



**SPECIAL MEETING OF THE OCEAN PROTECTION COUNCIL
MINUTES**

March 17, 2009

2– 4 p.m.

Via teleconference from various locations

Council Members in Attendance:

Mike Chrisman, Secretary for Natural Resources, Council Chair

Cindy Tuck for Linda Adams, Secretary for Environmental Protection

Brian Bugsch for John Garamendi, Lieutenant Governor, Chair of the State Lands Commission

Susan Golding, Public Member

1. Welcome and Announcements

Michael Chrisman, Secretary for Resources, Council Chair

Sam Schuchat, Council Secretary

Secretary Chrisman welcomed everyone to the special OPC teleconference meeting. He provided updates about his recent visit to Washington, D.C., where he discussed several matters including offshore oil and gas development on the outer continental shelf and climate change. While in D.C., he attended the Blue Vision Summit. Secretary Chrisman briefly commented about the December 17, 2008 Stop Work Order and expressed his hope that bond funding would resume again soon.

Council Secretary Sam Schuchat provided an update about OPC funds. He stated that NOAA will provide \$563,000 for ocean observing as well as extra funds for the remobilization of the sea floor mapping projects.

2. ACTION: Nominations and election of next council chairperson

Secretary Chrisman requested nominations to serve as the council chairperson until the first OPC meeting of 2010.

Council Vote:

Ms. Golding nominated Secretary Chrisman for the council chairperson for the next year. Hearing no other nominations, Ms. Golding moved and Ms. Tuck seconded.

The election of Secretary Chrisman to serve as council chairperson was approved by roll call, as follows:

Ms. Golding – aye

Mr. Bugsch – aye

Ms. Tuck – aye

Chair Chrisman – aye

3. Update on the Dungeness Crab Task Force
Christine Blackburn, OPC Program Manager

Secretary Chrisman gave brief background about Senate Bill 1690 (Wiggins), which added Fish & Game Code Section 8276.4. The OPC was designated as the body to develop and administer a Dungeness crab task force (task force) composed of various stakeholders including commercial and recreational fishermen, processors, nongovernmental organizations (NGOs), commercial passenger fishing vessels (CPFVs), as well as representatives from Sea Grant and the California Department of Fish and Game (DFG). The task force will discuss fishery management issues and make recommendations to DFG, the California Fish and Game Commission (FGC), and the Joint Committee on Fisheries and Aquaculture by January 15, 2010.

OPC staff member Christine Blackburn provided additional information about the task force. She announced that Sea Grant and DFG selected their own representatives for the task force: Jim Waldvogel, a marine advisor located in Del Norte County, will represent Sea Grant and Brooke McVeigh, a biologist, and Steve Riske, a patrol lieutenant, will represent DFG. Ms. Blackburn gave an overview of the nomination and election procedures for the commercial fishing interests. Members of the public interested in commenting on the commercial fishing task force elections had until March 26, 2009 to send in comments or questions in writing.

4. **ACTION:** Authorization of funds to support the Dungeness crab task force
Rachelle Fisher, OPC California Sea Grant Fellow

Rachelle Fisher presented the staff recommendation.

Resolution:

“The Ocean Protection Council hereby authorizes the disbursement of up to \$275,000 to support the work of a Dungeness crab task force, including hiring a consultant to facilitate task force meetings, providing administrative support and travel costs, and funding scientific and economic studies, as necessary.”

Public Comment:

Secretary Chrisman asked for public comment from the three meeting locations.

Sacramento – No comment

La Jolla – No comment

Oakland – No comment

There were no questions or comments from the members.

Council Vote:

Ms. Golding moved to approve the staff recommendation; second by Mr. Bugsch.

The recommendation was approved by roll call, as follows:

Ms. Golding – Aye

Mr. Bugsch – Aye

Ms. Tuck – Aye

Chair Chrisman – Aye

5. **ACTION:** Appointment of non-commercial fishing Dungeness crab task force representatives
Rachelle Fisher, OPC California Sea Grant Fellow

Rachelle Fisher presented the staff recommendation.

