



CALIFORNIA OCEAN PROTECTION COUNCIL

John Laird, Secretary for Natural Resources, Council Chair
Matt Rodriguez, Secretary for Environmental Protection
John Chiang, State Controller, State Lands Commission Chair
Susan Golding, Public Member
Geraldine Knatz, Public Member
Fran Pavley, State Senator
Toni Atkins, State Assembly member

California Ocean Protection Council

MEETING SUMMARY

Friday, February 17, 2012
Sierra Hearing Room – CalEPA Building
1001 I Street
Sacramento, CA 95812

Members in Attendance

John Laird, Secretary for Natural Resources, Council Chair
Matt Rodriguez, Secretary for Environmental Protection
Alan Gordon for John Chiang, State Controller, Chair of the State Lands Commission
Bill Craven for Fran Pavley, State Senator
Cody Naylor for Toni Atkins, State Assemblymember
Geraldine Knatz, Public Member

Absent

Susan Golding, Public Member

Secretary Laird called the meeting to order at 10:05am

1. Welcome and Council Member Announcements

Secretary John Laird, Chair to the Ocean Protection Council (OPC), welcomed all attendees to the first Council meeting of the year. The Secretary acknowledged Alan Gordon, alternate for State Controller John Chiang and welcomed the Controller back to the Council. Secretary Laird announced that he had sent a letter to House Natural Resources Chairman Doc Hastings expressing his concern regarding HR 3408 (at the time HR 3410), which contained provisions to mandate oil and gas leasing off California and revoke the state's federal consistency authority. Secretary Laird noted that the bill later passed the House of Representatives and that he will be working with Senator Feinstein and Senator Boxer to ensure that these provisions are not included in the Senate version of the bill.

Secretary Laird noted that his staffs' analysis of the recently released President's budget showed that while NOAA's budget was maintained at previous levels, ocean and coastal programs had taken a disproportionate cut. Finally, the Secretary highlighted the National Ocean Council's January release of a draft of the National Oceans Policy Implementation Plan for public comment. Secretary Laird was pleased with the changes to the plan based on that public comment, noting that there was a greater emphasis on implementation over planning.

ACTION: Election of Council Chair

Secretary Matt Rodriguez nominated Secretary Laird as the next Council Chairperson. It was seconded by Mr. Gordon and Secretary Laird accepted. Secretary Laird was elected Council Chairperson by unanimous consent.

2. Report from the Executive Director

Amber Mace, Executive Director, OPC

Dr. Amber Mace, Executive Director for the OPC, provided an update on the geospatial data integration initiative and implementation of AB 2125 (Ruskin). Dr. Mace noted that OPC staff is currently working with the interagency geospatial working group and state's Geographic Information Officer (GIO) to identify data priorities for a state geo-portal. A suite of options on the geo-portal and funding opportunities for advancing the OPC's geospatial initiative will be presented to the Council at its May meeting.

Dr. Mace announced that California will receive 1.7 million dollars from NOAA (out of a national allocation of 5 million dollars) in 2012 to support its high-frequency radar ocean observing system. Though there is still a need to identify additional matching funds, this funding is critical to maintain and operate this system. Dr. Mace reminded the Council that the state invested 21 million dollars to build the infrastructure that tracks ocean surface currents in near real-time. This system is important for understanding ocean currents, which can inform a suite of actions such as oil spill predictions and search and rescue efforts. The system had been in danger of not being maintained due to a lack of federal funding for operation.

Dr. Mace informed the Council staff's effort to create a permit guidance document for individuals or groups wanting to do research in the marine environment. Dr. Mace also updated the Council on the Coastal and Ocean Climate Action Team's meeting the previous week. This interagency working group is focused on the implementation of sea level rise [guidance](#) that the Council adopted via a [resolution](#). Dr. Mace highlighted some of the progress implementing the guidance document, such as the policies adopted by the San Francisco Bay Conservation and Development Commission (BCDC) and the funding guidelines adopted by the Strategic Growth Council and the Department of Water Resources.

