



OCEAN
PROTECTION
COUNCIL

EXECUTIVE DIRECTOR'S REPORT

September 14, 2021 – December 7, 2021

*Providing an update on outcomes
and accomplishments since the
previous OPC Meeting.*

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GOAL 1: SAFEGUARD COASTAL AND MARINE ECOSYSTEMS AND COMMUNITIES IN THE FACE OF CLIMATE CHANGE

Sea-Level Rise Leadership Team

OPC will convene a Sea-Level Rise (SLR) Leadership Team Executive Committee meeting on December 6, 2021. After two rounds of comments and feedback from state partners, the finalized version of the SLR Work Plan will be presented to the Committee for approval. The Work Plan is a five-year plan with statewide goals and agency-specific actions to implement the [SLR Principles](#) and achieve coastal resilience, drafted by the multi-agency SLR Leadership Team Working Group.

The final Work Plan will be presented to the Council at its February 2022 public meeting. Additionally, the Leadership Team will discuss investment priorities for the coastal resilience funding in the Governor's FY21/22 budget and consider using its existing structure to serve as the SLR State and Regional Support Collaborative, as dictated in SB1 (Atkins, 2021).

GOAL 2: ADVANCE EQUITY ACROSS OCEAN AND COASTAL POLICIES AND ACTIONS

Tribal Listening Sessions

On November 9 and November 16, OPC hosted listening sessions for Tribal governments on two topics: 1) best practices for outreach and engagement between OPC and Tribes; and 2) Tribes' priorities for the coast and ocean, including opportunities for meaningful partnership with OPC. The listening sessions were attended by representatives from over 10 coastal Tribes, and staff heard many constructive comments that will directly inform the development of OPC's Tribal Engagement Strategy. Over the coming months, OPC will work to integrate outcomes of the listening sessions and individual government-to-government consultations into a draft strategy and offer additional opportunities for consultation and collaboration on the draft throughout Spring 2022.

Equity Plan Development

To date, OPC staff, in collaboration with grantee, Better World Group (BWG), has conducted internal review of OPC's organization and key functions and collected input from the [Environmental Justice \(EJ\) Advisory Group](#) to develop goals, objectives, and strategies for the Equity Plan. The Plan aims to advance more equitable and comprehensive ocean and coastal science research, policies, programs and projects that reflect the connection between people, communities, and natural systems. OPC is committed to adopting and implementing a Plan that will promote environmental justice, equity, diversity and inclusion, both in its internal operations and its work with and for the public. The project team is now integrating feedback and outcomes from strategy sessions with the EJ Advisory Group and OPC staff into the first draft Equity Plan, anticipated to be released for public comment in early 2022. OPC anticipates bringing the final Equity Plan to the Council for consideration and possible adoption in June 2022.

Proposition 1: Coastal Environmental Justice Solicitation

In March, OPC staff released a solicitation for projects directly benefitting Communities Entitled to Environmental Justice (Communities) using the remaining \$7.5 million of OPC's Proposition (Prop) 1 funds. Communities included: the state-defined disadvantaged and severely disadvantaged communities, California Native Tribes and Tribal Governments, and communities that score above 80% on CalEnviroScreen results. The solicitation called for projects located in or near Communities that improve water quality through restoration, habitat enhancement and resilience to climate change. In April, OPC received over 40 applications totaling approximately 7.5 times the amount of funding available. Seventeen applicants were invited to submit full proposals, totaling approximately 2.3 times the amount of funding available. OPC staff will be [recommending six projects](#) for consideration of award funding at this December Council meeting.

GOAL 3: ENHANCE COASTAL AND MARINE BIODIVERSITY

California's 30x30 initiative

OPC staff continue to work closely with Dr. Jennifer Norris, CNRA's Deputy Secretary for Biodiversity and Habitat, on the coastal and ocean components of California's 30x30 initiative. The pathway to conserving 30% of California's coastal waters will include the 16% of state waters currently protected within the state's network of marine protected areas (MPAs) and a prioritized focus on working with federal resource managers to strengthen biodiversity conservation measures in California's National Marine Sanctuaries, which cover 40.6% of state waters. An additional opportunity to enhance marine biodiversity conservation protection is the federally proposed Chumash Heritage National Marine Sanctuary (NMS) off central California. NOAA is leading the approximately two-year process to finalize approval of the proposed NMS. On December 1, OPC staff held a roundtable discussion as part of the annual California Cooperative Oceanic Fisheries Investigations (CalCOFI) conference focused on ways that the state can work with partners to strengthen coastal and ocean biodiversity protections while maintaining access to and sustainable use of marine ecosystems. The draft 30x30 Pathway document should be released for public comment by the end of the year.

