

STAFF REPORT
76

A 78, 80

12/03/18

S 39, 40

M. Farnum

J. Mattox

**CONSIDER APPROVAL OF THE FINAL PRELIMINARY ASSESSMENT REPORT OF
THE SAN DIEGO OCEAN PLANNING PARTNERSHIP, A PILOT PROJECT OF THE
STATE LANDS COMMISSION AND THE PORT OF SAN DIEGO**

INTRODUCTION:

The San Diego Ocean Planning Partnership (SDOPP) is a collaborative pilot project between the California State Lands Commission (Commission) and the Port of San Diego (Port), centered on understanding and balancing Public Trust ocean uses including commerce, navigation, recreation, fisheries, and environmental stewardship. This is a comprehensive, stakeholder-driven process that considers the dynamic and interconnected relationship between the ocean environment and human activity. During the preliminary assessment, Commission and Port staffs engaged with ocean users and resource managers to understand their interests and issue areas. The SDOPP will use this information to develop processes that could resolve existing and potential future conflicts regarding use of ocean space. This information may help to improve the processes by which the Commission evaluates lease applications in the ocean space offshore San Diego County and manages the state's Public Trust resources.

Commission and Port staffs gathered information for the assessment phase of the pilot through stakeholder engagement and data collection. The stakeholder input and preliminary data collected is summarized in the Preliminary Assessment Report (Exhibit A). A draft Preliminary Assessment Report was released in October 2018 for public comment and has now been revised based on the comments submitted. A Web Mapping Application is also being developed, which is a compilation of publicly available, coastal and marine-related data in a single, user-friendly, web-based platform where these data can be visualized together. The Web Mapping Application will be used as an informational and communication tool to support decision-making, as well as facilitate greater collaboration, coordination, and communication among the Commission, other ocean and coastal resource management agencies, tribal governments, stakeholders, lease applicants, and the public.

BACKGROUND:

The SDOPP is a unique partnership between the Commission and the Port because both are aligned in their management responsibilities under the Public Trust Doctrine. Entrusted to manage and balance commerce, navigation, fisheries, recreation, and environmental stewardship on state tidelands and

STAFF REPORT NO. 76 (CONT'D)

submerged lands for the people of the State of California, the Commission and Port have built a strong working relationship many years prior to the formation of the SDOPP.

The Commission has exclusive jurisdiction over all ungranted tidelands and submerged lands and the beds of navigable lakes, rivers, and streams owned by the State (Public Resources Code section 6301, et seq.). The Commission manages approximately 4 million acres of these sovereign lands in trust for the benefit of the statewide public subject to the common law Public Trust Doctrine, including those tidelands and submerged lands that extend from the shoreline to 3 nautical miles offshore along California's coastline.

The Port was created in 1962 to manage and hold in trust certain tidelands and submerged lands within San Diego Bay. The Port is the State's trustee of Public Trust lands within San Diego Bay granted to it by the Legislature under Chapter 67, Statutes of 1962, First Extraordinary Session, and as amended. When the Port's statutory grant took effect, lands within the Bay that had been previously granted to the cities of San Diego, Chula Vista, Coronado, and National City were transferred to the Port. The Port is an economic engine and environmental steward of San Diego Bay and the surrounding tidelands and provides community and public safety services. The Port does not receive any tax revenue, yet it manages a diverse portfolio to generate revenues that support vital public services and amenities.

On October 13, 2016, the Commission authorized a memorandum of agreement (MOA) with the Port to engage in a unique ocean planning partnership for State-owned tidelands and submerged lands located in the Pacific Ocean offshore San Diego County, ([Item 64, October 13, 2016](#)). Through this partnership, the Commission and Port are identifying current and emerging uses in the ocean space offshore San Diego County and assessing the relationships among them. The SDOPP represents the Commission's and the Port's commitment to balancing Public Trust uses including commerce, navigation, recreation, fishing, and environmental stewardship.

The SDOPP is being developed in a comprehensive, adaptive, integrated, and transparent way. It is not a process to create zoning or new regulatory measures in the ocean space. Rather, it has the potential to reduce conflict, and possibly develop a framework for early engagement among ocean users by fostering meaningful relationships and making robust information broadly available and accessible.

PRELIMINARY ASSESSMENT REPORT:

The Preliminary Assessment Report summarizes the information learned from stakeholder and public engagement about current and emerging ocean uses, challenges, perspectives on ocean planning, and lessons learned from previous

STAFF REPORT NO. 76 (CONT'D)

planning processes. Stakeholder and public engagement were divided into two parts: focused, one-on-one stakeholder meetings, and larger group meetings. Stakeholders were identified through the lens of the Public Trust, and represented ocean users who participate in commerce, navigation, recreation, fisheries, and environmental stewardship. All stakeholders were surveyed with the same set of questions, and all responses were recorded and are presented in the Preliminary Assessment Report. The Commission and the Port have met with over 90 stakeholders and ocean users, including San Diego County coastal cities, environmental and community nonprofits, academia, commercial and recreational fishermen, and local, state, and federal agencies, including the U.S. Navy. Larger group meetings consisted of an ocean planning tribal summit, held in July 2018 at the Scripps Institute of Oceanography in San Diego, and a public open house at the Port of San Diego's administration building in October 2018. A draft of the Preliminary Assessment Report was released in October 2018 for public review and comment. Comments were received through the SDOPP website and by email, as well as written comment cards from the open house. All comments were addressed and are reflected in the Preliminary Assessment Report, where applicable, and in a summary matrix (Exhibit B) that will also be made available on the SDOPP website.

NEXT STEPS AND STAFF RECOMMENDATION:

The next steps of the Partnership are informed by the Preliminary Assessment Report. Stakeholders want to see the SDOPP continue public and stakeholder engagement and further develop the Web Mapping Application (which will include testing its functionality with stakeholders before public release). Next steps may also include producing periodic assessments to update the information about this ocean space, updating the MOA goals to reflect stakeholder input, and developing an early engagement framework that can be implemented by the Commission to coordinate with other ocean and coastal resource management agencies, the public, stakeholders, and applicants as new activities are proposed in the ocean space. It is anticipated that this early engagement framework would help to address conflicts at the outset of a proposal or application, and provide a process to conduct a more comprehensive analysis and make more informed decisions that avoid conflicts to the extent possible.

Staff recommends the Commission approve the Preliminary Assessment Report and direct staff to develop an early engagement framework for stakeholders, users of the ocean space, and potential applicants utilizing the Web Mapping Application.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.2 of the Commission's Strategic Plan, to provide that the current and future management of ungranted sovereign lands and resources and granted lands, including through

STAFF REPORT NO. 76 (CONT'D)

strategic partnerships with trustee ports and harbor districts, is consistent with evolving Public Trust principles and values. The Commission recognizes that strong partnerships are the key to innovative and responsible land and resource management. This action is also consistent with Strategy 4.2, to extend Geographic Information Systems (GIS) content and capabilities to be an integrated decision-making tool for the Commission's management of lands and resources and a valued visualization and communication mechanism for the public. The Commission strives to use the most current technological resources to inform decision-making and broaden public awareness and engagement.

2. The approval of this Preliminary Assessment Report and directing staff to develop an early engagement framework utilizing the Web Mapping Application is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

EXHIBITS:

- A. Preliminary Assessment Report
- B. Comment Summary Matrix

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

1. Approve the Preliminary Assessment Report substantially in the form attached as Exhibit A.
2. Direct staff to develop an early engagement framework for stakeholders, users of the ocean space, and potential applicants utilizing the Web Mapping Application.

Preliminary Assessment Report

Manuscript

Page 1 of 45

San Diego Ocean Planning Partnership Preliminary Assessment Report (*Text Only Version*)

Prepared by staff from: California State Lands Commission and the Port of San Diego

With support from: Nexus Planning & Research

Special thanks to: The many stakeholder, ocean users, and interested members of the public who dedicated time to participate in this process and engage in meaningful dialogue with the San Diego Ocean Planning Partnership.

*The Text Only Version does not include the introductory pages like Table of Contents or List of Acronyms, photos, figures, or any final formatting that will be included in the Final Version. Some placeholders and figure captions are included in the Text Only Version. Page numbers in the Text Only Version will not line up with the Final Version.

**Text in italics typically refers to text that will be included in call-out or “pop-up” boxes in the Final Version.

***This Text Only Version is being released in advance of the complete Preliminary Assessment Report to provide stakeholders and the public with the final text of the report. The complete Preliminary Assessment Report with the final formatting is anticipated to be published to the website on Thursday, November 29, 2018.

****The Preliminary Assessment Report is scheduled to be presented to the California State Lands Commission on December 3, 2018. Subsequently, the Preliminary Assessment Report is scheduled to be presented the Port of San Diego Board of Port Commissioners on December 11, 2018.

Executive Summary

The land and resource management responsibilities for the California State Lands Commission (Commission) and the Port of San Diego (Port) are rooted in the Public Trust Doctrine as both agencies are entrusted by the State of California to responsibly balance a diversity of uses on tidelands and submerged lands, including commerce, navigation, fisheries, recreation, and environmental stewardship. In San Diego, the Commission and the Port manage adjacent areas in and around San Diego Bay and issue leases for their use or development. Generally, the Commission's jurisdiction of submerged lands extends from the mean high tide line out to three nautical miles offshore (pursuant to the Submerged Lands Act), unless the Legislature grants areas to local grantees. To support its management responsibilities in the ocean, the Commission saw a need for a more comprehensive approach to ocean planning, one that endeavors to understand all the current and emerging activities and uses in this shared space and could inform sustainable and balanced decision-making within its jurisdiction.

The Commission and the Port collaborate and coordinate with many federal, state, and local agencies, as well as tribal governments, academic institutions, and environmental organizations on specific projects, policies, and initiatives. Through collective efforts, the two agencies are better positioned to be effective in protecting California's and San Diego's (respectively) public lands and resources and ensuring public access. Expanding off this collaboration and coordination, the Commission requested support from the Port for this ocean planning effort because of the Port's existing regional relationships, knowledge of San Diego, and their management responsibilities aligned with the Commission under the Public Trust Doctrine.

The Commission and the Port entered into a Memorandum of Agreement (MOA) in October 2016 to form the San Diego Ocean Planning Partnership (SDOPP). The MOA proposes that the Partners (Commission and Port) develop various frameworks and tools to support decision-making and sharing comprehensive environmental data for the ocean space in state waters offshore San Diego County, while also maintaining consistency with applicable state, federal, and local laws, regulations, and policies.

The purpose of this first phase of the SDOPP pilot project, the Assessment Phase, is to better understand the current uses, challenges surrounding current and future uses in state waters offshore San Diego County (the "ocean space"). An additional purpose was to understand the values of the users as well as their past experiences with similar planning processes. It is **not** the intent of the SDOPP to establish zones in the ocean space for specific uses, diminish the significance or purpose of previously established areas, nor promote specific ocean uses over others. Rather, it is intended as a framework promoting an open, transparent dialogue and encourages collaboration between users. Essentially, this is a process for

Preliminary Assessment Report

Manuscript

Page 3 of 45

the Partners to hear directly from stakeholders about their vision for the ocean space and the role that the SDOPP can play (by identifying clear objectives and deliverables) in achieving that vision.

To support this purpose, the Commission and the Port set out to: 1) identify current and emerging uses in the ocean space offshore San Diego County, 2) understand the relationships among these uses, and 3) receive feedback on how to best develop the ocean planning process. Specifically, the Partners embarked on the first phase of this pilot project, the Preliminary Assessment, through two parallel efforts:

Public engagement: Through focused stakeholder interviews, small group meetings, and larger public meetings, the Partners engaged with stakeholders and local Tribes to hear directly about their experiences with the ocean space and ocean planning. This information is presented within this report (the Preliminary Assessment), which summarizes input received about ocean uses, challenges with ocean uses, benefits and concerns about ocean planning, and suggestions for managing the process and moving forward.

Data collection: The Partners collected and compiled publicly available, coastal and marine-related spatial data, which will be displayed in a Web Mapping Application. This will be a web-based, user-friendly site where users can easily view multiple layers of these data at one time in one place.

These efforts culminated in the informational Preliminary Assessment Report as well as a public-facing, interactive web viewer that presents the results of the stakeholder engagement and data collection efforts.

Assessment Phase: Observations and Lessons Learned

This Preliminary Assessment provides a summary of stakeholder input from the Assessment Phase and was divided into two sections: “Observations” and “Lessons Learned.” “Observations” in the Preliminary Assessment include a summary of feedback provided to the Commission and the Port on how stakeholders define ocean planning, perceptions on the process, uses in the ocean space, and challenges associated with those uses.

The Partners observed through stakeholder engagement and data collection that the ocean space has a widespread diversity of uses and could present the potential for new uses or expansion of current uses. Uses cited by stakeholders generally pertained to recreation; resource management; conservation; commercial; research; education and outreach; navigation and safety and security. Stakeholders face a broad array of challenges when using the ocean space, including but not limited to, changing environmental conditions, the need to balance competing uses, or evolving regulatory and management processes. These existing challenges, along with new future challenges, may possibly be addressed through ocean planning processes, including public engagement or conflict management principles.

Preliminary Assessment Report

Manuscript

Page 4 of 45

Valuable information was given to the Partners based on stakeholders' experience and knowledge of ocean planning or similar efforts. These "Lessons Learned" were informed by input received during focused stakeholder meetings and larger group meetings on potential benefits of ocean planning, other considerations or concerns with this process, and suggestions for managing the ocean planning process. The SDOPP Assessment Phase revealed ocean planning may provide: 1) An opportunity to promote mutual understanding of ocean uses, 2) a forum for collaboration on issues or opportunities of regional interest, and 3) a communication tool to begin or continue dialogue between agencies or the public. Stakeholders also suggested improvements for managing the ocean planning process moving forward. Recommendations included, but were not limited to: be inclusive and collaborative; communicate clearly and often; and be transparent.

Next Steps

Potential next steps for the SDOPP were informed by the public engagement feedback and data collection. It is important to note that the potential next steps may be carried out by the Partnership or by an individual Partner (i.e., the Commission or the Port). For example, the Partnership may decide to refine the goals of the SDOPP (specifically the MOA) or provide periodic assessments in the San Diego ocean space. The Commission would most likely take responsibility for developing an "early engagement" framework that would establish a process to proactively address potential conflicts between uses to assist with the Commission's process for evaluating lease applications. Additionally, the Commission would be responsible for updating the Web Mapping Application. With strong regional relationships, the Port could help to continue and enhance the local stakeholder outreach as part of a long-standing comprehensive public engagement approach associated with long-range planning efforts. In future phases of the SDOPP, collectively and as individual entities, the Partners will remain committed to transparent and robust public engagement and data collection and continue to strive towards collaborative stewardship of the Public Trust on entrusted or granted state tidelands and submerged lands.

1. Purpose

As outlined in the San Diego Ocean Planning Partnership's (SDOPP) foundational Memorandum of Agreement (MOA) (Attachment A), the purpose of this collaborative partnership is to "effectively plan for use of the ocean space and local trust grantee participation in management thereof." To achieve this goal, the MOA proposes that the Partners (California State Lands Commission and the Port of San Diego) develop various frameworks and tools to support decision-making and sharing of comprehensive environmental data for the ocean space in state waters offshore San Diego County, while also maintaining consistency with applicable state, federal, and local laws, regulations, and policies. The MOA also aims to "facilitate coordination between the Parties [Partners] to develop and implement a comprehensive strategy that would reduce the potential for conflict among various Public Trust

Preliminary Assessment Report

Manuscript

Page 5 of 45

consistent uses, resources, and values.” Further, this MOA reinforces the California State Lands Commission’s (Commission) and the Port of San Diego’s (Port) commitments to transparent, robust public engagement and scientifically-informed decision-making. This effort could ultimately inform the Commission’s lease application evaluation process for projects on state submerged lands and tidelands to proactively avoid or address conflicts among current and emerging ocean uses, and also help to identify and support opportunities for synergy and compatibility among uses.

It is *not* the intent of the Partnership to establish zones in the ocean space for specific uses, diminish the significance or purpose of previously established areas, or promote specific ocean uses over others.

The purpose of the first phase of the SDOPP pilot project – the Assessment Phase – was to better understand the ocean space by asking users and compiling and reviewing relevant coastal and marine-related data. Through public engagement, the Partners heard from stakeholders directly about how they use the ocean space, their challenges with those uses, their previous experiences and concerns with similar planning processes, and their suggestions on how to best manage an ocean planning process. Through data collection and evaluation, the Partners gathered and compiled publicly available data to visualize coastal and marine-related data to better understand the environmental conditions of the ocean space and how those might relate to ocean uses. These two efforts culminated into the Preliminary Assessment Report and a Web Mapping Application. These two deliverables will also help to identify potential next steps for the Partners moving into subsequent phases of this pilot project. Essentially, this first phase is a “visioning” process through which the Partners learned from stakeholders about *their* vision for the ocean space and what practical objectives and deliverables the SDOPP could fundamentally establish that aligns with that vision.

2. Partnership

The SDOPP was formed through a MOA (Appendix A) between the Commission and the Port in October 2016. With similar mission and vision statements, aligned responsibilities under the Public Trust Doctrine, and strong state and regional relationships, both agencies are uniquely suited to contribute to the SDOPP. As public agencies, both the Commission and Port have a number of distinct responsibilities including fiduciary and environmental review, that require balancing competing uses and interests. There are structures that exist within each agency that keep these responsibilities separate and a number of checks and balances built into internal protocols and additional legislative oversight to prevent conflicts of interest. This pilot project does not authorize any future uses of ocean space. It will be used to inform the independent decisions of each of the Partners.

The MOA reinforces this unique partnership and memorializes the Partners’ commitments to transparent public engagement and robust data collection.

Collaborative Stewardship

The SDOPP is a unique partnership between the Commission and the Port because both Partners are aligned in their management responsibilities under the Public Trust Doctrine. Entrusted to manage and balance commerce, navigation, fisheries, recreation, and environmental stewardship on state tidelands and submerged lands for the people of the State of California, the Partners have built a strong working relationship many years prior to the formation of the SDOPP.