Dr. Mace noted it was her last meeting and thanked the Council for its leadership, and OPC staff for their work. She further thanked Mr. Schuchat, Ms. McAfee, and the Science Advisory Team for their work to ensure that the Council's work was based on a strong foundation of science. Dr. Mace acknowledged that while the issues the Council faces are complex and important the OPC has stepped up and addressed them. Secretary Laird recognized the Executive Director's work for the OPC and noted that she has constantly moved up and made collaboration a hallmark of her work.

Councilmember Knatz asked how the climate adaptation strategy is getting out to local agencies and governments. Dr. Mace informed the Council that meeting and outreach through websites such as CAL Adapt have been useful. However, there is a need to do more to get the information into the hands of those who do the work at the local level.

3. Report from the Secretary

Sam Schuchat, Council Secretary

Mr. Schuchat thanked Dr. Mace for all of her work for the OPC. Mr. Schuchat then welcomed new California Sea Grant Fellow Scott Toews to the OPC.

Mr. Schuchat informed the Council that staff is following up with the sustainable seafood advisory panel regarding the electronic petition against the sustainable seafood protocol that was adopted at the previous meeting. A facilitation team has interviewed several of the petition signers from the panel and tried to set up a meeting. Secretary Schuchat shared some of the feedback, which included disappointment that the panel was not asked to craft de novo, a sustainability protocol rather than building on that of the Marine Stewardship Council (MSC). Mr. Schuchat noted that there was a sense from fisheries participants that the panel had leaned too far towards environmental interests. Criticisms of MSC included that it may not be appropriate for small-scale fisheries and that the state might be unable to financially support certification. OPC staff is working to resolve some of these issues. Mr. Schuchat felt it is possible an outcome may include some modifications to the protocol that was adopted and highlighted that the protocol will be adaptively managed and can be modified.

Finally, the Council Secretary explained that Senate Bill 369 (Evans) established tiered crab trap limits and called on OPC to reconvene the Dungeness crab task force. The task force will review and evaluate Dungeness crab management measures, including the crab trap limit program, and make recommendations to the Joint Fisheries and Aquaculture Committee, the Department of Fish and Game (DFG), and the Fish and Game Commission. OPC has hired a facilitation team and scheduled a preliminary meeting. The Council will be updated on this issue at future meetings.

Councilmember Knatz inquired about the [sustainable seafood market in San Francisco](#) and whether its success has led to other areas following this example. The Council Secretary informed the Council that there is interest in San Diego, as part of a waterfront revitalization effort, and Morro Bay, with potential for interest in other areas.

Secretary Laird commented that he was working with staff to establish a budget and spending plan that will be presented at a future time. He further stated that he did not want to link the plan with the budget so as to confuse the purpose of the plan as a guidance document.

ACTION: [Consideration and possible adoption of updated OPC Meeting Procedures](#)

- [Exhibit 1: Revised OPC Meeting Procedures](#)
- [Exhibit 2: Revised OPC Meeting Procedures, red-line version](#)

Council Secretary Schuchat explained the action before the Council to update the meeting procedures. Councilmember Knatz motioned to adopt the procedural update and Councilmember Rodriguez seconded the motion. All Council members voted in favor of the motion.

4. Report from the Science Advisor

Skyli McAfee, Executive Director, California Ocean Science Trust

Ms. McAfee thanked the Executive Director for all of her efforts on the behalf of OST and the Science Advisory Team. Ms. McAfee informed the Council that the OST had launched a privately-funded agency science needs assessment to prioritize information and science needs among agencies and other organizations working on ocean issues. The OST has invited senior-level administrators from across California to an interview so the OST identify their priority information needs. OST will seek to address priority information needs in a way that informs future decisions about coastal management.

