

CALIFORNIA OCEAN PROTECTION COUNCIL

MEETING MINUTES

January 13, 2006
Administration Building
Board of Supervisors Hearing Room - 4th Floor
105 E. Anapamu St.
Santa Barbara, California
10 a.m. – 4 p.m.

Mike Chrisman, Secretary for Resources, Council Chair
Cruz Bustamante, Lieutenant Governor, Chair of the State Lands Commission
Alan Lloyd, Secretary for Environmental Protection
Sheila Kuehl, State Senator, Ex officio Member
Pedro Nava, State Assemblymember, Ex officio Member

1. Welcome and council member announcements
Mike Chrisman, Secretary for Resources, Council Chair

The Chair and councilmembers gave general comments. Discussion of voting designees: the statute is specific with regard to regular and ex-officio members. Chair believes it is important not to name designees but to work around schedules so that members can attend. Ex officio members cannot make motions. Over time, may need to go to the legislature for changes to the statute.

2. **ACTION:** Consideration of adoption of September 23, 2005 meeting minutes

Minutes approved.

3. Public comment on non-agenda items*

Congresswoman Lois Capps: Discussed the federal energy policy weakening the Coastal Zone Management Act (CZMA) and threatening California's policies and position on liquefied natural gas (LNG) and offshore drilling. Will work to repeal on these harmful revisions next year and hopes for OPC support. Encouraged OPC to support Morro Bay Ecosystem Based Management (EBM) program. Voiced support of proposals that enhance the state's coastline.

Meg Caldwell, Chair CA Coastal Commission (CCC): Gave an update on CCC marine debris efforts: the Plastic Debris Rivers to Sea Project completed research and monitoring component on plastic pellets; developed an action plan; held the 1st international conference on the issue (Redondo Beach). Seeks funding for the 2nd phase of the project, for continued development of the action

* Please fill in a public comment card to speak on non-agenda items or on a specific agenda item. Comment on agenda items will be taken following each item.

plan, to implement tasks, to hold a 2nd conference, and have a rigorous public education campaign.

Tom Raftican, United Anglers: Incumbent on OPC to take bold leadership. The issue of bottom trawling is before the Fish and Game Commission (FGC). He proposed two OPC actions: to agendize this permit to look at a complete approach to the situation, and to ask FGC to not make a ruling until it has been looked at. Brought copies for the council of: a resolution from County of Santa Barbara discouraging the use of nonsustainable fishing techniques such as bottom trawling, and the Shifting Gears science series.

Linda Crock, Environmental Defense Center and the Channel Islands National Marine Sanctuary (CINMS) Advisory Council: Brought copies of assessments of marine environment for the council re: noise pollution and water quality (WQ). OPC participation in offshore oil leasing appreciated. Needs OPC help to see if alternatives are available to fossil fuels; no one is looking at this on a comprehensive basis. Fund CCC.

Craven requested the speaker to provide name and info on six proposed facilities and permitting agencies to him.

Mike Sutton, Monterey Bay Aquarium Center for the Future of the Ocean: Congratulated OPC on their focus on EBM. Convened a small meeting to discuss the possibility of creating a tri-state agreement on oceans to move issues to the federal level. Concept is in the idea-stage right now.

David Nelson: Desalination is seen as a quick fix for water, but we don't have the answers on how this will impact the food web and the ocean.

Mike McGuinness: Provided OPC with two reports: one on the vision and recommendations for Gaviata coast and an article that will be published in Futures journal, analysis of Southern California Bight (bioregions).

Lee Mordenar, Coastal Resource Center of Audubon CA: Reinforced Lloyd's point regarding a significant part of pollution is from releases of tankers and freights inside Channel Islands National Park. Ripe for partnership between state agencies, US Environmental Protection Agency (EPA), and international trade and maritime agencies. Hopes the OPC will work effectively with federal and state department on this.

Gail Oshwenko, UC Santa Barbara: Commented on importance of webcasting for students and research, also for Marine Life Protection Act (MLPA) process. The CCC has not been able to have webcasting because of funding, but hopefully OPC can support that because people are watching that cannot physically travel to attend.

Chris Mobley, CINMS manager: CINMS is an example of place-based management of the ocean. Noted that one strength of the Advisory Council is representation of many various stakeholders (shipping, env'l, fishers, etc). Suggested this is a good forum for issues that OPC faces.

