportfishing League	Section 7.3	706	Line 76 improperly identifies Fish and Game preservation funds as a potential funding stream for MPA management.  CSL notes that the fish and game preservation fund may not be used for nongame fish and wildlife programs (Fish and Game Code § 711(a)(1)). The Marine Life Protection Act is a nongame program. The MLPA record clearly shows that MPAs are not fishery management programs.	Incorporate



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132	Bill Shedd	President AFTCO, Chairman Hubbs SeaWorld Research Institute, Member of IGFA Board of Trustees, Chairman ASA Govt. Affairs Committee.	Section 7.3	706	It would be inappropriate for monies from the Fish and Game Preservation Funds, Vessel Registration fees or any other funding sources supplied by anglers to be used to fund MLPAs.	Incorporate
133	Dan Wolford, President	Coastside Fishing Club	Section 7.3	706	Improperly Identifies Fish and Game Preservation Funds as a Potential Funding Stream for MPA Management. The fish and game preservation fund may not be used for nongame fish and wildlife programs.	Incorporate
134	The Apex Group	The Apex Group on behalf of the California Association of Harbor Masters and Port Captains, the California Yacht Brokers Association, the Marina Recreation Association, the National Marine Manufacturers Association, and the Western Boaters Safety Group	Section 7.3	708	Given the legally tenuous nature of proposing vessel registration fees as a source of MPA funding and the questionable appropriateness of this proposal from a public policy perspective, we respectfully request you remove these references [California-registered vessel owners as a source of revenue to fund programs that were specifically created to prohibit or limit their activity and rarely use or occupy MPA waters. Any fees should fall to the actual users of the MPAs] before the draft report is finalized.	Incorporate
135	Phil Morlock, Director, Environmental Affairs	Shimano American Corporation	Section 7.3	708	Improperly Identify Vessel Registration Fees as a Potential Funding Stream for MPA Management. No legislative authority exists for the use of vessel registration fees to fund MPA management	Incorporate
136	Bill Shedd	President AFTCO, Chairman Hubbs SeaWorld Research Institute, Member of IGFA Board of Trustees, Chairman ASA Govt. Affairs Committee,	Section 7.3	708	It would be inappropriate for monies from the Fish and Game Preservation Funds, Vessel Registration fees or any other funding sources supplied by anglers to be used to fund MLPAs.	Incorporate

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
137	Dan Wolford, President	Coastside Fishing Club	Section 7.3	708	Improperly Identify Vessel Registration Fees as a Potential Funding Stream for MPA Management. There is no legislative authority for the use of vessel registration fees to fund MPA management.	Incorporate
138	Phil Morlock, Director, Environmental Affairs	Shimano American Corporation	Section 7.3	710	Expressed support.	No Action
139	Dan Wolford, President,	Coastside Fishing Club	Section 7.3	710	Expressed support.	No Action
140	Sarah Allen, PhD, Acting Chief, Natural Resource Programs	National Park Service, Pacific West Region	Section 7.3	712	Expressed support.  We would like to also reaffirm the commitment of the Channel Islands NP to continue the Kelp Forest monitoring program which is integral to the assessment of the MPAs around the Northern Channel Islands.	No Action
141	Samantha Murray, Pacific Program Director; Sarah Sikich,	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper	Section 7.3	735	Replace “management” with “stewardship.”	Incorporate
142	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 7.3	739-744	We recommend including a new bullet entitled, "Other local, statewide, or national nonprofit ocean conservation organizations that help steward MPAs," as well as a bullet that says, "Academic institutions with relevant expertise in ocean science."	Incorporate

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
143	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 8	770	We strongly agree that evaluation is crucial in understanding progress and opportunities for improvement, and for informing adaptive management of the California Collaborative approach as well as the MPA network. As such, we believe it would be useful to include an overview of the process OPC will undertake and the frequency of which it will perform evaluations. Giving examples of the kinds of specific targets that will be used to measure spending, partnership, transparency and accountability would also be helpful.	Do Not Incorporate - PP is guidance document and additional details will be developed via agency workplans
144	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Section 8	775	In addition to the existing list of example types of measures, OPC could consider including: o Timescale and frequency of monitoring; o Community Collaboratives’ project outcomes and achievements; and o Public understanding of MPAs	Incorporate- bullet that states that "Fish and game commission monitoring plans are implemented"
145	David Dickerson, President	California Sportfishing League	Appendix A. State and Federal Guiding Policies and Regulations for MPA Management	General	recommend that the OPC outline in the Marine Protected Areas (MPA) Partnership Plan what general changes should be made to the Draft Master Plan, the timeline for adoption of changes, and ways to provide stakeholders with the information, resources and alerts they must have to work effectively with the OPC on any such changes.	Do Not Incorporate - outside scope of document

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146	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Appendix A. State and Federal Guiding Policies and Regulations for MPA Management	General	The list of federal policies should include the Coastal Zone Management Act.	Incorporate
147	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDA)	Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management		As currently drafted this does not reflect the enforcement collaboration that already exists between many DAs and tribal authorities. You should seek DA and AG input on developing “complementary administrative and enforcement processes on tribal land.” Much work has been done in this area	Incorporate
148	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Appendix C. Roles and Responsibilities for Non-Governmental Organizations and Local Governments	810	Because this Plan tends to lump NGOs, academic/research institutions, fishermen and private sector participants together in Section 4.2, Table 4, and elsewhere, we recommend re-naming Appendix C, “Roles and Responsibilities for Non-Governmental Partners and Local Governments.”	Incorporate

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149	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Appendix C. Roles and Responsibilities for Non-Governmental Organizations and Local Governments	834	it is worth noting that NGOs actually helped shape the shared messaging being used by the Ocean Communicators Alliance	Incorporate
150	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDA)	Appendix C: Roles and Responsibilities for Local Government	866	Environmental Task Forces have an important role in educating local law enforcement and can be a valuable resource in building awareness of MPA regulations, providing accurate information and developing intelligence.	Incorporate
151	Gale Filter	Retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDA)	Appendix E. Ideal Approach to Addressing Conflict in California Marine Protected Areas	Conflict Resolution Graphic	Many legal issues and conflicts regarding MPA enforcement are resolved in local courts, e.g., evidentiary hearings, trials, etc. Prosecutors have a primary role in educating local judges and the courts.	No Action
152	Phil Morlock, Director, Environmental Affairs	Shimano American Corporation	Appendix F: Summary of Current and Potential State	State Source: Recreational non-consumptive user fees	Expressed support.	No Action

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
153	David Dickerson, President	California Sportfishing League	Appendix F: Summary of Current and Potential State Government Funding Sources	State Source: Recreational non-consumptive resources	Expressed support.	No Action
154	The Apex Group	The Apex Group on behalf of the California Association of Harbor Masters and Port Captains, the California Yacht Brokers Association, the Marina Recreation Association, the National Marine Manufacturers Association, and the Western Boaters Safety Group	Appendix F: Summary of Current and Potential State Government Funding Sources	State Source: Vessel Registration Fees	Given the legally tenuous nature of proposing vessel registration fees as a source of MPA funding and the questionable appropriateness of this proposal from a public policy perspective, we respectfully request you remove these references [California-registered vessel owners as a source of revenue to fund programs that were specifically created to prohibit or limit their activity and rarely use or occupy MPA waters. Any fees should fall to the actual users of the MPAs] before the draft report is finalized.	Incorporate
155	Phil Morlock, Director, Environmental Affairs	Shimano American Corporation	Appendix F: Summary of Current and Potential State Government Funding Sources	State Source: Vessel Registration Fees	Improperly Identify Vessel Registration Fees as a Potential Funding Stream for MPA Management. No legislative authority exists for the use of vessel registration fees to fund MPA management	Incorporate
156	David Dickerson, President	California Sportfishing League	Appendix F: Summary of Current and Potential State Government Funding Sources	State Source: Vessel Registration Fees	Given the legally tenuous nature of proposing vessel registration fees as a source of MPA funding and the questionable appropriateness of this proposal from a public policy perspective, we respectfully request you remove these references before the draft report is finalized.	Incorporate

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
157	Bill Shedd	President AFTCO, Chairman Hubbs SeaWorld Research Institute, Member of IGFA Board of Trustees, Chairman ASA Govt. Affairs Committee, Board Member Center for Coastal Conservation, Co-Founder UASC, Board Member of CARE	Appendix F: Summary of Current and Potential State Government Funding Sources	State Source: Vessel Registration Fees	It would be inappropriate for monies from the Fish and Game Preservation Funds, Vessel Registration fees or any other funding sources supplied by anglers to be used to fund MLPAs.	Incorporate
158	Samantha Murray, Pacific Program Director; Sarah Sikich, Science and Policy Director, Coastal Resources; Karen Garrison, Co-Director, Oceans Program; Sara Aminzadeh, Executive Director; Stefanie Sekich, California Policy Manager	Ocean Conservancy; Heal the Bay; Natural Resources Defense Council; California Coastkeeper Alliance; Surfrider Foundation	Appendix F: Summary of Current and Potential State Government Funding Sources		To the existing list of current and potential funding streams for MPA management, we suggest adding 1) CDFW violation fines and 2) parking fees in areas adjacent to MPAs. Any changes should also be reflected in Appendix F.	Incorporate- add in 1) CDFW violation fines
159	Kristen Milligan; Pete Raimondi; Carol Blanchette; Mark Carr; Jennifer Caselle; Stephen Palumbi	PISCO; UC Santa Cruz; UC Santa Barbara; UC Santa Cruz; UC Santa Barbara; Stanford University	Appendix G. Organizations with Funding Mechanisms in Place for Philanthropy		We thus encourage OPC and the Drafting Oversight Group to consider how UC (either in its totality or individual campuses) can be involved as a partner(s) in these Collaboratives. Suggest expanding UC participation.	Incorporate
Comment Number	Name of Commenter	Organization/ Tribe	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)

**Round 1 Tribal Comments: September 30, 2014**

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
1	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management	Science: Research and Monitoring	Add in sentence: "Collaborate with scientific and technical committees to provide understanding of traditional ecological knowledge"	Incorporate
2	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management	Stewardship (Land and Species Tending)	Do not capitalize the "t" in tribe	Incorporate
3	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management	Stewardship (Land and Species Tending)	Change wording: " <b>Co-Management and Stewardship</b> ( <del>Land and Species Tending</del> )"	For all mention of co-management- add in sentence in main section only: "Involved entities should explore opportunities for co-management with tribes in the MPA area." and add in language that there will be more consultations and discussions with tribes on how to best define co-management.
4	John Corbett	Yurok Tribe	Section 1	58	Change wording: Drop the word "Protected" so the title reads, "A shared Vision of California's Marine <del>Protected</del> Areas"	Do Not Incorporate - PP refers specifically to marine protected area management.



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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
5	John Corbett	Yurok Tribe	Section 4.1	353	Summary of comment: How can the State Land Commission do more to protect the marine environment and key species such as salmon and tuna? Marine reserves need to take in account the linkages between land and sea and <u>how agencies such as the State Land</u>	Do Not Incorporate - PP includes the roles of agencies like State Lands Commission that could be engaged in partnerships moving forward
6	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	388	Change wording: <b>Tribes and Tribal Governments and Communities</b> — MLPA Consultation	Incorporate but use "California Tribes and Tribal Governments" and CUT MLPA Consultation
7	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	389	Can a footnote list the websites where this documentation (Fish and Game Code section 2850.5, Executive Order B 10 11, CNRA’s Final Tribal Consultation Policy) can be found?	Incorporate
8	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	391	Change wording: "OPC has determined and declares that tribal support and active engagement with marine policy, <del>and science</del> <b>and co-management</b> are essential to the ongoing success of the state’s marine and coastal program and the full implementation of the state’s MPA network."	For all mention of co-management- add in sentence at end of paragraph "Involved entities should explore opportunities for co-management with tribes within an area of MPA." and add in language that there will be more consultations and discussions with tribes on how to best define co-management.
9	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	393	Include the designator “California” because many U.S. tribes and tribal people from localities outside the state currently live in California.	Incorporate

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10	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	393	Add a definition box to this effect: “In this document, the phrase “tribe, tribal communities, and indigenous peoples” is used to include all California native tribes and native indigenous communities, regardless of recognition status, which does not impact these groups’ sovereignty, interests in ancestral territory and resources, or the validity of traditional knowledge and cultural practices.	Do Not Incorporate - not appropriate to define in this document
11	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	393	<del>Throughout the rest of the document, the phrase “tribe, tribal communities, and indigenous peoples” is used to include all California native tribes and native indigenous communities, regardless of recognition status, which does not impact these groups’ sovereignty, interests in ancestral territory and resources, or the validity of traditional knowledge and cultural practices.</del> Change wording: “ <b>Tribes, tribal communities, and indigenous peoples</b> <b>Due to their status as sovereign nations, and because of their knowledge of marine life and sound marine management practices, California Indian tribes</b> are essential partners who must be consulted with often and effectively on all aspects of marine planning, and enforcement <b>and management.</b> ”	Incorporate- remove "sound" from the sentence and sovereign nations.
12	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	393	Add in footnote, with a definition of California Indian tribes.  For the purpose of this MPA Partnership Plan, “California Indian tribes” is intended to mean California Indian tribes, and tribal consortia that are composed strictly of California Indian tribes.	Do Not Incorporate - specify California tribes but do not need footnote
13	John Corbett	Yurok Tribe	Section 4.1	393	Tribal Entities in most cases should be restricted to federally recognized Tribal Governments and should reflect reservation status tribes where factually warranted. The Yurok Tribe requests such a designation.	Do Not Incorporate - but clarify when collaboration/communication versus consultation is appropriate.

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14	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	394	Change wording: ". . . tribal communities, and indigenous peoples are essential partners who must be consulted <del>with often</del> <b>frequently</b> and effectively on all aspects of marine planning and enforcement."	Incorporate
15	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	394	Add in sentence: "The coastline and marine waters of California are situated within the ancestral territories of California Indian peoples, who lived along the coast, utilized marine resources, and stewarded marine and coastal ecosystems for countless generations in ways that have ensured biological diversity and abundance."	Incorporate- remove "in ways that have ensured biological diversity and abundance" from the sentence
16	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	397	Change wording: "The OPC desires to create both effective ongoing working relationships with interested <del>tribes, tribal communities, and indigenous peoples</del> <b>California Indian tribes with ancestral connections to the ocean and to coastal areas</b> , and to establish specific actions that shall be taken for effective government-to-	Incorporate- need to weave in collaboration and early communication and coordination language more in the relationship building section.
17	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	400	Change wording: ". . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation. In addition, broader stewardship is only connected with tribal communities.
18	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	403	Change wording: "Thus the OPC designates its Executive Director and <del>her</del> <b>the</b> tribal liaison."	Incorporate

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19	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	404	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.
20	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	408	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.
21	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	413	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
22	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	419	Please define or give examples for “managing entities”.	Incorporate- add language to reference table 1 and table 2 within the document.
23	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	419	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.
24	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	420	Change wording: "Managing Entities shall, consistent with their own tribal consultation policies, communicate and meet with <del>tribes, tribal communities, and indigenous peoples</del> <b>California Indian tribes</b> on potential roles and responsibilities of <del>the tribes, tribal communities and indigenous peoples.</del> "	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
25	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	427	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.
26	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	431	Change wording: "Any time a meeting is set or requested by a California tribe, tribal community, or indigenous peoples, the Executive Director of OPC, the Regional Manager for the Marine Region for the CDFW, and the Executive Director for the FGC shall notify each other and shall invite each other to attend as well as notify the tribe regarding attendees."	Incorporate- for the tribal engagement section, take out language that says that everyone needs to be notified and add weave in language " as appropriate" or "as needed". Change the language of this sentence ". . . Manager for the Marine Region for the CDFW, and the Executive Director for the FGC recommend that they shall notify each other and shall invite each other to attend as well as notify the tribe regarding attendees. shall notify the appropriate parties and managing entities, and invite if appropriate or relevant."

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27	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	431	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.
28	John Corbett	Yurok Tribe	Section 4.1	431	Add in analytical science. Tribes should be allowed to participate in all levels of science including, but not limited to Ecological Science and ANALYTICAL Science.	Hold- Drafting Oversight Group member will address this comment and provide sentence.
29	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	434	Change wording: "These roles and areas of interest could include, but are not limited to, outreach and education; <b>co-management and stewardship (and tending)</b> ; research and monitoring; compliance and enforcement; permitting, code, and policy development; sustainable financing; and/or traditional <del>ecological</del> knowledge-based outreach and information exchange."	For all mention of co-management- add in sentence "Involved entities should explore opportunities for co-management with tribes in the MPA area." and add in language that there will be more consultations and discussions with tribes on how to best define co-management.

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
30	John Corbett	Yurok Tribe	Section 4.1	435	Add in tribal enforcement to enforcement lists. At a minimum, enforcement should include that some Tribes have ordinances, I.D. cards and full enforcement authority over Tribal Members. Some Tribes have deputy agreements from the California Department of Fish and Wildlife and county sheriffs. This gives them the authority to enforce state law and state fish and game law. This needs to be reflected in an enforcement chart or division similar to the one provided for local government.	Do Not Incorporate - enforcement is included in Appedix B
31	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	440	Add in sentence: "Programs should be developed that empower local tribes and/or personnel to become land managers and enforcement officers equivalent to their federal counterparts. Involved entities should explore opportunities for co-management with tribes in the MPA area."	Incorporate- "Involved entities should explore opportunities for co-management with tribes in the MPA area."
32	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	441	Change wording: "These roles and responsibilities may be developed and executed within their own authority and jurisdictions, as well as through joint agreements with state agencies, with the understanding that there <del>will</del> <b>may be some</b> potential limitations based on tribal status and/or existing laws not controlled by or regulated by the OPC or its member entities."	Incorporate



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33	InterTribal Sinkyone Wilderness Council	InterTribal Sinkyone Wilderness Council	Section 4.1	442	Change wording: " . . . <del>tribes, tribal communities, and indigenous peoples</del> California Indian tribes."	Do Not Incorporate- Will change language in the plan so that only tribal government is connected to consultation and broader stewardship is only connected with tribal communities. Cross out tribal community and indigenous people.
34	Coastal Band of Chumash Indians	Coastal Band of Chumash Indians	Section 4.1	444	Do not capitalize the "t" in tribe	Incorporate
35	John Corbett	Yurok Tribe	Section 4.1	Entire section	<p>Summary of comment: Some of the biggest challenges include the small size of the MPA planning unit. Tribes need to be involved in the planning unit and co-management needs to be in place. Please keep that mind- co management- when you begin to grow the MPA planning unit. Currently there is a MPA planning unit that doesn't fit the co-management unity. There needs to be a government institution with an ongoing staff available at the state level that helps to coordinate co-management with tribes, may involve DFW.</p> <p>Co-management with Tribes will greatly expand the effectiveness of California Marine Resources programs. In the long run some Tribes will not “buy in” to the program without co-management.</p>	No Action

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
36	John Corbett	Yurok Tribe	Section 4.1	Entire section	Summary of comment: Existing co-management agreements should be honored to the maximum extent allowed by law. The Yurok and other Tribes have co-management agreements for the smoke stack rocks with the Bureau of Land Management for Redding Rock and other marine monuments. Future Co-management contracts with the California Department of Fish and Game should be accepted without requiring an independent review process.	No Action
37	John Corbett	Yurok Tribe	Section 4.1	Entire section	Summary of comment: The state should acknowledge existing programs (ongoing court system, law enforcement, monitoring, equipment (boats), dispatch, science, and skills in wildlife, fisheries and marine plants and animals and has an I.D. card and a proven enforcement track record) and subsistence, religious, cultural and other traditional harvesting and develop a Memorandum of Understanding with tribes.	No Action
38	John Corbett	Yurok Tribe	Section 4.1	Entire section	Summary of comment: Clarity is needed on whether OPC will have a separate policy for tribal participation for Healthy Ocean Initiative or other programs or as another alternative, decide to have the Healthy Ocean Initiative handled by regular procedures with no special provisions for tribal outreach. In addition, how tribes, such as Yurok, can play a participatory role in the Healthy Ocean Initiative to build a more inclusionary program.	No Action