In San Diego, the Commission and the Port manage adjacent areas in and around San Diego Bay. Generally, the Commission's jurisdiction of submerged lands extends from the mean high tide line out to three nautical miles offshore (pursuant to the Submerged Lands Act), unless the Legislature grants areas to local grantees. In San Diego Bay, much of the tidelands and some submerged lands have been granted to the Port. The submerged lands in the middle of San Diego Bay (including anchorages) have remained under the Commission's management. Given there is such a widespread diversity of coastal and ocean uses in the ocean space offshore San Diego and within San Diego Bay, the Commission and the Port consistently coordinate and collaborate to ensure that they both manage these areas and uses through the lens of the Public Trust.

Collaborative stewardship is a goal that the Partners are always working towards. It is the concept that recognizes that while the jurisdictions of the Commission and Port are adjacent yet separate, the coast and ocean are dynamic and interrelated environments that require a coordinated approach to management. It is also the concept that promotes collaboration between both Partners to be stewards of the Public Trust, so that they may work together to balance the use of state tidelands and submerged lands in ways that benefit the environment and the community.

****The Public Trust Doctrine****

The public's right to use California's waterways for navigation, recreation, fishing, boating, natural habitat protection and other water oriented activities is protected by the Common Law doctrine of the Public Trust. Historically, the Public Trust has referred to the basic right of the public to use its waterways to engage in "commerce, navigation, and fisheries." More recently, the doctrine has been broadened by various landmark court decisions to include the right to swim, boat, and engage in other forms of water recreation, and to preserve lands in their natural state in order to protect scenic and wildlife habitat values.

*The Public Trust provides that tidelands and submerged lands and the beds of lakes, streams and other navigable waterways are to be **held in trust by the State for the benefit of the people of California**. The Public Trust, as a common law doctrine, is not static but continuously evolves to protect the public's use and needs in California's waterways.*

Preliminary Assessment Report

Manuscript

Page 7 of 45

Since 1938, the Commission has been the administrator and guardian of valuable public lands. The Commission has administrative jurisdiction over the State's Public Trust lands and has oversight authority over sovereign lands granted in trust by the Legislature to local governments. The Commission acts pursuant to the California Constitution, legislation, and the Public Trust Doctrine to protect the public's interest in trust lands.

Why should the State Lands Commission be spearheading this effort?

The Commission leads this innovative pilot because it sees a clear need for a more comprehensive approach to ocean planning, one that endeavors to understand all the current and emerging activities and uses in this shared space, while informing sustainable and balanced management within its jurisdiction. The Commission is uniquely positioned for this role because it manages the State's tide and submerged state lands and resources and issues leases for their use or development. This requires balancing a variety of existing and emerging Public Trust uses, including navigation, commerce, fisheries, water-oriented recreation, and environmental stewardship. The Commission believes this pilot project strengthens its commitment to informed decision-making through stakeholder engagement and the use of best available science and data.

About the State Lands Commission

Established in 1938, the Commission manages four million acres of tide and submerged lands and the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits. These lands, often referred to as state or Public Trust lands, stretch from the Klamath River and Goose Lake in the north to the Tijuana Estuary in the south, the Pacific Coast three miles offshore in the west to the Colorado River and Lake Tahoe in the east. Notably, these lands include California's two longest rivers, the Sacramento and San Joaquin.

The Commission also oversees state lands granted in trust by the California Legislature to approximately 70 local jurisdictions that generally consist of prime waterfront lands and coastal waters. Through its actions, the Commission secures and safeguards the public's access rights to navigable waterways and the coastline and preserves irreplaceable natural habitats for wildlife, vegetation, and biological communities.

The Commission protects state waters from marine invasive species introductions by creating and enforcing ballast water and vessel biofouling regulations. It also maintains an oil spill prevention program, overseeing all marine oil terminals in California and offshore oil platforms and production facilities in state waters. The program includes a coordinated response system with the Office of Spill Prevention and Response, a division of the Department of Fish and Wildlife.

What are Granted Lands?

Preliminary Assessment Report

Manuscript

Page 8 of 45

The California Legislature has periodically transferred portions of the State's waterfront lands to local governmental entities for management purposes. The local entities are known as "grantees" or "trustees" of granted Public Trust lands.

Legislation conveys the State's legal title of the specified Public Trust lands, in trust, to the grantee.

The grantee has jurisdiction over the granted lands. The Commission has oversight authority and, except for certain statutory authorizations, is not typically involved in the day-to-day management of the granted lands. The grantee has the primary responsibility of administering the trust within the parameters of the Public Trust and its granting statutes.

There are areas within the preliminary planning boundary that have been granted to local authorities, including the City of San Diego and the City of Oceanside. These granted lands are depicted in the Web Mapping Application. The boundaries and provisions of these grants have been amended over time through statutes and are unique to each entity.

State Lands Commission Mission and Vision Statements

The mission and vision statements of the State Lands Commission are as follows:

"The California State Lands Commission provides the people of California with effective stewardship of the lands, waterways, and resources entrusted to its care through preservation, restoration, enhancement, responsible economic development, and the promotion of public access."

"The California State Lands Commission is a recognized leader that champions environmentally sustainable public land management and balanced resource protection for the benefit and enjoyment of all current and future generations of Californians."

State Lands Commission Leasing Authority

The Commission issues leases for water-dependent and water-related activities, uses, and development on state tidelands and submerged lands that serve the public. These general surface leases are primarily related to recreation, open space, habitat preservation, visitor-serving, public agency, or industrial uses. The Commission also supplies permits for underwater geological and geophysical surveys. Lease applications are submitted to Commission staff for evaluation and review, a process that is specific to each lease type and proposal, and typically involves multiple agency line divisions. As part of its approval process, the Commission evaluates the consistency of the proposed lease use with the Public Trust Doctrine and whether the lease is in the State's best interests. All leases must comply with state law and are subject to environmental review under the California Environmental Quality Act (CEQA).

Each lease is negotiated by a public land management specialist, and the consideration is determined based on fair-market land values, public benefit, and other site-specific factors. Lease terms are created

Preliminary Assessment Report

Manuscript

Page 9 of 45

to ensure the protection of Public Trust resources and assets. Comprehensive information for each potential lease is compiled by staff, with recommendations, for the Commission to consider at regularly-scheduled public meetings. The public is welcomed and encouraged to provide input and information on any proposed lease before its approval, either through contacting staff or Commissioners directly, providing written comments, or by providing public comment at Commission meetings.

Many of the Commission's granted lands partners also have leasing practices. All trustees of the State's tide and submerged lands must make lease determinations and other land management decisions that are in the best interests of the State. Revenues generated by a trustee arising out of the use or operation of their granted lands are State trust assets and must be reinvested back into the trust. These revenues must be kept separate from the local entity's general fund and may not be used for a municipal purpose, or any purpose unconnected with the trust. Expenditures of trust funds by a trustee must be consistent with the Public Trust Doctrine and the statutory trust grant.

State Lands Commission Strategic Plan

The Commission adopted its 2016-2020 Strategic Plan on December 18, 2015. The Strategic Plan equips the Commission to adapt to emerging challenges and opportunities, while creating a meaningful framework to achieve its policy goals. The SDOPP is consistent with and supports implementation of Strategy 1.2, "to provide that the current and future management of ungranted sovereign lands and resources and granted lands, including through strategic partnerships with trustee ports and harbor districts, is consistent with evolving Public Trust principles and values." The Commission recognizes that strong partnerships are the key to innovative and responsible land and resource management. The pilot project also advances the Commission's Strategy 4.2, "to extend Geographic Information Systems (GIS) content and capabilities to be an integrated decision-making tool for the Commission's management of lands and resources and a valued visualization and communication mechanism for the public." The Commission strives to use the most current technological resources to inform decision-making and broaden public awareness and engagement.

**Pop-up Box* What is the Blue Economy?*

The United Nations and the World Bank Group define the term blue economy as "comprising the range of economic sectors and related policies that together determine whether the use of ocean resources is sustainable... The blue economy concept seeks to promote economic growth, social inclusion, and the preservation or improvement of livelihoods while at the same time ensuring environmental sustainability of the oceans and coastal areas."

Source: World Bank and United Nations Department of Economic and Social Affairs. 2017. *The Potential of the Blue Economy: Increasing Long-term Benefits of the Sustainable Use of Marine Resources for Small Island Developing States and Coastal Least Developed Countries*. World Bank, Washington DC.

State Lands Commission Interagency Relationships

The Commission collaborates and coordinates with many federal, state, and local agencies, as well as tribal governments, academic institutions, and environmental organizations on specific projects, policies, and initiatives. Through collective efforts, the Commission is better positioned to be effective in protecting California's public lands and resources and ensuring public access.

The Commission is a member of the California Coastal Commission, San Francisco Bay Conservation and Development Commission, Ocean Protection Council, Delta Protection Commission, and several river conservancies. The Commission is a signatory to cooperative interagency agreements with state and federal agencies, including the agreement for implementation of the California network of marine protected areas and the agreement for the Desert Renewable Energy Conservation Plan. The Commission participates in interagency groups striving to address complex resource management issues through coordinated action, including the Marine Protected Area Statewide Leadership Team, the Coastal and Ocean Resources Working Group for the Climate Action Team (CO-CAT), and the California Intergovernmental Renewable Energy Task Force.

The Commission is one of two State of California representatives engaged in a regional ocean planning process with the States of Oregon and Washington. This regional ocean partnership, formerly called the West Coast Regional Planning Body, shares many of the same objectives as the SDOPP, such as increased collaborative ocean management and stewardship, improved planning for sustainable, compatible uses of the ocean, and enhanced ocean data and information sharing. However, the SDOPP is a separate and independent initiative.

Current Initiatives of the State Lands Commission

There are several different initiatives at the Commission that demonstrate the range of activities it undertakes to safeguard and manage Public Trust lands, uses, and resources. These initiatives are also examples of the Commission's support for collaborative stewardship that balances Public Trust use of the State's tidelands and submerged lands.

AB 691: Sea-Level Rise Assessments

The Commission is working with many of its grantees to plan for and adapt to sea-level rise and its impacts. State land grantees with gross revenues over \$250,000 per year must inventory their trust assets, assess their vulnerability to sea-level rise, and begin to formulate feasible and effective adaptation and resiliency measures, pursuant to AB 691 (Muratsuchi, Chapter 592 of the Statutes of 2013). The assessment reports are due to the Commission by July 1, 2019. The Commission supports the sea-level rise planning efforts of the grantees by providing information, resources, and guidance for understanding the most recent scientific findings and how to apply current state policy. The Commission

will synthesize the submitted assessments, identify common risks and adaptation approaches, evaluate the economic impacts to assets, and make recommendations of next steps for grantee resiliency planning and financing strategies for State lands and resources.

Environmental Justice Policy Update

In 2017, the Commission embarked on a path to develop a robust and comprehensive Environmental Justice Policy, anchored on statewide outreach, with the goal of understanding the different issues Californians face related to the public lands and resources the Commission manages. Staff is conducting extensive outreach as part of this process, meeting with dozens of environmental justice organizations, local agencies, Tribes, and the public throughout the state to learn about distinct regional concerns and how environmental justice is connected to the Commission's programs, statutory duties, mission, and vision. Through this Environmental Justice Policy, the Commission will strengthen its commitment to promote social equity and environmental justice, through more inclusive decision-making that considers the needs and concerns of all communities, but with sensitivity to disproportionate burdens on marginalized, disadvantaged, and tribal communities. The final policy will be considered for adoption by the Commission at its December 3, 2018 meeting.

Marine Invasive Species Program

The Marine Invasive Species Program (MISP) is a world-leading program that reduces the risk of aquatic nonindigenous species introduction into California's waters. The MISP began in 1999 with the passage of California's Ballast Water Management for Control of Nonindigenous Species Act, which addressed the threat of species introductions from vessels arriving at California ports. In 2003, the Marine Invasive Species Act was passed, reauthorizing and expanding the 1999 Act. In 2017, the MISP biofouling management regulations were approved, requiring ships to have an active biofouling management plan and associated paperwork. This is the first such regulatory program of its kind, serving as a model for safeguarding coastal waters and habitats from the devastating economic and ecologic impacts that result from invasive species' introductions.

Why Port of San Diego as a partner?

Why Port of San Diego as a partner?

San Diego is an ideal location for this pilot project due to the large variety of marine uses. The Port of San Diego is a unique partner for this effort because it has diverse, broad, and extensive knowledge of the environmental, social, and economic issues in and around San Diego Bay and it has developed strong

Preliminary Assessment Report

Manuscript

Page 12 of 45

relationships with local and regional stakeholders. In addition, an area of the Pacific Ocean adjacent to the City of Imperial Beach is a part of the Port's management responsibilities.

About the Port of San Diego

The Port was created in 1962 to manage and hold in trust certain tideland and submerged lands within San Diego Bay. The Port is the State's trustee of Public Trust lands within San Diego Bay granted to it by the Legislature under Chapter 67, Statutes of 1962, First Extraordinary Session, with minerals reserved to the State, and as amended. When the Port's statutory grant took effect, lands within the Bay that had been previously granted to the cities of San Diego, Chula Vista, Coronado, and National City were transferred to the Port. Lands originally granted to Imperial Beach along the Pacific Ocean were also transferred to the Port. The lands are to be used for Public Trust purposes that benefit the statewide public, including commerce, navigation, fisheries, and water-oriented recreation. The Port balances multiple uses for approximately 2,500 acres of land and 3,000 acres of water along San Diego Bay and along the Pacific Ocean offshore of Imperial Beach.

Map of Port tidelands

Caption: The Port's jurisdiction extends along the tidelands and submerged lands of the San Diego Bay, spanning its five member cities. The light blue represents submerged lands and the orange represents tidelands that have been granted and conveyed to the Port since its creation.

The Port is the fourth largest of the 11 deep water ports in California, and is bordered by five member cities: Chula Vista, Coronado, Imperial Beach, National City, and San Diego. The Port oversees two marine cargo terminals, two cruise ship terminals, 22 public parks, the Harbor Police Department, and the leases of over 200 tenants and over 500 sub tenant businesses around San Diego Bay. The Port is an economic engine, and environmental steward of San Diego Bay and the surrounding tidelands, and provides community services and public safety. The Port does not receive any tax revenue, yet it manages a diverse portfolio to generate revenues that support vital Public Trust services and amenities.

Port of San Diego Mission and Vision Statements

As a trustee of granted lands, the Port's mission statement is in alignment with the Commission's mission. The Port of San Diego's mission and vision statements are as follows:

"The Port of San Diego will protect the Tidelands Trust resources by providing economic vitality and community benefit through a balanced approach to the maritime industry, tourism, water and land recreation, environmental stewardship and public safety."

"We are an innovative, global seaport courageously supporting commerce, community, and the environment."

Port of San Diego Regional Relationships

The Port has strong working relationships with other agencies and communities throughout the San Diego region. The Board of Port Commissioners (BPC) includes representatives from the Port's five member cities. The BPC frequently seeks input from advisory and stakeholder groups, including the Environmental Advisory Committee and the Maritime Stakeholder Forum. Committee members include the Port Tenant's Association, environmental nonprofits and advocacy groups, state agencies, federal agencies, shipping representatives, stakeholders from the recreational and commercial fishing industry, academia, and many others. In the advisory or stakeholder meetings, members come together to discuss pressing topics and issues or provide guidance and expertise related to Port projects or initiatives. The Port also works closely with federal partners, such as the National Oceanographic and Atmospheric Association (NOAA) and the U.S. Navy. Recently, NOAA provided technical expertise to various aquaculture and blue technology projects under the Port's purview.

****Coordination with the U.S. Navy in the San Diego Ocean Space****

Written with input from U.S. Navy Southwest Region staff

The Port of San Diego has a long history of leveraging partnerships around San Diego Bay to foster efficient business programs and stewardship of the natural resources entrusted to the many entities that utilize the Bay.

Notably, the Port of San Diego is designated a "Strategic Port" for national defense. Home to the U.S. Pacific Fleet, San Diego shares a great sense of pride in being partners in the national defense mission and its accommodation of the U.S. Navy. The Strategic Port designation is so important that extra measures are being taken in the recent modernization of the Tenth Avenue Marine Terminal at the Port of San Diego to ensure the facility can service military vessels in the event of a mobilization for a national emergency.

The Port's long history of partnership with the U.S. Navy has played a significant role in the stewardship of the Bay's natural resources. The Port and the U.S. Navy have been mutual informal partners for many years and on many levels through their shared history in the development of San Diego Bay. For example, the Port has been a partner with the U.S. Navy since 2002 in an Integrated Natural Resources Management Plan (INRMP), the first of its kind in the United States. The INRMP is a comprehensive document that guides management decisions about development in and around the Bay to ensure the protection of trust resources without adversely impacting U.S. Navy mission readiness or the Port's economic assets. The Port and the U.S. Navy also routinely conduct surveys of the biological resources in the Bay for fish, turtles, birds, and eelgrass.

Additionally, in recognition of the need for communities to be climate resilient, and understanding the major role the Port and the U.S. Navy play in creating this resiliency, the Port and U.S. Navy have recently

Preliminary Assessment Report

Manuscript

Page 14 of 45

entered into a MOA (separate and distinct from the SDOPP MOA) to collaboratively address impacts from sea level rise. This partnership will ensure that the Port and U.S. Navy work together toward similar goals in planning for sea level rise effects around the Bay on naval installations and the communities that surround San Diego Bay. This unique collaboration will help the Port complete an even more meaningful AB691 Sea Level Rise Assessment by July 1, 2019. In addition, the Port and the Naval Undersea Warfare Center, Division Keyport entered into a Memorandum of Understanding to facilitate coordination on how the two parties can support blue economy innovation in San Diego Bay.

The Port, the

Commission, and the U.S. Navy will continue to work collaboratively to facilitate meaningful, responsible future uses of San Diego Bay and the nearshore coast of San Diego to ensure that national defense mission needs are met while planning to meet the economic needs of the future. All this while ensuring San Diego Bay remains a safe and climate resilient harbor for the communities that call it home.