4. Federal and State affairs
Brian Baird, Assistant Secretary for Ocean and Coastal Policy, Resources Agency
Sam Schuchat, Executive Officer, State Coastal Conservancy, Council Secretary

Discussion on webcasting for the CCC and use of webcast for OPC minutes.

5. Executive Officer, Science Advisor, and Science Advisory Team
Brian Baird, Assistant Secretary for Ocean and Coastal Policy, Resources Agency

Discussion on executive policy officer exempt position at Resources Agency: how this position concerns Conservancy staffing the OPC. The executive policy officer position will not change anything in terms of the statute. The position will report to Chair and should work for the OPC.

Discussion on the science advisor position, a shared position with CA Ocean Science Trust (CalOST): CalOST will assist with logistics of the Science Advisory Team.

Meg Caldwell. Public comment regarding desalination and public subsidies for private facilities are a concern. Asked that OPC take a formal role in state's response. Discussion on how OPC should respond and the need to evaluate the need for desalination plan. Chair noted that the administration thinks that properly placed desalination should be part of CA's water supply future. Nava asked that Caldwell contact his staff so that he can bring it to the legislature.

Mike Sutton. Reminded OPC that actions should be science driven. Hopes that the strategic plan includes strategic grant making; if resources bond passes then we have responsibility to use it wisely.

6. Strategic Plan Work Program
Neal Fishman, Deputy Director, State Coastal Conservancy

Introduction to the process for a five-year strategic plan that will identify and prioritize significant issues, define ways to address these issues, and funding possibilities in governance and stewardship.

Discussion:

The OPC science advisory team will not be put together in the timeframe so staff will be seeking out scientists from various disciplines. The process to list or

identify stakeholders is in progress. The drafts, lists, public sessions, etc. will all be available online. The final will be somewhere between specific projects (too fine detail) and objectives and funding sources with costs and a range of outcomes. The State Coastal Conservancy (SCC) strategic plan, an effective document, does not spell out specific projects, but lays out outcomes and the strategies to reach them. Staff will be looking at different agencies and what tasks will be lead by them; there may not always be a specific action with an identified lead. As the staff presents projects to the OPC, would be able to refer to / identify where in the strategic plan the project is intended to advance. Get to a level of detail that we can do that. Also, we are not starting in a planning vacuum. We have two reports, the Ocean Action Strategy, the funding study, and other contextual documents and pieces of things that will find their way into the plan. Not starting from zero, which is fortunate because we have to have the plan to OPC by June. Chair commented that it is important on an annual basis to spend time at a meeting reviewing progress on obtaining goals, etc. Get public comment and allow plan to be dynamic. Staff noted this is a very skeletal outline and have begun to fill in these strategies, and will be doing this at public meetings and interviews with the councilmembers.

The mission is not the mission statement for the OPC but for the strategic plan purposes. Thayer reiterated that the involvement of stakeholders is vital and we may need to revisit the ambitious schedule and see if we need more time. This needs to be done right. Chair stated that this should be a dynamic, ever-changing document, so we can adjust, change, evaluate over time.

Public Comment:

Paul Michel, USEPA, Coastal America: Briefed OPC on effort underway to revitalize the federal partnership in ocean and coastal leadership.

Al Wanger, CCC: Reiterated that desalination will be part of CA's water portfolio, so important to be sure we are environmentally responsible. Many agencies create long lists of issues; we suggest you choose a few key ones and take on leadership. Suggest once through cooling (OTC) is one, marine debris, aquaculture, climate instability, and EBM. CCC wants to work closely with OPC as develop Strategic Plan.

Warner Chabot, The Ocean Conservancy: Supported and endorsed the process. Recommended staff uses the priorities and issues memo from last summer as major reference for this planning process.

Rod Fujita, Environmental Defense: Endorsed the process. Suggested staff considers adding a section on cross-sectoral challenges and on financing EBM.

7. **ACTION:** Consideration of approval for priorities for State Water Resources Control Board funds
Dominic Gregorio, Chief, Ocean Unit, State Water Resources Control Board

Gerald Secundy, Board Member, State Water Resources Control Board

Staff recommended that OPC adopt rapid indicators and areas of special biological significance (ASBS) as Water Board priorities for funding. State board will fast track and bring the projects to the OPC. Greg Helms, Ocean Conservancy, urged support. Linda Sheehan, CA Coastkeeper Alliance, urged adoption.

Approved.