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
39	John Corbett	Yurok Tribe	Section 4.1	Entire section	Summary of comment: Tribes favor the word collaboration over consultation as it implies mutual agreement or at the very least a more involved relationship. However the use of the word Collaboration by the MME has a special meaning that is touchy with some of the Tribes.	No Action
40	John Corbett	Yurok Tribe	Section 4.1	Entire section	Summary of comment: Highlighted tips to create effective collaboration with tribes in the Collaborative based upon Yurok Tribal experience includes: <ul style="list-style-type: none"> <li>• Multi-state participation provides protection against other agencies expressing jurisdictional concerns. The result will be better science, a concrete step to ocean health concepts and serves as one of the better bureaucratic moves the year of any agency. The proposed OPC collaborative approach and the OST SAT programs complement each other.</li> <li>• Subsequent bottom up stakeholder, scientist, and policy maker process has been very successful.</li> <li>• Form a Policy Review Panel (PRP) and Technical Review Committee (TPRC). All parties must show mutual respect and support the final product. Process where Siskiyou County has supported Tribal projects and Tribes have supported Siskiyou County projects. Key</li> </ul>	No Action

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
41	John Corbett	Yurok Tribe	Section 4.1	Entire section	Summary of comment: OPC offers the following benefits to Tribal participation: a) The agency is only minimally limited by ex-parte relationship and due process constraints, b) OPC has created a positive atmosphere for Tribes, c) top management is experienced with a proven record of working with Tribes in a Federal and then State context, d) Administrative duties over the MPAs, e) The creation of a high quality elite science team, f) providing for the participation of Native Americans on marine scientific panels, g) recent record of supporting healthy oceans, and h) Access to the Secretary of Natural Resources. This adds a multi-agency dimension to partnership relationships that is critical to many long range solutions.	No Action
42	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation- (NOAA)- Office of National Marine Fisheries Service	Add in sentence: "Assess impacts of international fishery treaties and harvest levels on anadromous fish populations; and report on sustainability of current practices."	No action

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
43	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation- (NOAA)- Office of National Marine Fisheries Service	Change wording: "Coordinate enforcement efforts, share physical resources, cross deputize state <b>or tribal</b> officers, and provide federal funds for state <b>or tribal</b> operations"	No action
44	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation- (NOAA)- Pacific Fisheries Management Council	Add in sentence: "Review treaties for fisheries more than 200 miles offshore for sustainability and impacts on species within state and federal waters."	No action

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Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
45	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 3. Local and Regional Government Potential Role and Responsibilities- City Council	Add in sentence: "Engage with tribes active in the area of the MPA."	Incorporate
46	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 3. Local and Regional Government Potential Role and Responsibilities- County Fish and Game Commissions	Add in sentence: "Engage with tribes active in the area of the MPA."	Incorporate
47	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 3. Local and Regional Government Potential Role and Responsibilities- County Government	Add in sentence: "Engage with tribes active in the area of the MPA."	Incorporate

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
48	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 3. Local and Regional Government Potential Role and Responsibilities- Local Enforcement (harbor police, city police, sheriffs, and resource enforcement officers)	Add in sentence: "Engage with tribes active in the area of the MPA."	Incorporate
49	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 4.1	Table 3. Local and Regional Government Potential Role and Responsibilities- Regional Water Control Boards	Add in sentence: "Engage with tribes active in the area of the MPA."	Incorporate

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
50	John Corbett	Yurok Tribe	Section 6	Entire section	<p>The Yurok Tribe recommends that the language of 2853 (c) (5) (A) that clarifies that "the process for modification, or abolishment of existing MPAs or new MPAs established pursuant to this program" specific language be added to this section.</p> <p>Overall marine science will be improved by meeting and reviewing all the terms and conditions of the MLPA and the suggested language change provide future flexibility for this concept.</p>	Do Not Incorporate - this document focuses on the partnerships that support MPA management
51	John Corbett	Yurok Tribe	Section 7.2	656	Add "Healthy Ocean Science Funding" to the list of priority gaps that will require adequate funding because such macro environmental changes need to be monitored in order to properly evaluate MPA data.	OPC will address this comment and weave in healthy ocean language
52	John Corbett	Yurok Tribe	Section 7.2	656	An amendment should be made after the word "Tribal consultation" in the priority gaps list. Add the phrase "for all OPC programs" after the words "Tribal consultation."	Do Not Incorporate- change bullet to tribal collaboration and coordination
53	Gregg Young, M.A.	Potter Valley Tribe Environmental Office	Section 7.3	721	Add in sentence: "The Bureau of Indian Affairs (BIA) has many programs involved with natural resource management on tribal lands. Several of these can be used on lands not held in trust but managed by tribes. Programs include funds for assessments and studies, development of resource management plans, habitat restoration, and training of tribal natural resource managers. These could be accessed through co-management agreements with tribes."	Incorporate



**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
54	John Corbett	Yurok Tribe	Title Page	13	Change wording: Drop the word “Protected” so the title reads, "The California Collaborative Approach: Marine <del>Protected</del> Areas Partnership Plan"	Do Not Incorporate - PP refers specifically to marine protected area management.

Comment Number	Name of Commenter	Organization/ Tribe	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
<b>Round 2 Tribal Comments: November 6, 2014</b>						
1	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	447	<p><b><u>DUPLICATE COMMENT TO ROUND 1</u></b></p> <p><u>Proposed Additions in Bold:</u> "The coastline and marine waters of California are situated within the ancestral territories of tribes, who lived along the coast, utilized marine resources, and stewarded marine and coastal ecosystems for countless generations <b>in ways that have ensured biological diversity and abundance.</b>"</p> <p><u>Direct Comment from Tribe:</u> Why was this wording from our original comments not included in this updated draft of the Plan? This is a basic principle that all tribes have asserted, and that is supported by scientific evidence and many studies.</p>	Do Not Incorporate, but FGC called commentor to discuss.

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
2	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	449	<b><u>DUPLICATE COMMENT TO ROUND 1</u></b>  Proposed Additions in Bold: " <del>From</del> <b>Due to their status as sovereign nations, and</b> their knowledge of marine life and marine management practices, California tribes and tribal governments are essential partners who must be engaged early and often and effectively on all aspects of marine planning, enforcement, and management.  <u>Direct Comment from Tribe:</u> The Governor and the California Natural Resources Agency each have enacted policies acknowledging the tribes' inherent sovereign authority. (Governor's Executive Order B-10-11, September 19, 2011; California Natural Resources Agency Tribal Consultation Policy, November 20, 2012.) It would be disingenuous to not include mention of tribal sovereignty in the MPA Partnership Plan. <del>Why was this wording from our original</del>	Do not incorporate, but FGC called commentor to discuss and alternate language was provided.
3	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	455	Proposed Additions in Bold: "Furthermore, involved entities <del>should</del> <b>shall</b> explore opportunities for co-management with tribes within the area of <del>an</del> <b>the state's</b> MPAs; however, further consultation and collaboration with California tribal governments will be needed on how best to define co-management."	Incorporate
4	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	463	Proposed Additions in Bold (add plural to government): "OPC has four requirements for effective relationship building and for consultation and coordination with California tribes and tribal <b>governments</b> :"	Incorporate
5	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	476	Proposed Additions in Bold (add plural to government): "Formal Consultation with Tribal <b>Governments</b> ."	Incorporate

**“The California Collaborative Approach: Marine Protected Areas Partnership Plan” Public Comments received during drafting of document summer 2014. Last column which has green header indicates how each comment was addressed.**

Comment Number	Name of Commenter	Organization	Comment Section	Comment Line Number	Comment	Drafting Oversight Group Final Action (Incorporate, Do Not Incorporate, No Action)
6	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	483	Proposed Additions in Bold (add plural to government): "Managing entities (listed in Tables 1 and 2) shall, consistent with their own tribal consultation policies, communicate and meet with California tribal <b>governments</b> on potential roles and responsibilities of tribes interested in collaboration for MPA management."	Incorporate
7	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Section 4.1	498	<b><u>DUPLICATE COMMENT TO ROUND 1</u></b>  Proposed Additions in Bold: " These roles and areas of interest could include, but are not limited to, outreach and education; stewardship ( <b>care for and co-management of the land tending, water and air</b> ); scientific research and monitoring (incorporating traditional knowledge); . . ."	Do Not Incorporate - language would be too specific and potentially limiting in future
8	Hawk Rosales	InterTribal Sinkyone Wilderness Council	Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management	804	<b><u>DUPLICATE COMMENT TO ROUND 1</u></b>  Proposed Additions in Bold: "Stewardship ( <del>Land and Species Tending</del> <b>Care for and co-management of the land, water and air</b> )"	Do Not Incorporate - language would be too specific and potentially limiting in future
9	John Corbett	Yurok Tribe	Entire Partnership Plan		Would like tribes to more closely nvolved in science of MPAs.	Incorporate

David G. Ackerman

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July 1, 2014

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

***Subject: Comments on "The California Collaborative Approach: Marine Protected Areas Partnership Plan"***

Dear Ms. Parissenti:

On behalf of the California Association of Harbor Masters and Port Captains, the California Yacht Brokers Association, the Marina Recreation Association, the National Marine Manufacturers Association, and the Western Boaters Safety Group, the purpose this letter is to offer comments on the Draft version of "The California Collaborative Approach: Marine Protected Areas Partnership Plan."

The organizations listed above represent the breadth of California's boating industry. The membership of these organizations include private marina owners and operators, municipal marinas, marine manufacturers, vessel manufacturers, boat dealers, boating publications, yacht brokers, boat repair facilities, marine insurance and financing firms, and more than 24,000 individual boaters.

Our specific concern with the "Partnership Plan" is that it identifies vessel registration fees as a possible funding source for Marine Protected Area (MPA) programs. Specifically, we are commenting on the references on page 20, line 708 and again on page 33, in Appendix F.

The reference on page 20 states: *"Boat owners pay between \$10 and \$77 based on vessel type, fuel, and whether the owner is a resident of California. A percentage of these fees could, in the future, be allocated to cover marine resource enforcement costs."*

First, the majority of MPAs discourages or prohibits fishing, which negatively affects a significant segment of recreational boating. Secondly, the percentage of vessels registered with the State of California that actually transverse over or recreate within MPAs is miniscule. To compound the inequity of having all the boaters of the State pay for MPA programs, the norm for vessels that exceed 30' in length are not registered with the State of California, but rather choose the legal alternative of "Documenting" their vessel with the United State Government.

It is, therefore, ironic and in our opinion misguided, to look to California-registered vessel owners as a source of revenue to fund programs that were specifically created to prohibit or limit their activity and rarely use or occupy MPA waters. Any fees should fall to the actual users of the MPAs.

Additionally, it is not clear what "marine resource enforcement" means. Such a phrase could easily be construed to include virtually any type of "enforcement" activity well beyond activities directly related to recreational boating.

There is a long tradition and specific legal criteria that monies collected from the boating community must be used specifically for programs promoting or affecting boating activity. The narrow instances wherein vessel registration fees are collected for a purpose other than to administer the vessel registration program are to combat invasive Quagga and Zebra Mussels, which can be transmitted by vessels, and for research for cleaner vessel engine technologies. Both of these uses clearly have a nexus to boating.

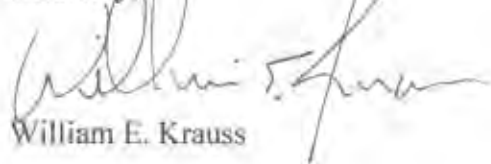
Furthermore, the vehicle code specifically states that funds collected in excess of those required to operate the vessel registration program shall be transmitted to the Harbors and Watercraft Revolving Fund to be used to fund the myriad of boating programs administered by the Division of Boating of Waterways within the Department of Parks and Recreation.

Our associations can fully appreciate the need to find a revenue source to fund the ongoing operational cost of our State's MPAs. However, vessel registration fees are neither an appropriate and possible illegal source of such funding. It is well understood by policy makers that it is not only reasonable and good public policy to ensure that there is a nexus to any fee and the population that it serves, but that such a standard is required by law. This principle has guided policies affecting boating for decades and is buttressed by the passage of Proposition 26 in 2010, which confirms that there must be a true nexus between the fee and usage of the funds.

Given the legally tenuous nature of proposing vessel registration fees as a source of MPA funding and the questionable appropriateness of this proposal from a public policy perspective, we respectfully request you remove these references before the draft report is finalized.

Thank you for your consideration of our comments.

Sincerely,



William E. Krauss



## Coastside Fishing Club

P.O. Box 5928  
Napa, CA 94581

July 3, 2014

**BY EMAIL: [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)**

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 9<sup>th</sup> Street, Suite 1311  
Sacramento, CA 95814

Dear Ms. Parissenti:

Coastside Fishing Club, a California non-profit corporation with 10,000 California members, submits the following comments to the May 30, 2014 draft of "The California Collaborative Approach: Marine Protected Areas Partnership Plan" (Partnership Plan).

### Comment No. 1: Line 706 Improperly Identifies Fish and Game Preservation Funds as a Potential Funding Stream for MPA Management

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The fish and game preservation fund may not be used for nongame fish and wildlife programs. Fish and Game Code § 711(a)(1). The MPA is a nongame program with speculative benefits to the recreational fishery that would, at best, be incidental and indirect, should they occur. The MLPA record clearly shows that the primary purpose for the MPAs was nongame and that MPAs are different from fishery management. The fish and game preservation fund is not available for MPA management. Federal law and regulations similarly prohibit the diversion of recreational license revenue as a condition of California's receipt of more than \$60,000,000 from the federal trust fund, which itself is funded by sales to recreational anglers.

Comment No. 2: Line 708 and Appendix F Improperly Identify Vessel Registration Fees as a Potential Funding Stream for MPA Management

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There is no legislative authority for the use of vessel registration fees to fund MPA management. Vessel registration fees are distributed exclusively to the Division of Boating and Waterways. Vehicle Code § 9863. For many decades, such funds have been used to support boating safety and facilities, which do not receive appropriations from the general fund. Diverting these funds would be unlawful and would starve necessary programs for California's boaters.

Comment No. 3: Line 710 and Appendix F Correctly Identifies Recreational Non-Consumptive User Fees to Fund MPA Management

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Coastside supports the collection of user fees from recreational non-consumptive users. Just as sport anglers in California are obligated to fund the Department's operations in connection with their activities, non-consumptive users ought to bear the cost of MPA management. Coastside notes that the non-consumptive community comprised the bulk of the support for the MLPA, getting everything they wanted, while sport anglers strongly opposed the multitude of closures and has paid all of the price. Indeed, champions of non-consumptive uses funded the MLPA Initiative.

Coastside is puzzled by the Draft Plan's suggestion that only a "small fee" to enter the MPAs might be necessary. It is not clear at all that a "small fee" would be adequate to cover the tens of millions of dollars that managing the MPAs will cost. The fee could be kept small only by unfairly shifting the cost to others.

Conclusion

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Recreational anglers did not seek or want the MPAs that the OPC now scrambles to fund. The MPAs have deprived recreational anglers of access to public waters. The MPAs are not fishery management tools. Anglers should not be forced to contribute any license, trust fund or vessel fee revenue to fund an initiative whose principal impact has been to reduce recreational fishing opportunities. The burden should be fully borne by the constituency that sought the MPAs and fishing closures.

Very truly yours,



Dan Wolford  
President, Coastside Fishing Club



July 1, 2014

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

VIA email: [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)  
No original to follow.

Dear Ms. Parissenti:

We are pleased to submit the following comments on the Marine Protected Areas (MPA) Partnership Plan (the "Plan") on behalf of the California Sportfishing League (CSL).

CSL is a non-profit organization consisting of a coalition of freshwater and saltwater anglers and business leaders devoted to protecting recreational fishing and access to California's lakes, streams and Pacific Ocean. We believe that sportfishing is a tremendous form of family recreation that develops knowledge of, and engenders respect for, the natural environment, while providing its participants a sustainable source of healthy food. For more information about CSL, please visit <http://www.sportfishingconservation.org/>.

As stakeholders with a substantive interest in the adaptive management of MPAs, CSL thanks Ocean Protection Council (OPC) Executive Director Cat Kuhlman for soliciting our participation. We submit these constructive comments to guide the OPC on future decisions regarding policy direction of MPAs.

Comment # 1

re: Appendix F - Summary of Current and Potential State Government Funding Sources – Vessel Registration Fees: "Boat owners pay between \$10 and \$77 based on vessel type, fuel, and whether the owner is a resident of California. A percentage of these fees could, in the future, be allocated to cover marine resource enforcement costs."

CSL believes using vessel recreation fees to fund MPA enforcement is at best an improper diversion of these funds, and at worst may run afoul of the California vehicle code. These funds are collected from boaters for the express benefit of recreational boating in California. They are not to be used to fund tangential uses that provide no direct benefit to boaters. The term "marine resource enforcement" is overly general. The "enforcement" funded by these boater's dollars could include almost any on-water activity conducted by MPA personnel. Stringent rules direct how these funds can be used by the state Division of Boating and Waterways. There are only a two instances where vessel registration fees can be used to fund anything other than the cost of running the vessel registration program. These two instances are to combat invasive Quagga and



Zebra Mussels, which can be transmitted by vessels, and for research for cleaner vessel engine technologies. These programs clearly relate to boating activities. Furthermore, the vehicle code specifically states that funds collected in excess of those required to operate the vessel registration program, of which there is very little, shall be transmitted to the Harbors and Watercraft Revolving Fund to be used to fund the myriad of boating programs administered by the Division of Boating of Waterways within the Department of Parks and Recreation. These uses include projects as diverse as erosion control and loans and grants to municipal marinas. These restrictions have guided policies affecting recreational boating fees for decades and is buttressed by the passage of Proposition 26 in 2010, which confirms that there must be a true nexus between the fee and usage of the funds.

Given the legally tenuous nature of proposing vessel registration fees as a source of MPA funding and the questionable appropriateness of this proposal from a public policy perspective, we respectfully request you remove these references before the draft report is finalized.

#### Comment # 2

re: Line 706 – Fish and Game preservation funds

Line 76 improperly identifies Fish and Game preservation funds as a potential funding stream for MPA management.

CSL notes that the fish and game preservation fund may not be used for nongame fish and wildlife programs (Fish and Game Code § 711(a)(1)). The Marine Life Protection Act is a nongame program. The MLPA record clearly shows that MPAs are not fishery management programs. Federal law and regulations similarly prohibit the diversion of recreational license revenue as a condition of California's receipt of more than \$60 million from the federal trust funds, which itself is funded by sales to recreational anglers.

#### Comment #3

re: Appendix F – Summary of Current and Potential State Government Funding Sources – Recreational Non-Consumptive User Fees: "Users are charged a small fee to access MPAs."

CSL strongly supports the collection of user fees from recreational non-consumptive users. As recreational non-consumptive users have been among the most vocal supporters of MPAs and unequivocally stated that MPAs would directly benefit their lives and activities, they should be required to financially support adaptive management. Sportfishing contributes to the budget of the Department of Fish and Wildlife in an amount exceeding \$60 million annually through license fees and voluntary excise taxes.

Additionally, commercial fishing interests should pay fees sufficient to cover the costs of regulating and supporting the commercial fishing industry, including their share of the costs associated with adaptive management of MPAs. The current DFW practice of having the sportfishing community subsidize the regulation of the commercial industry is unfair and is a violation of statute, namely Fish and Game Code § 711.(a)(2) and § 711.(a)(3):

(2) The costs of commercial fishing programs shall be provided out of revenues from commercial fishing taxes, license fees, and other revenues, from reimbursements and federal

funds received for commercial fishing programs, and other funds appropriated by the Legislature for this purpose.

(3) The costs of hunting and sportfishing programs shall be provided out of hunting and sportfishing revenues and reimbursements and federal funds received for hunting and sportfishing programs, and other funds appropriated by the Legislature for this purpose. These revenues, reimbursements, and federal funds ***shall not be used to support commercial fishing programs*** [emphasis added], free hunting and fishing license programs, or nongame fish and wildlife programs.

#### Comment #4

re: Line 65 through 67: “establishment of 124 MPAs that make up 16% of its state waters. Undertaking the designation of this network involved a public-private partnership, a governor-appointed Blue Ribbon Task Force (BRTF), an independent science advisory team, and iterative stakeholder engagements.

CSL notes that the Marine Life Protection Act (MLPA) Initiative Blue Ribbon Task Force members were appointed by the Secretary of the Natural Resources Agency, not the Governor.

#### Comment #5

re: Line 105 – “...fishermen; ...”

There likely exists hundreds of thousands of women anglers in California.

The term “fishermen” is found in several places in the Plan. CSL recommends that wherever the term “fishermen” is used in the Plan that it be replaced with the term “angler” or “anglers.”

#### Comment #6

re: Line 149 to 151 – “... In 2014, the *Master Plan for Marine Protected Areas* will be amended to reflect the shift in focus from planning to implementation and management, since designation of the coastal MPA network has been completed.”