Current Initiatives of the Port of San Diego

Recently, the Port has begun a few important initiatives in and around San Diego Bay to take a strategic and innovative approach to supporting and bolstering ocean-related businesses, conserving and restoring coastal habitats, and planning for future development.

Integrated Planning and the Port Master Plan Update

Since 2013, the Port has been evolving and improving a process, known as Integrated Planning. In short, Integrated Planning is a multi-faceted and comprehensive approach for managing and planning the uses and business of the Port in a balanced way. Although Integrated Planning is an approach and philosophy that will permeate numerous plans and processes at the Port, one critical and current focus area is an update to the Port Master Plan. The Port of San Diego is required to prepare and adopt a Port Master Plan pursuant to Chapter 8 of the California Coastal Act (Section 30711).

The Port Master Plan Update (PMPU) is the first comprehensive update to the Port Master Plan since its certification in 1980. The PMPU is an integrated, baywide approach intended to modernize the Port's method for land and water planning and serve as a guide for future uses and development of Port tidelands. The goals of the PMPU effort are to balance the needs of development with those of valuable natural resources; prioritize key planning features; protect opportunities for public access and parks on the waterfront all while building in enough flexibility to be able to quickly adjust to market demands. The PMPU will control the allowable land and water uses, type and characteristics of development, recreation, and environmental conservation throughout the Port's jurisdiction, and it will be the first comprehensive update of the Port Master Plan in the Port's history. Additionally, the PMPU will propose

to include an environmental justice element for the first time, which is in alignment with the Commission's policy development too.

The geographic areas of the SDOPP and the PMPU do not overlap except for tidelands associated with the City of Imperial Beach. The purpose of each effort is unique and therefore they are separate planning processes.

Wetland Restoration and Mitigation Banking

As a mixed-use area, San Diego Bay is not only home to a top cruise-line destination, a working waterfront that supports maritime commerce and the military, and dozens of recreational and visitor-serving amenities, it also provides valuable space for coastal and marine ecosystems. In order to protect, restore, and enhance these ecosystems on Port tidelands, the Port is identifying new opportunities to promote wetland conservation, like mitigation banking. In concept, mitigation banking provides an economic incentive to protect habitats, like wetlands, by generating credits for every acre of wetland preserved or restored, and selling those credits to project developers in need of meeting mitigation requirements.

Specifically, the Port is exploring this concept in south San Diego Bay at a Port-owned parcel, commonly referred to as Pond 20. The parcel was once a part of the Western Salt Company's salt evaporation pond network, which was abandoned by the company in the 1960's. Since that time, Pond 20 has remained vacant. Other adjacent ponds and parcels that were once a part of Western Salt Company's pond network have eventually become a part of the South San Diego National Wildlife Refuge, leased to the U.S. Fish and Wildlife Service by the State Lands Commission. To consider establishing a wetland mitigation bank at Pond 20, the Port has coordinated with many agencies and regional stakeholders, including the U.S. Army Corps of Engineers, the U.S. Fish & Wildlife Service, and the Cities of San Diego and Imperial Beach. As the Port continues to move forward with this approach at Pond 20, it could begin to identify other habitats and areas in and around San Diego Bay that could also benefit from this type of restoration or conservation.

Aquaculture and Blue Technology Program

Under this program, the Port is building a Blue Economy Incubator to support entrepreneurship, foster sustainable aquaculture, and help drive blue technology innovation. The goal is to build a Blue Economy Portfolio of new partners who can deliver multiple benefits to the region. The Port's Blue Economy Incubator is acting as a launching pad for innovative projects by removing barriers to entrepreneurs and providing key assets and services focused on pilot project facilitation such as:

- Permit-ready infrastructure
- Land and water entitlements

Preliminary Assessment Report

Manuscript

Page 16 of 45

- Market access
- Strategic funding

The formation of the Blue Economy Incubator directly aligns with the Port's Public Trust responsibilities, including promoting fisheries and commerce, as well as aligning with the Port's mission to enhance and protect the environment. The Blue Economy Incubator's first participants include:

- **Oyster nursery** (using Floating Upweller Nursery System technology)
- **Drive-in boatwash technology**
- **Smart application for marinas**
- **Debris removal** (through copper remediation technology and a trash skimmer)
- **Pilot sunken seaweed farm**

Memorandum of Agreement

In October 2016, the Commission and the Port authorized a MOA to partner on the SDOPP for state-owned tidelands and submerged lands located in the Pacific Ocean offshore San Diego County. The MOA, in essence, memorialized the formation and broad purpose of the collaborative partnership between the Commission and Port that has led to the SDOPP as a pilot project for comprehensive, ecosystem-based, and stakeholder-driven ocean planning in state waters.

The joint commitment to ocean planning promotes scientifically-informed decision making and consistency with applicable state, federal, and local laws, regulations, and policies. The MOA, included as Appendix A, describes the Partners' pledge to transparent, robust public engagement.

The MOA established a coordination process and team structure between the Partners based on shared values and planning principles. The Partners committed to conducting robust stakeholder engagement, collecting and sharing comprehensive environmental baseline data, impact assessments, conservation opportunities, socioeconomic research, and other information pertaining to the ocean space. It also conceptually identified two major outputs of the first phase of the Partnership, a "decision-support framework" and a "spatial analysis tool." These concepts have evolved through public engagement and data collection: the "decision-support framework" is now an "Early Engagement Framework" to proactively address potential conflicts between ocean uses and is further outlined in the Moving Forward section of this report, and the "spatial analysis tool" is now referred to as the Web Mapping Application. The MOA anticipated that the pilot project would be a flexible and iterative process, and as a result does not prescribe deliverables or outputs. Instead, the Partners seek to refine and adjust

products developed for the pilot project over time in order to reflect the needs and interests of all stakeholders and participants. This report reflects this initial input and learning; the Moving Forward section identifies potential upcoming activities for the Partners to undertake based on this initial input and learning.

3. Approach

To better understand the ocean space, the Partners embarked on extensive public engagement and data collection efforts (i.e., the Assessment Phase), consistent with the MOA.

The Partners met with stakeholders to understand current ocean uses and potential challenges in the ocean space. In parallel, the Partners explored and collected publicly available spatial datasets that will be used in a Web Mapping Application to help visualize various uses and oceanographic and environmental conditions of the ocean space.

Timeline

The SDOPP timeline begins with an “Assessment Phase,” which primarily comprises stakeholder input and data collection. Frequent Commission and BPC updates have taken place throughout the Assessment Phase including updates on the status of the pilot (March 2018), Early Learnings (June 2018), the Draft Preliminary Assessment Report (Summer 2018), with the Final Preliminary Assessment anticipated for Winter 2018 along with a preview of the Web Mapping Application (Fall 2018).

With conclusion of the Assessment Phase, the Partners will further consider potential next steps, identified in the “Moving Forward” section of this report. Any subsequent phase of this pilot project will necessitate further public engagement and data collection to develop, define, and shape future deliverables and outcomes.

Public Engagement

Why emphasize public engagement?

As trustees of California’s submerged lands and tidelands, the State Lands Commission and Port of San Diego are responsible for managing these lands in trust for the people of the state of California. Public engagement through in-person meetings, presentations, and outreach materials, is important to ensure all stakeholders have an opportunity to have their voices heard, including having questions answered or concerns brought to light. The value of public engagement and input is multi-faceted as it provides transparency in the planning process, the feedback can be used to guide and refine the effort, and the collaboration process creates accountability for the SDOPP.

Preliminary Assessment Report

Manuscript

Page 18 of 45

The Public Engagement effort entails identifying stakeholders, then performing outreach, and finally compiling and analyzing feedback.

Identifying Stakeholders

A “stakeholder” is considered an individual, group, or organization who may affect, be affected by, or perceive itself to be affected by a decision, activity, or outcome of the process. Put more simply, if someone has any kind of interest in the ocean space or is affected by activities in the ocean space, they are a stakeholder. Note that the Partners recognize that local, state, and federal agencies as well as Native Nations are distinguished by their governmental status from other non-governmental “stakeholders” even though in some cases we use the term to capture all participants.

The ocean waters off San Diego County are used in a multitude of ways by a diverse set of stakeholders. The Partners initially identified the different stakeholders based on use type (e.g., commercial fisherman, sportfishing); regulatory authority (e.g., local, regional, state, federal agencies), or interest (e.g., academic research, environmental protection, or social concerns). Through the stakeholder engagement process, additional interested individuals and/or groups were identified and scheduled for future outreach. As such stakeholder identification was, and is, considered an ongoing process.

Pop-up Box

Interested stakeholders are encouraged to contact the Partners if they would like to participate if their voice has not been heard.

Contact: www.sdoceanplanning.org or email SD.oceanplan@slc.ca.gov

Stakeholder Meeting Types

The public outreach process included: (1) focused stakeholder meetings, (2) a public workshop, (3) conferences and presentations, and (4) enhanced engagement, including larger group meetings.

- (1) Focused stakeholder meetings: Focused stakeholder meetings consisted primarily of small group or individual stakeholder discussions, which began in Fall 2017 with local, state, and federal agencies and local coastal cities. Participants were asked a series of questions about specific uses, interests, and challenges within the ocean space, as well as previous experience with ocean planning or other planning processes. To ensure consistency between focused stakeholder meetings and responses, a standard list of questions was asked during these meetings (**Appendix B**).

The SDOPP held over **90** focused stakeholder meetings with over 130 different stakeholders and contacts. (see **current list in Appendix C**).

Preliminary Assessment Report

Manuscript

Page 19 of 45

- (2) Public workshop: Public workshops provide an opportunity for in-person interactions between project members and the public, and they allow for ample feedback. For the SDOPP, the public workshop was held on October 10, 2018 at the Port's Administration Building, and was organized to receive feedback on the Draft Preliminary Assessment Report or any other ocean planning relevant item.
- (3) Conferences and presentations: Aside from Commission and BPC meetings, the Partners attended conferences and gave presentations to introduce the SDOPP. This was an additional opportunity for stakeholders and the public to ask questions and provide input. Typically, conference presentations provided a summary of the partnership, background on the MOA, and a timeline of the process. Previously attended conferences and presentations include the H2O (Headwaters 2 Ocean) Conference at the University of California Irvine, the 2017 California Forward Economic Summit, and the San Diego Association of Governments (SANDAG) Shoreline Preservation Working Group.
- (4) Enhanced Engagement: In addition to focused stakeholder meetings, the Partners met with a few stakeholders and ocean user groups on a more frequent basis or set aside dedicated time to hear additional concerns on sensitive topics. The Partners refer to this approach as "enhanced engagement." The stakeholders included in the enhanced engagement were:

The U.S. Navy: The U.S. Navy is an important regional partner and presence in San Diego. Collaboration with the U.S. Navy is paramount to understanding their areas of interest, ongoing operations, and requirements to keep the public safe. The U.S. Navy provided information, recommendations, and data on the footprint of their activities and needs within the preliminary planning area to support the data collection effort and development of a web mapping application. The Partners also toured some naval facilities around San Diego Bay. (For more information about coordination with the U.S. Navy in the ocean space see "Coordination with the U.S. Navy in the San Diego Ocean Space" in Section 2. Partnership)

Commercial Fishing Industry: The commercial fishing industry has a robust and celebrated history in San Diego, which was once deemed the tuna capitol of the world. Commercial fishing is also a prioritized use under the California Coastal Act, Section 30234.5. To better understand this history, as well as current commercial fishing operations, its uses and needs in the ocean space, and commercial fishermen's concerns with ocean planning, the Partners discussed the SDOPP with members of the San Diego Fishermen's Working Group. As foundational, contributing members of the "blue economy," commercial fishermen utilize nearly all of the ocean space to provide locally caught seafood to consumers. The only ocean areas that fishermen are not able to use are the areas that exclude consumptive fishing uses such as marine protected areas or oil platforms, which have significant economic consequences to harvesters. While there are ocean

uses that are compatible with commercial fishing activity, they fear that they stand to lose a great deal without careful consideration of their uses and perspectives through an ocean planning process. The commercial fishermen voiced their concerns during these additional meetings consistent with comments provided during relevant BPC meetings and presentations. Among many of their suggestions, two primary points brought up by commercial fishermen include: 1) identifying a fair conflict resolution process should be a major priority of the SDOPP and that a framework for resolving potential conflicting uses should be a primary product of the SDOPP, and 2) zoning of the ocean space would not be welcome. There were many other suggestions and concerns raised by commercial fishermen, and the Partners will continue to work with and listen to the San Diego Fishermen's Working Group and other fishing groups to address concerns and issues.

Native Nation Partners: Since long before the arrival of Spanish missionaries and other western colonizers, California's Native People have lived, fished, harvested, explored, traveled, and traded in what is now San Diego. The Partners recognize the sovereignty of California's tribal governments and the critical spiritual and physical connection indigenous people have to the ocean and all its resources. Despite the environmental injustices they have endured over generations, including the destruction of natural resources that sustained their communities and systematic displacement from their lands, indigenous communities from many different Tribal lineages continue to live in the San Diego area. Based on their status as sovereign nations, and San Diego's original inhabitants, the Partners are committed to gaining a better understanding of Tribal needs, challenges, and uses in the planning area and ensuring vital cultural spaces, practices, uses, and expertise are considered. On July 12, 2018, the Commission led one day of the Strategic Coastal Planning and Organizing for California Native Nations Summit held in San Diego at the Scripps Institution of Oceanography. The first day of the Summit was organized around tribal regional and sub-regional marine planning and engagement. Commission staff facilitated a roundtable with Port staff where tribal leaders identified barriers to providing data for the Web Mapping Application and discussed several concerns they had that they want the Partners to address, including lack of safe access to marine areas to conduct harvesting and gathering activities, uncontrolled public access to sensitive/sacred areas leading to degradation, and lack of protected spaces for repatriation and reburial of ancestral remains. Revealing the location of sensitive burial, ceremonial, and harvesting sites was a major concern to tribal leaders. The Partners will continue to work closely with tribal representatives and experts to identify options to address these concerns.

Web Mapping Application

The Web Mapping Application will be a web-based, interactive map that will display the many datasets the Partners have collected and compiled throughout the first phase of the pilot project. Users of the

Preliminary Assessment Report

Manuscript

Page 21 of 45

Web Mapping Application may select and display data layers individually or together, search geographic locations and data layers, generate reports on data and geographic locations, and explore various other functions to assist in better understanding the dynamic ocean environment. The intent of developing the Web Mapping Application is to make ocean and marine-related information available to everyone. By viewing multiple datasets simultaneously, these data may help in visualizing the current uses in the ocean, how these uses relate to oceanographic conditions, where new uses may arise, and where conflicts between uses may exist.

The Web Mapping Application is an informational tool that makes ocean conditions and Public Trust use and resource data available and accessible to everyone. It is meant to inform decision-making, raise awareness about the ocean space, and facilitate collaboration, communication, and coordination. For example, for areas that are of particular interest for a proposed or existing use, the Web Mapping Application will not only provide information about environmental conditions of that area and how it is currently used, but also provide contact information for stakeholders and ocean users so that they may start a dialogue about issues of mutual concern and interest. In addition, the ability to visualize multiple layers of data at one time could help inform management decisions, such as the Commission's process for considering lease applications in the ocean space. The Commission will document the use of the Web Mapping Application when it informs the Commission's decision-making.

Limitations and Considerations

As with any application, there are some limitations and considerations for the use of the Web Mapping Application. Most limitations reflect the limitations of each dataset, which will be included and documented with each dataset's accompanying metadata. Considerations and limitations for data include data extents, geometry type and complexity, spatial resolution, temporal resolution, quality and accuracy, and privacy. Publicly available data may not always be the most accurate or the most precise, but it originates from authoritative sources with their own review process, which adds a layer of credibility. However, since it is publicly available data, users of the Web Mapping Application must be aware of the data's limitations when utilizing various functions of the application. Information and metadata about each dataset will be made available upon the Web Mapping Application's public release. The Web Mapping Application has many functions to allow users to interact with the data, but the functionality has its own limitations because not every interactive function will be available on the application. The Partners initially incorporated functions that could be relevant to users, such as allowing users to upload their own data, download reports, and draw polygons over different areas in the ocean space. As the Partners test the Web Mapping Application with stakeholders, and once it is publicly available, they will continue to expand functionality, as resource constraints allow. It is the Partnership's intent to be responsive to stakeholder needs and the Partners will continue to address limitation and concerns with the Web Mapping Application as they arise.

Disclaimer

While efforts have been made to include well documented and informative datasets with the release of the Web Mapping Application, there are considerations that should be understood before use. The following disclaimer accompanies the Web Mapping Application before a user enters the site, and remains below the application for reference. This disclaimer may be updated as appropriate.

“Disclaimer: The San Diego Ocean Planning Partnership Web Mapping Application is a public resource which provides a visual, interactive map for users to explore coastal and marine data. Much of the data was collected from external, publicly available sources and have varying degrees of uncertainty and accuracy. The data and any related materials contained herein are provided “as is.” The State Lands Commission and the Port of San Diego, and their respective officials, employees, and contractors make no representation or warranty, express or implied, including without limitation any warranties of merchantability, or fitness for a particular purpose, freedom from computer virus, or warranties as to the identity or ownership of data or information, the quality, accuracy or completeness of data or information, or that the use of such data or information will not infringe any patent, intellectual property or proprietary rights of any party. The user expressly acknowledges that the data may contain some nonconformities, defects, inaccuracies, or errors, the user assumes all responsibility and risk for use of the data. The State Lands Commission and the Port of San Diego are not inviting reliance on the data, and the user should always verify actual data.”

As new data becomes available or supersedes previous data, the Web Mapping Application will be updated to reflect this at periodic intervals. Information included in the Web Mapping Application is to help support decision making and is not exhaustive or to be used as the sole basis for decision making. Please refer to the metadata of individual datasets for specific background and limitations of each dataset.

Data Collection

To support the development of the Web Mapping Application, the goal of the data collection effort was to compile reliable and publicly available spatial data from agency and organization websites and stakeholders. Information on each dataset and its source, its intended purpose, limitations, constraints, and considerations will also be housed on the Web Mapping Application. Data in the ocean space can cover a wide variety of topics, from scientific measurements of oceanographic conditions, to vessel density, to sensitive habitat and dive sites. These data are often available to the public, but are spread out over various agency and organization websites and data portals. The datasets compiled during this effort aligned with the Public Trust uses including commerce, navigation, recreation, fisheries, and environmental stewardship.