Restoring and protecting kelp ecosystems

After a 95%+ decline on California's north coast from 2014-2019 (largely due to persistent warm waters and an explosion in purple sea urchin populations), bull kelp has [begun to reappear](#) as waters have cooled. However, total kelp canopy extent off the Sonoma-Mendocino coast still only represents about 28% of the historical yearly average, highlighting the urgent need for proactive, climate-ready strategies to restore and protect kelp ecosystems across the state. Commercial fishermen continue to make progress on an OPC-funded restoration effort in Mendocino County; to date, fishermen have removed nearly 40,000 pounds of urchin (700,000 individuals) from two 10-acre restoration sites. Data collection and analysis is ongoing, but diver effort appears to have kept urchin densities low since the start of the project, and kelp regrowth has been observed at restoration sites.

Contributions to global biodiversity conservation efforts

This fall, OPC worked closely with CNRA leadership and staff to develop and submit [comments](#) on the United Nations' draft Post-2020 Biodiversity Framework, which is intended to serve as a Paris-style agreement to halt biodiversity collapse and will be finalized at COP 15 next year. California's comments call for a Framework that centers equity, elevates the role of subnational governments, and includes measurable biodiversity conservation goals and targets. Additionally, on November 3, California became the first U.S. state to sign the [Edinburgh Declaration](#), joining a global network of subnational governments promising bold action to conserve the planet's biodiversity in the face of a changing climate.

MPAs and the Decadal Management Review

Summary reports from [statewide long-term monitoring efforts](#) will be made publicly available in early 2022. These reports are an important component of the Decadal Management Review (DMR) and will inform how the MPA Network has made progress in meeting the goals of the MLPA. Additionally, CDFW hosted a series of [community meetings](#) in October and November to both share information about the DMR and invite community members to share their perspectives about the Network and MPA Management Program. The California Department of Fish and Wildlife will

provide its annual update on the state's MPA Management Program efforts at the December 16 Fish and Game Commission meeting.

Experimental eelgrass restoration increases biodiversity

California Sea Grant State Fellow, Dr. Kathryn Beheshti was lead author of a study published in [Ecological Applications](#) on October 6, 2021 showing the rapid recovery of multiple ecosystem functions following the restoration of eelgrass (*Zostera marina*) in Elkhorn Slough, an estuary located in Monterey Bay. Over three years (2015-2018), Beheshti and co-authors tracked tremendous expansion of the restored eelgrass plots from 29 to 2,513 m²—an 8500% increase in total area. With this expansion, researchers found that epifauna and macrofauna species richness and abundance in the restored plots was near or at levels observed in the natural eelgrass meadows. As the National Marine Fisheries Service undergoes their California Eelgrass Mitigation Policy (CEMP) review, this study could potentially inform future mitigation projects, which under the CEMP, must result in “no net loss of eelgrass habitat function”.

Working to Reduce Entanglement Risk

OPC's [Strategy for Protecting Whales and Sea Turtles & Ensuring Thriving Fisheries](#) outlines investment priorities to reduce the risk of entanglement of whales and sea turtles in California fishing gear and is one component of a more comprehensive effort to protect whales and sea turtles in California. In line with this strategy, [OPC staff is recommending support of CDFW](#) in their efforts to complete a Conservation Plan for the California commercial Dungeness crab fishery (in support of an upcoming Incidental Take Permit application) through funding a portion of the required California Environmental Quality Act (CEQA) analysis. The Conservation Plan, as well as subsequent CEQA analysis, is necessary to begin the process of updating the current Risk Assessment and Mitigation Program and ensure that California continues to minimize entanglement risks while also helping maintain a healthy, sustainable, Dungeness crab fishery.

GOAL 4: SUPPORT OCEAN HEALTH THROUGH A SUSTAINABLE BLUE ECONOMY

Offshore Wind

The Bureau of Ocean and Energy Management (BOEM) is moving forward with its timeline aimed at announcing lease sales in 2022. BOEM has designated two Wind Energy Areas (WEA) offshore of [Morro Bay](#) and [Humboldt Bay](#). BOEM is currently developing Environmental Assessments for both WEAs as part of the formal environmental review process under the National Environmental Policy Act. The California Coastal Commission is preparing for consistency determination (CD) hearings for the Humboldt WEA in April 2022 and the Morro Bay WEA in June 2022. OPC is supporting the CD process through funding a series of projects that have been identified as key environmental and cultural information gaps. Recently funded and planned projects include: support for spatial environmental and ocean use mapping and modeling projects; synthesis of existing data; and an inventory of Tribal cultural resources. California State Lands Commission (SLC) also released its final [Preliminary Environmental Assessment](#) for two lease applications located in state waters offshore Vandenberg Space Force Base. Because the proposed projects would cause numerous environmental effects, analysis of the impacts of the proposed offshore facilities will require preparation of an Environmental Impact Report before SLC can decide on whether to approve or deny the applications.