The draft Master Plan for Marine Protected Areas (2008) is currently a DRAFT Master Plan as posted on the California Department of Fish and Wildlife website. The plan should acknowledge that the MLPA for San Francisco Bay has not been completed. Further, we recommend that proposed amendments to the draft Master Plan be included in the Plan as they may have significant impact on available resources to implement the MLPA. We expect that any proposed changes to the draft Master Plan as it shifts from planning to implementation and management strengthen the timelines for adaptive management for each MPA established by the Commission.

#### Comment #7

re: Line 561 – “monitoring and evaluation shall be emphasized ...”

We agree that monitoring and evaluation of the efficacy of MPAs is critical to adaptive management. Significant emphasis should be placed on monitoring and evaluation so that timely reviews for each MPA can be accomplished within the timelines as established in the draft Master Plan.

Comment #8

re: Line 576 – 577 – “Adaptive management is informed by various activities such as baseline monitoring and ongoing research and monitoring of both biological/ecological and socioeconomic indicators and other data.”

Adaptive management is a cornerstone of the MLPA. Sportfishing stakeholders will be especially affected by the method, results and outcome of “adaptive management.” During the implementation of the MLPA, many anglers were skeptical that any adaptive management would occur and that, regardless of its findings, all restrictions on recreational fishing in an MPA would remain unchanged in perpetuity. We urge the OPC to recommend that the Commission reinforce its support for the timelines for MPA reviews in the draft Master Plan. Further, when each MPA is evaluated, we recommend that it be given a “pass” or “fail” on achieving its stated objectives and state “why” it achieved (or did not achieve) those objectives.

Comment #9

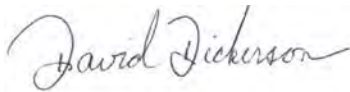
re: Appendix A – State Regulation – Master Plan for Marine Protected Areas:

“A process to update and revise the Master Plan so that is more focused on the management of the MPA network is currently underway”

The Master Plan is the governing document for implementation of the MLPA and is critical to adaptive management. We recommend that the OPC outline in the Marine Protected Areas (MPA) Partnership Plan what general changes should be made to the Draft Master Plan, the timeline for adoption of changes, and ways to provide stakeholders with the information, resources and alerts they must have to work effectively with the OPC on any such changes.

CSL appreciates you taking our opinions into consideration. If you have any questions on our positions, please do not hesitate to contact our Legislative Advocate George Osborn at 916.446.7752.

Thank you.

A handwritten signature in cursive script that reads "David Dickerson".

David Dickerson  
President

## **Analysis and Recommendations**

### **California Collaborative Approach: Marine Protected Areas Partnership Plan**

Please accept the following comments and suggestions regarding *The California Collaborative Approach: Marine Protected Areas Partnership Plan* (the “Plan”). My input is primarily focused on enforcement and the role of California coastal prosecutors in the MPA Collaborative Approach to MPA management. I am a retired environmental prosecutor, former deputy executive director of the California District Attorneys Association (CDAA) and chief of enforcement for the California Department of Toxic Substances Control (DTSC). For nine years I was the head of CDAA’s Environmental Circuit Prosecutor Project. Given my background, I have extensive knowledge about environmental enforcement in California and the landscape in which it exists. The analysis and recommendations expressed in this paper represent my own and not that of CDAA or any of the coastal prosecutors.

The Plan would benefit from direct input from the CDAA and the coastal district attorneys with respect to all content related to MPA enforcement and compliance. I recommend that the Plan be officially shared with CDAA and the coastal DAs for their input.

#### **General Recommendations**

The enforcement part of the Plan would benefit from improvement in 2 key areas: 1) Identification of the important role local prosecutors have in MPA enforcement and compliance; and, 2) Recognition of existing enforcement structures and processes.

As currently drafted, the Plan does not sufficiently describe how environmental enforcement works in California and the crucial role that elected District Attorneys have in MPA enforcement. The criminal prosecution of state MPA poaching and pollution violations occurs under the authority of the thirteen coastal county district attorneys and some of the city attorneys (misdemeanor jurisdiction) in heavily populated areas of the state. All state MPA cases are filed in local courts. The fundamentals of MPA enforcement should be briefly identified in the Plan and coastal DAs should be clearly identified as a key partner in MPA implementation.

I recommend revision of the Plan to include specific reference to the key components for enforcement. Add overarching text: “***Effective MPA enforcement, compliance and deterrence requires vigilance, local community involvement, innovative technology and district attorney support and engagement.***”

The only current reference to District Attorneys in the draft Plan is on page 13, Table 3, lines 459-460, “Local and Regional Government *Potential* Role and Responsibilities: County Government.” This table should be both revised in content and retitled “Local and Regional Government **Existing** and Potential Roles and Responsibilities” to reflect

the fact that many of the activities included in the table are already underway. For example, what is identified in the table as the “potential role and responsibilities” of local prosecutors is in fact already being performed by district attorneys throughout the state: 1) MPA cases are being prosecuted by local prosecutors (city and district attorneys), 2) there is coordination and exchange of information and legal expertise between DFW and district attorneys that support prosecution of MPA violations, and 3) there is participation and active engagement in local-scale *enforcement* collaborations, i.e., local environmental task forces, DA roundtables (state), warden-prosecutor MPA case meetings, etc. As currently drafted, Table 3 is also misleading in suggesting that all coastal district attorney offices have environmental units. For example, in the North Coast Region, the Humboldt and Del Norte district attorneys do not have environmental units. The Del Norte County District Attorney’s office does not have an environmental prosecutor. The DAs in these counties remain responsible for MPA prosecution in their regions.

### Specific recommendations:

1. The Plan states that implementation of the collaborative approach requires an *MPA network with oversight and management that is durable, collaborative, and founded on a strong legal mandate. This would include strong governance, on-the-ground operations (including surveillance and enforcement... outreach and education).* p. 1, Box 1, lines 73-73. This important additional message should be expressed in the Plan: **“The prosecution of serious MPA violations is a key element in effective enforcement, compliance and deterrence.”**<sup>1</sup>
2. The second bulleted network wide objective on Page 3 (lines 176-177): “Objective, reliable and timely scientific information is used in management decisions for stewardship of the statewide network” should be revised to explicitly include **enforcement data** as well as scientific information. Explicitly including enforcement data as an objective would help support later sections of the draft Plan (see “types of measures” on page 21, e.g., “broad understanding of rules and regulations that support compliance,” and “Effective coordination across agencies and partners...” lines 778-780).
3. Section 2.3 Guiding Principles: Leveraging Resources. *Agencies and other partners will seek opportunities to streamline efforts and leverage human and financial resources to advance management in the most cost-effective manner for the state* p.4, lines 187-189. The Plan should include mention of the state’s network of environmental task forces, the important role they have in enforcement, and explore use of these existing task forces to assist with MPA implementation. There may be up to 20 county and regional environmental task forces where MPA enforcement

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<sup>1</sup> Sidebar: Prosecutors and judges are important MPA enforcement policy makers. Prosecutors determine the kind of MPA cases that will be filed and how they will be filed. Judges greatly influence how cases are processed. Prosecutors have an important role educating the bench about the serious impacts of MPA poaching and pollution violations.

could be streamlined and leveraged.<sup>2</sup> As drafted, the Plan risks duplicating pre-existing environmental enforcement task force structure and processes, i.e., collaborative enforcement partnerships that are dedicated to the deterrence, detection, investigation and prosecution of environmental violations, including Fish and Game violations. Note that nearly all of the existing environmental enforcement task forces are chaired by a local or federal prosecutor. For a list of the state's environmental enforcement task forces, see

<http://www.calepa.ca.gov/enforcement/TaskForce/DTSCContacts.htm>

4. P. 5, Box 2, lines 226-236: "Defining Community" states, *An "MPA Community" includes all agencies, organizations, associations that communicate regularly about the MPAs in a particular sub-region.* Section 3.1 should explicitly recognize the role DAs and environmental task forces have in local MPA enforcement. Also see *Appendix C: Roles and Responsibilities for Local Government*, "Support Enforcement and Compliance." P.29, lines 866-69. Environmental Task Forces have an important role in educating local law enforcement and can be a valuable resource in building awareness of MPA regulations, providing accurate information and developing intelligence.
5. There should be a DA representative for each of the 4 MPA regions. Figure 2, page 6 to ensure "a mutual understanding of responsibility and limitations." at p. 7, lines 302-303
6. "CDFW is also the statutory authority to administer and enforce MPA regulations." P. 8, line 341. Add: **"the prosecution of state MPA poaching and pollution violations rests in the hands of city and district attorneys."**

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<sup>2</sup> Local and regional task forces are dedicated to the deterrence, detection, investigation and prosecution of environmental violations including Fish and Game code violations. The task force approach of combining federal, state, and local regulatory and law enforcement resources has proved to be a particularly effective tool because of the multi-media nature of environmental enforcement (i.e., an integrated approach that encompasses a combined examination of air, water, and other environmental concerns simultaneously). Since 1999, every county in the state has been covered by a county or regional environmental enforcement task force.

Environmental enforcement task forces are comprised of voluntarily participating federal, state, and local agencies with enforcement authority. The members of these task forces generally include local, state or federal prosecutors, local, state, and federal law enforcement agencies (e.g., sheriff, Fish and Game wardens, California Highway Patrol, Federal Bureau of Investigation (FBI), US EPA CID etc.), investigators and technical experts from CalEPA's boards, offices, and departments, and local environmental agencies (e.g., local hazardous material control programs, air pollution control districts, sanitation departments, etc.). Task forces can be especially effective in that they facilitate the pooling and exchange of resources and intelligence between different law enforcement and regulatory entities. These cooperative partnerships allow the task force members to pursue investigations and enforcement initiatives that no single entity has the resources and information gathering capability to complete individually.

7. *Table 1. Summary of Core State Agency MPA Management and State Legislatively Mandated Partner Authorities, Roles and Supporting Policy and Regulations*, pp. 9-11 Core MPA enforcement agencies include the district attorneys, city attorneys, city prosecutors, U.S. attorneys and the state attorney general. (The California Attorney General has jurisdiction in state MPA cases when the DA declares a conflict or sometimes in multi jurisdictional cases.)
8. *Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management* As currently drafted this does not reflect the enforcement collaboration that already exists between many DAs and tribal authorities. You should seek DA and AG input on developing “complementary administrative and enforcement processes on tribal land.” Much work has been done in this area
9. “*Conflict Resolution*,” *Appendix E.*, page 31. Many legal issues and conflicts regarding MPA enforcement are resolved in local courts, e.g., evidentiary hearings, trials, etc. Prosecutors have a primary role in educating local judges and the courts.

Thank you for your consideration of these comments.

Gale Filter  
(916) 601-7822

7-11-14

Liz Parissenti  
California Natural Resources Agency  
1416 9<sup>th</sup> Street, Suite 1311  
Sacramento, CA. 95814

Dear Ms. Parissenti:

MPAs are a very sore subject with the recreational fishing community in California. We believe they were implemented in California based on politics and not reasonable science as contended when put in place. The main impact of MPAs is to reduce our chances to go fishing and enjoy the sport we love.

For some 50 years anglers have been the marine conservationists in California and have been the primary funders of conservation and management efforts through our license fees, registration fees, excise taxes on fishing tackle and motor boat fuels, and more. We are happy to have our monies fund legitimate management and conservation efforts, but MPAs are not proven management tools. We did not put in place the MPAs that now need to be funded. We don't believe it reasonable or fair for our moneys to be used to fund an effort that has the primary function of depriving angles access to public waters.

The MPAs should be funded by the non-consumptive users who did put them in place. We already fund the Department and their activities. It would be inappropriate for monies from the Fish and Game Preservation Funds, Vessel Registration fees or any other funding sources supplied by anglers to be used to fund MLPAs.

Sincerely,

Bill Shedd  
President AFTCO  
Chairman Hubbs SeaWorld Research Institute  
Member of IGFA Board of Trustees  
Chairman ASA Govt. Affairs Committee  
Board Member Center for Coastal Conservation  
Co-Founder UASC  
Board Member of CARE





CENTRAL AND NORTHERN CALIFORNIA OCEAN OBSERVING SYSTEM  
7700 Sandholdt Road Moss Landing, CA 95039 Tel: 831-775-1700 Fax: 831-775-1918

July 12, 2014

MPA Partnership Plan  
California Natural Resources Agency  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

Re: CeNCOOS comments on MPA Partnership plan

Dear Ms Parissenti,

I appreciate the opportunity to comment on the MPA Partnership Plan. While I applaud the intent of the plan, and many of its attributes, I am disappointed to see that it makes no mention of efforts to work with California's regional coastal ocean observing systems. CeNCOOS, the Central and Northern California Ocean Observing System, is a collaborative of over 50 member organizations that enables sustained and coordinated measurements, model nowcasts and forecasts, and integrated products to inform decisions about the ocean from the coast to the edge of the EEZ, from Pt Conception to the California/Oregon border. While our funding is currently primarily from NOAA's Integrated Ocean Observing System (IOOS) program, the State of California was instrumental in putting in place some of the core instrumentation of the system.

Many of the CeNCOOS investigators, from 15 different institutions, have been part of the process of designing and monitoring California's MPAs. CeNCOOS has worked hard to be involved in the MLPA processes, and the data CeNCOOS produces has been used by scientists and managers in designing and monitoring MPAs. While CeNCOOS may not fit the definition of a partner under this plan, we do think it worthy of mention in this plan, at least as a continuing source of data and expertise to inform adaptive management. Surely, CeNCOOS and its southern California counterpart, SCCOOS, deserve mention in Section 4 "Opportunities for California Collaborative Partners".

Specifically, in Table 2 on page 10 some of the "supporting roles in MPA management" that are ascribed to NOAA/NMFS are also functions assigned to the regional ocean observing systems by NOAA/NOS/IOOS, including conducting monitoring and data collection that could inform adaptive management, and fostering partnerships with state, tribal, federal and NGOs. CeNCOOS is already involved in many of the activities listed in Table 4 on page 14 as potential roles for non-governmental partners in research and monitoring, including: coordinating and identifying science and research needs, participating in monitoring data collection and sharing synthesized results to inform adaptive management, promoting lasting partnerships for ongoing monitoring, conducting research and monitoring to inform baseline programs and adaptive management, and engaging in collaborative research projects.

I hope that you will consider modifying the partnership plan to include mention of the role of California's ocean observing systems in ensuring the success of the State's MPAs.

Sincerely,

Leslie Rosenfeld  
CeNCOOS Program Director



Delivered by electronic mail to: [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)

July 17, 2014

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

**Re: Comments on the Draft California Collaborative Approach: Marine Protected Areas Partnership Plan**

Dear California MPA Leadership Team:

Please accept the following comments on behalf of Ocean Conservancy, the Natural Resources Defense Council, California Coastkeeper Alliance and Heal the Bay regarding the *Draft California Collaborative Approach: Marine Protected Areas Partnership Plan* (the Plan). Together, our organizations participated in all four regional stakeholder groups during the statewide Marine Life Protection Act (MLPA) planning process and we continue to engage in the management and implementation of our marine protected areas (MPAs) today. Thus, like the Ocean Protection Council (OPC) and its partner agencies, we have a sincere interest in the success of MPAs. We offer these comments in support of OPC's work to provide a unified vision for MPA implementation and management, with meaningful and actionable guidance.

We appreciate the effort that the OPC and partners have put into producing this Plan and applaud the incorporation of innovative ideas to build capacity, such as the formation of unique partnerships and creative funding mechanisms. Notwithstanding the comprehensive and high-level nature of the Plan, we recommend including more detail and next steps to ensure that partners have a clear understanding of how they can achieve success, especially as related to enhanced inter-agency coordination and MPA guidance. To build in accountability and help make this Plan a reality, we also suggest that OPC produce, by the second OPC meeting following adoption of this Plan, a work plan that documents the details of how the work will get done.

The OPC's Five-Year Strategic Plan specifically calls for the OPC to "[c]oordinate MLPA implementation with other ocean management agencies to improve management effectiveness" through "multi-agency guidance that provides clear information about permit and regulatory requirements for activities or impacts in or around MPAs." (Objective 8.2) In order to fully achieve this mandate, the Plan should identify relevant regulatory schemes in place, and clearly articulate how partner agencies can implement, enforce and monitor parallel policies to bolster MPA implementation. For example, the Plan could delineate the steps agencies are already taking to ensure

sound decision-making on permit proposals that affect MPAs and identify opportunities to advance interagency coordination around permits and policies that may impact MPAs.

Additionally, the Plan could benefit from a more inclusive tone overall that emphasizes the roles of a broader suite of partners, beyond just those in the MPA Leadership Team. Countless agencies, as well as myriad tribes, NGOs and other entities, have been intimately involved in MPA implementation activities over the last several years. The Plan should acknowledge these efforts as well as the suite of volunteer-based monitoring and other citizen science programs that currently collect data and generate opportunities for education and stewardship around MPAs.

We offer the specific comments below to address these and other issues, and with the goal of adopting a Partnership Plan that unifies and empowers the OPC and other agencies and inspires participation and stewardship by the widest possible range of partners. Recommendations for additional or replacement language are provided in bold.

### Section 1. A Shared Vision for California's Marine Protected Areas

- Page 1, Line 62: We recommend opening the document with a brief overview of California's ocean and coastal leadership, generally, including the California Coastal Act, the state's four national marine sanctuaries, and the number of coastal state park units. This would not only help put the MLPA into a broader context, but also acknowledge the importance of other state and federal partners from the start.
- Page 1, Line 69: We recommend clarifying that California is now turning its attention to the management and implementation of our MPAs, not the MLPA. The MLPA is the legislation that mandated the creation of our statewide network, but the MPAs are what now require long-term stewardship. Both management and implementation of this MPA network are of paramount importance.
- Page 1, Line 82: We recommend adding a brief overview after this line, recognizing *the past and current* efforts of many partners, from federal agencies to local citizens, in implementing MPAs. Both in the Channel Islands and in all four of the MLPA study regions, scores of partners from within and outside government have been working diligently on a wide range of MPA-related implementation and management actions for many years. The Plan as currently drafted may inadvertently give the impression that partnerships are a new approach. It would be better to first highlight past and existing efforts and then explain that this Plan is a logical next step that builds on the successes of the past. Note that text on page 4, Lines 196-205 describes some efforts by state actors, but the topic warrants more discussion in this section, by way of background.
- Page 1, Line 93: We suggest adding a location or link to the most current MLPA Master Plan, since it is referred to throughout the document.
- Page 1, Line 98: While we agree that climate change is one of the biggest threats facing our ocean in the decades to come, it is not the only one. We therefore recommend adding other key threats that make resilient marine ecosystems necessary. Examples could include marine debris, water pollution, and climate-related (but distinct) threats like ocean acidification and sea level rise.
- Pages 1-2, Lines 104-105: We suggest adding “**non-consumptive recreational users**” to the list of audiences that could engage and support the California Collaborative approach. These

stakeholders should also be added to other potential partner audiences referenced throughout the document (such as in Line 183).

## Section 2. The California MPA Network

- Page 2, Lines 119: We suggest replacing the term "exhaustive" with "**successful**."
- Page 2, Line 130: We suggest adding "California has exceeded this target **for the establishment of MPAs**." This addition sets the stage for the subsequent discussion of the importance not just of *creating*, but also *implementing* MPAs.
- Page 3 after Line 145: We suggest adding "**These goals complement and reinforce those of the Marine Life Management Act (MLMA), such as the statement that an objective of state policy is to 'conserve the health and diversity of marine ecosystems and marine living resources.' (Fish and Game Code, § 7050(b)(1)).**" This addition would underscore the fact that the goal of managing for healthy oceans is an overarching one that guides fishery management as well as the implementation of protected areas.
- Page 3, Line 149: We suggest adding "major modifications of existing MPAs, **to advance the MLPA goals listed above**." While this fact is implied, we believe it is important to explicitly state that these goals, not just the process principles listed in line 184-194, govern the work of the collaborative process.
- Pages 3, Lines 149-151: It is our understanding that the MPA Master Plan may not be revised until early 2015. If that is accurate, we suggest changing this language to reflect this fact. We also recommend explaining more specifically what MPA implementation and management guidance the MLPA Master Plan will include and how it will interface with this document.
- Page 3, Lines 152-160: We recommend deleting this text or moving to an appendix, as it is not directly relevant to MPA implementation or partnerships.
- Page 3, Line 166: We enthusiastically support the creation of an integrated internal work plan by the MPA Leadership Team. We recommend providing additional information about this work plan, including examples of key milestones in the Final Plan.
- Page 3, Lines 169-170: We recommend deleting the following text on lines 169-170: "However, it is also important to have overarching objectives that span the entire network, and therefore..." To enhance clarity, instead begin this sentence with: "**Four network wide objectives...**"
- Page 3, Lines 178-180: For network-wide Objective 3, we recommend including the audience so that the objective reads, "...participation in management and stewardship of the statewide network **across sectors and by all key stakeholder groups**." Also, to make this Objective read similarly to others (*ie.* as an outcome), add "**is high**" at the end of Objective 3. We appreciate the succinctness of four objectives, but also see the value of including education as an objective or as an element of the compliance objective. For example, Objective 3 could be amended to read: "Compliance with the regulations and participation in management and stewardship of the statewide network **is high due to effective education and broad awareness of the MPAs**." Highlighting education makes sense both because interagency and partner coordination can enhance it, and because on Page 5, line 247, the Plan lists education and outreach as the first area around which the Collaboratives will coordinate. Under Objective 4, we suggest adding, "State network is effectively financed **and sustainable over the long term**."