Preliminary Assessment Report

Manuscript

Page 23 of 45

The Partners searched for and downloaded primarily publicly available data from government and academic institution websites, such as NOAA, Bureau of Ocean Energy Management, California Department of Fish and Wildlife, SANDAG and SanGIS, and many others. As a companion to the data collection effort, the public engagement process also helped aid data collection by directing the Partners toward data resources, highlighting data needs, and shedding light on potential gaps in data resources.

What is the “preliminary planning area?”

The Partners defined the area as submerged lands and tidelands off of San Diego County, bound by the mean high tide line in the east (as estimated by the NOAA Continually Updated Shoreline Product), the San Diego County line to the north, the three nautical mile limit of State waters to the west, and the U.S.-Mexico border to the south, as the preliminary planning area for the pilot project. The preliminary planning area includes the State Lands Commission’s jurisdiction off San Diego (excluding San Diego Bay) as well as the area of Pacific Ocean adjacent to the City of Imperial Beach, which is under the Port’s management. The data collection effort focused on data available within the preliminary planning area. The boundaries of this area are subject to change depending on input from stakeholders. It is important to note the boundaries of this area will not increase, as this area currently encompasses the westward, northbound, and southbound extents of the Commission’s jurisdiction in San Diego County. To expand this area would require extensive coordination and consultation with federal and state management agencies and stakeholders.

Data Review

Often, accuracy and quality of data can vary depending on the data source and its intended use; therefore, all compiled data were reviewed by the Partners before being included in the Web Mapping Application. Spatial data often include metadata, a description of the data used for informational and documentation purposes. Metadata describes how, when, and where the data were collected, the intended purpose of the data, strengths and weaknesses of the data, any modifications made to the data by the agency or organization that compiled the data, and how often the data are maintained and/or updated. The Partners used the metadata to assess the accuracy and relevance of the data for this pilot project. Due to the comprehensive nature of the data collection effort, similar datasets from multiple sources were often compiled simultaneously and, using the metadata, could be compared to one another to consider which would be most relevant for the SDOPP and Web Mapping Application.

To be considered for the Web Mapping Application, the Partners reviewed data against criteria, including: (1) the data should have a spatial component, (2) the data should have a resolution appropriate to the scale and extent of the preliminary planning area, (3) the data should be the most complete and most recently available, (4) the data should be in a format that can be easily used in the Web Mapping Application, and (5) the data should pertain to the ocean space. Since the Partners also considered input from the public engagement effort to understand the wide variety of stakeholder

Preliminary Assessment Report

Manuscript

Page 24 of 45

needs and uses, no data were excluded or deemed irrelevant unless datasets contained errors or were not located within the preliminary planning area. Some data are geographically located outside of the preliminary planning area, particularly data along the land-sea interface of the coast, and these were also still included in the Web Mapping Application. These data often complement ocean uses, or can provide a more comprehensive picture to the complexity of the ocean environment. For example, coastal access locations do not fall completely within the preliminary planning area, but are included in the Web Mapping Application because they may provide useful information and are consistent with Public Trust uses.

After data was reviewed and considered relevant for the Web Mapping Application, the data were modified to fit the Web Mapping Application, if necessary. Modifications may have included clipping the extent of the data to fall within the preliminary planning area, changing a layer's symbology, or adjusting the color of lines to better integrate into the Web Mapping Application. Any such modifications were performed in conformance to provisions set out by the data provider and documented by the Partners in the metadata. No major modifications, such as changing values, adding, or deleting data, or analysis, were performed in order to preserve the intent and use of the data by the original data provider. For a list of data collected and reviewed, please see **Appendix D**.

The Web Mapping Application will require continued maintenance, as additional data become available and updates to its functionality and software are developed. Data collection and compilation, review, and refinement will be necessary and ongoing throughout the pilot project in order to keep the Web Mapping Application up-to-date, and to continue to address identified data needs by stakeholders.

Pop-up Box

At the time of the Preliminary Assessment Report's publication, the Web Mapping Application was not yet available on the Partnership's website. Prior to a public release of the application, the Partners will test its usability and functionality with stakeholders.

If you have data that you feel would be useful in the application and would like to have it reviewed for inclusion into the Web Mapping Application, or are interested in testing the Web Mapping Application, we'd love to hear from you!

Contact: www.sdoceanplanning.org or email SD.oceanplan@slc.ca.gov

4. Preliminary Assessment

This Preliminary Assessment provides a summary of stakeholder input from the Assessment Phase and is divided into two sections: "Observations" and "Lessons Learned." Observations in the Preliminary Assessment include a summary of feedback provided to the Commission and the Port on how

Preliminary Assessment Report

Manuscript

Page 25 of 45

stakeholders define ocean planning, perceptions on the process, uses in the ocean space, and challenges associated with those uses. Lessons learned summarizes stakeholders' experiences with previous ocean planning processes, the potential benefits of ocean planning, and concerns that were raised during public engagement.

The observations and lessons learned presented in this section represent the feedback of those who participated in the initial focused stakeholder meetings, enhanced engagement, the public workshop, or during the review period of the Draft Preliminary Assessment Report. The observations and lessons learned are in no way intended to represent all stakeholder viewpoints nor should they be extrapolated to represent all users. The intent is only to present the initial feedback for the SDOPP. The Partners attempted to accurately reflect all responses through summaries, frequency of response, and grouping into general categories. All responses, whether more or less frequent, are not prioritized or listed in any particular order. All responses are considered to be equally important.

Observations

Observations are a summary of the stakeholder input and feedback received during public engagement, which included an internal review of datasets compiled during data collection.

Stakeholder Input

The Partners received feedback and input from stakeholders during the focused stakeholder meetings, enhanced engagement, the public workshop, and during the review period of the Draft Preliminary Assessment Report. These conversations were guided by a set list of questions (**Appendix B**) to ensure consistency during outreach. The questions and responses are summarized below.

Are you familiar with ocean planning?

Asking about stakeholders' familiarity with the ocean planning process (or a similar planning process) helped the Partners understand the context of the stakeholder's response. Different ranges of ocean planning familiarity lead to different responses based on previous experiences with ocean planning and lessons learned from those processes.

There was a wide range of previous ocean planning or other planning processes that stakeholders participated in. These include:

- Marine Life Protection Act (most frequent response)
- Coastal Sediment Management Working Group
- Regional Sediment Management Plan
- Integrated Natural Resources Management Plan
- Army Corps of Engineers feasibility studies

Preliminary Assessment Report

Manuscript

Page 26 of 45

- National Environmental Policy Act
- California Environmental Quality Act
- SANDAG Shoreline Preservation Working Group
- Resource management plans (sea level rise, coastal bluff erosion, sand replenishment, etc.)
- Pacific Fisheries Management Council
- Vessel Speed Reduction in the Santa Barbara Channel
- Regional Planning Bodies
- Marine Protected Areas/reserves
- Fisheries management
- Regional beach projects
- Bureau of Ocean Energy Management (e.g. wind energy floating platform)
- Aquaculture project siting and design
- Center for Coastal Dynamics
- Multiple Species Conservation Program
- Sanctuary Advisory Council
- Wave energy platforms

A few stakeholders further defined their level of participation in these processes. Examples include organizing the process, being a stakeholder and attending meetings, and providing scientific or technical knowledge to a process.

Perspectives on Previous Ocean Planning Processes

Marine Life Protection Act

Many of the stakeholders for this pilot project have previously participated in an ocean planning process, mainly one that redesigned and created California's contemporary marine protected area (MPA) network. This process began with the passage of the California Marine Life Protection Act (MLPA) in 1999 (AB 933). In 2006, after an initial pilot project to restructure and plan for additional MPAs around the Northern Santa Barbara Channel Islands, the California Ocean Protection Council and the California Department of Fish and Wildlife (Department of Fish and Game) implemented a coordinated statewide marine spatial planning process, per the MLPA. The MLPA separated California's coast into five study regions. Each coastal region undertook a regional MPA planning process that relied upon scientific and stakeholder inputs. Unlike the SDOPP, this effort explicitly focused on the creation of designated areas in the ocean space specifically for species conservation and habitat protection. The MLPA process resulted in multiple types of MPAs and new regulations that identified permissible compatible uses within protected areas, and excluded other uses, to varying degrees, such as fishing.

The planning process was challenging for many stakeholders and tribal governments, and it took many years to establish effective working relationships among the wide variety of participants that had

Preliminary Assessment Report

Manuscript

Page 27 of 45

divergent interests. To this day, there are many stakeholders that view the process and outcomes differently, both positively and negatively. However, the planning process did implement Marine Protected Areas, in accordance with the legislative mandates of the MLPA, and continues to move forward into new phases (including long-term monitoring and data collection), building on the foundation laid by the original process. Today, the MPA network is co-managed by multiple agencies through the MPA Statewide Leadership Team (the Commission is a member agency), and an extensive group of volunteers, organized locally, called the MPA Collaborative Network.

West Coast Regional Ocean Partnership (Formerly the West Coast Regional Planning Body)

The Commission is one of two State of California representatives engaged in a regional ocean planning process with the States of Oregon and Washington. This regional ocean partnership, formally called the West Coast Regional Planning Body (RPB), shares some of the same objectives as the SDOPP. Specifically, it aims to increase collaborative ocean management and stewardship, improve planning for sustainable, compatible uses of the ocean, and enhance ocean data and information sharing. The group is a partnership of stewards of the West Coast marine environment: tribes; the States of Washington, Oregon, and California; and the U.S. federal government. This planning process began as one of nine regional efforts initiated under the Obama administration's National Ocean Policy. Though the current federal administration revoked this policy in June 2018, the Partners will continue their efforts under a newly revised structure in line with the present ocean policies.

How do you define ocean planning?

"Ocean planning" is an emerging practice in a state of continuous evolution and as a result, there are different ways to describe it. The following is a collective definition of "ocean planning" based on frequent responses:

"Ocean planning is an effort to sustainably plan for the ocean space by considering and balancing all uses (commercial, recreational, environmental, biological, and others), while minimizing conflict."

Other commonly used terms and phrases to define ocean planning are shown below, with the most frequently used terms and phrases in larger text:

Word Cloud

What are your current uses in the ocean space?

While many ocean uses are represented through spatial datasets compiled during the data collection effort, many uses exist that are not accompanied by specific data points. For example, a recreational activity like swimming (e.g. location, frequency, and duration of each occurrence) may not be formally

Preliminary Assessment Report

Manuscript

Page 28 of 45

captured in academic or public studies, though it is obviously an ocean use and was identified as a relevant ocean use through public engagement. This highlights why it is important to learn directly from stakeholders, rather than rely solely on spatially referenced data to build an understanding of the variety of ocean uses.

The most frequently identified ocean uses fall into the following general categories: recreation; resource management; conservation; commercial; research; education and outreach; navigation, security, and safety; and coordination. The frequency of responses is visualized in **Figure 1**.

Figure 1: Stakeholder Responses: Ocean Uses

The specific ocean uses identified by stakeholders include:

- **Recreation:** beach; boating; park-beach interface; fishing; swimming; surfing; boogie-boarding; sunbathing; swimming; snorkeling; diving; kayaking; sportfishing; sailing (racing and cruising); wildlife viewing; birdwatching; nature photography; docks; whale watching; and sunset watching
- **Resource Management:** fisheries management (e.g. permits, take limits, fish size); water quality; environmental review (e.g., National Environmental Policy Act and CEQA); regulation and monitoring of coastal and ocean uses (e.g. offshore drilling, Marine Protected Areas, anti-fouling paint, stormwater run-off monitoring, aquaculture lease sites, and ocean sediment disposal); storm damage reduction; flood control; beach nourishment; interagency coordination; city plans that direct coastal development; and environmental protection
- **Conservation:** ecosystem restoration; understanding population dynamics; wildlife reserves; importance of estuarine, eelgrass, rocky reef, and foraging habitats; species conservation and recovery efforts; ecosystem functions and services; considering impacts and benefits to Marine Protected Areas; ocean plastics reduction; whale entanglement; and ecosystem-based management
- **Research:** aerial surveys (e.g. kelp canopy cover and collaborative research being conducted by the Department of Fish and Wildlife, the Southwest Fisheries Science Center, and the California Wetfish Producer's Association attempting to quantify biomass of Coastal Pelagic Species in nearshore waters; environmental condition programs (e.g. climate, sea level, ecology, cliff erosion); university research (e.g. clams, currents, bottom contours, sand movement); environmental modeling; endangered marine taxa (e.g. sea turtles, rays, seabirds); developing a research plan and framework for coastal areas to understand physical and biological dynamics; collecting data for stock assessments and reports; bathymetric and topographic surveys; sediment transport; aquaculture; ocean plastics and microplastics; and being a neutral broker of scientific information

Preliminary Assessment Report

Manuscript

Page 29 of 45

- **Commercial:** fishing; seafood buyer; boat repair; tourism; parking; boat docks; pier restaurants; deep sea fishing businesses; whale watching; aquaculture; hotel; sailing; and cargo ships
- **Education and Outreach:** promoting responsible use of the ocean space (e.g. offshore finfish, seaweed, and shellfish aquaculture); community engagement; promoting environmental practices and learning opportunities; increase youth access to the ocean space; foster connections to the outdoors; citizen science programs; beach clean-ups; and cultural appreciation
- **Navigation, Security, and Safety:** warden patrol; naval base; lifeguard services; interactions with Borders and Customs; human and marine rescue operations; maritime law enforcement; and U.S. Coast Guard missions (drug control, aids to navigation, search & rescue, marine safety, defense readiness, migrant control, Immigration and Customs Enforcement operations, law enforcement)
- **Coordination:** coordination between agencies and interfacing with different departments
- **Other Uses:** dredging; leasing lands for sediment disposal; energy; and dredging/mining; ocean disposal; salt extraction; social and cultural appreciation; conservation of cultural resources; and local seafood eater and supporter of the fishing industry and well supported aquaculture

Stakeholders articulated other interests beyond their uses in the ocean space. Interests related to increasing economic opportunities in the ocean and coastal areas, protection of natural resources and coastal development, education, wildlife research, public access, and ocean planning as it relates to resource management.

Other interests or expansions of current uses were categorized as follows:

Increasing opportunities for sustainable seafood harvest and habitat: aquaculture/aquafarming; artificial reefs; and integrated shellfish and seaweed farms

Increasing conservation and protection of natural resources, especially considering growing impacts from industry to those resources: increase habitat; conservation of wildlife from industry impacts; water quality; expand foraging and nesting habitat; and increase or improve habitat value

Increasing research opportunities: species surveys (e.g. surfperch and eelgrass) climate; migratory seabird and fisheries indicators; impacts of urban run-off; ocean plastics; ocean exploration and discovery of new species of sea life; and remotely operated underwater vehicle (ROV) use

Increasing recreation opportunities, public access, and public safety: camping; boat launch; public amenities; surfing; boating; swimming; fishing; and beach/shoreline access to north and central San

Preliminary Assessment Report

Manuscript

Page 30 of 45

Diego Bay (“real” access to the bay that is not dominated by marinas, riprap shorelines, and commercial/industrial developments)

Increasing opportunity for new technologies: drone industry (e.g. air and submersible)

Increasing opportunity for education: youth programs and more activities to get students on boats

Increasing and improving marine transport: reduce GHGs from shipping and more efficient marine transport

Increasing renewable energy: wind, tidal, and wave energy

Expanding resource management: increase resources/supply for beach nourishment; increase supply of fresh water from the ocean; and improve water quality

Expanding breadth of regulation: invasive species control; public health; water quality; and ocean policy

Expanding protection for sea level rise: preparing and planning for coastal resiliency

Balancing competing uses: consider multiple uses in an area

The ocean space has a widespread diversity of uses and could present the potential for new uses or expansion of current uses.

What are your current challenges with those uses?

Diverse ocean uses, both in type and geography, present a broad set of challenges for stakeholders. Understanding stakeholder challenges, including conflicts with other ocean uses, is a critical step in assessing how the ocean space is used. Understanding challenges will inform future goals for the SDOPP and ocean planning. A visualization of the most frequently heard challenges (aggregated in categories) is shown in Figure 2.

Figure 2: Stakeholder Responses: Challenges

The specific challenges within the aforementioned categories include:

Regulatory and management hurdles: implementing best management practices; obtaining leases and following the lease application process; following and implementing new guidance documents issued by agencies; permitting and regulatory processes slowing down projects and extending timelines; managing conflict and competing uses; understanding the laws; policies; and agencies governing the ocean space; lack of interagency coordination and lack of expertise within agencies; issues with water quality permitting; biological approval process for imports and exports; and over regulation by state and federal agencies that are slow to respond to change

Preliminary Assessment Report

Manuscript

Page 31 of 45

Environmental conditions: water temperature and quality; water quality impacts on seafood; sea level rise; warm water effects on fisheries; beach erosion (e.g. where storms deposit sand); ocean acidification; changing weather conditions can impact frequency of use (e.g. rain, heat waves); wave surges; and the influence climate change will have on current uses and future planning

Balancing competing uses: recreational and commercial use versus conservation (e.g. ship strikes, wildlife entanglements, allowing tourism and maintaining environmental quality, and balancing environmental protection and public access); competition for space (e.g. loss of fishing grounds to recreation areas); increase in vessel activity and military activity; and other user conflicts and tradeoffs

Operational resources: lack of funding and budget cuts; limited resources; limited staff capacity (e.g. ability to participate); and limitations on how to manage and spend budget

Pollution: urban runoff; fuel spills, sewage discharge (e.g. Tijuana River); upstream pollution affecting downstream water quality (e.g. anoxia); concentrated pollution due to lack of rain; trash (e.g. monofilament line, plastics and microplastics); sediment accumulation; beach closures impacting local economies; and pollution restricting enforcement

Continuing to protect species, habitat areas, and environmental resources: impacts from other uses (e.g. fishing gear, upstream pollution affecting downstream water quality); protecting breeding and nesting areas for endangered and migratory birds (e.g. impacts from illegal dog walking); disturbances to marine mammals; Responding to numerous development proposals on the coast and in the ocean; and getting the Port and other jurisdictions to acknowledge that more shoreline/shallow water habitats need to added to the Bay's habitat

Effectively communicating with the public: explaining what we [stakeholders] do and how we [stakeholders] do it; raising public and consumer awareness; keeping stakeholders informed and engaged; addressing concerns; communicating how human uses can impact the ocean; general education; and explaining or educating others about sea level rise

Resource management: sediment management (e.g. beach nourishment); stormwater capture and discharge; and water quality

Limited data: piecemeal data; unknowns on the extent of quality of habitats in dynamic environments (e.g. understanding tipping points, lack of long-term continuous data); lack of clearinghouse or centralized location for data; and needs to fill data gaps

Interagency coordination: aligning priorities between federal, state, and local partners

Preliminary Assessment Report

Manuscript

Page 32 of 45

Understanding increasing potential impacts: how the addition of current and new uses might impact the environment over time and increasing volumes of vessels and people along the coast

Coastal Access: Access to San Diego Bay between Barrio Logan and Imperial Beach and access to the Bay's habitats

Other, less frequently heard challenges that are not reflected in Figure 2, include:

Project siting: understanding user conflicts and environmental impacts at different areas

Interpreting science: ensuring that data and science is used appropriately

Cultural resources: continuing to protect cultural resources after disturbances

Since ocean uses may expand or emerge, the Partners also asked what challenges stakeholders might foresee with new or expanding uses, another critical step in assessing the role of the SDOPP. Some of the foreseeable challenges are also challenges that stakeholders currently face.