Promoting Sustainable Aquaculture

The development of the statewide Aquaculture Action Plan continues and is proceeding on schedule with planned completion by 2023. The National Center for Ecological Analysis and Synthesis (NCEAS) and California Sea Grant, in close partnership with OPC staff, have completed the first round of community and science listening-group sessions, a major milestone in the process to develop a working draft of the Action Plan, with completion of the full draft expected by December 2021. In addition to moving forward on the Aquaculture Action Plan, OPC staff and leadership will be leading a meeting of the Aquaculture Leadership Team on December 10, 2021. The meeting will cover next-steps in the implementation of the [Guiding Principles for Sustainable Marine Aquaculture in California](#) across member agencies as well as feature a presentation by NCEAS on the current working-draft of the Aquaculture Action Plan. This will be the first time the entire Leadership Team will be able to provide feedback directly to NCEAS for incorporation into the Action Plan development process.

LEGISLATION

The following is a summary of coastal and ocean-related two-year bills being tracked OPC staff

[AB 50 \(Boerner Horvath\)](#)

Climate change: Climate Adaptation Center and Regional Support Network: sea level rise. This bill would establish the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea-level rise challenges with guidance, information, and scientific expertise to support planning and adaptation.

[AB 303 \(Rivas, Robert\)](#)

Aquaculture: mariculture production and restoration: pilot program. This bill would require the California Department of Fish and Wildlife to create a pilot program in state waters to test shellfish and algal mariculture strategies. The bill would require State Lands Commission and Fish and Game Commission to approve lease applications within four months and would allow lease holders to begin cultivation without permits except from the State Water Resources Control Board. The bill mandates a minimum of five, 200-hectare, ocean or estuary tracts with no maximum number specified.

[AB 534 \(Bonta\)](#)

Fishing: ropeless fishing gear. This bill would establish a pilot project requiring ropeless fishing gear, as determined by California Dept. of Fish and Wildlife when fishing in a national marine sanctuary and taking any species of fish, including, but not limited to, Dungeness crab, spiny lobster, and spot prawn, for commercial or recreational purposes in any trap fishery.

[AB 564 \(Gonzalez, Lorena\)](#)

Biodiversity Protection and Restoration Act. This bill would establish a policy that all state agencies, boards, and commissions consider and prioritize the protection of California's biodiversity in carrying out their mandates. The bill would also require strategies related to the state's "30x30" goal (30% of California's lands and coastal waters conserved by 2030) to be made available to the public and legislative committees no later than June 30, 2022. Finally, this bill would establish a policy that public agencies do not approve projects inconsistent with the 30x30 goal.

AB 622 (Friedman) Washing machines: microfiber filtration. This bill would require that all washing machines sold new in California have a microfiber filtration system with a mesh size of 100 microns or smaller by January 1, 2024.

AB 1279 (Muratsuchi)

Coastal resources: sustainable kelp. This bill would require OPC to work with private and nonprofit entities to bring sustainable kelp to the coastal waters of the state and review and assess data from existing research and ongoing pilot projects to identify critical knowledge gaps related to kelp forest ecosystems, kelp and sea urchin biological processes, kelp forest stressors, kelp-urchin population dynamics, incorporating carbon dioxide removal, and long-term carbon sequestration considerations.

AB 1553 (O'Donnell)

Southern Los Angeles Ocean Chemical Waste Community Oversight Council. This bill would establish the Southern Los Angeles Ocean Chemical Waste Community Oversight Council as a state agency within the California Environmental Protection Agency to oversee research and mitigation of chemical waste, including but not limited to dichloro-diphenyl-trichloroethane (DDT), at or from the San Pedro Basin and off the Los Angeles coast.

SB 54 (Allen)

Plastic Pollution Producer Responsibility Act. This bill would enact the Plastic Pollution Producer Responsibility Act, which will reduce the amount of disposable packaging and food waste entering the waste stream. This bill was amended 2/25/21 to restrict the sale and distribution of single use items (except those that are recyclable or compostable) after 2032.

SB 413 (McGuire)

Electricity: offshore wind generation facilities: site certification. This bill would give the California Energy Commission (CEC) exclusive authority over offshore wind (OSW) generation facilities. The bill would require the CEC to evaluate and mitigate impacts on indigenous peoples, fisheries, and local governments, and to research the effects of offshore wind generation development on native tribes, small local governments and fisheries.