- Page 3, Lines 175-180: We recommend the addition of a fifth objective to the “network-wide objectives” that reflects the ecosystem-oriented goals of MPAs and the MLPA, such as “**MPAs help protect and restore California’s marine ecosystems.**” Governance and management are important for successful MPA implementation, but only when centered in and directly linked to the ecological success of MPAs; thus we suggest including an objective to reflect this.
- Page 4, Lines 187-194: We recommend the following refinements to guiding principles (edits added in bold):
  - *Leveraging Resources*: Agencies and other partners will seek opportunities to streamline efforts and leverage human and financial resources to advance management, **monitoring, and education** in the most cost-effective manner for the state.
  - *Ensuring Transparency and Accountability*: Management agencies and other partners will be forthcoming, honest, and open in communications about engagements related to MPA network management, **and will establish mechanisms to ensure accountability of agencies and partners.**
  - *Engaging in Partnerships*: Agencies and other partners understand the importance and value that exists from communicating and working together and will strive to support one another through strong partnerships to achieve effective MPA network management **as well as enhance implementation and achieve regional and overarching MPA objectives.**
- Page 4, Lines 196-214: The current text is focused on a suite of actions by a few specific agencies (primarily the MPA Leadership Team). Consider enhancing this section by adding examples of work by other partner agencies, which would better showcase the existing breadth of partnership activities that are already underway and will be built upon in the years to come.
- Page 4, Line 205: It may be appropriate to note that Central Coast long-term monitoring is moving forward, where a Draft Monitoring Plan has been released and up to \$3 million was approved in funding by the OPC on June 10, 2014.

### Section 3. A Path to Success: Managing the MPA Network across the state

- Pages 4-5, Line 217-224: Pages 4-5, Lines 217-224: As written, this text is somewhat confusing and does not add value. We recommend deleting or, at a minimum, condensing and clarifying.
- Page 5, Lines 229-235: This language is difficult to follow due to repeated use of the terms “collaborative,” “community,” and “local.” We suggest revising and condensing.
- Page 5, Lines 264-267. We suggest that the Plan explain the characteristics of a more “formal organization” of the Community Collaboratives and include an example of such a group. For instance, would it be similar to the Orange County Marine Protected Area Council (OCMPAC)?
- Page 5, Figure 1: This graphic is confusing and is not very informative for its use of space in this document. If OPC decides to keep this graphic, it would be helpful to include: 1) the generic types of NGO partners at the local level; 2) a better depiction of how the MPA Leadership Team interacts with the Local Level via Community Collaborative network interactions. As depicted, there appears to be a thick line between local level input and the MPA Leadership Team, which is counter to the intent of the entire Plan. Alternatively, OPC could consider replacing the figure with other information, such as a statewide map that reflects the regional coverage of

Community Collaboratives, alongside a tiered structure of the work interface between the Community Collaboratives, MPA Collaborative Implementation Program, and MPA Leadership Team.

During the June 10, 2014 OPC MPA Partnership Plan workshop, Calla Allison gave a presentation on the Community Collaboratives that included some useful diagrams on the Collaboratives' structure and functions, and their intersection with agencies and other groups. It may be valuable to review these and include some portion of these graphics in the Plan.

- Page 6, Lines 275-294: This language could be condensed and simplified and there needs to be a more consistent use of the words “will” and “would.” But overall we strongly agree with the value of regular regional meetings as an opportunity for interaction, sharing, and learning between state agencies and local entities, and commend the MPA Leadership Team for outlining a process to do so. In addition, we strongly support the implementation of a State of MPA Community Collaboratives Forum and encourage OPC to prioritize and commit to an annual Forum, rather than meetings being contingent on whether funding and other resources are available, as currently written (Lines 293-294). The opportunity for sharing between Collaboratives and illuminating common challenges, strengths, and trends across the network is crucial in helping to make progress toward achieving Goal 6 of the MLPA. We see convening partners and information sharing as a core function of the OPC's role in MPA management and implementation.

In between regional meetings and statewide forums, OPC could consider other outreach and information exchange channels, such as the creation and dissemination of a newsletter of Community Collaboratives' projects and increasing awareness and use of the MPA Collaboratives website ([www.mpacollaborative.org](http://www.mpacollaborative.org)) that is in development. According to Calla Allison during the Partnership Plan workshop on June 10, 2014, this website will house a database of projects and other efforts. We support this idea and encourage the MPA Leadership Team to prioritize getting this website up and running early in the process.

Page 6, Line 277: We suggest revising to read, “...Forums, **to help provide a structured process for communicating the work being done in the Community Collaboratives to decision-makers at the state level. This will ensure a coordinated and effective effort across scales of government as well as support the success of the top-down/bottom-up approach intended in this Plan.**” Additionally, this effort would be well served by identifying a staff person at the California Department of Fish and Wildlife (CDFW) and the OPC as the designated points of contact to the Collaboratives. That specific action could be added to this section.

#### Section 4. Opportunities for California Collaborative Partners

- Page 7, Lines 297-299: Consider deleting this sentence to reduce duplication.
- Page 7, Lines 313-14: We recommend the Plan explain what is meant by “guiding the policy direction of the network of MPAs.” There is considerable confusion over the policy role of the OPC in the MPA community and it would be useful if this Plan could help clarify this issue, using one to two specific examples.
- Generally, the language in Lines 313-330 is a bit repetitive and could benefit from some additional editing.

- Page 7, Lines 317-320: This section should describe how the OPC will, in its role as convener and coordinator, interact with and coordinate agencies that are not part of the MPA Leadership Team, but have authority over projects with an MPA nexus. These include the State Lands Commission (SLC), California Coastal Commission (CCC), and the State Water Resources Control Board (SWRCB). These groups should also be included in Table 1 (Page 9) in the Partnership Coordination row.
- Page 7-8: Lines 332 and 336 and Lines 337-343: It would be useful to also note that the FGC and CDFW have a broader mission and role to play as the agencies that set state policy for wildlife resource management
- Page 8, Lines 345-350: This text is confusing. What does it mean to say that State Parks has "primary responsibility" in the first sentence and that they "collaborate" in the second sentence?
- Page 8, Lines 347-366: The current text is very focused on permitting authority, when many of the agencies listed have much broader roles that are also relevant to MPA management.
- Page 8, Lines 351-352: The SWRCB is referenced only briefly in the Partnership Plan, when in fact the agency has an important role to play in MPA implementation. The MLPA Science Advisory Team recommended that MPAs be sited to avoid areas of poor or threatened water quality, such as areas receiving storm runoff from developed watersheds and areas near municipal sewage or industrial wastewater outfalls. The SWRCB helps fulfill this mandate by regulating coastal water quality through the Ocean Plan including the creation of "building blocks for a sustainable, resilient coastal environment and economy," through its oversight of thirty-four Areas of Special Biological Significance (ASBS), many of which overlap with and are proximate to the state's MPAs. The SWRCB also has the authority to designate State Water Quality Protection Areas (SWQPAs) over MPAs. Accordingly, MPA implementation, monitoring and assessment depend on a successful partnership with the SWRCB.
- The OPC Five-Year Strategic Plan provides that OPC will "identify opportunities to reduce pollution impacts to MPAs by working with the SWRCB." We hope that the OPC will use the Partnership Plan as a forum to do so, by providing a more detailed description of relevant SWRCB Ocean Plan provisions, the ASBS and SWQPA policies, and other relevant regulations, as well as monitoring underway that overlaps with MPAs. We encourage you to articulate how these programs can and do enhance MPA protections.
- Page 8, Line 356-359: It is worth mentioning that the CCC's mission is to "[p]rotect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations." It is also worth noting that they have extensive educational programming, a major focus on public access, and that they manage California's annual coastal cleanup day and offer a grants program (Whale Tail grants). All of these pieces can interact with MPAs, yet the current text makes CCC's role seem limited to permitting seawalls near MPAs.
- Page 8, Line 357: The Plan states that the CCC is directed by the "California Coastal Zone Management Act." We believe this should read "**the California Coastal Act**," which provides the legislative mandate to CCC. The Coastal Zone Management Act is the federal law that the CCC works to administer at the state level.
- Page 8, Lines 360-362: As written, this language is vague. Due to overlapping jurisdictions of our ocean and coastal resources, interagency permitting has always been important in California. We agree that MPAs require and provide an opportunity for even more interagency coordination,

but we recommend elaborating on this point so as to clarify that MPAs will not require agencies to seek an additional layer of permitting by CDFW or any other agency.

- We suggest adding a new paragraph after Line 362, stating that, “[A]gencies have already begun to take steps in this direction by: developing internal guidance for handling permit proposals that could affect MPAs; emphasizing early multi-agency coordination and early consultation with proponents to promote consideration of alternative sites; providing the public with maps showing MPAs overlaid with proposed project site alternatives; and coordinating with OST to proactively identify scientific information that will support good decisions. The MPA Leadership Team will meet at least annually with staff of permitting agencies to promote agreement on priorities and alignment on permitting decisions.” Additionally, the Plan should consider including an action item that states that CDFW and the OPC will present on the issue of MPA implementation to a range of relevant agencies, following on the successful May 2014 presentation before the California Coastal Commission.
- Page 9, Table 1: In the Coastal Development role, “**California Coastal Act**” should replace “Coastal Zone Management Act.” The “Enforcement” row should also list the Attorney General.
- Pages 9-10, Lines 381-384: We recommend rewriting to clarify the kinds of roles federal agencies can and do play with respect to MPAs in state waters (joint enforcement actions, research missions, permitting, etc.). Federal agencies frequently exercise a wide range of authority in state waters, which can be significant. For example, the National Park Service (NPS), U.S Navy, Coast Guard, National Marine Sanctuaries, Environmental Protection Agency, and Army Corps of Engineers are just a few federal agencies that engage in activities in state waters in or around MPAs. Existing text understates the role of the federal government. It may also be worth clarifying that there are several areas of the MPA network that do actually have shared federal jurisdiction. Point Reyes National Seashore, Channel Islands National Park, Drakes Estero, Monterey Bay, Gulf of the Farallones and Channel Islands National Marine Sanctuaries, and San Clemente Island are a few examples.
- Pages 10-11, Table 2:
  - The Bureau of Land Management has played a significant role in helping with outreach and enforcement at Sea Lion Cove State Marine Conservation Area. We therefore recommend adding that they can “**coordinate enforcement efforts**” and “**contribute education and outreach capacity.**”
  - NPS should have strengthened language regarding its enforcement role, more in line with that of the National Marine Sanctuaries. The NPS can and does coordinate enforcement efforts with CDFW.
- Pages 11-12, Lines 388-444: We commend the OPC for inclusion of the section *Tribal Governments and Communities – MLPA Consultation*. Moreover, we specifically appreciate lines 426-429, defining how OPC, CDFW, and FGC will notify and invite each other to be involved in these consultations. Collaboration across agencies will help minimize duplication of efforts, reduce the level of effort required by tribes who have limited capacity, and create better consistency across decisions and actions. That said, the language in this section focuses largely on OPC and its role. Rewriting lines 395-398 to clarify the FGC and CDFW roles might help prevent an undue focus on OPC in this section. Also consider defining the term “managing entity” in Line 418.
- Page 12, Line 446-450: We recommend adding new text describing the important roles of District Attorneys, City Attorneys and lifeguards. We also recommend adding a line to the end of



the paragraph that says, “**Appendix C details roles for engaging in the California Collaborative Approach.**”

- Page 13, Lines 471-472: We suggest expanding the list of partners to include other stakeholder groups, including non-consumptive recreational users (e.g., tourism sector, dive clubs, wildlife viewing operations).
- Page 13, Lines 473-474: States, “there are several key roles for NGOs and local governments to play.” It is confusing to include both sectors here, since local government was included in the previous section. We recommend excluding “and local government.”
- Page 13, Table 3: We recommend the following modifications:
  - o The title should be “**Existing and Potential Roles**” to reflect that some of these actions are already underway.
  - o It would be useful to clarify that this is not a complete list but only a few examples.
  - o It might make more sense to divide by “City,” “County” and “Other” and include County Fish and Game Commissions under the County section. Boards of Supervisors could also be included here and might, like City Councils, adopt local ordinances in support of and consistent with state laws on MPAs. This text should be expanded to include the broader range of City Council and Board of Supervisor roles, such as adopting General Plans and other planning documents that include references to MPAs. There are likely a wide range of actions local governments can take that would assist in MPA implementation and management.
  - o The existing description of the role of District Attorneys needs correction, since not all have environmental units.
- Page 14, Table 4: We recommend the following modifications:
  - o In the “Outreach and Education” row, the 7<sup>th</sup> bullet (“[o]rganize MPA Watch Groups to encourage compliance”) is mischaracterized. We suggest moving this bullet to the “Research and Monitoring” row, under citizen science, with a specific description of “**Organize MPA Watch groups to evaluate human use in and around MPAs.**” MPA Watch is a citizen science initiative to monitor human use of coastal natural resources in MPAs by training and supporting volunteers in the collection of relevant, scientifically rigorous, and broadly accessible data. Data are meant to inform the management, enforcement, and monitoring of California's MPAs and provide information about if/how human uses are changing as a result of MPA implementation. By involving local communities in this work, MPA Watch programs inspire and empower stewardship, and educate citizens about California’s ocean ecosystems. If the MPA Leadership Team also decides to include an MPA Watch bullet in the *Outreach and Education*, we suggest changing the word “compliance” to “**stewardship**,” so that it reads “**Organize MPA Watch groups to encourage stewardship.**”
  - o In the “Research and Monitoring” row, we suggest moving “including citizen-science” in bullet 3 to the end of bullet 4 and adding examples. Suggested text for bullet 4 is “**Administer volunteer-based monitoring programs, including citizen science (e.g., MPA Watch and Reef Check).**”

- o In the “Partnership Coordination” row, we suggest adding a bullet, “**Participate in local Community Collaboratives.**”

#### Section 5. Novel Participation: Effective Collaboration and the California Collaborative Approach

- Pages 15-16, Lines 502-549: Although we agree that it’s important to set expectations around conflict resolution, this text seems generic overall and not specific to the Plan. Consider moving to Appendix D on general partnership approaches.

#### Section 6. Opportunity for Adaptive Management

- Pages 16-17, Lines 550-575: In general, this section also feels out of place. Consider moving much of the general background information found in Lines 552-575 into an appendix and reserving this space for a more applied explanation of the specific role of partners in adaptive management.

For example, we suggest addition of a paragraph in this section that summarizes current linkages between the SWRCB and MPA monitoring programs, as well as emerging opportunities to enhance data comparability and linkages between the programs and collect data through integrated platforms. Efforts to implement coastal water quality and MPA programs, and monitor their efficacy, will be more effective and more complete if they are linked. The fact that two monitoring programs are underway to assess the health of the State’s coastal and marine environment presents an opportunity to adapt, integrate and inform resource management decisions about our coastal and marine environment, and is exactly the type of integration the Partnership Plan can help facilitate. Specifically linking MPA and ASBS monitoring can help inform the long-term implementation of both programs, and also yield information to guide the potential designation of additional SWQPAs as provided for in the SWRCB Resolution 2012-0056. The California Water Quality Monitoring Council and Ocean Science Trust are currently considering the development of an ocean ecosystem health portal or other *My Water Quality* coastal tool that integrates both water quality and marine health indices.

- Page 17, Lines 589-590: The Central Coast should be included along with the North Central and South Coast, since the draft updated Central Coast MPA Monitoring Plan was recently released in May 2014.
- Page 17, Line 601: Suggest adding here: “**In addition, evaluation will take into account contextual information about compliance level, the history of uses, relevant design features and other factors.**”

#### Section 7. MPA Management Financial Investment and Revenue Sources

- Page 18, Lines 634-639: We suggest including a bullet in the list of in-kind support examples “**MPA monitoring through citizen science initiatives.**” We understand the list of examples is not intended to be exhaustive, but feel it is important to reiterate throughout the document the valuable role citizen science programs can play in leveraging resources and expanding capacity, especially in regards to monitoring.
- Page 18, Lines 651-654: Instead of characterizing Proposition 84 funds as “twilighting,” it may be better to note that bond funds are not suited to ongoing program costs and are inherently variable over time.

- Page 18, Line 656: Instead of referring to key MPA management tasks as "priority gaps" it would be more accurate to simply state that these are areas of work that require ongoing support/funding.
- Page 18-19, Lines 658-661: It would be helpful to break out the projected funding needs for each of the four bullets listed in lines 658-661, such as is done for monitoring (\$1.6 million) in line 664. This will allow for a better understanding of the magnitude of funding needs for each of the four priorities identified.
- Page 19, Line 685: The end of the first paragraph of Section 7.3 should include a statement about when and how the Leadership Team intends to evaluate funding sources and identify those most appropriate for further assessment.
- Pages 19-20, Lines 699-710: To the existing list of current and potential funding streams for MPA management, we suggest adding 1) CDFW violation fines and 2) parking fees in areas adjacent to MPAs. Any changes should also be reflected in Appendix F.
- Page 20, Line 735: Replace "management" with "**stewardship.**"
- Page 20, Lines 739-744: We recommend including a new bullet entitled, "**Other local, statewide, or national nonprofit ocean conservation organizations that help steward MPAs,**" as well as a bullet that says, "**Academic institutions with relevant expertise in ocean science.**"

#### Section 8. Looking Forward: Evaluation of Effectiveness of the California Collaborative Approach

- Page 21, Lines 770-771: We strongly agree that evaluation is crucial in understanding progress and opportunities for improvement, and for informing adaptive management of the California Collaborative approach as well as the MPA network. As such, we believe it would be useful to include an overview of the process OPC will undertake and the frequency of which it will perform evaluations. Giving examples of the kinds of specific targets that will be used to measure spending, partnership, transparency and accountability would also be helpful.
- Page 21, Lines 775-782: In addition to the existing list of example types of measures, OPC could consider including:
  - o Timescale and frequency of monitoring;
  - o Community Collaboratives' project outcomes and achievements; and
  - o Public understanding of MPAs

#### Appendix A. State and Federal Guiding Policies and Regulations for MPA Management.

- Page 26: The list of federal policies should include the Coastal Zone Management Act.

#### Appendix C. Roles and Responsibilities for Non-Governmental Organizations and Local Governments

- Page 28, Line 810: Because this Plan tends to lump NGOs, academic/research institutions, fishermen and private sector participants together in Section 4.2, Table 4, and elsewhere, we recommend re-naming Appendix C, "Roles and Responsibilities for Non-Governmental **Partners** and Local Governments."

- On Page 28, Lines 834-835, it is worth noting that NGOs actually helped *shape* the shared messaging being used by the Ocean Communicators Alliance.

Thank you for your work to produce such a thoughtful Draft Plan. As the Plan recognizes, its efficacy over the long-term will be dictated by our collective ability to evaluate and adapt the Plan over time. We appreciate the opportunity to provide these comments, and look forward to continued work together to ensure its successful implementation.