The challenges stakeholders anticipate are summarized below:

- Effectively communicating with the public
- Need for a champion or leader
- Balancing competing uses
- Aligning priorities through interagency coordination
- Resource management
- Regulatory and management hurdles (adaptability, coastal development permit process)
- Operational resources (equipment, funding, staff)
- Project siting
- Increased impacts to resources
- Resource value
- Changing environmental conditions
- Continuing to protect species, habitat areas, and environmental resources

- Maintaining public access
- Continuing education programs
- Notion of Not In My Backyard (NIMBY)
- Biases towards the goals of a few and or that could unintendedly exclude some groups not already at the table

Stakeholders face a broad array of challenges when using the ocean space. Those challenges, along with new future challenges, may possibly be addressed through ocean planning processes, including public engagement or conflict avoidance procedures.

Lessons Learned

Lessons learned are informed by input received during focused stakeholder meetings and larger group meetings on potential benefits of ocean planning, other considerations or concerns with this process, and suggestions for managing the ocean planning process. As a stakeholder-driven process, listening to and considering feedback will help shape the SDOPP's objectives and structure. The questions and responses are discussed below.

What potential benefits do you see for ocean planning in San Diego?

Stakeholders, either with or without previous experience in ocean planning processes, provided valuable insight into the potential benefits the SDOPP might bring to the ocean space. The benefits mentioned by stakeholders and ocean users were summarized into categories as visualized in **Figure 3**.

Figure 3: Stakeholder Responses: Potential Benefits for Ocean Planning

The specific benefits summarized into these categories include:

Comprehensive planning: limit mistakes now so future actions are not restricted; improved siting decisions; opportunity for environmentalists, scientists, and stakeholders to work together to utilize the best use of the ocean; allows for a comprehensive look to implement multiples processes and not in isolation; can have everyone on same page; helps with short-term and long-term (e.g., sea level rise) issues; reduces sector by sector approach; increased understanding of different organizations and operational requirements; provides clear goals for the region and minimize overlap in compatible uses; provides the opportunity to discuss new ideas; having a shared vision when planning for future uses and changes of use; conduct the appropriate research to determine proper planning in light of changing environmental factors; and produce a framework for future decision making

Preliminary Assessment Report

Manuscript

Page 34 of 45

Improve coordination and communication between agencies: provides a forum to bring together stakeholders and agencies (including managers, planners, and developers); share information; increase collaboration; improve coordinated efforts on regional issues (e.g. sea level rise adaptation, beach nourishment); can make permitting or funding clean-up locations easier; and minimize regulations

Balance competing uses: maximize access to the public; protect natural resources; allow different users (e.g., recreation or extraction) to maximize value; not only about habitat protection, but economic development (e.g., recreation, hotel); rationalize competing uses and interests; and making sure that human uses do not degrade natural resources

Identify new opportunities: wind and wave energy; aquaculture; fisheries; artificial reefs; desalination; movement towards sustainability and adaptive management approaches; and environmentalist and scientists work together

Improve public communication: spread awareness on new regulations and best management practices; improve stakeholder engagement; bring multiple people to the table to participate; allow recreational users to communicate with decision makers; and opportunity to get more cooperation from special interest groups so that all can provide input

Improve understanding of ocean: what is possible and where; understand jurisdictions and overlapping uses; helps cities see what going on in other cities; help understand interaction between industries: working waterfront, military, commercial, tourism; and better understanding of beach cleaning and conservation issues

Improve resource management: sediment management (e.g. beach nourishment); pollution management; restoration opportunities (e.g., surfgrass); and adaptive management strategies

Increase conservation: protecting biological resources within MPAs and the possible expansion of those areas; maintaining habitat value; restoration; improved wildlife management; and focusing adaptive management on reserves

The less frequently heard responses fall into the “Other” category in Figure 3 and those responses include:

- **Improve environmental quality:** improved water quality and the opportunity to understand all issues together and prioritize them
- **Reduce conflict:** can reduce conflict and suggest best use for the ocean space
- **Greater access to information:** identify conservation and natural resources needs; comprehensive data; and provide the public with better access to resources and information

Preliminary Assessment Report

Manuscript

Page 35 of 45

- **Increase opportunity for recreation:** increased access to ocean space and support “parks for everyone” program
- **Establish a collective vision:** can be a master plan we can all work towards and everyone knows the goals
- **Increase public and maritime safety:** may be helpful for ship traffic; could be better for safety by giving people safe space; and efficient law enforcement
- **Navigation:** Identify maritime transit areas

Ocean planning may provide: 1) An opportunity to promote mutual understanding of ocean uses, 2) a forum for collaboration on issues or opportunities of regional interest, and 3) a communication tool to begin or continue dialogue between agencies or the public.

What else would you like us to consider or be concerned with through this process?

While the Partners were methodical in the development of the MOA and establishment of the approaches to public engagement and data collection, there is always room for refinement or improvement. The following topics were suggested by stakeholders as areas the Partners should consider as they move forward:

Balance competing uses: conservation and recreation conflicts; support economic sustainability and conservation interests; respect Tribal uses and knowledge; consider military activity; parking; maximize public benefit while protecting resources; and low-cost accommodations for low-income disadvantaged communities.

Be inclusive and collaborative: share information and data with others; have good public outreach and engagement; actively reach out and engage with a wide variety of stakeholders; don't alienate groups; engage with non-traditional stakeholders and underserved communities; bring together different users and communities; and build networks and establish relationships

Use good science: important to understand dynamic systems; gather scientific data on coastal recreation use; avoid unnecessary risks; utilize public data portals (e.g. West Coast Ocean data portal); integrate the latest science when possible; use peer-reviewed data to guide decisions; collect and integrate additional recreational data

Have a comprehensive management plan: consider sea level rise impacts and adaptation; runoff and pollution; sewage treatment; wildlife corridors; critical habitat; coordination with Climate Action Plan; nearshore boating community at Zuniga Jetty; no wake and speed-limit enforcement; report cards for

Preliminary Assessment Report

Manuscript

Page 36 of 45

bacteria levels; consider a space's value and how to quantify it; and address sediment deficit (e.g. for beach nourishment projects) to reduce coastal storm damage and consider alternatives

Make information available: Provide accessible information; access to webinars and websites; provide early access to information; and share data and information

Listen to all voices equally: Don't let one voice or the loudest voice take over the discussion; make sure all stakeholders feel heard and are heard; and engage with a wide variety of stakeholders and communities

Communicate clearly and often with stakeholders: make information easily understood and available; build trust; hold public workshops and webinars; encourage and provide a platform for public information sharing; develop a good communication and outreach plan; ensure access; keep stakeholders involved throughout the entire process; and plan for multiple feedback sessions with stakeholders to give all the opportunity to participate

Streamline regulatory process: Leasing process can be burdensome (e.g. scientific research)

Be as comprehensive as possible: consider dynamic habitats and historical trends; manage sustainably for future generations

Increase conservation: wildlife corridors; critical habitats; utilize resources sustainably for future generations and ensure existing uses are protected; the creation of artificial reefs offshore; allow human uses that do not degrade natural resources; include projects that restore the ocean's natural resources; emphasize the need to conserve and restore the physical and biological resources of San Diego Bay

Local agencies and jurisdictions already have many components to manage: hesitant to see how another layer will help manage the ocean space (e.g. The CEQA process incorporates public input on proposed projects, how will ocean planning fit in to these already established process?); possible additional mandate or burden on local jurisdictions

Operational resources: lack of long-term funding (e.g. sediment for beach nourishment projects) and restrictive and burdensome funding process.

Additional consideration and concerns stakeholders shared include:

Build trust and be transparent

Be well-organized

Engage with elected officials

Ocean planning has the ability to exclude, restrict or limit access

Ocean planning will inevitably create winners and losers

Have clear objectives and purpose on mission statement and vision

Consider the interface between airspace activities and ocean uses

Consider commercial fisheries (urchin divers, crab and lobster fishermen)

Consider visual impacts from new projects

Increasing impacts from growing industry and commercial uses

Consider how input is considered (e.g. based on a local jurisdiction's ratio of shoreline or an intensity or frequency of use, like fishing)

Increase access to San Diego Bay

Stakeholders voiced numerous concerns about ocean planning or mentioned additional considerations or issues that the Partners should incorporate or address when considering the SDOPP's potential next steps.

Do you have suggestions for managing the ocean planning process here in San Diego?

Stakeholders provided valuable perspectives on how the Partners could structure the ocean planning process moving forward. A list of management suggestions based on feedback from stakeholders is below. The most frequent suggestions are visualized in **Figure 4**.

Figure 4. Stakeholder Responses: Suggestions for Managing the Ocean Planning Process

The stakeholder suggestions summarized include:

Be inclusive and collaborative: engage with a wide-ranging comprehensive list of stakeholders and allow them the opportunity to provide their input; account for everyone's input; reach out and coordinate with different communities; tap into local volunteer groups to provide local stewardship and monitoring; build personal relationships and trust; and lead a meaningful, thoughtful, and well facilitated public engagement process

Preliminary Assessment Report

Manuscript

Page 38 of 45

Communicate clearly and often with stakeholders: keep stakeholders informed throughout the entire process; have clear, open, and timely communication with the public; emphasize that this is purely informational; and make the vision clear

Be transparent: be transparent in decision making process, stakeholder engagement, and data collection effort and avoid bias

Use good science: use a scientific data based approach; perform baseline studies; have a team of good scientists; involve academics; fully vet data and describe limitations; use scientifically defensible monitoring data; have a clear timeline on data collection and analysis and process; be transparent about how data is collected and used; allow for debate and discussion of data; include high-quality geospatial data on ocean and coastal recreation use in the Web Mapping Application; and instead of just research, include monitoring and analysis as a decision-making tool

Listen to all voices equally: try to equalize power between groups; consider how people are able to participate and make sure they have an equal opportunity to provide input; and account for everyone's feedback and interests

Have clear objectives and purposes: create a strategy for conflict resolution; identify obstacles early; lay out objectives and purpose clearly too ensure public understanding and identify a clear outcome; priorities need to be carefully described and defined; and have a better understanding of the end goal and how this will affect future processes

Identify research needs and data gaps: data gaps (e.g. bathymetry, habitat and water quality, baseline study for seabirds); develop and maintain long-term datasets baseline data, and environmental assessment of study areas; look forwards and backwards; develop an inventory of potential uses; and identify limitations

Make information available: release meeting materials early and utilize social media and websites, and press releases

Establish a lead agency: eliminate confusion of process and policy (e.g. clarify jurisdictional authority); establish a leadership team; and consider incorporating similar process to Blue Ribbon Task Force, and Science Advisory Team

Streamline regulatory processes: laws and regulations are made without every issue being foreseen making some laws and regulations seem out of date; focus on outcome instead of the process; and reduce overlap between agencies

Less frequently heard responses fall into the "Other" category in Figure 4

Identify local champions: help navigate hurdles and politics and be an advocate

Have a comprehensive management plan: sediment management plan; species management and protection; flood control; consider a certified LCP; consider natural solutions such as oyster beds for shoreline protection; have a plan in place to reduce pollution originating in the Tijuana River area; coordinate monitoring; have continuous, comprehensive data collection within a project area; and analyze potential impacts to current uses and users

Balance uses: accommodate compatible uses and consider how things are connected

Interagency coordination: eliminate confusion and streamline processes

Regional coordination: coordination between communities on regional efforts and issues

Identify obstacles early on: identify obstacles and make them aware early on

Start small: multiple people participating in the same place at one time can lead to a less efficient use of time and select a pilot area

Increase conservation: create healthy ecosystems and enhance biodiversity; Make protecting the natural resources of the ocean, in its current and projected state, a major focus; limit human use to that which can be done without degrading those natural resources; should include measures that protect marine mammals, fisheries, and seabirds, and include projects that restore degradation (e.g. removing trash, removing human cause pollution, and invasive species)

Learn from previous process and: ensure lessons learned from previous processes are incorporated into current plan

Additional suggestions for managing ocean planning included:

Enforce current uses (e.g. boat speed)

Be patient and be prepared to be flexible

Follow the initiatives of the West Coast Regional Coastal and Marine Spatial Planning body

Have a plan for dispute resolution: design and implement a process to resolve potential conflicts and disputes

Consider the extension of the California Coastal Trail

Many of these suggestions have also been echoed and reiterated in stakeholder responses to other questions, particularly about challenges with using the ocean space and additional considerations,

concerns, or issues. Moving forward, the Partners are committed to considering all suggestions and how they can inform potential next steps for the SDOPP.

5. Moving Forward

Throughout the Assessment Phase, the Partners received valuable feedback from stakeholders about their uses and challenges with the ocean space, potential benefits and concerns with ocean planning, and lessons learned from previous ocean planning processes. Moving forward, this input and data collected informs potential next steps the Partners may take. The Partners have outlined a series of potential next steps to further enhance public engagement, refine and clarify the goals of the SDOPP, and continue data collection. It is important to note that the potential next steps may be carried out by the Partnership or as an individual agency (i.e., the Commission or the Port). Whichever direction the Partnership takes, collaborative stewardship and transparency will remain a goal for each Partner individually and the Partnership as a whole.

Figure 5. Potential next steps can be divided by next steps the Partnership could do (green circles), the Commission could do (orange circles), and the Port could do (blue circles). In the following section, each next step is explained further and shown along with the corresponding stakeholder input that informs the next steps. Next steps were informed by stakeholder input regarding challenges, concerns and benefits with ocean planning, and suggestions for managing the process.

Potential Next Steps for the Partnership

Refine SDOPP Goals

The intent of the MOA, and subsequent formation of the SDOPP, was to provide a foundational framework for understanding the ocean space offshore San Diego County. The Assessment Phase did indeed reveal valuable information regarding the interests of users and uses. In the interest of continual improvement and following stakeholder feedback, the Partners may consider reexamining the objectives of the original MOA and consider expanding, refining, or revising to clarify its goals and intent. As part of this process, the timeline would be updated to reflect the new tasks and objectives that are identified to achieve these refined goals. The SDOPP goals may be changed to place more emphasis on certain priorities, such as the development of an “Early Engagement” framework that could be utilized to minimize conflicts and aid stakeholders to build critical relationships with one another. A priority associated with any changes to the MOA would be to reiterate and formalize the message that it is not the intent of this pilot project to zone the ocean space or exclude certain uses. The refinement of the goals may serve as a demonstration that the Partners are committed to responding to stakeholder feedback in a meaningful way that advances ocean planning and best fits the needs of this ocean space.

Preliminary Assessment Report

Manuscript

Page 41 of 45

Overall, the MOA outlines aspirational goals for the Partners to accomplish. However, based on public engagement and stakeholder feedback, the Partners recognize that over time, some of the initial goals established by the MOA may no longer be relevant to the pilot project. The Preliminary Assessment phase demonstrated concerns and needs of stakeholders that could help to determine which goals of the MOA may need to be refined and what new objectives and goals could be established instead.

“Early Engagement” Framework

The Commission may draw upon the Preliminary Assessment, including the Web Mapping Application, to develop an “Early Engagement” framework for applicants, stakeholders, and Commission staff during the already established Commission lease application process. An “Early Engagement” framework could proactively address potential conflicts in the ocean space and avoid or resolve potential issues early in the application process.

The “Early Engagement” framework would be a set of guiding principles and practices aimed at identifying stakeholders and facilitating meaningful dialogues at the onset of the lease application process. The Commission may develop this framework in coordination with the Partnership and use an iterative process to refine it as necessary. The principles that would likely constitute the base of the framework are informed by the stakeholder responses from the Assessment Phase and may include:

- Proactive, transparent, and robust communication
- Science-guided and experience-based decision-making
- Balance Public Trust uses
- Social equity and environmental justice
- Compliance with applicable laws and regulations
- Address potential future conflicts

The Commission would follow these principles as it augments the steps of its lease application process to initiate early communication with those that may have an interest in the project location and surrounding ocean space, or project aspects that may influence or affect other Public Trust uses, assets, and values. The steps will reference the Web Mapping Application and information from the stakeholder engagement of the Assessment Phase and may include:

- Identification of interested stakeholders
- Distribution of comprehensive and relevant information about the site location and proposed use to interested stakeholders, including the potential lessee
- Identification of and coordination with other agencies and jurisdictions that manage Public Trust resources and uses associated with the proposed activity or asset
- Facilitated dialogue amongst stakeholders to identify potential sources of conflict

Preliminary Assessment Report

Manuscript

Page 42 of 45

- Development of a conflict avoidance and/or resolution model that can be utilized to resolve issues amongst stakeholders

The Commission may also consider identifying a few select pilot projects to evaluate the “Early Engagement” framework, with the objectives to refine based on applicant and interested stakeholder feedback.