Ms. McAfee announced that the next OPC Science Advisory Team meeting will be on April 18. She emphasized that this meeting provides an opportunity for scientists and managers to sit down together and be updated on OPC-funded projects such as the Morro Bay trawl impact study. The Marine Protected Area Monitoring Enterprise in partnership with DFG is actively continuing north and central coast baseline characterization studies, which are close to completion, and south coast work is underway.

Finally Ms. McAfee introduced OST's newest Sea Grant Fellow Hayley Zemel and noted that the OST anticipates working with all twelve sea grant fellows. Dr. Mace added that the OPC has provided matching funds to place fellows in seven partner agencies in response to a need for capacity for participation in the interagency working groups and to provide an opportunity for collaboration.

5. Spotlight on Science:

Presentation on New Coastal Mapping Data (LiDAR) and the San Francisco Bay Adapting to Rising Tides (ART) Project

Rebecca Smyth, West Coast Director/Regional Division Chief, Coastal Services Center, National Oceanic and Atmospheric Administration

Wendy Goodfriend, Senior Planner, San Francisco Bay Conservation and Development Commission

The OPC has invested 2.75 million dollars for high resolution Light Detection and Ranging (LiDAR) mapping of the state's coastline and the spotlight on science focuses on data products and tools resulting from these efforts. This data will provide high resolution elevation information along the coast from the tideline up to 10 meters elevation. All data will be available on the NOAA Coastal Services Center [Digital Coast](#) website within the next several weeks. This data will support the development of high-resolution maps and tools that can be used to assess potential effects of erosion, sea level rise, and sediment management. Abe Dougherty, OPC staff, introduced Rebecca Smyth of the NOAA Coastal Services Center and Wendy Goodfriend of the BCDC to give presentations demonstrating the utility of this information.

Rebecca Smyth presented how these data were used to create new and unique elevation layers that have been in demand for land management and planning, specifically to address issues of

coastal inundation, sedimentation and subtidal habitat modeling. She demonstrated the coastal Sea Level Rise viewer. Ms. Smyth also discussed current work to merge bathymetric data with the LiDAR data for nearshore onshore modeling. NOAA will supply funding for this effort which is already proving useful to planners around the San Francisco Bay.

Wendy Goodfriend presented BCDC's Adapting to Rising Tides project. This collaborative project works with city, county, and regional interests in the area to answer the question of how we can adapt to sea level rise and increased storm waves. Ms. Goodfriend demonstrated the utility for resilience planning and management with refined inundation and flood maps highlighting areas of risk. This data allows managers to prioritize specific areas for further study and help strategize and create options to improve community and shoreline resilience.

6. ACTION: [Consideration and possible adoption of the OPC Five-Year Strategic Plan for FY12/13 – FY16/17](#)

The OPC Executive Director presented the final draft of the strategic plan for the Council's consideration. Dr. Mace noted that the plan provides vision, context, and clear objectives and is intended to be a road map for the next five years. It was noted that during the comment period OPC staff had received 22 comment letters, many of which were positive about the changes made to the draft. She also mentioned that only minor changes had been made since the last round of comments, and gave her support for the current draft. Dr. Mace did recognize that although there were comments calling for the plan to contain more specific actions, it was determined the plan would not specifically address issues the council had not yet publicly debated. The Director thanked all of the people who contributed to the document, the OPC steering committee, the Science Advisory Team at OST, the OPC staff, and sister agencies. Dr. Mace recommended the Council adopt the strategic plan.

Public Comment:

Susan Jordan – California Ocean Protection Network – Complimented the OPC on the document and staff for the transparent process in drafting the strategic plan. It was noted there is an OPC resolution urging the State Water Resources Control Board to implement more stringent state requirements for entrainment and impingement reductions on existing coastal power plants. It was requested that on the issue of coastal desalination the OPC move forward with a resolution promoting regulation consistent with the previous resolution to regulate impacts of entrainment and impingement from desalination.