Sincerely,



Samantha Murray  
Pacific Program Director  
Ocean Conservancy



Sarah Sikich  
Science and Policy Director, Coastal Resources  
Heal the Bay



Karen Garrison  
Co-Director, Oceans Program  
Natural Resources Defense Council



Sara Aminzadeh  
Executive Director  
California Coastkeeper Alliance



Stefanie Sekich  
California Policy Manager  
Surfrider Foundation



Delivered by electronic mail to: [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)

July 18, 2014

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

**Re: Comments on the Draft California Collaborative Approach: Marine Protected Areas Partnership Plan**

Dear California MPA Leadership Team:

Please accept the following comments on behalf of the undersigned organizations. Together, we have been involved in nearly every aspect of the Marine Life Protection Act (MLPA) planning process and the creation, adoption and implementation of California's marine protected areas (MPAs). Thus, like the Ocean Protection Council (OPC) and its partner agencies, we have a sincere interest in effective MPA management that is successful and sustainable over the long term.

We appreciate the substantial effort and thoughtfulness that the OPC and partners put into producing the *California Collaborative Approach: Marine Protected Areas Partnership Plan* (the Plan) and we commend the MPA Leadership Team on its extensive collaboration throughout the drafting process. Overall, the product is succinct, well written, and clearly sets forth the intention of the OPC and its partners for MPA implementation and management. We appreciate the incorporation of innovative ideas to build capacity, such as the formation of unique partnerships and creative funding mechanisms.

Notwithstanding the many positive elements of the Plan, we do have some concerns about the document. While we understand the Plan is meant to guide MPA implementation and management at a high level, we believe this document should include more detail and specific next steps, where plausible, throughout the Plan. This would ensure that partners have a clear understanding of how they can achieve success, especially as related to enhanced interagency coordination and MPA guidance.

For instance, in accordance with the OPC's own Five-Year Strategic Plan, this document should identify relevant regulatory schemes in place and clearly articulate how partner agencies can implement, enforce and monitor parallel policies to bolster MPA implementation. The Plan should delineate the steps agencies are already taking to ensure sound decision-making on permit proposals that affect MPAs and identify opportunities the MPA Leadership Team itself could take to advance interagency coordination around permits and policies that may impact MPAs.

Additionally, the Plan could benefit from a more inclusive tone overall that emphasizes the roles of a broader suite of partners, beyond just those in the MPA Leadership Team. Countless agencies, as well as myriad NGOs, tribes and other entities, have been intimately involved in MPA implementation activities over the last several years. The Plan should acknowledge these efforts as well as the suite of volunteer-based monitoring and other citizen science programs that currently collect data and generate opportunities for education and stewardship around MPAs.

Specifically, we have the following recommendations:

- Page 3, Line 166: We enthusiastically support the creation of an integrated internal work plan by the MPA Leadership Team. We recommend providing additional information about this work plan, including examples of key milestones, in the Final Plan.
- Page 4, Lines 196-214: The MPA Leadership Team should consider enhancing this section by adding examples of work by other partner agencies. This would better showcase the existing breadth of partnership activities that are already underway and will be built upon in the years to come.
- Page 7, Lines 317-320: This section should describe how the OPC will, in its role as convener and coordinator, interact with and coordinate agencies that are not part of the MPA Leadership Team, but have authority over projects with an MPA nexus. These include the State Lands Commission (SLC), California Coastal Commission (CCC), and the State Water Resources Control Board (SWRCB). These groups should also be included in Table 1 (Page 9) in the Partnership Coordination row.
- We suggest adding a new paragraph on Page 8 after Line 362 that explains the activities that agencies such as the CCC, SLC and SWRCB have already begun taking to ensure consistency and alignment on permitting decisions.
- Pages 9-10, Lines 381-384: We recommend rewriting to clarify the kinds of roles federal agencies can and do play with respect to MPAs in state waters (joint enforcement actions, research missions, permitting, etc.). Federal agencies frequently exercise a wide range of authority in state waters which can be significant.
- Page 13, Lines 471-472: We suggest expanding the list of partners to include other stakeholder groups, including non-consumptive recreational users (e.g., tourism sector, dive clubs, wildlife viewing operations).

Thank you for your effort and commitment to producing a thoughtful Draft Plan. We believe this document could be of tremendous value to agencies and a broad array of partners if it is amended to include more specific, actionable details. We appreciate the opportunity to comment and look forward to the release of the Final Plan, as well as its successful implementation.

Sincerely,

Diane Castaneda  
WILDCOAST

Richard Charter  
Senior Fellow  
The Ocean Foundation

Brad Hunt  
Save our Shores

Mike Schaadt  
Cabrillo Marine Aquarium

Steve Shimek  
The Otter Project  
Monterey Coastkeeper

Jinger Wallace  
Laguna Bluebelt

Lance Morgan  
Marine Conservation Institute

Jim Curland  
Friends of the Sea Otter

Susan Jordan  
California Coastal Protection Network

Ray Hiemstra  
Orange County Coastkeeper

William Lemos  
Mendocino Abalone Watch

Jennifer Savage  
Northcoast Environmental Center



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July 18, 2014

**By E –Mail: [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)**

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 9<sup>th</sup> St., Suite 1311  
Sacramento, CA 95814

Dear Ms. Parissenti,

Shimano is a major manufacturer of recreational fishing tackle including rods, reels, terminal tackle, line, clothing and accessories. Our customers include many of California's 1,673,633 licensed anglers who generate an annual economy in the state of \$2.4 billion. Recreational fishing generates state and local taxes of \$334,401,009. The federal manufacturers excise tax we pay (with other companies), helps to fund the annual California portion of more than \$60,000,000 from the federal Sport Fish Restoration fund which is paid for by sales to recreational anglers. (Source USFWS 2012) The economic vitality of our company and the recreational fishing industry relies on a healthy and well managed sustainable resource which remains accessible to the public.

Please accept our following comments on the May 30, 2014 draft of "The California Collaborative Approach: Marine Protected Areas Partnership Plan".

#### Foundations

The ' American Model ' of fish and wildlife conservation, the restoration of species and their habitat, the creation of parks and protected areas, and the foundations of the science based sustainable management and use of fish and wildlife resources stands as the greatest environmental success story in the history of the world. No other continent on the planet has anything close to the wealth of fish and wildlife populations that we enjoy across North America, and this bounty does not exist by accident.



People who fish and hunt first developed and have continued to quietly lead the American Model of conservation for well over a century – contributing more money, more hands-on sweat equity and volunteer time to field and aquatic fish and wildlife conservation efforts year after year, than all other interest groups combined. While others have played a part and deserved to be recognized, anglers and hunters have been and remain the primary driving force behind this unparalleled success. The record on these facts is clear and unequivocal for any who care to examine it.

Comment No. 1: Line 124, etc. – A Global Leader in Marine Ecosystem Protection

Regrettably and as related to us consistently by state fish and wildlife management professionals, the California MPA process fell far short of meeting the accepted professional scientific standards and site specific peer reviewed data and consideration of alternate strategies normally required and cautiously applied by virtually all American state fish and wildlife agencies prior to considering, let alone establishing, major permanent access closures to prime recreational fishing areas. Anglers have always been the first to support restrictions on their activities – from limits to open fishing seasons to creel and size limits for specific species and seasonal access closures, e.g. to protect spawning areas or sensitive habitat when credible scientific data proved these measures necessary for conservation. Fundamental to the success of the American Model is the public ownership under law of fish and wildlife, and the lawful right of public access to harvest fish and wildlife on public lands and waters.

The U.N. MPA mandate may be of benefit to developing nations with little or no proven history of fishery management success, but the application in U.S. waters is based on a false premise that the best fishery conservation and management model in history – the American Model, is in trouble and anglers are portrayed as part of the problem – the hard facts are clearly otherwise. The United States was a Global Leader in Marine (and freshwater) Ecosystem Protection (without permanently closing vast access to people who want to take their kids fishing), decades before the U.N. held its first MPA discussion or the California MLPA was drafted.

Comment No. 2: Line 706 Improperly Identifies Fish and Game Preservation Funds as a Potential Funding Stream for MPA Management

Fish and Game Code 711 (a) (1) – The fish and game preservation fund may not be used for nongame fish and wildlife programs. The MPA initiative is a nongame fish program according to the MLPA record that shows clearly that MPA's are different from fishery management and the primary purpose for the MPA's was nongame. The fish and game preservation fund is not appropriate or available for MPA management. Also, federal regulations and law prohibit the diversion of Sport Fish Restoration excise tax funds from their designated uses, as a condition for California to continue to receive these funds.

Comment No. 3: Line 708 and Appendix F Improperly Identify Vessel Registration Fees as a Potential Funding Stream for MPA Management

No legislative authority exists for the use of vessel registration fees to fund MPA management. These fees are directed to the Division of Boating and Waterways and have been used for decades to support boating facilities and safety efforts which are not funded by the general fund. Diverting these funds would harm the important programs which exist for California boaters.

Comment No. 4: Line 710 and Appendix F Accurately Identifies Recreational Non-Consumptive User Fees to Fund MPA Management

We support collecting and dedicating non-consumptive user fees to fund MPA management as a logical evolution in the MPA process. In the same way as recreational anglers are required to fund the Department's operations relative to their activities, non-consumptive users should help bear the cost of MPA management. The record shows the non-consumptive community championed the MPA closures throughout the MLPA process and were mostly successful in achieving the desired result.

Conclusion

The merits of permanent access closures in U.S. waters established from a U.N. policy with success being measured on a percentage basis will be debated between resource management professionals and politicians for a long time. What cannot be argued is the fact that permanent MPA access closures to vast areas of prime fishing habitat have deprived anglers of access to public waters and to a public resource – fish. MPA's as established in coastal California are clearly not fishery management tools. We concur with others in the recreational angling community who maintain that anglers should not be expected or required to contribute any license, trust fund or vessel fee revenue to fund MPA management, law enforcement or any associated program in consideration of the negative impact MPA's have caused by reducing recreational fishing opportunities. Those who supported these unnecessary MPA closures should be required to continue to also support their ongoing fiscal requirements.

Yours truly,

A handwritten signature in dark ink, appearing to read "P. Morlock", is written over a light blue rectangular background.

Phil Morlock  
Director, Environmental Affairs  
Shimano American Corporation



July 17, 2014

MPA Partnership Plan  
c/o Liz Parissenti  
California Natural Resources Agency  
1416 9th Street, Suite 1311  
Sacramento, CA 95814  
Email: [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)

Dear Ms. Parissenti,

Thank you for the opportunity to comment on “The California Collaborative Approach: Marine Protected Areas Partnership Plan”. On behalf of the Orange County Marine Protected Area Council, we respectfully submit the following comments:

- We believe the report is vague and requires additional detail on the mechanics of how a collaborative can interact with the Partnership Plan.
- It is unclear how data collected outside of the Monitoring Enterprise may be integrated on a state level and among the collaborates. The Partnership Plan lacks detail on how data would be managed and/or how it may be useful.
- In order to create a sustainable network of collaborates that persist through time, the Partnership Plan should include an addendum detailing the operational framework. The addendum could detail the next steps in developing and improving a collaborative for long term sustainability and data exchange.
- The Strategic Plan would benefit from a cost analysis of the activities and services that collaborates provide and how they result in substantial savings to the State.

OCMPAC is a vital regional collaboration of city and county officials, institutional representatives, state agencies, environmental consultants, academic faculty, and nonprofit organizations. Current members include California State Parks, Orange County Parks, the City of Newport Beach, the City of Laguna Beach, the City of Dana Point, Crystal Cove Alliance, CSU Fullerton, Laguna Ocean Foundation, MBC Applied Environmental Science, the Ocean Institute, Orange County Coastkeeper, and various local leaders working in marine conservation. The success of OCMPAC can be attributed to positive regional

communication and cooperation, using combined efforts and expertise in education, research, monitoring, enforcement, and management.

Sincerely,

Jayson Smith, PhD  
Co-Chair, Orange County Marine Protected Areas Council  
Assistant Professor, Cal Poly Pomona

CC: Louse Thornton, Laguna Ocean Foundation (Email)  
Harry Helling, Crystal Cove Alliance (Email)  
Michelle Clemente, City of Newport Beach (Email)

## Comments on “The California Collaborative Approach: Draft Marine Protected Areas Partnership Plan”

From National Park Service, Pacific West Region

Thank you for the opportunity to comment on the draft Partnership Plan of the Ocean Protection Council for California. We have been and continue to be an enthusiastic participant in the process of establishing and protecting a network of MPAs in California in and adjacent to National Parks. There are several coastal National Parks in California from north to south, extending over 590 miles of shoreline and 157,000 acres of water. Of special note are Channel Islands NP, Cabrillo NM, Point Reyes NS, Golden Gate NRA and Redwood NP. These same National Parks are recognized as MPAs by the National Marine Protected Area Center (<http://marineprotectedareas.noaa.gov/>), and have been managing them as MPAs with various levels of protection depending on the park. Establishing a network in the state, though, provides a chance to truly work collaboratively across agencies and groups to protect and restore the outstanding marine resources of the state, and to adapt to the predicted changes in climate as they unfold.

We do have a few comments regarding the draft plan.

- 1) *Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs.* We want to augment what is presented in Table 2 to include other activities that the National Park Service contributes to the success of the MPA network in California. As noted in Table 2, parks provide enforcement personnel stationed at federal parks along California and the offshore Channel Islands National Park, and contribute to education and outreach capacity and infrastructure (e.g. visitor centers). We also want to emphasize the role of the parks in
  - a. providing additional outreach materials and display panels at beach access points for interpretation at all of the coastal parks in California
  - b. and collaborating on research and monitoring that feeds into the adaptive management program. For example at Channel Islands NP, the park’s long-

term kelp forest monitoring program

(<http://science.nature.nps.gov/im/units/medn/monitor/kelpforest.cfm>) has contributed to the assessment of the efficacy of the MPA network as noted in recent publications (CDFG 2008).

2) Page 20, Potential Funding Sources. Thank you for acknowledging the in-kind support from the National Park Service. We would like to also reaffirm the commitment of the Channel Islands NP to continue the Kelp Forest monitoring program which is integral to the assessment of the MPAs around the Northern Channel Islands. In addition, all of the coastal National Parks of the Pacific Coast conduct long-term monitoring of the rocky intertidal communities under the National Inventory and Monitoring Program (<http://science.nature.nps.gov/im/>) and are partners of the Multi-agency Rocky Intertidal Network (<http://www.marine.gov/>), which is woven into the state's MPA network. These substantial programs demonstrate the important NPS commitment to the partnership of the California MPA network.

a. As an example, the NPS financial commitment of the Kelp Forest Monitoring program at Channel Islands NP over the past decade exceeds several million dollars.

If you have any questions, you can contact me at the phone number below.

California Department of Fish and Game, Partnership for Interdisciplinary Studies of Coastal Oceans, Channel Islands National Marine Sanctuary, and Channel Islands National Park. 2008. Channel Islands Marine Protected Areas: First 5 Years of Monitoring: 2003–2008. Airamé, S. and J. Ugoretz (Eds.). 20 pp.).

Sincerely,

Sarah

Sarah Allen, PhD

Acting Chief, Natural Resource Programs

Pacific West Region

National Park Service

415-623-2202 (o)

510-541-4241 (c)

Dear Ocean Protection Council Representatives:

On behalf of the Board of Directors of the Farallones Marine Sanctuary Association, a 501c3 organization committed to stewardship of the Gulf of the Farallones National Marine Sanctuary, we are pleased to provide comment on the Draft MPA Partnership Plan currently under review. As a collaborative partner of state MPA's, we are in full support of partnership model currently in place and that which is expressed in the Partnership Plan. We believe that MPA's provide important protections to unique aquatic environments along the California coast and that a model encouraging partnerships to protect MPA's complements existing expertise and program efforts, is efficient and a cost effective means to ensure MPA's effectiveness.

Sincerely yours,

Christopher Kelley  
Executive Director  
Farallones Marine Sanctuary Association





July 25, 2014

MPA Partnership Plan  
 Attention: Liz Parissenti  
 California Natural Resources Agency  
 1416 9th Street, Suite 1311  
 Sacramento, CA 95814

Via electronic mail to [MPAcomments@resources.ca.gov](mailto:MPAcomments@resources.ca.gov)

RE: PISCO Comments on the draft document “The California Collaborative Approach: Marine Protected Areas Partnership Plan”

Dear Ms. Parissenti,

The Partnership for Interdisciplinary Studies of Coastal Oceans (PISCO) commends the efforts of the Ocean Protection Council (OPC) and the Drafting Oversight Group<sup>1</sup> to develop this new initiative promoting a partnership-based model for managing California’s network of marine protected areas (MPAs). We thank you for the one-week extension to submit our comments on behalf of our investigators from three Universities in California.

The PISCO consortium supports these efforts to develop a Partnership Plan, which will serve as the framework for coordinating Marine Protected Area (MPA) management activities across jurisdictional and geographic scales. Although it does not carry any regulatory weight, it has the potential to set expectations and guide activities of the many entities involved in MPA research and management. As this process of developing Community Collaboratives proceeds, PISCO is pleased to offer any support, knowledge, and expertise that will help toward these goals.

PISCO is a west-coast wide marine research consortium, with significant expertise in the science of marine protected areas. Nine marine research scientists from three Universities in California are part of PISCO leadership, from University of California (UC) Santa Cruz and UC Santa Barbara and Stanford University. The California MPAs are an important testbed for our many postdoctoral and graduate students. Additionally, each research group has dedicated science technicians who conduct long-term monitoring in the rocky intertidal and subtidal habitats.

The following are comments from PISCO.

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<sup>1</sup> The Drafting Oversight Group is chaired by the Ocean Protection Council (OPC) and comprised of senior representatives from the Department of Fish and Wildlife (CDFW), Fish and Game Commission (FGC), California Natural Resources Agency (CNRA), Ocean Science Trust (OST), and California Department of Parks and Recreation (State Parks)

We agree with the guiding principles detailed in Section 2.3 (Page 4, lines 184-194). We note that upholding these principles in a collaborative framework requires effective and sustained coordination and communications. The proposed Regional Community Collaborative Forums (page 6, line 277) are one mechanism. It is unclear (page 6, line 278) if the “Community Collaboratives within an MLPA designation region” that are to meet “at least once a year” are the same as Regional Community Collaborative Forums. We presume that they are, and suggest that more detail should be included about how Community Collaboratives could operate within the year. In this document, it may be helpful to have some example organizational approaches that could be used as templates for Collaborative establishment and growth, e.g., types of governing and organizational structures, communication methods, meeting frequencies, needs for facilitation, roles of OPC and state agency staff, activities that require funding, etc. This is not meant to dictate structures, but rather to provide options for organizational effectiveness to facilitate adherence to the guiding principles.

University of California (UC) is a public university system and thus a state agency that fulfills an important supporting role in MPA management<sup>2</sup>. The majority of the ten UC campuses have researchers actively involved in studies within the MPAs. MPAs also provide extraordinary educational opportunities for students, who in turn provide substantial new insights that are important for understanding ecosystem functioning within MPAs. We thus encourage OPC and the Drafting Oversight Group to consider how UC (either in its totality or individual campuses) can be involved as a partner(s) in these Collaboratives. To-date, partnerships have been largely forged by individual University researchers: (a) receiving grants and contracts (philanthropic and public) to perform monitoring and research within MPAs, and (b) acting as science advisors.

Some places where considerations of UC participation could be expanded include: (1) Updates of Memoranda of Understanding (MOU) mentioned on page 4 (lines 206-2014); (2) state interagency alignment, pages 7-8 (lines 304-366); and (3) Appendix G., page 34 of “Organizations with Funding Mechanisms in Place for Philanthropy”.

Pages 10-11, Table 2. “Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation”.

NOAA: We note that regional ocean observing systems (Regional OOS) of the national Integrated Ocean Observing System (IOOS) are not listed in this table. CeNCOOS is the regional association for central and northern California. SCCOOS is the association for Southern California. The National Oceanic and Atmospheric Administration (NOAA) is the lead federal agency for implementation and administration of the System. These systems provide important oceanographic information for assessing changes in the MPAs. By combining the results of ecological monitoring with physical parameters measured by the Integrated Ocean Observing Systems (IOOS) and other oceanographic research efforts (for example, Monterey Bay Aquarium Research Institute, Marine Life Observatory at Hopkins Marine Station, National Science Foundation’s Santa Barbara Channel Long-term Ecological Research program) the true drivers of observed ecological change can be shown. Additionally as more data are collected in conjunction, a more comprehensive understanding of the physical–biological coupling will enable scientists to

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<sup>2</sup> We recognize that UC does not have legislated mandates specifically for ocean resource management. UC goals support MPAs in California: including, education, research that benefits the state, leadership in sustainability approaches, partnerships with industry.

understand and measure the effects of spatial management implementation and natural environmental variability.<sup>3</sup>

BOEM: The Bureau of Ocean Energy Management (BOEM) should be added to the list of federal agencies with possible supporting roles in MPA management. BOEM (formerly, Minerals Management Service) is a primary funder of long-term intertidal rocky reef community and biodiversity surveys in California<sup>4</sup>. This federal partner supports essential monitoring for long-term trends, including in MPA areas.