Ongoing Public Engagement

A common theme in the Preliminary Assessment regarding the SDOPP and any potential planning processes was “transparency.” Throughout the Assessment Phase, the Partners made information readily available to the public to keep stakeholders informed and updated, and be consistent in messaging. Stakeholders noted that the Partners could still continue to enhance and improve public engagement to make ocean planning more familiar to communities and raise awareness regarding specific projects and their anticipated impacts, benefits, and alternatives. Transparency is a foundational pillar, and as such, the Partners are committed to enhancing future public engagement. “Communicating clearly and often” with the public and with stakeholders was a common piece of feedback that the Partners should prioritize when continuing public engagement. In an effort to improve the public engagement process, potential next steps may include:

- Continuing focused stakeholder engagement to receive feedback on new frameworks and usability or functionality of the Web Mapping Application
- Developing an email listserv for interested stakeholders to stay abreast of current or future efforts
- Creating new pathways for sharing information such as regularly published newsletters and/or email or social media news blasts

Periodic Assessments

In the Assessment Phase, the Partners learned from stakeholders and compiled data about the ocean space, including uses and users, as a snapshot in time. With the intent of continually improving the understanding of the ocean space and its users, the Partners could continue to perform and distribute periodic assessments (similar to the Preliminary Assessment) to highlight changes in uses or users, explore new opportunities, and identify new or refine existing constraints.

Connection to Other State and Local Initiatives

The Partners are well-positioned to refine and align the SDOPP pilot project with other state and local initiatives because each are connected to a broad array of other planning efforts and use a set of related ocean and coastal policies to manage Public Trust uses and resources. The Partners strive to bring

together, in one central hub, as much comprehensive information as possible about the ocean space. This makes it an ideal platform to use for coordination and collaboration on issues like resource management challenges, such as the Commission's marine invasive species regulatory program, or advancing strategies to deal with climate change impacts, such as ocean acidification or sea level rise. This coordination and alignment may help build stakeholder and community relationships that carry over into other planning processes, such as Local Coastal Program updates. The Partners can evaluate ways to strengthen these connections to other state and local initiatives in the next phase of the SDOPP.

Potential Next Steps for the Commission

The Commission would carry forward the lessons of the Assessment Phase to the subsequent stages of the pilot project, with particular attention paid to the need for enhanced public engagement, transparency, and continuous communication. It will continue to partner with the Port and other local entities on opportunities for public and stakeholder engagement, for both planning efforts and topics that are directly located within or offshore San Diego County, as well as statewide and federal issues that may be relevant. In addition, the Commission is considering implementing an "Early Engagement" framework for its lease application process that could serve to increase public engagement in ocean planning, aid interagency communication and coordination, and minimize conflicts in management and resource use.

The Partnership, or the Commission only, may conduct local periodic assessments of the San Diego ocean space providing updated information about current and emerging uses, oceanic conditions, and related policies and initiatives. The Commission would also maintain and update the data and data services that compose the Web Mapping Application, as well as incorporate new data and services as they become available. Finally, the Commission may explore using the SDOPP pilot project as a model for regional ocean planning projects that could be implemented in other areas of the state that face similar complex challenges related to the ocean space and balancing Public Trust uses, if there are the resources to do so. The Commission has not currently identified any additional regions in the state to apply this model.

Periodic Updates to the Data and Web Mapping Application

The Web Mapping Application is intended to provide an interactive, user-friendly interface for exploring current and best available ocean data. As new applicable technological features are released, they will be incorporated into the application to enhance the user experience.

Many of the datasets in the Web Mapping Application will require ongoing maintenance or refresh to ensure the use of the most current and/or best available data (including new research, science, monitoring, and analyses) to inform decision-making and accurate visualization.

Semi-annual “releases” or “updates” of the Web Mapping Application and data would provide the public the opportunity to monitor new updates on a continuous scheduled. A public log of web mapping application and data updates would be made available on the SDOPP website.

Potential Next Steps for the Port

Local outreach, regional coordination, identify future partnerships

The Port has a strong institutional commitment to comprehensive local and regional public engagement associated with long-range planning efforts and will apply those strong skills to continued stakeholder engagement to be inclusive and collaborative, be transparent, and treat all voices equally.

To better understand the potential impacts of projects or to develop an approach that reduces conflicts among users and uses, the Partnership may consider implementing pilot projects from which to test and refine the “Early Engagement” framework that the Commission may develop. By proactively identifying pilot projects and/or partners interested in exploring opportunities in the ocean space, the Port is strategically positioned to leverage strong working relationships with other agencies and groups throughout the San Diego region to learn from their expertise and experiences to ensure stakeholders feel fully informed with maximum opportunity to provide continual feedback. This expertise can benefit the SDOPP in two ways:

- (1) The Port can either help develop these projects or facilitate implementation, or
- (2) The Port would focus on coordinating and facilitating local stakeholder outreach efforts to help ensure strong community involvement in these pilot projects.

Involvement on the local level provides an opportunity for the Partnership and stakeholders to work collaboratively with the Partners. Through pilot projects, stakeholders learn the process firsthand, and work collaboratively with the Partners to define and refine that process.

6. Conclusion

Themes from stakeholder input like “balance” and “coordination” align with the concept of collaborative stewardship. Moving forward, regardless of whether next steps are implemented as a partnership or by a single agency, the concept of collaborative stewardship will remain the foundation for engagement and management.

Preliminary Assessment Report

Manuscript

Page 45 of 45

This has been a meaningful and informative process for both Partners. The opportunity to engage with dozens of stakeholders and learn about their vision for the future of our ocean has been invaluable. Both Partners are optimistic about the future and look forward to contributing to this vision.

Pop-up Box: We want to hear from you!

This is a transparent, collaborative, stakeholder-driven process, and as such, it is critical that we hear from you! The best way for us to learn and better our understanding of the ocean space and the relationships between users and uses is to hear from stakeholders about their experiences. The Commission and the Port want to uphold their commitment to meaningful public engagement. We welcome any and all feedback and look forward to hearing from anyone who wants to participate in the process, and responding to questions and comments about it.

7. Appendix

**not available in Text Only Version*

San Diego Ocean Planning Partnership
DRAFT Preliminary Assessment Report – Comment Response Spreadsheet
December 2018

This spreadsheet reflects all comments received (via comment card, phone call, or submitted letter) while the Draft Preliminary Assessment Report was available for public feedback in October 2018. Comments were added directly into the table and corresponding responses are included in the same row as the comments.

Please visit www.sdoceanplanning.org or email us at SD.oceanplan@slc.ca.gov for questions or to find out more about the San Diego Ocean Planning Partnership.



DRAFT	Commenter	Comment	Response
1	CCA CAL	Need to create Beta Group to test online tool before going out to public. Datasets need to be vetted. Data shown was old or incorrect in some cases.	<p>Please see updated content in Section 3. Approach - Data Collection</p> <p><u>"At the time of the Preliminary Assessment Report's publication, the Web Mapping Application was not yet available on the Partnership's website. Prior to a public release of the application, the Partners will test its usability and functionality with stakeholders."</u></p> <p>Any interested stakeholder would be invited and welcome to test the Web Mapping Application and provide feedback on datasets.</p>
2	U.S. Border Patrol	Any plan in place to reduce pollution originating in the Tijuana River Area	We've included your comment into Section 4. Preliminary Assessment in the following section: "Do you have suggestions for managing the ocean planning process here in San Diego?"
3	Audubon Society	Seems like a sub goal should be identifying potential synergy among potential projects. This seems like a better goal than just "reducing conflicts" when feasible	Please see updated content in Section 1. "Purpose" <u>"This effort could ultimately inform the Commission's lease application evaluation process for projects on state submerged lands and tidelands to proactively avoid or address conflicts among current and emerging ocean uses, and also help to identify and support opportunities for synergy and compatibility among uses."</u>
4	Audubon Society	Please include monitoring and analysis as a decision-making tool - not just research	We've included your comment into Section 4. Preliminary Assessment in the following section: "Do you have suggestions for managing the ocean planning process here in San Diego?"

	DRAFT Commenter	Comment	Response
5	Regional Water Quality Control Board	Add coordinate monitoring and more comprehensive data collection as suggestion	We've included your comment into Section 4. Preliminary Assessment in the following section: " Do you have suggestions for managing the ocean planning process here in San Diego? "
6	California Wetfish Producers Association	We have been following the San Diego Ocean Planning Partnership ("SDOPP") since we were first made aware of it late last year. We have read and concur with comments and concerns raised by the San Diego Fishermen's Working Group (SDFWG) and West Coast Fisheries Consultants. In particular, the Report makes a clear statement that zoning the ocean is NOT an anticipated outcome of the SDOPP. We support efforts to collect and provide useful and detailed data of activities within the preliminary planning area. We agree with the SDFWG that identifying a fair conflict resolution (CR) process should be a major priority of the SDOPP, and a detailed framework for resolving potential conflicting uses within the preliminary planning area will be a primary product of the SDOPP. We also believe that any CR process must be conducted by a neutral arbiter.	Conflict resolution, or a process to proactively address potential conflicts, has been a suggestion from stakeholders through our public engagement effort. We have included this suggestion in Section 5. Moving Forward of the Preliminary Assessment Report and called it the "Early Engagement Framework." As we explore this next step, we will further refine the outlined framework, with input from stakeholders. We welcome input and information that stakeholders would like to provide for the Partners' consideration.

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
7	California Wetfish Producers Association	<p>As the SDOPP analyzes the available fisheries data, we hope the Port and State Lands Commission will recognize that fisheries for CPS (Pacific sardine, northern anchovy, Pacific and jack mackerel and market squid) may not show a great presence in the entirety of the preliminary planning area. This is not because of a lack of these species in the area, but rather because suitable infrastructure currently does not exist in San Diego County to support wetfish operations. We are encouraged there are plans to support the activities of our fleet within the Port of San Diego, and we look forward to taking advantage of these new opportunities. Beyond our members, this will benefit the Port, the State, California seafood consumers and the local fishing community.</p>	<p>Data obtained from the California Department of Fish & Wildlife reflects what has been reported and is available to date. This information references what has historically occurred in different areas. If there is data that has been published that may help draw attention to other future opportunities the Partners would like to review the data for inclusion in the Web Mapping Application.</p>

DRAFT	Commenter	Comment	Response
8	California Wetfish Producers Association	Regarding conflict resolution, we hope you will take into consideration actions taken by other Agencies that have been implemented in the past. Examples include: The Commercial Fishing Industry Improvement Fund setup by various Cable Companies; the Lost/Damaged Fishing Gear Compensation Program that was a condition established by the California Coastal Commission before construction began on the KZO ~ Catalina Sea Ranch shellfish farm in San Pedro Bay; and many others.	<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>The Partnership will review relevant conflict resolution models to inform the development of the early engagement framework. We welcome specific examples and information that stakeholders would like to provide for the Partners' consideration.</p>
9	California Wetfish Producers Association	We are also concerned about the apparent lack of involvement of other responsible State agencies, such as the Department of Fish and Wildlife (CDFW), California Fish and Game Commission and California Coastal Commission, in the SDOPP to date. CDFW and the Fish and Game Commission are responsible for managing fisheries in State waters. Similarly, the California Coastal Commission, with its mandate to protect existing fishing operations, also appears to be a necessary consideration. This would seem to make them indispensable partners to the SDOPP moving forward.	The SDOPP is founded on the shared responsibilities of the Partners to manage State tidelands and submerged lands in accordance with the Public Trust Doctrine. The SDOPP has been in contact with the California Department of Fish and Wildlife (CDFW), the California Fish and Game Commission (FGC), and the California Coastal Commission (CCC) through the stakeholder engagement process and related interagency meetings. The Partners also worked closely with CDFW, FGC, CCC, and other state agencies to organize and participate in the Strategic Coastal Planning and Organizing for CA Native Nations Summit in July 2018 in San Diego. One day of this Summit focused exclusively on ocean planning, and included informational presentations about the SDOPP, as well as interagency discussions around

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
			<p>coordination. Most recently, Commission staff presented the SDOPP pilot project at the November 2018 California Coastal Commission meeting. The SDOPP will continue to engage its local, state, and federal government agency stakeholders with overlapping but separate jurisdictions offshore San Diego to enhance communication, coordination, and collaboration.</p>
10	California Wetfish Producers Association	As our members fish along the entire California coastline (and beyond), we are wondering if you have identified other areas in the state that may be considered for regional ocean planning projects for which the SDOPP would be used as a model?	<p>Please see updated content in Section 5. Moving Forward:</p> <p>"Finally, the Commission may explore using the SDOPP pilot project as a model for regional ocean planning projects that could be implemented in other areas of the state that face similar complex challenges related to the ocean space and balancing Public Trust uses, <u>if there are the resources to do so. The Commission has not currently identified any additional regions in the state to apply this model.</u>"</p>

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
11	San Diego Fishermen's Working Group	<p>The SDFWG has both concerns and constructive suggestions about the “Ocean Planning Partnership” between the State Lands Commission (SLC) and the San Diego Unified Port District (Port), and the Draft Report that is its first major product. It is clear that Port staff worked hard to produce the DRAFT Report. The SDFWG appreciates the time Port Staff committed to reaching out to us for our knowledge and to hear our concerns.</p>	<p>Acknowledged.</p>

	DRAFT Commenter	Comment	Response
12	San Diego Fishermen's Working Group	<p>First, SDFWG members utilize nearly all of the ocean territory from shore out to the western edge of the US Exclusive Economic Zone. Thus, we are necessarily concerned about any ocean planning effort in these waters. Areas we are excluded from have already been set aside, for habitat preservation, marine protected areas (for scientific research), fisheries management purposes, and for projects, such as oil platforms and telecommunications cables. These zones have been removed from fishing with significant economic consequences to our harvesters. Thus, we are the singular group that will stand to lose should new uses be proposed in the "Project Area". This is not to say that there is no room for other uses; rather, since we have lost so much already, our voice must be given great weight. As food producers and suppliers of ocean resources, we feel the people of California value and need us, and that we deserve respect in this planning process. Commercial fishermen are literally founding members of San Diego's "Blue Economy".</p>	<p>As the Partners continue to develop the Web Mapping Application, we will coordinate with interested stakeholders to identify the best approach on how the application can acknowledge that the entire area is an important fishing area.</p> <p>Please see updated content Section 3. Approach - Enhanced Engagement: <u>"As foundational, contributing members of the "blue economy," commercial fishermen utilize nearly all of the ocean space to provide locally caught seafood to consumers. The only ocean areas that fishermen are not able to use are the areas that exclude consumptive fishing uses such as marine protected areas or oil platforms, which have significant economic consequences to harvesters. While there are ocean uses that are compatible with commercial fishing activity, they fear that they stand to lose a great deal without careful consideration of their uses and perspectives through an ocean planning process."</u></p>

<p>San Diego Fishermen's Working Group</p> <p>13</p>	<p>We will acknowledge several encouraging sections in the Report later in this comment letter. First we must point out that the SDOPP got off on a bad footing starting in October, 2016. We believe that the Board of Port Commissioners (BPC) did not know that the National Ocean Policy (NOP) and Marine Spatial Planning contained within, were and are highly controversial. As the Port must know, the Presidential Executive Order which established the NOP has now been rescinded. Further, as the SDFWG commented previously (June 12, 2018) to the BPC, in its first year the SDOPP process suffered from an acute lack of stakeholder outreach and transparency.</p>	<p>In previous staff reports, the Partners have referred to the now-rescinded National Ocean Policy as providing context for marine spatial planning in the country. This policy is what spurred the formation of the West Coast Regional Planning Body (now referred to as the West Coast Ocean Alliance), of which the Commission is a member. The SDOPP was not established as an outcome of the National Ocean Policy. Please see the updated content in Section 4. Preliminary Assessment - Observations: "Though the current federal administration revoked this policy in June 2018, the <u>Partners West Coast Ocean Alliance</u> will continue their efforts under a newly revised structure in line with the present ocean policies."</p> <p>The differing perspectives of marine spatial planning are one of the reasons why the first phase of this pilot project is a "Preliminary Assessment" -- so that the Partners can hear concerns from stakeholders about this type of process. We updated content in the Preliminary Assessment Report in Section 1. Purpose in an attempt to clarify this point: <u>"Essentially, this first phase is a "visioning" process through which the Partners learned from stakeholders about their vision for the ocean space and what practical objectives and deliverables the SDOPP could fundamentally establish that aligns with that vision."</u></p> <p>To address the question of outreach, while the MOA was signed in October 2016, public engagement on this project did not begin until Fall 2017. We added more details about the approach to public engagement in Section 3. Approach - Public and Tribal Engagement: "Focused stakeholder meetings consisted primarily of small group or individual stakeholder discussions, <u>which</u></p>
--	--	--

began in Fall 2017 with local, state, and federal agencies and local coastal cities."