8. Staff report
Sam Schuchat, Executive Officer, State Coastal Conservancy, Council Secretary

A. **ACTION:** Consideration of Fair Political Practices Act conflict of interest regulations

Approved.

Schuchat recommended OPC consider adopting Robert's rules of order; OPC discussion of adopting statement on operations. If OPC adopts Robert's rules then non-voting could make motions; could use Robert's loosely and then use them more formally when acting. At the next meeting, staff will propose more specific actions and OPC should delegate x,y,z of legal jargon.

B. **ACTION:** Consideration of adoption of amended meeting schedule

Approved.

C. OPC funding and project update

D. California Ocean Observing Systems Preliminary Strategic Plan update

Public comment:

Adina Abeles, Communication Partnership for Science and the Sea (COMPASS). Regional ocean observing systems are critical and data must be integrated. OPC questions need to drive this integration. Support a mechanism that will synthesize and analyze data.

Linda Sheehan. Submitted written comments. Need clear governance.

E. Briefing: Once-through cooling for coastal power plants

Public comment:

David Nelson. There are viable alternatives. Need to stop once through cooling. No more subsidies to companies.

Greg Helms. Issue is ripe for leadership. We need a clear state policy that OTC is old and the preference is for alternatives. Mitigation has not fully addressed the impacts.

Al Wanger, CCC. Agencies have conflicting mandates. One role the council could take is the crosscutting approach. Be bold.

Joe Geever, Surfrider. Suggestion for staff research implications of fair business practices.

Craig Shuman, Reef Check. Want to sever the link to antiquated technology.

Don May, CA Earth Corps. Need to look at what role state can play in backing up 316b. OPC can play strong role in science based planning.

Linda Sheehan. Staff report needs to be more aggressive. Suggested that OPC talk to other states (NY). Suggested OPC hold a joint hearing with the Senate; need legislative vehicle to move forward.

Connor Everret. Submitted written comments.

Meg Caldwell. CCC believes that OPC is the appropriate body to develop a policy to phase out OTC.

Melinda Dorin, Public Interest Energy Research (PIER) program. Request for Proposals to look at ecological impacts and develop protocols to look at impacts.

Sarah Abramson, Heal the Bay. OPC should develop a state wide policy.

Dana Palmer, Santa Monica Baykeeper. OPC should take on OTC; conduct alternatives analysis.

Councilmembers responded. Craven is impressed by public comment. OPC should have crosscutting and strong approach to this issue and take action at the next meeting. Although public cautions against incentives, encourages admin to look into it. Discussion on staff actions for next OPC meeting.

F. Briefing: Harbor seals in La Jolla

Issue has gone into litigation. Schuchat recommended that OPC cannot act on this issue. Discussion.

G. Briefing: Office of Spill Prevention and Response (OSPR) rate reduction

Looked into issue of whether fee could be reduced. Fee will not be reduced.

9. Projects

A. **ACTION:** Consideration of the **Morro Bay Ecosystem Based Management Program**, and possible 1) determination that it is a high priority project, and 2) authorization for the Council's Secretary to take actions needed to provide up to \$500,000 for its implementation.

Public Comment in support of project:

Adina Abeles; Lee Moldauer; David Nelson; Mike Sutton; Warner Chabot

Approved.

B. **ACTION:** Consideration of the **California Coastal and Marine Mapping Initiative Project**, involving data acquisition for near- and offshore substrate and marine habitat mapping, and possible 1) determination that it is a high priority project and 2) authorization for the Secretary to take actions needed to provide up to \$1,200,000 for its planning or implementation.

Public Comment:

Chris Miller; Chris Cohen, in support of project

Approved.

C. **ACTION:** Consideration of the **California Aquatic Invasive Species Management Plan** and possible 1) determination that completing the plan is a high priority, and 2) authorization for the Council's Secretary to take actions needed to provide up to \$110,000 for its development and implementation.

Public Comment in support of project:

Robert Hoffman; Mo Husain

Chair noted that Resources is developing a memorandum of understanding with Department of Food and Agriculture on invasive species. Approved.

D. **ACTION:** Consideration of the **San Francisco Bay Subtidal Habitat Goals Project**, and possible 1) determination that it is a high priority project, and 2) authorization for the Council's Secretary to take actions needed to provide for development of this project, including expenditure of up to \$125,000 in state funds reserved for ocean protection.

Public Comment in support of project:

Robert Hoffman; Rebecca Smyth

Approved.

10. Next steps

Council members