NPS: In addition to the roles outlined for the National Park Service, we suggest that the following be additional role to reflect present collaborations between NPS and our rocky intertidal monitoring program (similar to the research/monitoring role for NOAA NMS): "conduct and support research and monitoring that could feed into adaptive management".

Section 4.2 Key Roles for Non-Governmental Partners. The MPA Partnership Plan could expand on the supporting roles of research partners in Table 4 "Table 4. Summary of Potential Roles for Non-Governmental Partners" to include "Research and development of innovative techniques for cost-effective monitoring". Work to establish cost-effective and sensitive methods for quantifying ecological condition is a research and development (R&D) effort not captured in the two research bullets "Conduct research and monitoring to inform baseline programs and adaptive management" and "Engage in collaborative research projects". We suggest that R&D work is a third and necessary component to reflect the range of scientific work relevant to MPAs. One relevant example is the work being performed at Stanford University (Marine Life Observatory, MLO, at Hopkins Marine Station) by Steve Palumbi in collaboration with CDFW to develop techniques for high-throughput monitoring (technology to enable high-volume genomics and biophysical monitoring). This work at Stanford is focusing on settlement patterns for invertebrates in kelp forests up and down the CA Coast using community genomics. It is currently focused on red and black abalone, but can be expanded to monitor a wide range of species and settlement patterns. Other ecosystem monitoring R&D work is performed by PISCO and other University research groups.<sup>5</sup>

Section 5.1. Types of Partnership Approaches. We appreciate the effort to describe various types of partnerships, ranging from informal to formal. This introduction sets the basis for how partners relate (managing expectations, resolving conflicts, etc.). We suggest that the spectrum of partnership be modified, because the term "partnership" is used in three very different contexts. In the figure, "Partnership" is used to describe the most formalized type of collaboration, whereas the title "spectrum of partnership" includes less formal organizational relationships such as alliances and coordination/collaboration) and the entire document text refers to "partnerships" at any point along that spectrum. We suggest either replacing the term "Partnership" in the figure (e.g., "formalized agreements"), or deleting all titles ("Partnership", "Alliance", "Coordination and Collaboration") while

<sup>3</sup> M.H. Carr, C.B. Woodson, O.M. Cheriton, D. Malone, M.A. McManus, P.T. Raimondi, 2010, *Knowledge through partnerships: integrating marine protected area monitoring and ocean observing systems*, Front Ecol Environ 2010; <http://dx.doi.org/10.1890/090096>

<sup>4</sup> See Pacific Rocky Intertidal Monitoring website: [www.eeb.ucsc.edu/pacificrockyintertidal/overview/index.html](http://www.eeb.ucsc.edu/pacificrockyintertidal/overview/index.html)

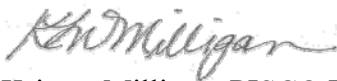
<sup>5</sup> Other R&D work includes other genetics work to establish connectivity among juvenile and adult populations in and out of MPAs (Stanford, UC Santa Cruz, and others) and monitoring of fish populations using sonic imaging, sensors for flow dynamics, genomics approaches for biodiversity measures (MLO at Hopkins-Stanford in the Lovers Point State Marine Reserve).

noting that partnerships can be called a number of different terms such as these (and others). Some other groups have worked to characterize types of partnerships, which may be of useful reference.<sup>6</sup>

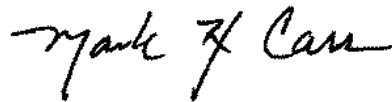
Section 7.2 Continued Investment (page 18-19, lines 641-677). As Community Collaboratives become established, funds will be needed to “maintain efforts and improve organizational effectiveness” (lines 648-649). These costs will have to be balanced with other funding gaps to support MPA management (monitoring, compliance and enforcement, tribal consultation). The document also describes the need for continued state funding for these activities (lines 668-674). This plan advocates for a diversified funding plan that relies on efforts by all partners, “Continued commitment and support through partnership is needed to fill these gaps” (lines 675-676). We agree that formalized partnerships can provide stability to a program. Informal partnerships are less certain over time. Reliance on a diversified funding plan for Community Collaborative success will be a challenging approach, unless a number of formalized partnerships can provide a stable foundation to which less formal collaborations can contribute. This section could benefit from a brief description of the leadership roles of OPC and state agencies in forging formalized partnerships for development of stable Community Collaboratives.

In conclusion: Thank you for this opportunity to comment on the draft document. We look forward to future discussions as the planning proceeds. For more information about these comments, please contact Kristen Milligan at (541)737-8862 or [Kristen.Milligan@science.oregonstate.edu](mailto:Kristen.Milligan@science.oregonstate.edu)

Sincerely,



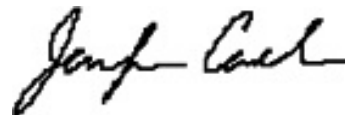
Kristen Milligan, PISCO Program Coordinator



Mark Carr, UC Santa Cruz



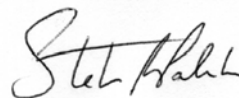
Pete Raimondi, UC Santa Cruz



Jennifer Caselle, UC Santa Barbara



Carol Blanchette, UC Santa Barbara



Stephen Palumbi, Stanford University

<sup>6</sup> For example: 2012. “Partnerships: Frameworks for working together”. Compassion Capital Fund National Resource Center, contracted by US Department of Health and Human Services. <http://www.acf.hhs.gov/sites/default/files/ocs/partnerships.pdf> and <http://www.acf.hhs.gov/programs/ocs/resource/partnerships-frameworks-for-working-together>

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# The California Collaborative Approach: Marine Protected Areas Partnership Plan

Friday, May 30, 2014

Comments submitted by Coastal Band of Chumash Nation

### Tribal Governments and Communities—MLPA Consultation

Pursuant to its authority in Fish and Game Code section 2850.5, Executive Order B 10 11, and consistent with the CNRA's Final Tribal Consultation Policy, the OPC has determined and declares that tribal support and active engagement with marine policy and science are essential to the ongoing success of the state's marine and coastal program and the full implementation of the state's MPA network. California tribes, tribal communities, and indigenous peoples are essential partners who must be consulted with often frequently and effectively on all aspects of marine planning and enforcement.

The OPC supports the commitment of the FGC and the CDFW to fully include tribal issues in their rules in accordance with their consultation policies. The OPC desires to create both effective ongoing working relationships with interested California tribes, tribal communities, and indigenous peoples and to establish specific actions that shall be taken for effective government-to-government consultation.

OPC has four requirements for effective relationship building and government-to-government consultation with California tribes, tribal communities, and indigenous peoples:

- **Relationship Building.** The OPC recognizes that government-to-government consultations work more effectively to resolve issues if relationships have been fostered and lines of communication have been open and clear. Thus the OPC designates its Executive Director and her tribal liaison to work with California tribes, tribal communities, and indigenous peoples on an ongoing basis so that relationships can be built over time and information can be provided in an effective and timely manner. This work shall include convening workshops, working meetings, education and outreach, and any other informational session that would allow the OPC to effectively communicate with and build foundational relationships with California tribes, tribal communities, and indigenous peoples. The Executive Director is encouraged to contact and include tribal liaisons for any relevant managing or designating entities when relevant.
- **Formal Consultation.** The OPC shall, at the earliest possible opportunity, or at the request of any California tribe, tribal community, or indigenous peoples, engage in government-to-government consultation consistent with the CNRA's Final Tribal Consultation Policy. The Executive Director and/or the Chair shall meet with and hear any tribal issues or concerns as well as provide information on planning or regulatory changes that might be relevant to or otherwise affect tribal partners.
- **Consultation Shall Include Managing Entities.** Managing Entities shall, consistent with their own tribal consultation policies, communicate and meet with California tribes, tribal communities, and indigenous peoples on potential roles and responsibilities of tribes, tribal communities and indigenous peoples interested in collaboration for MPA management. Consistent with all department-level policies, executive staff from OPC, the Managing Entity, and the FGC shall be prepared to share information with one another about tribal engagement and to develop responsive and timely solutions that address tribal concerns, suggestions, or needs within existing mandates. Further, if the tribal request cannot be accommodated, the entities should be prepared to provide the tribes with as much information as possible to explain why a particular request cannot be fulfilled. Any time a meeting is set or requested by a California tribe, tribal community, or indigenous peoples, the Executive Director of OPC,

**Comment [O1]:** Can a footnote list the websites where this documentation can be found?

**Comment [O2]:** It is important to include the designator "California" because many U.S. tribes and tribal people from localities outside the state currently live in California. I have added "California" in all appropriate places, but that may not be necessary if a definition as suggested below is used.

**Comment [O3]:** Can we add a definition box to this effect: "In this document, the phrase "tribe, tribal communities, and indigenous peoples" is used to include all California native tribes and native indigenous communities, regardless of recognition status, which does not impact these groups' sovereignty, interests in ancestral territory and resources, or the validity of traditional knowledge and cultural practices. Throughout the rest of the document, the phrase may be shortened to "tribes" or "indigenous communities," but the intent remains the same."

**Comment [O4]:** Please define or give examples for "managing entities". If this appears elsewhere in document, maybe refer to that section.

the Regional Manager for the Marine Region for the CDFW, and the Executive Director for the FGC shall notify each other and shall invite each other to attend **as well as notify the tribe regarding attendees.**

- **Tribal Engagement.** Similarly, **California** tribes, tribal communities, and indigenous peoples should consider identifying proper notice lists as well as the roles that they would like to play and the topical areas about which they want to be contacted. **For example,** these roles and areas of interest could include, but are not limited to, outreach and education; stewardship (land tending); research and monitoring; compliance and enforcement; permitting, code, and policy development; sustainable financing; and/or traditional ecological knowledge-based outreach and information exchange. These roles and responsibilities may be developed and executed within their own authority and jurisdictions, as well as through joint agreements with state agencies, with the understanding that there **will may** be **some** potential limitations based on tribal status and/or existing laws not controlled by or regulated by the OPC or its member entities.

The OPC believes that there are different levels of tribal engagement to support effective MPA management, recognizing that each **Tribe** is unique and has distinctive perceptions in the roles they could play. Appendix B contains a chart that indicates the type of activities such consultation might include and potential opportunities for specific tribal engagement.

**Comment [O5]:** “tribe” only needs to be capitalized if naming a specific tribe or perhaps if used in a document as a term of art, for example.

804 **Appendix B: Tribal Roles and Opportunities in Marine Protected Area**  
 805 **Management**

Management Role	Activities
<b>Education and Outreach</b>	<ul style="list-style-type: none"> <li>• Lead or collaborate on education and outreach related to history, traditional ecological knowledge, preservation, and revitalization of tribal culture as relevant to ensuring the protection or evaluation of MPAs</li> <li>• Lead or collaborate on signage and interpretive displays related to MPA management as well as cultural preservation and natural history aspects that would preserve tribal culture and be of interest generally</li> <li>• Support the creation of tribal marine education programs for tribal education, public outreach, and ecological and cultural literacy<sup>1</sup></li> </ul>
<b>Stewardship (Land and Species Tending)</b>	<ul style="list-style-type: none"> <li>• Lead or participate in Community Collaboratives</li> <li>• Participate in decision-making process through consultation on rules and regulations</li> <li>• Sit on scientific and technical committees related to management and conservation of MPAs</li> <li>• Lead or join efforts to support MPA pollution prevention and watch programs, beach trash pick-up events, restoration projects, and other activities<sup>2</sup></li> <li>• Partake in collaboration and partnership building to enhance relationships between <b>Tribes California</b> tribes and the state, locally or regionally<sup>3</sup></li> </ul>
<b>Science: Research and Monitoring</b>	<ul style="list-style-type: none"> <li>• Collaborate to design evaluation criteria and conduct MPA monitoring for MPA network performance</li> <li>• Collaborate to design and implement approaches to incorporate traditional ecological knowledge into MPA monitoring</li> <li>• Sit on scientific and technical committees related to MPA research and monitoring</li> <li>• <b>Collaborate with scientific and technical committees to provide understanding of traditional ecological knowledge (TEK)</b></li> </ul>
<b>Compliance and Enforcement</b>	<ul style="list-style-type: none"> <li>• Develop explanatory or other materials so compliance is less complicated</li> <li>• Collaborate on enforcement, monitoring, and implementation</li> <li>• Develop complementary administrative and enforcement processes on tribal land</li> </ul>
<b>Sustainable Financing</b>	<ul style="list-style-type: none"> <li>• Lead or collaborate on supporting and raising funds for aspects of MPA management and enforcement that are of importance to (a) tribe(s)</li> </ul>
<b>Traditional Ecological Knowledge—Education and Incorporation</b>	<ul style="list-style-type: none"> <li>• Provide education, outreach, or other information to support decision-making, including information on the interconnected nature of habitats, systems, and regional resource values</li> </ul>

**Comment [O6]:** No capital needed for "tribe"

**Comment [O7]:** This addition is intended to complement the functions in the last box in this appendix, "Traditional ecological knowledge..."

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<sup>1</sup> Wishtoyo Foundation. Marine Protected Areas Chumash and Tribal Co-Management. Web. 11 Nov. 2013.  
<http://www.wishtoyo.org/vck-MPAs-tribal-MPAs.html>.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

**InterTribal Sinkyone Wilderness Council**  
**Recommended Revisions to**

**Draft**  
**Marine Protected Areas Partnership Plan**

388 **Tribes and Tribal Governments—MLPA Consultation**

389 Pursuant to its authority in Fish and Game Code section 2850.5, Executive Order B 10 11, and consistent  
390 with the CNRA's Final Tribal Consultation Policy, the OPC has determined and declares that tribal  
391 support and active engagement with marine policy, ~~and science~~ and co-management are essential to the  
ongoing success of  
392 the state's marine and coastal program and the full implementation of the state's MPA network. ~~Tribes,~~  
393 ~~tribal communities, and indigenous peoples~~ Due to their status as sovereign nations, and because of  
their knowledge of marine life and sound marine management practices, California Indian tribes<sup>1</sup> are  
essential partners who must be consulted with often  
394 and effectively on all aspects of marine planning, ~~and enforcement~~ and management. The coastline and  
marine waters of California are situated within the ancestral territories of California Indian peoples, who  
lived along the coast, utilized marine resources, and stewarded marine and coastal ecosystems for  
countless generations in ways that have ensured biological diversity and abundance.

395 The OPC supports the commitment of the FGC and the CDFW to fully include tribal issues in their rules in  
396 accordance with their consultation policies. The OPC desires to create both effective ongoing working  
397 relationships with interested ~~tribes, tribal communities, and indigenous peoples~~ California Indian tribes  
with ancestral connections to the ocean and to coastal areas, and to establish specific  
398 actions that shall be taken for effective government-to-government consultation.

399 OPC has four requirements for effective relationship building and government-to-government  
400 consultation with ~~tribes, tribal communities, and indigenous peoples~~ California Indian tribes:

401 ∞ **Relationship Building.** The OPC recognizes that government-to-government consultations work  
402 more effectively to resolve issues if relationships have been fostered and lines of communication  
403 have been open and clear. Thus the OPC designates its Executive Director and her tribal liaison to  
404 work with ~~the tribes, tribal communities, and indigenous peoples~~ California Indian tribes on an  
ongoing basis so that  
405 relationships can be built over time and information can be provided in an effective and timely  
406 manner. This work shall include convening workshops, working meetings, education and outreach,  
407 and any other informational session that would allow the OPC to effectively communicate with and  
408 build foundational relationships with ~~tribes, tribal communities, and indigenous peoples~~ California  
Indian tribes. The

409 Executive Director is encouraged to contact and include tribal liaisons for any relevant managing or  
410 designating entities when relevant.

411

412 ∞ **Formal Consultation.** The OPC shall, at the earliest possible opportunity, or at the request of any  
413 ~~tribe, tribal community, or indigenous peoples,~~ California Indian tribe, engage in government-to-  
government consultation  
414 consistent with the CNRA's Final Tribal Consultation Policy. The Executive Director and/or the Chair

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<sup>1</sup> For the purpose of this MPA Partnership Plan, "California Indian tribes" is intended to mean California Indian tribes, and tribal consortia that are composed strictly of California Indian tribes.

415 shall meet with and hear any tribal issues or concerns as well as provide information on planning or  
 416 regulatory changes that might be relevant to or otherwise affect tribal partners.  
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 418 ∞ **Consultation Shall Include Managing Entities.** Managing Entities shall, consistent with their own  
 419 tribal consultation policies, communicate and meet with ~~tribes, tribal communities, and indigenous~~  
 420 ~~peoples~~ California Indian tribes on potential roles and responsibilities of ~~the tribes, tribal~~  
~~communities and indigenous peoples~~  
 421 interested in collaboration for MPA management. Consistent with all department-level policies,  
 422 executive staff from OPC, the Managing Entity, and the FGC shall be prepared to share information  
 423 with one another about tribal engagement and to develop responsive and timely solutions that  
 424 address tribal concerns, suggestions, or needs within existing mandates. Further, if the tribal request  
 425 cannot be accommodated, the entities should be prepared to provide the tribes with as much  
 426 information as possible to explain why a particular request cannot be fulfilled. Any time a meeting is  
 427 set or requested by a ~~tribe, tribal community, or indigenous peoples~~ California Indian tribe, the  
 Executive Director of OPC,  
 428 the Regional Manager for the Marine Region for the CDFW, and the Executive Director for the FGC  
 429 shall notify each other and shall invite each other to attend.  
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 431 ∞ **Tribal Engagement.** Similarly, ~~tribes, tribal communities, and indigenous peoples~~ California Indian  
tribes should consider  
 432 identifying proper notice lists as well as the roles that they would like to play and the topical areas  
 433 about which they want to be contacted. These roles and areas of interest could include, but are not  
 434 limited to, outreach and education; co-management and stewardship ~~(land tending)~~; research and  
 monitoring;  
 435 compliance and enforcement; permitting, code, and policy development; sustainable financing;  
 436 and/or traditional ~~ecological~~ knowledge-based outreach and information exchange. These roles and  
 437 responsibilities may be developed and executed within their own authority and jurisdictions, as well  
 438 as through joint agreements with state agencies, with the understanding that there will be some  
 439 potential limitations based on tribal status and/or existing laws not controlled by or regulated by the  
 440 OPC or its member entities.  
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 441 The OPC believes that there are different levels of tribal engagement to support effective MPA  
 442 management, recognizing that each ~~Tribes~~ California Indian tribe is unique and has distinctive  
 perceptions in the roles they  
 443 could play. Appendix B contains a chart that indicates the type of activities such consultation might  
 444 include and potential opportunities for specific tribal engagement.