SB 418 (Laird)

Sea level rise planning: database. This bill extends the sunset date for updating and maintaining the Sea Level Rise Database from January 1, 2023 to January 1, 2028. It would require the Ocean Protection Council (OPC) to continue to update biannually the Planning for Sea Level Rise Database which describes steps being taken throughout the state to prepare for, and adapt to, sea level rise. The author introduced this bill to encourage the state to maintain a central online location for shared resources and up-to-date information from cities, counties, regions, and public and private entities on approaches to address and adapt to sea-level rise.

SB 627 (Bates)

Coastal erosion: installation of shoreline protective devices: application process. This bill would amend the Coastal Act to require the California Coastal Commission (Commission) or a local government to approve the repair, maintenance, or construction of shoreline protective devices unless the device constitutes a threat to public health or safety. It would also require the Commission, if it denies an application or if it receives notice of a local government's denial, to submit a report to the Legislature and exempt projects from CEQA review.

PERSONNEL NOTES

Kaitlyn Kalua, *Water Quality Program Manager*. Kaitlyn joined OPC in November 2021. As Water Quality Program Manager, she is responsible for advancing OPC's policy initiatives and programs to improve coastal and marine water quality. Kaitlyn comes to OPC with experience in water quality regulation and policy, equitable water access, coastal adaptation planning, and federal ocean policy. Prior to joining OPC, Kaitlyn served as Policy Manager for the California Coastkeeper Alliance and previously as a 2017 Knauss Sea Grant fellow with the National Oceanic and Atmospheric Administration. Kaitlyn received her J.D. and Environmental Law certificate from the University of California, Davis School of Law. Kaitlyn loves exploring the mountains and coastline of California, and can often be found seeking out live music or in hiking boots with her partner and Pyrenees pup on weekends



OPC is hiring an Administration and Finance Analyst. OPC is hiring a limited term Associate Governmental Program Analyst to provide critical support for grant and contract administration, accounting, and other administrative duties, as needed. Applicants should have strong attention to detail, high-level proficiency with Microsoft Office Suite (including Word, Excel and Outlook), and experience related to bookkeeping, invoice processing, budgets, or other related work. Applications are due on December 10, 2021. To apply, please visit this link at [CalCareers](#).

COMMUNICATIONS

Include any relevant communication updates, including a list of media highlights in this format:

Media Highlights:

With quotes from Executive Director Mark Gold:

LA Times: [More than 400 toxic sites in California are at risk of flooding from sea level rise](#)

The Atlantic: [Floating Wind Farms are About to Transform the Ocean](#)

E&E News: [Managed retreat: Unpopular, expensive and not going away](#)

LAT: [Fishermen and foodways begin to feel the squeeze of Orange County's oil spill](#)

With quotes from OPC Wetlands Program Manager Maria Rodriguez:

La Opinión: [¡A tomar conciencia sobre el aumento del nivel del mar!](#)

Telemundo48: [California busca crear conciencia ante el riesgo de inundaciones debido a la crisis climática](#)

Featuring California Sea Grant Fellow Kat Behesti:

UC Santa Cruz: [Press Release on study showing rapid restoration of multiple ecosystem functions post-eelgrass restoration, led by OPC 2021 Sea Grant Fellow](#)

OPC mentioned:

Wired: [Urchin Slayers are Trying to Save the Underwater Rain Forest](#)

E&E News: [California Houses Endangered by Rising Seas](#)

OC Register: [Why groundwater flooding is becoming a threat to coastal cities as sea levels rise](#)

OC Register: [State sea-level rise laws advance as urgency surges](#)

SF Chronicle: [S.F.'s Embarcadero needs to be raised as much as 7 feet to prepare for sea level rise, city says](#)

Other:

The Hill: [Ancient mammoth tusk discovered 10,000 feet deep in ocean off California coast](#)

KTLA: [California to reopen fishing along stretch of southern coastline after offshore Orange County oil spill](#)

SLO Tribune: [Is offshore wind energy coming to the Central Coast? 'The momentum is here'](#)

SF Chronicle: [Satellite images show kelp forest has doubled in size on California's North Coast, after a dramatic collapse](#)

The Mercury News: [Dungeness crab season can open Dec. 1 in California's far-north counties](#)

The Hill: [NOAA moves toward designating new national marine sanctuary off central California](#)

New York Times: [6 takeaways from the U.N. climate conference](#)

The Edinburgh Reporter: [California signs the Edinburgh Declaration](#)

White House Briefing Room: [White House Commits to Elevating Indigenous Knowledge in Federal Policy Decisions](#)

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