Resolution:

“The Ocean Protection Council hereby appoints Ben Sleeter and Kevin McKernan (recreational fishermen), Bill Carvalho and Paul Johnson (processors), Roger Thomas (commercial passenger fishing vessel), and Johanna Thomas and Richard Young (nongovernmental organizations) to serve as representatives to the Dungeness crab task force, pursuant to Senate Bill 1690 (Chapter 727, Statutes of 2008). If any of these individuals are unable to serve through the tenure of the Dungeness crab task force, the Ocean Protection Council hereby grants authority to the Council Chair to appoint a replacement for that member.”

Public Comment:

Sacramento

- Johanna Thomas, Environmental Defense Fund – Mentioned that the bill was brought about from the Environmental Defense Fund’s steering committee. She thanked the Dungeness crab fishermen and OPC for taking the time to support the bill.
- Joe Caito, Caito Fisheries – Spoke in opposition to the recommended crab processor representatives. He stated that he would be a better choice for the processor representative and provided supporting personal background information.
- Rob Ross, California Fisheries and Seafood Institute – Spoke in opposition to both of the processor appointees. He voiced his support for Joe Caito as a task force representative and raised the issue that neither individual is a true processor.
 - Christine Blackburn, OPC staff, stated that in selecting the processor representatives, staff were guided by the Fish and Game Code definition for “processing fish.”
- Vincent Doyle, large producer Dungeness crab fisherman – Thanked Secretary Chrisman as well as Joanna Thomas and the efforts of EDF. He supported replacing one of the proposed processor representatives with Joe Caito.
- John Dooley, large vessel Dungeness crab fisherman – Spoke in support of Joe Caito as a nominee. Mr. Dooley also expressed concerns that the voting process to select the

- commercial fishermen representatives was not transparent and requested that the election results be made public.
- Christine Blackburn explained that voting records are available, however, certain confidential information received from DFG cannot be released.
 - Tim Estes, Coastal Fishboat Owner – Spoke in support of replacing Paul Johnson for Joe Caito as one of the crab processor representatives because of Mr. Caito’s knowledge of the entire fishery.

La Jolla

- No comment

Oakland

- Larry Collins, Crab Boat Owners Association – Thanked the OPC and its staff. He spoke in support of Paul Johnson and in support of all nominations.
- John Atkinson, Crab Boat Owners Association – He spoke in support of OPC staffs’ recommendations.

Secretary Chrisman then asked for questions and comments from the members.

- Cindy Tuck – Requested more detail about how the two recommended processors were selected.
 - Christine Blackburn, OPC staff, stated that the processors were selected to achieve equal representation based upon geography and production level.
- Brian Bugsch – Stated that it was important to have equal production and geographic representation. He asked about the connection of the recommended representatives to the Packard Foundation.
 - Christine Blackburn explained the relationship between the two recommended processor representatives and the Packard Foundation. Staff concluded that these relationships did not disqualify the representatives from serving on the task force because the Packard Foundation’s interests in fostering sustainable fisheries (similar to the OPC’s interests) were not viewed as a conflict.
- Secretary Chrisman commented that he understood the disagreements voiced at the meeting, but that he was comfortable with OPC staff’s recommendations. He encouraged the public to stay engaged in the task force process, explaining that the task force discussions will be an iterative process.

Council Vote:

Secretary Chrisman moved to approve the staff recommendation; second by Ms. Tuck.

The recommendation was approved by roll call vote, as follows:

Ms. Golding – Aye
Mr. Bugsch – Aye
Ms. Tuck – Aye
Chair Chrisman – Aye

6. Public Comment on non-agenda items

Public comment was taken on non-agenda items pursuant to Cal. Gov. Code Sec. 11125.7:

- Richard Sadowski, North Morro Bay Resident – Advised the OPC to take a look at water quality issues in Morro Bay and requested that the OPC fund a study to address these issues. He also submitted a rebuttal report and a copy of a letter he wrote to the council.
- Tom Murphy, Advanced Environmental Systems – Proposed a green pilot project to purify sewage and save water in Los Osos, CA.

7. Adjourn

Secretary Chrisman announced that the next OPC meeting would be held on April 23, 2009 at the California EPA building in Sacramento. He thanked everyone for their participation and adjourned the meeting.