**Change to Appendix B, second cell down in left column:**

Co-Management and Stewardship ~~(Land and Species Tending)~~

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# The California Collaborative Approach: Marine Protected Areas Partnership Plan

Comments Submitted by Potter Valley Tribe

Table 1. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA Implementation

Entity	Supporting Roles in MPA Management
<b>Bureau of Land Management</b>	<ul style="list-style-type: none"> <li>• Administer California Coastal National Monument, which includes many offshore rocks adjacent to and within MPAs</li> </ul>
<b>Department of Defense</b>	<ul style="list-style-type: none"> <li>• Participate in local-scale collaborations to stay abreast of MPA management activities</li> <li>• Lead resource surveys like marine resource assessments at the local level<sup>1</sup></li> <li>• Conduct at sea training and testing operations with sensitivity and awareness of MPAs<sup>2</sup></li> <li>• Maintain authority over access to some MPAs</li> <li>• Maintain authority to designate restricted areas for reasons other than conservation (e.g., military training areas, shipping lanes, anchoring sites, etc.) and to exclude civilians from these zones off coastal areas near military base<sup>3</sup></li> </ul>
<b>Department of Justice</b>	<ul style="list-style-type: none"> <li>• Allocate certain conservation- or species-related fines to state natural resource agencies or nonprofits (e.g., National Fish and Wildlife Foundation) that can support MPA management. For example, in 2013 the Department of Justice and the U.S. Environmental Protection Agency awarded the State of Louisiana half of the civil penalty for violation of the Clean Water Act by the City of Shreveport<sup>4</sup></li> </ul>
<b>National Oceanic and Atmospheric Administration (NOAA)-Office of National Marine Fisheries Service</b>	<ul style="list-style-type: none"> <li>• Conduct monitoring and data collection that could inform adaptive management</li> <li>• Maintain authority to patrol, search, inspect, and cite violations of federal regulations (NOAA's Office of Law Enforcement)</li> <li>• Foster partnerships with state, tribal, federal, and NGOs</li> <li>• Participate in cooperative fisheries enforcement with other enforcement agencies to implement international treaties and obligations</li> <li>• <u>Assess impacts of international fishery treaties and harvest levels on anadromous fish populations; and report on sustainability of current practices</u></li> <li>• Perform outreach and compliance building activities</li> <li>• Support Joint Enforcement Agreement with CDFW</li> <li>• Provide funding to the state to enforce federal regulations in state waters, in federal offshore waters, and in bays, estuaries, rivers, and streams<sup>5</sup></li> </ul>
<b>NOAA Coastal Services Center</b>	<ul style="list-style-type: none"> <li>• Collaborate with the MPA Center on creating and disseminating MPA public outreach materials</li> <li>• Developed Marine Protected Areas Online Mapping Tool designed to help users visualize MPA boundaries and provide access to MPA Inventory data<sup>6</sup></li> </ul>
<b>NOAA MPA Center</b>	<ul style="list-style-type: none"> <li>• Coordinate MPA programs and projects managed by diverse agencies across all levels of government<sup>i</sup></li> </ul>
<b>NOAA National Marine Sanctuaries</b>	<ul style="list-style-type: none"> <li>• Designate National Marine Sanctuaries in federal and state waters<sup>7</sup></li> <li>• Patrol, including boats and aircraft, in all CA Sanctuaries<sup>8</sup></li> <li>• Coordinate enforcement efforts, share physical resources, cross deputize state <u>or tribal</u> officers, and provide federal funds for state <u>or tribal</u> operations<sup>9</sup></li> <li>• Develop informational materials, including maps, that reference state MPAs co-located with Sanctuaries</li> </ul>

<sup>i</sup> With passage of the FY13 federal budget, the MPA Center is now housed within the Office of National Marine Sanctuaries.

Entity	Supporting Roles in MPA Management
	<ul style="list-style-type: none"> <li>• Contribute other education and outreach capacity and infrastructure (e.g., visitor centers)</li> <li>• Conduct research and monitoring that could feed into adaptive management</li> <li>• Participate in local-scale collaboration</li> </ul>
<b>NOAA National Estuarine Research Reserve System(NERRS)</b>	<ul style="list-style-type: none"> <li>• Currently there are three NERRS within California (San Francisco, Elkhorn Slough, and Tijuana River)</li> <li>• NERRS contributes to the implementation of the Executive Order 13158, which calls for an expanded and strengthened system of MPAs in the United States<sup>10</sup></li> <li>• NERRS Benthic Monitoring includes examining patterns and processes of benthic community development, which also has direct implications for the science and management of MPAs<sup>11</sup></li> </ul>
<b>U.S. Environmental Protection Agency National Estuaries Program</b>	<ul style="list-style-type: none"> <li>• Three programs found in California—including Morro Bay National Estuary and San Francisco Estuary Partnership and Santa Monica Bay Restoration Commission—which are now state programs<sup>12</sup></li> <li>• Include MPAs in education and outreach messaging, including information on websites and at visitor centers</li> <li>• Support monitoring programs, such as aerial surveys<sup>13</sup></li> </ul>
<b>National Park Service</b>	<ul style="list-style-type: none"> <li>• Enforcement personnel stationed at federal parks along California coast and some off-shore islands<sup>14</sup></li> <li>• Contribute other education and outreach capacity and infrastructure (e.g., visitor centers)</li> <li>• Participate in local-scale collaboration</li> <li>• Has authority over access to some MPAs</li> </ul>
<b>Pacific Fisheries Management Council</b>	<ul style="list-style-type: none"> <li>• <a href="#">Maintain authority under the Magnuson-Stevens Fishery Conservation and Management Act over all species of fish 3–200 miles nautical miles offshore, generally recommending regulations for species with fishery management plans<sup>15</sup></a></li> <li>• <a href="#">Review treaties for fisheries more than 200 miles offshore for sustainability and impacts on species within state and federal waters</a></li> <li>• Under the National Marine Sanctuaries Act, given the opportunity to draft regulations for review, approval, and implementation of marine reserves and MPAs<sup>16</sup></li> <li>• Able to draft letters of support or opposition for actions that may affect MPAs</li> </ul>
<b>U.S. Coast Guard</b>	<ul style="list-style-type: none"> <li>• Authority to search, inspect, and cite violations 3–200 miles off the coast</li> <li>• Ability to observe violations in state MPAs and submit enforcement action report as evidence</li> <li>• Provide support for state and federal fisheries regulation enforcement<sup>17</sup></li> </ul>
<b>U.S. Fish and Wildlife Service</b>	<ul style="list-style-type: none"> <li>• Statutory authority to enforce Marine Mammal Protection Act, Endangered Species Act, and Lacey Act</li> </ul>

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The OPC supports the commitment of the FGC and the CDFW to fully include tribal issues in their rules in accordance with their consultation policies. The OPC desires to create both effective ongoing working relationships with interested tribes, tribal communities, and indigenous peoples and to establish specific actions that shall be taken for effective government-to-government consultation.

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- **Tribal Engagement.** Similarly, tribes, tribal communities, and indigenous peoples should consider identifying proper notice lists as well as the roles that they would like to play and the topical areas about which they want to be contacted. These roles and areas of interest could include, but are not limited to, outreach and education; stewardship (land tending); research and monitoring; compliance and enforcement; permitting, code, and policy development; sustainable financing; and/or traditional ecological knowledge-based outreach and information exchange. These roles and responsibilities may be developed and

executed within their own authority and jurisdictions, as well as through joint agreements with state agencies, with the understanding that there will be some potential limitations based on tribal status and/or existing laws not controlled by or regulated by the OPC or its member entities. Programs should be developed that empower local tribes and/or personnel to become land managers and enforcement officers equivalent to their federal counterparts. Involved entities should explore opportunities for co-management with tribes in the MPA area.

The OPC believes that there are different levels of tribal engagement to support effective MPA management, recognizing that each Tribe is unique and has distinctive perceptions in the roles they could play. Appendix B contains a chart that indicates the type of activities such consultation might include and potential opportunities for specific tribal engagement.

### Local and Regional Government

Participation by local and regional governments is essential for effective MPA network management. Currently there is an opportunity to determine interest, manage expectations, and increase understanding where local and county governments can support MPA management, within their jurisdictional boundaries. Table 3 *Regional and Local Government Potential Roles and Responsibilities* lists local governments and the potential role they could play in MPA management.<sup>ii</sup>

Table 2. Local and Regional Government Potential Role and Responsibilities

Entity	Potential Role and Responsibilities
City Council	<ul style="list-style-type: none"> <li>Participate and actively engage in local-scale collaborations<sup>18</sup></li> <li>Develop local ordinances in support of and consistent with state laws on MPAs<sup>19</sup></li> <li><u>Engage with tribes active in the area of the MPA</u></li> </ul>
County Fish and Game Commissions	<ul style="list-style-type: none"> <li>Collect and allocate a portion of funds collected from fines to MPA management (e.g., administer trainings for local law enforcement personnel or create and improve</li> </ul>

<sup>ii</sup> It is important to point out that most of the state agencies discussed above operate at regional and local scales.



	<p>signage)<sup>20</sup></p> <ul style="list-style-type: none"> <li>• <a href="#">Cultivate relationships through local-scale collaborations<sup>21</sup></a></li> <li>• <a href="#">Engage with tribes active in the area of the MPA</a></li> </ul>
<b>County Government</b>	<ul style="list-style-type: none"> <li>• Office of District Attorney’s environmental unit (e.g., Environmental Protection Unit) is responsible for prosecuting environmental crimes, including MPA violations<sup>22</sup></li> <li>• Coordinate with CDFW to provide legal expertise and support prosecution of violations<sup>23,24</sup></li> <li>• <a href="#">Participate and actively engage in local-scale collaborations</a></li> <li>• <a href="#">Engage with tribes active in the area of the MPA</a></li> </ul>
<b>Local Enforcement (harbor police, city police, sheriffs, and resource enforcement officers)</b>	<ul style="list-style-type: none"> <li>• Participate in county-wide MPA enforcement trainings for all law enforcement personnel who regularly patrol in or adjacent to MPAs<sup>25</sup></li> <li>• <a href="#">Take appropriate enforcement action on violations observed within jurisdictional boundaries<sup>26,27</sup></a></li> <li>• <a href="#">Engage with tribes active in the area of the MPA</a></li> </ul>
<b>Regional Water Control Boards</b>	<ul style="list-style-type: none"> <li>• Issue and enforce permits to control the discharge of waste to state waters<sup>28</sup></li> <li>• <a href="#">Monitor water quality protection areas (funded by Prop 84) that may overlap with MPAs<sup>29</sup></a></li> <li>• <a href="#">Engage with tribes active in the area of the MPA</a></li> </ul>

### Potential Funding Sources—Federal Government

Numerous federal partners—including the United States Coast Guard (USCG), the National Park Service, the Office of the National Marine Sanctuaries (ONMS), the Bureau of Land Management, and the Department of the Navy—currently provide a wide range of in-kind support for MLPA management, ranging from USCG helicopter over flights of MPAs with CDFW wardens on board to use of ONMS vessels for research and monitoring of MPAs.

[The Bureau of Indian Affairs \(BIA\) has many programs involved with natural resource management on tribal lands. Several of these can be used on lands not held in trust but managed by tribes. Programs include funds for assessments and studies, development of resource management plans, habitat restoration, and training of tribal natural resource managers. These could be accessed through co-management agreements with tribes.](#)

The federal Energy Policy Act of 2005 established the Coastal Impact Assistance Program (CIAP), which authorized funds to be distributed to Outer Continental Shelf (OCS) oil- and gas-producing states to mitigate the impacts of OCS oil and gas activities. The CNRA developed a *Coastal Impact Assistance Program Plan (CIAP)*, which described proposed projects, expenditure of funds, and state administration of the CIAP.<sup>30</sup> Between 2007 and 2010, CIAP provided approximately \$3–4 million a year for programs in the State of California, including funding to CDFW for monitoring and enforcing of MPAs, to the OPC in support of seafloor mapping, and to State Parks to support participation in the MLPA process. This funding will continue into 2014 and 2015, as CIAP will be supporting

monitoring surveys of MPAs by remote operated vehicles. CIAP funds will be expended within the next several years; Congress has not reauthorized the CIAP program nor created another vehicle to distribute oil and gas royalties to the states.

There is an effort at the federal level to advance a National Endowment for the Oceans that would be funded by fees and fines from the offshore oil and gas industry. If this moves forward in the future, California could potentially obtain funds from the endowment and apply them to MPA management.

### Private Philanthropy

There is a strong history of private philanthropy supplementing funding and participating in the California Collaborative approach. For instance, many private philanthropists are funding activities that are supporting NGOs working on management activities, such as outreach and education. There is an opportunity for private philanthropy to engage in funding at the network, regional, or individual MPA levels. For instance, private philanthropists can give directly to the following NGOs engaged in partnerships or through various mechanisms (described in greater detail in Appendix G):

- Ocean Science Trust;
- California Wildlife Foundation;
- California Wildlife Officers Foundation;
- California State Parks Foundation;
- Community Foundations; and
- Local-scale fiscal sponsors.

### Private Sector

In addition to the fees and taxes described above, the private sector can provide funds to support MPA implementation. For instance, private operations could enact voluntary donation programs where tourists can opt to donate a monetary amount toward MPA management or participate in “Friends of” programs, which may be created at some point for individual MPAs.

## Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management

Management Role	Activities
<b>Education and Outreach</b>	<ul style="list-style-type: none"> <li>• Lead or collaborate on education and outreach related to history, traditional ecological knowledge, preservation, and revitalization of tribal culture as relevant to ensuring the protection or evaluation of MPAs</li> <li>• Lead or collaborate on signage and interpretive displays related to MPA management as well as cultural preservation and natural history aspects that would preserve tribal culture and be of interest generally</li> <li>• Support the creation of tribal marine education programs for tribal education, public outreach, and ecological and cultural literacy<sup>31</sup></li> </ul>
<b>Stewardship (Land and Species Tending)</b>	<ul style="list-style-type: none"> <li>• Lead or participate in Community Collaboratives</li> <li>• Participate in decision-making process through consultation on rules and regulations</li> <li>• Sit on scientific and technical committees related to management and conservation of MPAs</li> <li>• Lead or join efforts to support MPA pollution prevention and watch programs, beach trash pick-up events, restoration projects, and other activities<sup>32</sup></li> <li>• Partake in collaboration and partnership building to enhance relationships between Tribes and the state, locally or regionally<sup>33</sup></li> </ul>
<b>Science: Research and Monitoring</b>	<ul style="list-style-type: none"> <li>• Collaborate to design evaluation criteria and conduct MPA monitoring for MPA network performance</li> <li>• Collaborate to design and implement approaches to incorporate traditional ecological knowledge into MPA monitoring</li> <li>• Sit on scientific and technical committees related to MPA research and monitoring</li> </ul>
<b>Compliance and Enforcement</b>	<ul style="list-style-type: none"> <li>• Develop explanatory or other materials so compliance is less complicated</li> <li>• Collaborate on enforcement, monitoring, and implementation</li> <li>• Develop complementary administrative and enforcement processes on tribal land</li> </ul>
<b>Sustainable Financing</b>	<ul style="list-style-type: none"> <li>• Lead or collaborate on supporting and raising funds for aspects of MPA management and enforcement that are of importance to (a) tribe(s)</li> </ul>
<b>Traditional Ecological Knowledge—Education and Incorporation</b>	<ul style="list-style-type: none"> <li>• Provide education, outreach, or other information to support decision-making, including information on the interconnected nature of habitats, systems, and regional resource values</li> </ul>

- <sup>1</sup> National Oceanic and Atmospheric Administration. National Marine Protected Areas Center. Federal Agency Progress Report Under Executive Order 13158 on Marine Protected Areas. 2004. Web. 28 Oct. 2013. <http://marineprotectedareas.noaa.gov/pdf/helpful-resources/fed-agency-prog-rpt.pdf>.
- <sup>2</sup> Ibid.
- <sup>3</sup> National Oceanic and Atmospheric Administration. State of the Nation's De Facto Marine Protected Areas. 2008. [http://marineprotectedareas.noaa.gov/helpful\\_resources/inventoryfiles/defacto\\_mpa\\_report\\_0608.pdf](http://marineprotectedareas.noaa.gov/helpful_resources/inventoryfiles/defacto_mpa_report_0608.pdf).
- <sup>4</sup> United States Environmental Protection Agency. Enforcement. *Civil Cases and Settlements*. 2014. Web. 9 Jan. 2014. <http://www2.epa.gov/enforcement/city-shreveport-settlement>.
- <sup>5</sup> California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- <sup>6</sup> National Oceanic and Atmospheric Administration. NOAA Coastal Services Center. US Marine Protected Areas Online Mapping Tool. Web. 17 Sept. 2013. <http://www.csc.noaa.gov/digitalcoast/tools/mpaviewer>.
- <sup>7</sup> U.S. Congress. *National Marine Sanctuaries Act*. (16 U.S.C 1431 et seq.) 2000. <http://sanctuaries.noaa.gov/library/national/nmsa.pdf>.
- <sup>8</sup> California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- <sup>9</sup> Ibid.
- <sup>10</sup> National Estuarine Research Reserve System. NERRS. *The National Estuarine Research Reserve's System-Wide Monitoring Program (SWMP): A Scientific Framework and Plan for Detection of Short-Term Variability and Long-Term Change in Estuaries and Coastal Habitats of the United States*. 2007. Web. 9 Jan. 2014. <http://nerrs.noaa.gov/Doc/PDF/Research/SWMPPlan.pdf>.
- <sup>11</sup> Ibid.
- <sup>12</sup> United States Environmental Protection Agency. Estuaries and Coastal Wetlands. *National Estuary Program (NEP) Overview*. . 2014. Web. 30 Jan. 2014. [http://water.epa.gov/type/oceb/nep/upload/NatGeo\\_color\\_2013.pdf](http://water.epa.gov/type/oceb/nep/upload/NatGeo_color_2013.pdf).
- <sup>13</sup> Santa Monica Bay Foundation. Programs. Web 28 January 2014. <http://www.santamonibay.org/IntheOcean/intheocean.html>.
- <sup>14</sup> California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- <sup>15</sup> Pacific Fishery Management Council. Habitat and Communities: Marine Reserves and Marine Protected Areas. Web. 25 Oct. 2013. <http://www.pcouncil.org/habitat-and-communities/marine-protected-areas/>.
- <sup>16</sup> Ibid.
- <sup>17</sup> United States Coast Guard. Enforcement Branch. Web. 17 Sept. 2013. <http://www.uscg.mil/d8/enforcement/>.
- <sup>18</sup> Orange County Marine Protected Areas Council. Who Are We? 2012. Web. 9 Jan. 2014. <http://www.ocmarineprotection.org/>.
- <sup>19</sup> City of Santa Monica. City of Santa Monica Agendas- Regular City Council Meetings and Special Meeting of the Redevelopment Agency. 2009. Web. 9 Jan. 2014. [http://santamonica.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=1292](http://santamonica.granicus.com/MediaPlayer.php?view_id=2&clip_id=1292).
- <sup>20</sup> Sonoma County Fish and Wildlife Commission. About The Commission. 2014. Web. 9 Jan. 2014. <http://www.sonoma-county.org/wildlife/about.htm>.
- <sup>21</sup> Sonoma County Fish and Wildlife Commission. Programs. 2014. Web. 9 Jan. 2014. <http://www.sonoma-county.org/wildlife/programs.htm>.
- <sup>22</sup> City and County of San Francisco. District Attorney. *Special Operations*. 2014. Web. 9 Jan. 2014. <http://www.sfdistrictattorney.org/index.aspx?page=33>.
- <sup>23</sup> California Department of Fish and Wildlife. CDFW NEWS. *CDFW Director Makes Statement on Environmental Damage Settlement*. 2013. Web. 9 Jan. 2014. <http://cdfgnews.wordpress.com/2013/11/15/cdfw-director-makes-statement-on-environmental-damage-settlement/>.
- <sup>24</sup> Office of the District Attorney, Orange County. Economic Crimes- Environmental Protection. *Law*. 2014. Web. 9 Jan. 2014. <http://www.orangecountyda.com/home/index.asp?page=120>.
- <sup>25</sup> Orange County Marine Protected Area Council. *Marine Enforcement Workshop*. Corona Del Mar: Orange County Sheriff Harbor Patrol Department. 16 May 2012. Print.
- <sup>26</sup> California. Legislature. Penal Code (Section: 830). Web. 16. Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=830-832.17>.
- <sup>27</sup> City of Avalon, California. Departments- Harbor Patrol. 2014. Web. 9 Jan. 2014. <http://www.cityofavalon.com/content/3182/3209/>.
- <sup>28</sup> California Environmental Protection Agency. Colorado River Basin Regional Water Quality Control Board. *Water Boards' Structure*. 2012. Web. 9 Jan. 2014. [http://www.waterboards.ca.gov/coloradriver/about\\_us/water\\_boards\\_structure.shtml](http://www.waterboards.ca.gov/coloradriver/about_us/water_boards_structure.shtml).
- <sup>29</sup> California Environmental Protection Agency. State Water Resources Control Board. *Water Issues- Ocean Standards*. 2013. Web. 9 Jan. 2014. [http://www.waterboards.ca.gov/water\\_issues/programs/ocean/asbs.shtml](http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.shtml).
- <sup>30</sup> State of California. Coastal Impact Assistance Program Final Plan. 2009. Web. 28 Oct. 2013. [http://resources.ca.gov/ocean/CIAP/Final\\_CIAP\\_Plan.pdf](http://resources.ca.gov/ocean/CIAP/Final_CIAP_Plan.pdf).
- <sup>31</sup> Wishtoyo Foundation. Marine Protected Areas Chumash and Tribal Co-Management. Web. 11 Nov. 2013. <http://www.wishtoyo.org/vck-MPAs-tribal-MPAs.html>.
- <sup>32</sup> Ibid.
- <sup>33</sup> Ibid.