	DRAFT Commenter	Comment	Response
14	San Diego Fishermen's Working Group	<p>The SDFWG can see from the Draft Report that some of our earlier concerns have been mentioned; others have not been addressed. In particular, the Report makes a clear statement that zoning the ocean is NOT an anticipated outcome of the SDOPP. We thank Port staff for that clarification, while noting that the Memorandum of Agreement, (MOA) must be amended to reflect this change.</p>	<p>Please see the updated content in Section 5. Moving Forward - Potential Next Steps for the Partnership:</p> <p><u>"Overall, the MOA outlines aspirational goals for the Partners to accomplish. However, based on public engagement and stakeholder feedback, the Partners recognize that over time, some of the initial goals established by the MOA may no longer be relevant to the pilot project. The Assessment Phase demonstrated concerns and needs of stakeholders that could help to determine which goals of the MOA may need to be refined and what new objectives and goals could be established instead."</u></p> <p>As we move forward after the report is finalized, we will further explore the details of this potential next step and welcome your input.</p>

	DRAFT Commenter	Comment	Response
15	San Diego Fishermen's Working Group	A large concern of fishermen is the appearance (and probability) that a significant economic conflict of interest exists in a Port role of planning for and deciding future uses. The Port is an economic partner in several aquaculture ventures located in or proposed for the Project Area (or nearby). While the Port may be an “ideal” partner with the SLC because of its relationship with many stakeholders, this conflict of interest will limit the Port’s ability to be an impartial arbiter of competing uses when one of the uses is aquaculture.	<p>Please see updated content in Section 2. Partnership: <u>"As public agencies, both the Commission and Port have a number of distinct responsibilities including fiduciary and environmental review, that require balancing competing uses and interests. There are structures that exist within each agency that keep these responsibilities separate and a number of checks and balances built into internal protocols and additional legislative oversight to prevent conflicts of interest. This pilot project does not authorize any future uses of ocean space. It will be used to inform the independent decisions of each of the Partners."</u></p>

	Commenter	Comment	Response
DRAFT			<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
16	San Diego Fishermen's Working Group	Likewise, the SLC is also in a potential conflict of interest situation, should it be in the position of weighing non-lease uses over income-producing new lease applications.	<p>Please see updated content in Section 2. Partnership: <u>"As public agencies, both the Commission and Port have a number of distinct responsibilities including fiduciary and environmental review, that require balancing competing uses and interests. There are structures that exist within each agency that keep these responsibilities separate and a number of checks and balances built into internal protocols and additional legislative oversight to prevent conflicts of interest. This pilot project does not authorize any future uses of ocean space. It will be used to inform the independent decisions of each of the Partners."</u></p> <p>Further, the Commission issues leases for use of State lands based on its determination of the best interests of the State, i.e. the public benefit gained from such use. The public benefits from a wide range of uses, including conserving habitats and ecosystems, commercial fishing, the movement of goods and services, recreation, and national defense.</p>

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
17	San Diego Fishermen's Working Group	<p>The DRAFT Report makes mention (pg. 23) of conflict resolution (“CR”), characterizing the expression of concern by fishermen in this way: <i>“Commercial fishermen (the SDFWG) suggested that conflict resolution could be a beneficial outcome of the SDOPP”</i>. With respect, the SDFWG statement was clear that identifying a fair CR process should be a major priority of the SDOPP, and a framework for resolving potential conflicting uses be a primary product of the SDOPP.</p>	<p>Please see the updated content that reflects this comment in Section 3. Approach - Public and Tribal Engagement:</p> <p><u>"Among many of their suggestions, two primary points brought up by commercial fishermen suggested that include 1) Conflict resolution could be a beneficial outcome of the SDOPP identifying a fair conflict resolution process should be a major priority of the SDOPP and that a framework for resolving potential conflicting uses should be a primary product of the SDOPP, and 2) zoning of the ocean space would not be welcome. There were many other suggestions and concerns raised by commercial fishermen, and the Partners will continue to work with and listen to the San Diego Fishermen’s Working Group and other fishing groups to address concerns and issues."</u></p>

	DRAFT Commenter	Comment	Response
18	San Diego Fishermen's Working Group	<p>The SDFWG believes that any CR process must be in the hands of a neutral arbiter. The SDFWG is encouraged that there are references to CR in the DRAFT Report, which also appears to be included in the Report's "early assessment" discussion. We are concerned, however, that CR did not receive the prominence that we think is called for as a key outcome of the Report, and how the SDOPP will move forward. The SDFWG was expecting to see details about how a CR process might be structured in a way that was clearly knowledge and science-based, fair and impartial, transparent, and free of conflicts of interest. We hope that any future draft or final Report will include this information as a recommendation for future action.</p>	<p>Bold and underlined text refers to content added to the report. Strikethrough text refers to content removed from the report. Bold text is used to refer to a specific section, when necessary.</p> <p>Conflict resolution, or a process to proactively address potential conflicts, has been a suggestion from stakeholders through our public engagement effort. We have included this suggestion in Section 5. Moving Forward of the Preliminary Assessment Report and called it the "Early Engagement Framework." As we explore this next step, we will further refine the outlined framework, with input from stakeholders. We welcome input and information that stakeholders would like to provide for the Partners' consideration.</p>
19	San Diego Fishermen's Working Group	<p>There are models of successful CR processes, such as are utilized for placing telecommunication cable pathways and interactions between the offshore oil industry and commercial fishermen. We suggest that the principles protecting commercial fishing infrastructure found in the California Coastal Act would provide guidance for a fair CR process. We believe that it is no legal stretch to value and protect our fishing grounds as vital commercial fishing infrastructure.</p>	<p>The Partnership will review relevant conflict resolution models to inform the development of the early engagement framework. We welcome specific examples or information that stakeholders would like to provide for the Partners' consideration.</p>

	DRAFT Commenter	Comment	Response
20	San Diego Fishermen's Working Group	<p>The Web Mapping Application, an important piece of the SDOPP and the DRAFT Report, must be carefully applied in any future planning process. It does create a sense of various and possible competing uses of ocean space, so it provides a good start for negotiation and decisions. It has several inaccuracies or limitations which need to be addressed for any specific project:</p>	<p>Please see updated content in Section 3. Web Mapping Application: <u>"The Web Mapping Application is an informational tool that makes ocean conditions and Public Trust use and resource data available and accessible to everyone. It is meant to inform decision-making, raise awareness about the ocean space, and facilitate collaboration, communication, and coordination. For example, for areas that are of particular interest for a proposed or existing use, the Web Mapping Application will not only provide information about environmental conditions of that area and how it is currently used, but also provide contact information for stakeholders and ocean users so that they may start a dialogue about issues of mutual concern and interest."</u></p>

	DRAFT Commenter	Comment	Response
21	San Diego Fishermen's Working Group	The Mapping Application can never keep up with changing ocean conditions which then influence use.	<p>The Web Mapping Application does not currently reflect real-time changing ocean conditions. As new data becomes available or supersedes previous data, the application will be updated at periodic intervals. The Web Mapping Application is intended to be a tool to facilitate planning and provide information to others through a user-friendly platform, and should be considered complementary to other sources of information, such as “real-time” information about ocean conditions.</p>
22	San Diego Fishermen's Working Group	For fishing effort, it does not express the degree and cumulative effect of multiple permanent and seasonal regulatory closures. Therefore, the effects of additional closures from new projects will be hard to assess.	Known or expected regulatory closures will be reported in the Web Mapping Application to the best extent possible depending on the availability of this information. Considerations and limitations to this will be included with a dataset's respective metadata.
23	San Diego Fishermen's Working Group	A number of data points need further work or better explanation: 2013 Vessel Density; 4-digit Fishing Blocks; Annual Commercial Landings in tons by gear type; Biologically important areas for cetaceans; CA recreational fisheries survey; Canopy forming kelp survey; and, Whale density data.	All metadata (information about a dataset, its intended use, source, date of publication, data limitations, etc.) will be made available upon the Web Mapping Application's public release. As described in the Preliminary Assessment Report about data collection and data review, all compiled datasets undergo an internal round of review to determine whether it is relevant for the Web Mapping Application. We encourage stakeholders to

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
			<p>reach out to us to bring any concerns and questions about specific datasets to our attention. Further, we've clarified the title of Appendix D to indicate that while this list includes all of the datasets reviewed, they are not all necessarily included in the Web Mapping Application.</p>
24	San Diego Fishermen's Working Group	<p>Economically significant sites will be hard to recognize as fishing effort can re-locate in different years. An area may not be important every year, but could represent a majority of landings and revenues in other years.</p>	<p>"Economically Significant Sites" refers only to sites identified by the California Department of Fish & Wildlife (CDFW) as "economically significant" when responding to oil spills. We originally intended for this dataset to be incorporated into the Web Mapping Application, however it will not be included. It is still listed in Appendix D because that list refers to all datasets that were reviewed by the Partners. We have updated the title of the dataset in Appendix D to further describe this.</p>
25	San Diego Fishermen's Working Group	<p>Future commercial and recreational uses are not expressed. For example, there is plenty of potential for a squid fishery to exist within the Project Area. It does not currently exist due to a lack of key infrastructure within the Port. This is a very profitable fishery, the importance of which will be completely missed by a backward-looking web tool.</p>	<p>Data obtained from the California Department of Fish & Wildlife reflects what has been reported and is available to date. This information references what has historically occurred in different areas. If there is data that has been published that may help draw attention to other future opportunities the Partners would review the data as it may be incorporated in the Web Mapping Application.</p>

	DRAFT Commenter	Comment	Response
26	San Diego Fishermen's Working Group	As specific projects are proposed, the SDFWG is willing to assist in ground-truthing the past, current, and potential uses of a given location. Our years of on the water, empirical observations can bring real value to a planning effort.	<p>Bold and underlined text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>The "Early Engagement Framework" will provide interested stakeholders with an opportunity to raise issues of concern, contribute valuable knowledge to inform resource management decisions, and make recommendations at the onset of the lease application review, and throughout that process.</p>
27	San Diego Fishermen's Working Group	The DRAFT Report glows in referencing the CA Marine Life Protection Act (MLPA) process, calling it a <i>“model for marine ecosystem conservation and resource management”</i> . We find this highly disturbing. If the MLPA process is in any way a model for the SDOPP, the Port and SLC will find commercial and recreational fishermen, along with other ocean resource users, deeply suspicious of and resistant to the process. The MLPA process was neither science nor stakeholder driven; it was a purely political effort disguised as a public process. The State of California, and the SDOPP, can and should do better than that. The SDFWG would like to hear assurances that marine spatial planning in California waters will not emulate the MLPA process.	Please see updated content in Section 4. Preliminary Assessment - Perspectives on Previous Ocean Planning Processes

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
28	San Diego Fishermen's Working Group	<p>There is also ambiguity about the Project Area. At times it is defined as CA State waters from the Mexican border to the Orange County line. At other times, it includes data from far outside that area, such as the Leatherback Turtle zone in Central California.</p>	<p>Certain features have been selected from larger datasets that have information that does not pertain to the project area (referred to as the "San Diego ocean space" or "preliminary planning area" in the Preliminary Assessment Report). For example, there are loggerhead turtle conservation areas active at certain times and in certain conditions within the preliminary planning area that are included as part of a larger dataset with Leatherback Conservation Areas (which are not within the preliminary planning area). The dataset in Appendix D of the Preliminary Assessment Report included the full name of the dataset to better reflect the portion of the dataset that is relevant to this pilot project. Data outside of the preliminary planning area was reviewed as reference to complement other data. While the data is listed as reviewed, it may have been determined that it should not be incorporated into the Web Mapping Application. Please also refer to the section in the report titled "What is the preliminary planning area?" in Section 3. Approach – Web Mapping Application.</p>

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
29	San Diego Fishermen's Working Group	<p>The definition of the Project Area is also confounded by this statement in the DRAFT Report, in the section titled, "Potential Next Steps for the (State Lands) Commission" (pg 51): <i>"Finally, the Commission will explore using the SDOPP as a model for regional ocean planning projects that could be implemented in other areas of the state that face similar complex challenges related to ocean space and balancing Public Trust uses"</i>. This statement of intent by the SLC infers that the project area is potentially ALL state waters. It draws into question the transparency and outreach of the SDOPP. It would seem that all California coastal counties and their ocean users have a stake in the development and outcome of the SDOPP.</p>	<p>Please see updated content in Section 5. Moving Forward:</p> <p>"Finally, the Commission may explore using the SDOPP pilot project as a model for regional ocean planning projects that could be implemented in other areas of the state that face similar complex challenges related to the ocean space and balancing Public Trust uses, <u>if there are the resources to do so. The Commission has not currently identified any additional regions in the state to apply this model.</u>"</p> <p>To further clarify, the boundaries and area of this specific pilot project, San Diego Ocean Planning Partnership, will not expand.</p>

	DRAFT Commenter	Comment	Response
30	San Diego Fishermen's Working Group	<p>The section on Interagency Cooperation suggests a fundamental question for the SLC: While it clearly is a SLC responsibility to ensure that State Tidelands are used for Public Trust purposes, is it not also the responsibility of numerous other agencies (e.g., Coastal Commission, Fish and Game Commission, National Marine Fisheries Service, CA Department of Fish and Wildlife, etc) to evaluate and permit projects in state waters? If so, it would seem that the SLC and its staff have a role in any lease of tidelands, but not necessarily in the merits of the project, other than meeting Public Trust values. Does the SLC view itself as the final decider of ocean uses in state waters? We would appreciate clarification on this point.</p>	<p>The Commission issues leases for use of State lands based on its determination of the best interests of the State, i.e. the public benefit gained from such use. The public benefits from a wide range of uses, including conserving habitats and ecosystems, commercial fishing, the movement of goods and services, recreation, and national defense. Most projects that require a lease also require permissions and authorizations from additional state, local, and federal agencies that evaluate projects according to their respective statutes and regulatory obligations, which are different than those of the State Lands Commission. No state agency's determinations diminish nor supersede those of another state agency. Additionally, the SDOPP will not replace or supplant any existing laws, regulations, or agency responsibilities, such as those of the California Department of Fish & Wildlife or the California Coastal Commission.</p>
31	San Diego Fishermen's Working Group	<p>The DRAFT Report acknowledges that amendments to the MOA will be needed. The SDFWG hopes that amendments will be made that reflect our concerns and recommendations.</p>	<p>Based on suggestions and concerns raised by the SDFWG and other stakeholders, an update and/or amendment to the MOA could be a beneficial outcome of the SDOPP. Because this is stakeholder input from the "Preliminary Assessment," we have included it in Section 5. Moving Forward of the Preliminary Assessment Report and called it "Refine the Goals." As we explore next steps after finalizing the report, we welcome input and information that stakeholders would like to provide for the Partners' consideration.</p>

DRAFT	Commenter	Comment	Response
32	San Diego Fishermen's Working Group	To summarize, the SDFWG believes the SDOPP will be successful if it:	We will address the specific comments below in responses #33-35:
33	San Diego Fishermen's Working Group	1) Continues to refine the Web Mapping Application, while openly recognizing the limits of such a tool; and	We will keep stakeholders informed of opportunities to test-run the Web Mapping Application and have also included a section in the Preliminary Assessment Report to openly recognize its limitations.
34	San Diego Fishermen's Working Group	2) Develops a framework for a fair, knowledge-based conflict resolution process, independent of any conflicts of interest by those managing the process, and	We will continue stakeholder engagement as we move forward as identified in the Preliminary Assessment Report, especially for the development of an "Early Engagement Framework."
35	San Diego Fishermen's Working Group	3) Results in a MOA amended to reflect the above two recommendations, plus the removal of ocean zoning as a product of the SDOPP.	<p>Please see the updated content in Section 5. Moving Forward - Potential Next Steps for the Partnership:</p> <p><u>"Overall, the MOA outlines aspirational goals for the Partners to accomplish. However, based on public engagement and stakeholder feedback, the Partners recognize that over time, some of the initial goals established by the MOA may no longer be relevant to the pilot project. The Assessment Phase demonstrated concerns and needs of stakeholders that could help to determine which goals of the MOA may need to be refined and what new objectives and goals could be established instead."</u></p> <p>After the report is finalized, we will explore the potential next steps and welcome stakeholder input.</p>

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
36	West Coast Fisheries Consultants	<p>Through my work with the San Diego Fishermen’s Working Group and other fishing associations, I have been closely following the SDOPP since initially learning about it in December of 2017. This letter has been shared with a number of these groups (California Wetfish Producers Assn, California Lobster and Trap Fishermen’s Assn, etc). Each of these groups – and others – are closely following, and concerned about, the SDOPP. I suspect some of these groups will be offering separate comments on the Draft Report while others will await the publication of the Post-Discussion Draft. By and large, fishing interests are highly skeptical of the SDOPP and the potential impacts to their livelihoods.</p>	<p>Acknowledged, thank you for your input.</p>

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
37	West Coast Fisheries Consultants	<p>There has been general support for the SDOPP to the extent it produces the following outputs:</p> <ol style="list-style-type: none"> 1. A central repository for a comprehensive data portal which can be depicted on detailed GIS mapping tool; and 2. A detailed framework of a conflict resolution process which ensures a disinterested Body of knowledgeable individuals and Agency representatives is empowered to implement the framework to address potential conflicts within the Project Area. (footnote on "Project Area:" Project Area, as used in this Comment letter, is defined as “the San Diego County line to the north, the three nautical mile limit of State waters to the west, and the U.S.-Mexico border to the south.”) 	<p>Acknowledged, thank you for your input.</p>

	DRAFT Commenter	Comment	Response
38	West Coast Fisheries Consultants	<p>I appreciate the Draft Report offering some clarity regarding the intent and purpose of the SDOPP. While it is clear the preparation of the Preliminary Assessment Report is a key milestone, is it unclear what happens next. The timeline on Page 20 of the Draft Report states that next steps are Data Collection and Stakeholder Input. What is not specified is what comes after those two steps. If there are no envisioned future actions, it would be helpful to specify that. As mentioned above, the data collection efforts and accompanying GIS mapping; coupled with a well-defined process for resolving potential conflicts would be a successful outcome of the SDOPP.</p>	<p>Please see updated content in the Preliminary Assessment Report in Section 1. Purpose: <u>"Essentially, this first phase is a "visioning" process through which the Partners learned from stakeholders about their vision for the ocean space and what practical objectives and deliverables the SDOPP could fundamentally establish that aligns with that vision."</u></p> <p>And updated content in the Section 3. Approach - Timeline <u>"With conclusion of the Assessment Phase, the Partners will further consider potential next steps, identified in the "Moving Forward" section of this report. Any subsequent phase of this pilot project will necessitate further public engagement and data collection to develop, define, and shape future deliverables and outcomes."</u></p> <p>Continuing to refine and update the Web Mapping Application and identifying a well-defined process for resolving potential conflicts are two of those potential outcomes identified by stakeholders.</p>