Linda Sheehan – Earth Law Center – Thanked the OPC for transparency and an excellent process. She requested that the OPC recognize and include in the strategic plan's objectives and action section a clear strategic commitment to COPA's mandate to the OPC to recommend changes to state law and federal law and policy. Ms. Sheehan noted it was important to look at cost effective ways to advance changes in coastal and ocean law, and recommended adding a new bullet under Section 3.1 to say that OPC will regularly develop, recommend, and promote specific changes in specific state and federal law that reflect the best marine and coastal science.

Ms. Sheehan emphasized the need to take the science that is being done and use a more holistic examination of ecosystem health to maximize utility of work being done. She requested that the OPC advance an integrated data approach for assessing ocean health, and include under Section 3.1 a bullet point that “The OPC will advance an integrated analysis of monitoring data to obtain a holistic assessment of overall ocean and coastal ecosystem health.”

Sean Bothwell – California Coastkeeper, Surfrider, and Heal the Bay – Mr. Bothwell appreciated that the strategic plan incorporated previous comments, specifically comments that integrated water management incorporate sea level rise and climate change. Coastkeeper, Surfrider and Heal the Bay request the OPC to take a policy position on coastal desalination and instruct staff to work on a resolution to ensure that ongoing desalination planning is sustainable and adheres to the once-through cooling resolution previously passed.

Leila Monroe – NRDC – Concurred with statements made by Linda Sheehan, and stated that there is an opportunity for the OPC to exercise strong leadership with regard to desalination and plastic pollution. Regarding the National Ocean Policy Implementation Plan, Ms. Monroe noted that California is at the cutting edge of coastal ecosystem based management. Ms. Monroe encouraged the OPC to share the work that has been done by the Council at regional and federal levels as the NOP process is ongoing.

Kaitilin Gaffney – Ocean Conservancy – Commended the Council on the strategic action plan process and emphasis on scientific based decision making, especially geospatial data collection and visualization. She expressed a need for more work to be done to ensure research activities in marine protected areas are consistent with the desired protections and that state and federal efforts underway are consistent with the desired protections. In closing, she highlighted the previous week’s announcement of the EPA No Discharge Zone in state waters.

Vern Goehring – Food and Water Watch – Thanked the council for two elements of the strategic plan, desalination and aquaculture.

Conner Events – Southern California Watershed Alliance – Thanked OPC, supported comments by colleagues on desalination, and recommended moving on to more pressing issues such as sea level rise.

Council Discussion:

The Secretary asked the Executive Director whether she believed the specific language proposed by Ms. Sheehan needed to be incorporated into the plan. Dr. Mace responded that there was already language in the plan that addressed the issues raised by Ms. Sheehan and further inclusion was not required.

Councilmember Knatz, referring to a letter from the California Water Quality Council, asked about forming an interagency working group on water quality issues. Dr. Mace noted that the OPC has been working with OST Monitoring Enterprise. The Monitoring Enterprise is leading efforts to coordinate entities to deliver relevant information on the issue of water quality and will form interagency working group if needed. Secretary Rodriguez informed the Council that he

had been advised by the Water Quality Monitoring staff and will be meeting with Water Quality Monitoring staff and OPC staff to move the water quality issue forward.

Secretary Rodriquez moved the action, Councilmember Knatz seconded, and it passed unanimously

In closing, Secretary Laird acknowledged that some of the speakers had made calls for specific actions, and indicated that as the Executive Director was leaving in one week and there is not yet a replacement, we are in a transition period.

PUBLIC COMMENT

7. Public comment on non-agenda items

- **Sean Bothwell** – The California Coastkeeper Alliance – Encouraged the OPC to look at water loading order to prioritize sustainable water strategies that have low to no energy impacts. Mr. Bothwell noted that the OPC is a great agency to start thinking about what water loading is and how it would look, and asked the OPC to look at funding for a project assessing the cost of marine debris in California.

Secretary Laird adjourned the meeting.