## Comments received by Yurok Tribe

Thank you to Ocean Protection Council Board and Executive Director Khulman for asking the Tribes to participate in the development of a collaboration policy. It has been noted that you have extended the time for comments to Tribes and Executive Director Khulman made a personal outreach to the North Coast Tribal Chairman's Association. The Yurok Tribe wants to also thank the Secretary of Resources and Deputy Director Executive Director Khulman for taking significant steps to resolve some long standing science issues between the State of California and the Yurok Tribe at the June 10, 2014 Ocean Protection Council meeting by opening up access to the Ocean Science Trust Science Advisory Team to Tribes. It is good (skueeven, Yurok word).

PRIOR Testimony on the California Collaborative Approach: The Yurok Tribe has presented oral testimony on the Planned Tribal and other group participation by a personal appearance in Sacramento at the June 10, 2014 Ocean Protection Council meeting, in discussions with Calla Allison in Del Norte County at the July organizing outreach group, and an answer to a question about Yurok thoughts by Liz Parissenti. There were direct comments to Executive Director Catherine Khulman at the North Coast Tribal Chairman's Association meeting of August 4, 2014. The goal of this presentation is to build on these prior public and oral comments.

The Yurok Tribe reserves any and all rights. The Yurok Tribe continues to this day to harvest in the traditional subsistence, religious, and cultural manner in all marine areas within ancestral territory. Thank you for the very hard work and effort that clearly has gone into these guidelines. The scope of the Collaborative proposal is currently limited to the implementation of the MPAs.<sup>1</sup> This raises the immediate question whether Ocean Protection Council( OPC) will have a separate policy for Tribal participation for healthy oceans or other programs? Most of the other state agencies have developed a single Tribal outreach program to avoid confusion. It is however not uncommon for there to be different procedures for decisions subject to the Administrative Procedures Act and Due Process requirements. If provisions for other programs are not included in the policy, then OPC could be in the position of having to re-notice subsequent inclusive amendments. This is a far deeper issue than the fact the Yurok Tribe does not participate in the MPA program. OPC may, as another alternative, decide to have the Healthy Ocean initiative handled by regular procedures with no special provisions for Tribal outreach. Clarity is important as you proceed forward.

The Yurok goal in presenting these comments is to: a) Look to the future by providing a variety of opportunities for Tribal participation which will allow the necessary tribal outreach mechanisms to already be in place for future participatory roles, b) Developing a set of guidelines that serve a broad range of OPC programs.

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<sup>1</sup> The Tribe is not eligible for the current traditional ecological knowledge MME program. The Tribe does not believe that was by accident and the same institutional forces and grant restrictions will be in place for future funding rounds. There will be a strong bias in favor of existing grantees in the future. When the Tribe pulled out of the MME process as the only way left to protest the lack of LOP science access it fully anticipated that future MPA funding sources might be unavailable for perhaps decades if ever. For a science grant Tribe to pull out of the process was a major decision to protest LOP access denial issues and have them taken seriously. This creates the ironic situation that the one coastal science orientated tribe is the only tribe not participating in the Tribal science program. For the short term the Tribe is seeking federal funding sources. Overtime, state programs will be approached one by one until marine relations can be normalized. As stated many times the Yurok Tribe is a science orientated tribe and making Yurok research programs eligible for State funding sources will be an ongoing long term effort. Participation in such science programs will be a key part of future relations. Regardless of funding source, the Tribe can participate and work with the State on healthy ocean issues. Healthy science issues may well be a better institutional fit anyway and co-management issues will be easier to resolve.

The Yurok Tribe has ongoing marine science monitoring programs that fit the Healthy Ocean Program concept. Healthy Oceans fit a holistic Tribal View for protection of our marine resources. To the extent this program expands to include healthy oceans, the proposed cooperative approach will provide a participatory mechanism for a more inclusionary program. It is unclear to the Yurok Tribe whether OPC desires such a future role for the guidelines.

Much of the described outreach is in effect consultation. Consultation can be anywhere from a checklist approach to significant prospective communication prior to policies being developed. Generally, most Tribes favor the word collaboration over consultation as it implies mutual agreement or at the very least a more involved relationship. However the use of the word Collaboration by the MME has a special meaning that is touchy with some of the Tribes. Co-management is used by the Yurok Tribe for managing the marine resources and harvesting of marine resources by Yurok Tribal members. The term is used differently by different Tribes. It has included co-management such as only handing out pamphlets. The California Department of Fish and Game is known to have four separate programs qualifying as co-management that do not meet the Yurok definition. While such variety may be helpful in developing administrative programs it provides a cautionary note at the implementation stage.

The Yurok Tribe reviewed two North Coast based institutions that have worked well. The first is the Magnuson Act which created the Pacific Coast Fisheries Management Council (PCFMC.) After the Bolt decision providing for Indian fishing rights, there was great controversy between fishery regulatory authorities, sport, commercial and Indian interest groups. The subsequent process has brought scientists, commercial and sports fisherman, stakeholders and tribes together. The common goal is good management of the fisheries resources. Characteristics include an inclusive invitation to participate. The recruitment of scientists from a multi-state area, usually Washington, Oregon and California provides for a higher quality of candidates to select from. The PCFMC has a subcommittee for virtually every major area of interest. The Yurok Tribe participates on the Klamath Chinook Salmon subcommittee. There is a respect between the parties and civil nature to technical discussions of those who participate on the committees. This is an essential key to success. The subgroups mix all user groups and scientists together.

There is less distinction in the Pacific Coast Fisheries Management Council between top policy groups and information systems than in the California Marine system.

The elite science team concept OST SAT provides policy information to the elite policy makers. Without such a system top policy makers tend to have input limited to major economic interests and politically connected interest groups. Other advantages include the ability for quick action by using a pre-appointed and well respected panel to further OPC ocean initiatives. The OPC OSTSAT ability to take fast action is not normally available from ground up organizations and most public institutions.

A brilliant example of this was the swift action on the creation out of the OST SAT and then the subsequent expansion of the West Coast Acidification & Hypoxia Panel. By expanding to a multi-state framework you greatly increased the level of scientific expertise available reminiscent of the Pacific Coast Fisheries Management Council multi state recruitment approach. The Multi state approach grew the spatial scope to an ideal size to clearly perceive major trends and by and large excludes local variances. The multi-state participation provides protection against other agencies expressing jurisdictional concerns. The result will be better science, a concrete step to ocean health concepts and serves as one of the better bureaucratic moves the year of any agency. The proposed OPC collaborative approach and the OST SAT programs complement each other.

The Federal Services under the Magnuson act started with an elite science approach but it eventually fell apart from distrust amongst the fishing groups. The subsequent bottom up stakeholder, scientist, and policy maker process has been very successful.

If you want a law review article describing the bottom up approach taken under the Magnuson Act see *"Fishing for Truth: Achieving the 'Best Available Science' by Forging a Middle Ground between Mainstream Scientists and Fisherman,"* Margreta Vellucci,

*Both the fishing industry and the scientific community will benefit from employing fisherman and utilizing fishing vessels to obtain scientific information. On the most basic level, including participants (fisherman) and additional vessels (fishing vessels) in the research process provides an opportunity to gather data a greater quantity and quality of data. ...and cooperation creates a mutual understanding and respect among both scientists and fisherman.<sup>2</sup>*

California has two interesting approaches to pre-emptively address the separation of elite policy making and science from the stakeholders as occurred in the PCFMC so as to avoid trust issues from developing. The first is you have two, (or shortly will have two Native representatives) on the elite science OSTSAT. This guarantees some integration of scientific perspectives with some stakeholders. Secondly, the Collaborative approach at the local level has adopted an inclusive approach including scientists, activists, NGOs and commercial fisherman. So far scientific and buy-in at the local level has been good and the research money is building a trust bond. Stakeholders feel included by their participation as well. It will be interesting to watch whether the sophisticated California approach provides stability to stakeholder and to policy holder dynamics. The system will require effort and an unusually efficient staff messages system from the top for policy issues.

The second model is the North Coast Research Partnership, formerly known as IRWP and sometimes NCIRWMP. The problem was rural Northern Counties were not competitive for restoration and wastewater grants. The more populated southern part of the State was getting all the money. Seven Northern Counties, cities, and Tribes formed a Policy Review Panel (PRP) and Technical Review Committee (TPRC). All parties must show mutual respect and support the final product. It is the only process I know where Siskiyou County has supported Tribal projects and Tribes have supported Siskiyou County projects. The results have been outstanding. The Southern portions of the state submit many competing proposals. The Northern group just submits one proposal. This unity has greatly increased grant money to the North Coast. It is the most successful such group on the North Coast. A key element is inclusion of all parties, civility, and teamwork with the common goal of growing the amount of grant monies available to the participants. Each entity individually administers projects.

Tribes are currently faced with many participatory opportunities with nine primary state agencies affecting the marine environment, 2 NGOs (OST, OSTSAT), multiple Regional Federal and multi-state agencies and initiatives such as the West Coast Governor's association Magnuson Act Pacific Coast Fisheries Management Commission, NOAA Regional Marine Planning Groups, and U.S. E.P.A. Covering marine issues therefore takes considerable Tribal time, effort, and expense.

OPC offers the following benefits to Tribal participation: a) The agency is only minimally limited by ex-parte relationship and due process constraints, b) OPC has created a positive atmosphere for Tribes, c)

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<sup>2</sup> Fishing for Truth: Achieving the "Best Available Science" by Forging a Middle Ground Between Mainstream Scientists and fisherman, Margreta Vellucci, Rodger Williams University, 2007

top management is experienced with a proven record of working with Tribes in a Federal and then State context, d) Administrative duties over the MPAs, e) The creation of a high quality elite science team, f) providing for the participation of Native Americans on marine scientific panels, g) recent record of supporting healthy oceans, and h) Access to the Secretary of Natural Resources. This adds a multi-agency dimension to partnership relationships that is critical to many long range solutions.

### SPECIFIC COMMENTS

Title Page line 13. Drop the word “Protected” so the title reads:

The California Collaborative Approach: Marine Protected Areas Partnership Plan  
Section 1: Text changes: Section 1. Drop the word “Protected” from line 58 Section 1 so it now reads: “A shared Vision of California’s Marine Areas.”

Section 1: (continued) The first sentence lines 60-62 is a good statement and should be kept. “California is committed to healthy and productive ocean ecosystems and sustainable resource management, and it has demonstrated this commitment in broad, forward-looking legislation and policy directions. This statement provides the latitude to further expand the guidelines to various OPC programs now and in the future.

Section four, Page 12 Tribal Engagement, Lines 431-436: Analytical Science is completely left out. The principle should be that Tribes should be allowed to participate in all levels of science including but not limited to Ecological Science and **ANALYTICAL** Science.

Section 6, Page 16. Adaptive Management: The guidelines effectively quote a portion of the statute. “...actions as tools for learning. Actions shall be designed so that, even if they fail, they will provide useful information for future actions.” The Yurok Tribe recommends that the language of 2853 (c) (5) (A) that clarifies that the process for modification, or abolishment of existing MPAs or new MPA’s established pursuant to this program” specific language be added to this section. These provisions are subject to review every three years. The scope of monitoring Enterprise Science projects is narrower than either of the two cited legislative provisions.<sup>3</sup> Having strong statements in the guidelines provides the basis for eventually expanding the MME science efforts to the full scope of the statute. This creates a more clinical objective scientific review of all past, present and future marine reserves. Overall marine science will be improved by meeting and reviewing all the terms and conditions of the MLPA and the suggested language change provide future flexibility for this concept.

Page 18-19: (Lines 656-661). Funding gaps should add:

Healthy Ocean Science Funding: (Rationale: Such macro environmental changes need to be monitored in order to properly evaluate MPA data.

An amendment should be made after the word “Tribal consultation” by adding the phrase “for all OPC programs” after the words “Tribal Consultation” Tribal consultation appears limited to the MPA and no other OPC program. That would be regrettable if true.

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<sup>3</sup>MME has taken the view that RLF funding is to further the reserve system so science projects that could be used to challenge siting models assumptions is outside the purview of their funding. Fish and Wildlife has a similar position that makes all existing studies good for adaptive management but un-useable anecdotal to model review.



Section 4 P 11 lines 393-394: Tribal Entities in most cases should be restricted to federally recognized Tribal Governments and should reflect reservation status tribes where factually warranted. The Yurok Tribe requests such a designation.

Existing co-management agreements should be honored to the maximum extent allowed by law. The Yurok and other Tribes have co-management agreements for the smoke stack rocks with the Bureau of Land Management for Redding Rock and other marine monuments. Future Co-management contracts with the California Department of Fish and Game should be accepted without requiring an independent review process.

Tribal enforcement is completely left off your enforcement lists. At a minimum, enforcement should include that some Tribes have ordinances, I.D. cards and full enforcement authority over Tribal Members. Some Tribes have deputy agreements from the California Department of Fish and Wildlife and county sheriffs. This gives them the authority to enforce state law and state fish and game law.<sup>4</sup> This needs to be reflected in an enforcement chart or division similar to the one provided for local government.

Co-management with Tribes will greatly expand the effectiveness of California Marine Resources programs. **In the long run some Tribes will not “buy in” to the program without co-management.** The Yurok Tribe has an ongoing court system,<sup>5</sup> law enforcement, monitoring, equipment (boats), dispatch, science, and skills in wildlife, fisheries and marine plants and animals<sup>6</sup> and has an I.D. card and a proven enforcement track record. The state should acknowledge the existing program and subsistence, religious, cultural and other traditional harvesting and develop a Memorandum of Understanding. See the attached exhibit of the Yurok Tribe. Many of the Yurok areas are very remote and no other viable enforcement option exists.<sup>7</sup> Co-management with the Yurok Tribe will greatly expand the effectiveness of California Marine Resources programs.

Hint: One approach that has worked well such as in the MLPA EIR is to have each Tribe write up a brief history and their goals. That way the Tribes are speaking for themselves, they are acknowledged, and feel part of the process.

Sincerely:

/s/

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<sup>4</sup> The Yurok Tribe has 6 post certified officers, two full time fish and game wardens. Individual officers have deputized authority from Del Norte, Humboldt County and the California Department of Fish and Wildlife. All of these positions have authority to enforce California law including but not limited to Fish and Game regulations.

<sup>5</sup> The Yurok Chief Judge is a Tribal member and experienced California Court Commissioner. Attorneys provided have passed both the California and the Yurok Tribal Bar. There are bailiffs, probation officers, and social welfare services. An entire Justice center is under construction. The Court receives referrals on a regular basis from California Courts.

<sup>6</sup> The Yurok Tribe has a Wildlife Department, Yurok Tribal Environmental Department, Watershed Department, Forestry Department, and Fisheries Department. See the capacity document attached as an exhibit by the Tribe.

<sup>7</sup> For examples tourists swept out to sea are usually rescued by the Yurok Tribal Police Department as they have boats, they are onsite, experienced and the Coast Guard and Sheriff Departments cannot respond quickly enough. Many life time Tribal harvesters have never even seen a Fish and Wildlife agent.

John Corbett

Enclosures: Yurok Capacity Statement

IRWP summary.

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DRAFT Version 10

The California Collaborative Approach:  
Marine Protected Areas Partnership Plan

October 17, 2014

Comments Submitted by InterTribal Sinkyone Wilderness Council

Second Round of Comments - 10/31/2014

## California Tribes and Tribal Governments

The coastline and marine waters of California are situated within the ancestral territories of tribes, who lived along the coast, utilized marine resources, and stewarded marine and coastal ecosystems for countless generations in ways that have ensured biological diversity and abundance. ~~From~~ Due to their status as sovereign nations, and their knowledge of marine life and marine management practices, California tribes and tribal governments are essential partners who must be engaged early and often and effectively on all aspects of marine planning, enforcement, and management. Pursuant to its authority in Fish and Game Code section 2850.5, Executive Order B 10 11, and consistent with CNRA's Final Tribal Consultation Policy, OPC has determined and declares that tribal support and active engagement with marine policy and science are essential to the ongoing success of the state's marine and coastal program and the full implementation of the state's MPA network.<sup>1,2,3</sup> Furthermore, involved entities ~~should shall~~ explore opportunities for co-management with tribes within the area of ~~an the~~ state's MPAs; however, further consultation and collaboration with California tribal governments will be needed on how best to define co-management.

OPC supports the commitment of FGC and CDFW to fully include tribal issues in their rules in accordance with their consultation policies. OPC desires to create both effective ongoing working relationships with interested tribes with ancestral connections to the ocean and to coastal areas and to establish specific actions that shall be taken for early communication and coordination.

OPC has four requirements for effective relationship building and for consultation and coordination with California tribes and tribal ~~government governments~~:

- **Relationship Building.** OPC recognizes that government-to-government consultations and tribal coordination work more effectively to resolve issues if relationships have been fostered and lines of communication have been open, clear, and coordinated early. Thus, OPC designates its Executive Director and the tribal liaison to work with California tribes and tribal governments on an ongoing basis to build relationships and so that information can be provided in an effective and timely manner. This work shall include convening workshops, working meetings, education and outreach, and any other informational session that would allow OPC to effectively communicate with and build foundational relationships with California tribes and tribal governments. The Executive Director is encouraged to contact and include tribal liaisons for any relevant managing or designating entities when relevant.<sup>i</sup>
- **Formal Consultation with Tribal ~~Government Governments~~.** OPC shall, at the earliest possible opportunity, or at the request of any California tribal government, engage in government-to-government consultation consistent with CNRA's Final Tribal Consultation Policy. The Executive Director and/or the Chair of the OPC shall meet with and hear any California tribal issues or concerns as well as provide information on planning or regulatory changes that might be relevant to or otherwise affect tribal government partners.
- **Consultation and Coordination Shall Include Managing Entities.** Managing entities (*listed in Tables 1 and 2*) shall, consistent with their own tribal consultation policies, communicate and meet with California tribal ~~government governments~~ on potential roles and responsibilities of tribes interested in collaboration for MPA management. Consistent with all department-level policies, executive staff from OPC, managing entity, and FGC shall be prepared to share information with one another about tribal engagement and to develop responsive and timely solutions that address tribal concerns,

<sup>i</sup> Please refer to Table 1 and table 2 for examples of managing entities.

**Comment [HR1]:** Why was this wording from our original comments not included in this updated draft of the Plan? This is a basic principle that all tribes have asserted, and that is supported by scientific evidence and many studies.

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**Comment [HR2]:** The Governor and the California Natural Resources Agency each have enacted policies acknowledging the tribes' inherent sovereign authority. (Governor's Executive Order B-10-11, September 19, 2011; California Natural Resources Agency Tribal Consultation Policy, November 20, 2012.) It would be disingenuous to not include mention of tribal sovereignty in the MPA Partnership Plan. Why was this wording from our original comments not included in this updated draft of the Plan?

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suggestions, or needs within existing mandates. Further, if the tribal request cannot be accommodated, the entities should be prepared to provide California tribes with as much information as possible to explain why a particular request cannot be fulfilled. Any time a meeting is set or requested by a California tribe or tribal government, the Executive Director of OPC, Regional Manager for the Marine Region for CDFW, and Executive Director for FGC are recommended to notify and invite the appropriate parties and managing entities.

- **Tribal Engagement.** Similarly, California tribes and tribal governments should consider identifying proper notice lists as well as the roles that they would like to play and the topical areas about which they want to be contacted. These roles and areas of interest could include, but are not limited to, outreach and education; stewardship (~~care for and co-management of the land tending, water and air~~); scientific research and monitoring (incorporating traditional knowledge); compliance and enforcement; permitting, code, and policy development; and sustainable financing. These roles and responsibilities may be developed and executed within their own authority and jurisdictions, as well as through joint agreements with state agencies, with the understanding that there may be potential limitations based on tribal status and/or existing laws not controlled by or regulated by OPC or its member entities.

OPC believes that there are different levels of tribal engagement to support effective MPA management, recognizing that each California tribe is unique and has distinctive perceptions in the roles they could play. Appendix B contains a chart that indicates the types of activities and potential opportunities for specific tribal engagement.

<sup>1</sup> California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2850-2863) 2004. [http://www.dfg.ca.gov/marine/pdfs/mlpa\\_language.pdf](http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf).

<sup>2</sup> Brown, Edmund G., Jr., and Debra Bowen. "Office of Governor Edmund G. Brown Jr. - Newsroom." Office of Governor Edmund G. Brown Jr. - Newsroom. State of California, 19 Sept. 2011. Web. 03 Oct. 2014. <http://gov.ca.gov/news.php?id=17223>

<sup>3</sup> California Natural Resources Agency. "California Natural Resources Agency Final Adoption of Tribal Consultation Policy." November 20, 2012.

**Change to Appendix B, second cell down in left column:**

Stewardship (~~Land and Species Tending Care~~ for and co-management of the land, water and air)

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