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
39	West Coast Fisheries Consultants	<p>I very much appreciate the clear statement that zoning within the Project Area is not the intent of the SDOPP. There is a concern that conflict resolution is not a stated priority of the SDOPP. Language used in the Draft Report is vague and susceptible to more than one meaning. I believe that amending the Memorandum of Agreement (“MOA”), in light of what has been learned during the two years since the MOA was executed, is necessary and would help inform the public as to the goals, aspirations and objectives of the SDOPP. In a February 12, 2018 written comment to the Board of Port Commissioners on the SDOPP – Reset, the San Diego Fishermen’s Working Group (“SDFWG”) offered five edits to the MOA (footnote on previous written comments: A copy of the SDFWG written comment is available upon request). I continue to support those suggested edits and ask the Port and State Lands Commission (“SLC”) to consider the continued applicability of the National Ocean Policy given the June 19, 2018 Executive Order which, in effect, rescinded the prior Executive Order which created the National Ocean Policy.</p>	<p>Based on suggestions and concerns raised by the SDFWG and other stakeholders, a conflict resolution process that could proactively address conflicts through the Commission's leasing process, would be a beneficial outcome of the SDOPP. Similarly, an update and/or amendment to the MOA could be another. Because these are stakeholder input from the "Preliminary Assessment," we have included these in Section 5. Moving Forward of the Preliminary Assessment Report and called them "Refine the Goals" and "Early Engagement Framework," respectively. As we explore next steps after finalizing the report, we will further refine the outlined framework with input from stakeholders. We welcome input and information that stakeholders would like to provide for the Partners’ consideration. This includes consideration of the five suggestions for amending the MOA outlined in the February 12, 2018 written comment to the BPC submitted by the SDFWG.</p> <p>In previous staff reports, the Partners have referred to the now-rescinded National Ocean Policy as providing context for marine spatial planning in the country. This policy is what spurred the formation of the West Coast Regional Planning Body (now referred to as the West Coast Ocean Alliance), of which the Commission is a member. The SDOPP was not established as an outcome of the National Ocean Policy. The differing perspectives</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
			<p>of marine spatial planning are one of the reasons why the first phase of this pilot project is a "Preliminary Assessment" -- so that the Partners can hear concerns from stakeholders about this type of process.</p>

	DRAFT Commenter	Comment	Response
40	West Coast Fisheries Consultants	There is widespread concern that the Port is both a Partner in the SDOPP and a key stakeholder in the Project Area. There is a very real potential for conflicts of interest as the Port expands its portfolio into aquaculture and other operations which will necessarily require use of space within the Project Area. To give greater confidence to other stakeholders, independent oversight should be implemented so that potential conflicts of interest (real or apparent) involving the Port can be addressed in a timely fashion by an impartial panel of decisionmakers.	Please see updated content in Section 2. Partnership: <u>"As public agencies, both the Commission and Port have a number of distinct responsibilities including fiduciary and environmental review, that require balancing competing uses and interests. There are structures that exist within each agency that keep these responsibilities separate and a number of checks and balances built into internal protocols and additional legislative oversight to prevent conflicts of interest. This pilot project does not authorize any future uses of ocean space. It will be used to inform the independent decisions of each of the Partners."</u>
	West Coast Fisheries Consultants	Comments on Executive Summary	
41	West Coast Fisheries Consultants	Once again, I appreciate the clarification regarding the intent of the SDOPP; however, it is important that "conflict resolution" is highlighted as a priority goal. That can be inferred via "dialogue that promotes collaboration" but clarity is important.	Conflict resolution, or a process to proactively address potential conflicts, has been a suggestion from stakeholders through our public engagement effort. We have included this suggestion in Section 5. Moving Forward of the Preliminary Assessment Report and called it the "Early Engagement Framework." As we explore this next step, we will further refine the outlined framework, with input from stakeholders. We welcome input and information that stakeholders would like to provide for the Partners' consideration.

	DRAFT Commenter	Comment	Response
42	West Coast Fisheries Consultants	The Executive Summary should clearly state that the Project Area is limited to State Waters. The casual reader may be led to believe the SDOPP can impact “the ocean space offshore San Diego County”; which is somewhat misleading. Note – The introductory paragraph under <i>Section 1 – Purpose</i> , does this and provides language which could be incorporated into the Executive Summary.	<p>Please see the updated content in the Executive Summary: “The purpose of this first phase of the pilot project... uses, values, and challenges in the ocean space <u>in state waters offshore San Diego County (the "ocean space")</u>, as well as their past experiences...”</p>
43	West Coast Fisheries Consultants	Regarding data collection – consideration needs to be given to uses which could be taking place in the Project Area; but are not due to inadequate facilities and/or infrastructure. One example – commercial fisheries for Coastal Pelagic Species (“CPS”). While the Everingham Brothers Bait operation, which serves the San Diego sport and recreational fishing communities, will surely contribute data to the SDOPP, other commercial fisheries for market squid, Pacific sardine, Pacific mackerel, Jack mackerel and Northern anchovy will be underrepresented due to lack of unloading facilities in the San Diego area. Market squid, in particular, should be an important economic contributor to San Diego County if current efforts to upgrade infrastructure in the Port of San Diego become reality.	Data obtained from the California Department of Fish & Wildlife reflects what has been reported and is available to date. This information references what has historically occurred in different areas. If there is data that has been published that may help draw attention to other future opportunities the Partners would review the data as it may be incorporated in the Web Mapping Application.

	DRAFT Commenter	Comment	Response
44	West Coast Fisheries Consultants	<p>There is a mention of “lease applications” without any reference to the types of leases. It seems any discussion of leasing specific locations within the Project Area would take place much later in the process. This also highlights there are other State Agencies (Fish and Game Commission and California Coastal Commission) which have management responsibility within the Project Area and thus should be indispensable parties to the MOA. I note that the Coastal Commission is identified in Appendix B as a contacted stakeholder; but express concern that the Fish and Game Commission is not listed.</p>	<p>Throughout the report, mention of "lease applications" specifically refers to leases issued by the State Lands Commission. Please refer to the section on "State Lands Commission Leasing Authority" for more information about this authority. As it comes up in the report, we have tried to clarify that "lease applications" refers to leases issued by the State Lands Commission.</p> <p>Further, please refer to Appendix C "Current List of Stakeholders," which lists both the California Coastal Commission and the California Fish & Game Commission, both of whom were contacted as a part of this process. The SDOPP will continue to engage its local, state, and federal government agency stakeholders with overlapping but separate jurisdictions offshore San Diego to enhance communication, coordination, and collaboration.</p>
45	West Coast Fisheries Consultants	<p>The goals and objectives of the SDOPP should be spelled out and clearly identified. While there are a number of these identified within the body of the Draft Report, it would be helpful if they were provided within the Executive Summary.</p>	<p>Please see the updated content in the Preliminary Assessment Report in the Executive Summary: <u>"Essentially, this is a process for the Partners to hear directly from stakeholders about their vision for the ocean space and the role that the SDOPP can play (by identifying clear objectives and deliverables) in achieving that vision."</u></p>

	DRAFT Commenter	Comment	Response
	West Coast Fisheries Consultants	Comments on Purpose	
46	West Coast Fisheries Consultants	The introductory paragraph highlights the need to Amend the MOA to more accurately reflect what has been learned during the Assessment phase of the SDOPP. It is our hope that language which implies, or can be read to imply, marine zoning be changed to reflect the evolving purposes, goals, and objectives.	As we explore next steps after finalizing the report, we welcome and will seek further input from you on refining the goals and amending the MOA. This includes considering the five suggestions for amending the MOA outlined in the February 12, 2018 written comment to the BPC submitted by the SDFWG. We will continue to emphasize that zoning is not an intended outcome of this pilot project.
	West Coast Fisheries Consultants	Comments on Partnership	

The last sentence in the second to last paragraph on Page 4 highlights the unique abilities of the Port and SLC "to contribute to the SDOPP". I firmly believe the Fish and Game Commission and Coastal Commission possess complementary and different relationships which make their absence notable. I also note the potential for conflict mentioned above. It is not outside the realm of possibility that the Port, or a third party with whom the Port has a contractual arrangement, will be seeking leases for activities within the Project Area. Since SLC is responsible for issuing those leases (see page 9 of the Draft Report) there is a chance public trust can be eroded absent the involvement of other Agencies with management responsibilities within the Project Area.

The Commission issues leases for use of State lands based on its determination of the best interests of the State, i.e. the public benefit gained from such use. The public benefits from a wide range of uses, including conserving habitats and ecosystems, commercial fishing, the movement of goods and services, recreation, and national defense. Most projects that require a lease also require permissions and authorizations from additional state, local, and federal agencies that evaluate projects according to their respective statutes and regulatory obligations, which are different than those of the State Lands Commission. No state agency's determinations diminish nor supersede those of another state agency. Additionally, the SDOPP will not replace or supplant any existing laws, regulations, or agency responsibilities, such as those of the California Department of Fish & Wildlife or the California Coastal Commission.

Please see updated content in Section 2. Partnership:
"As public agencies, both the Commission and Port have a number of distinct responsibilities including fiduciary and environmental review, that require balancing competing uses and interests. There are structures that exist within each agency that keep these responsibilities separate and a number of checks and balances built into internal protocols and additional legislative oversight to prevent conflicts of interest. This pilot project does not authorize any future uses of ocean space. It will be used to inform the independent decisions of each of the Partners."

Further, the "Early Engagement Framework" could serve as a platform for better communication, coordination, and collaboration amongst resource agencies (including the California Fish and Game Commission and the

West Coast
Fisheries
Consultants

47

California Coastal Commission), and these agencies will be consulted during the process of developing this framework. In addition, the Web Mapping Application will be an important tool for ocean users, project applicants, and resource management agencies to use to understand better the site-specific data to inform decision-making in accordance with their respective roles and responsibilities.

	DRAFT Commenter	Comment	Response
48	West Coast Fisheries Consultants	The ongoing commitment to a transparent public engagement is appreciated. The local commercial fishing community is grateful to the Port for convening a number of focused discussions with fishermen and their representatives. This wasn't always the case. The SDOPP wasn't made known to the local fishing community until fourteen (14) months after the MOA was executed.	<p>Bold and underlined text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>As we move forward, we hope to continue to improve our public engagement, especially as it's been identified by many stakeholders as an important next step for the SDOPP. We remain committed to transparency and keeping all stakeholders engaged and informed. We have also clarified in Section 3. Approach - Public and Tribal Engagement when the focused stakeholder meetings began.</p>
	West Coast Fisheries Consultants	Comments on Partnership: State Lands Commission Leasing Authority	
49	West Coast Fisheries Consultants	The Port's Blue Economy Incubator Program was established in 2016. Two questions: (1) Did the SLC supply any capital to the Program? This question was answered "No" during the October 10, 2018 Workshop at the Port Building. (2) Is SLC a partner of the Port in the Blue Economy Incubator Program?	The Commission did not supply any capital to the Port's Blue Economy Incubator Program and the Commission is also not a partner on any of the projects coming out of the Blue Economy Incubator or a partner with the Port for the Blue Economy Incubator.
	West Coast Fisheries Consultants	Comments on Partnership: State Lands Commission Interagency Relationships	

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
50	West Coast Fisheries Consultants	<p>The introductory paragraph highlights why fishery groups/organizations are so concerned about this. “Academic institutions and environmental organizations” are specifically mentioned as those the SLC collaborates and coordinates with. There is no reason why fishery groups/organizations cannot be collaborated or coordinated with. They are on the water more than any of the other groups, see changes happening as they occur, and can provide knowledge and experiences that cannot be learned or theorized from behind a desk.</p>	<p>The Commission looks forward to developing new collaborative relationships with stakeholders and groups that can further advance the work of ensuring the Public Trust.</p>
	West Coast Fisheries Consultants	<p align="center">Comments on Partnership: Memorandum of Agreement</p>	

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
51	West Coast Fisheries Consultants	As mentioned above, the MOA will likely need to be amended to ensure its language mirrors the evolving purposes, objectives and goals.	<p>Based on suggestions and concerns raised by the SDFWG and other stakeholders, an amendment to the MOA could be a beneficial outcome of the SDOPP. Because this is stakeholder input from the "Preliminary Assessment," we have included this suggestion in Section 5. Moving Forward of the Preliminary Assessment Report, called "Refine SDOPP Goals." As we explore next steps after finalizing the report, we welcome input and information that stakeholders would like to provide for the Partners' consideration on revising the goals and amending the MOA. This includes consideration of the five suggestions for amending the MOA outlined in the February 12, 2018 written comment to the BPC submitted by the SDFWG.</p> <p>Please see the updated content in Section 5. Moving Forward - Revise SDOPP Goals: <u>"Overall, the MOA outlines aspirational goals for the Partners to accomplish. However, based on public engagement and stakeholder feedback, the Partners recognize that over time, some of the initial goals established by the MOA may no longer be relevant to the pilot project. The Assessment Phase demonstrated concerns and needs of stakeholders that could help to determine which goals of the MOA may need to be refined and what new objectives and goals could be established instead."</u></p>

	DRAFT Commenter	Comment	Response
	West Coast Fisheries Consultants	Comments on Approach: Focused Stakeholder Meetings (page 22)	
52	West Coast Fisheries Consultants	<p>The Draft Report mentions that the SDOPP has held over 90 focused stakeholder meetings. Would it be possible for a list of the meeting dates and participating stakeholders be made available for public consumption? For example, on December 19, 2017 Port staff attended a meeting of stakeholders in the Port Redevelopment project. At this meeting were members of the San Diego Fishermen’s Working Group. Names of individuals who attended each meeting are not important; but rather which organizations and/or stakeholder groups were in attendance. This will be helpful in determining the level of robustness of the outreach.</p>	<p>The list of stakeholders provided in Appendix C reflects all stakeholders who were contacted and invited to provide input to the SDOPP. We were able to hold focused stakeholder meetings with the majority of the stakeholders listed, beginning in Fall 2017, and continuing through Fall 2018. Due to scheduling constraints, we still have pending conversations with interested state agencies that we would like to schedule before we release this information.</p>
	West Coast Fisheries Consultants	Comments on Approach: Enhanced Engagement with Commercial Fishermen (page 23)	

	DRAFT Commenter	Comment	Response
53	West Coast Fisheries Consultants	I know the local fishing community is thankful that the Port involved the local commercial fishing community. The Draft Report states that commercial fishermen came up with two suggestions in the focused stakeholder meetings. There were several other suggestions provided by the commercial fishermen.	<p>Please see the updated content that reflects this comment in Section 3. Approach - Public and Tribal Engagement:</p> <p><u>"Among many of their suggestions, two primary points brought up by commercial fishermen suggested that include 1) Conflict resolution could be a beneficial outcome of the SDOPP identifying a fair conflict resolution process should be a major priority of the SDOPP and that a framework for resolving potential conflicting uses should be a primary product of the SDOPP, and 2) zoning of the ocean space would not be welcome. There were many other suggestions and concerns raised by commercial fishermen, and the Partners will continue to work with and listen to the San Diego Fishermen's Working Group and other fishing groups to address concerns and issues."</u></p>
	West Coast Fisheries Consultants	Comments on Approach: Data Collection	

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
<p style="color: red;">DRAFT</p>	<p>Commenter</p>	<p style="text-align: center;">Comment</p>	
<p>54</p>	<p>West Coast Fisheries Consultants</p>	<p>Acknowledging that fisheries dependent data is sparse (and not scaled), was the local fishing community contacted to provide and/or clarify what data was available? For example, fishing blocks utilized by the Department of Fish and Wildlife to identify an area where fish were harvested, are far too large to provide any meaningful date for planning purposes. Fishermen know the areas that are important to them and not to seek their expertise on this would be a missed opportunity. There also must be an awareness that ALL of the open areas within the Project Area are important to, and utilized by, fishery groups.</p>	<p>The public release of the Web Mapping Application largely draws upon publicly available data that has accompanying documentation. Data which includes past surveys with the fishing community will be included, but is limited. In this regard, ongoing help from the fishing community in identifying data or information that is useful for incorporation is encouraged. Further, as we continue to develop the Web Mapping Application, we will coordinate with you to identify the best approach on how the application can acknowledge that the entire area is an important fishing area.</p>

	DRAFT Commenter	Comment	Response
55	West Coast Fisheries Consultants	The highlighted box at the bottom of page 26 states, “The data collection effort focused on data available within the preliminary planning area.” (footnote on "preliminary planning area:" “Preliminary planning area” mirrors “Project Area” as used earlier in this Comment.) However, a review of The List of Incorporated and/or Reviewed Data in Appendix D tells a different story. There are a number of datasets which are not in the preliminary planning area – for example: Drift Gillnet Closures, EFH Areas Protected from Fishing, US EEZ (which by definition is outside State waters), etc.	<p>Certain features have been selected from larger datasets that may have information that does not pertain to the preliminary planning area. For example, there are loggerhead conservation areas active at certain times and in certain conditions within the preliminary planning area that are included as part of a larger dataset with Leatherback Conservation Areas (which are not within the preliminary planning area). Data outside of the preliminary planning area was reviewed as reference to complement other data. While the data is listed as reviewed in Appendix D, it may have been determined that it should not be incorporated into the Web Mapping Application.</p>
	West Coast Fisheries Consultants	Comments on Approach: Data Review	
56	West Coast Fisheries Consultants	While the Port and SLC may be ideally suited to review much of the data presented, there are concerns about the level of expertise to review fisheries related data. Were any outside third parties utilized to perform this review?	The SDOPP compiled publicly available datasets with accompanying documentation for the application. The majority of these datasets are from authoritative organizations such as the National Oceanic and Atmospheric Administration (NOAA) or the California Department of Fish & Wildlife that have already been reviewed.

DRAFT	Commenter	Comment	Response
57	West Coast Fisheries Consultants	Once again, there must be acknowledgment of data that wasn't collected because of a lack of suitable infrastructure. While there will be market squid catch from the Project Area, it is understated because of a lack of suitable facilities to offload squid in the San Diego area. If such facilities were available, it is reasonably certain that the fishery would have utilized those facilities and catches of market squid from the Project Area would have been much greater.	Data obtained from the California Department of Fish & Wildlife reflects what has been reported and is available to date. This information references what has historically occurred in different areas. If there is data that has been published that may help draw attention to other future opportunities the Partners would review the data as it may be incorporated in the Web Mapping Application.
	West Coast Fisheries Consultants	Comments on Preliminary Assessment	
58	West Coast Fisheries Consultants	Given the stated purpose of this Section, providing "a summary of stakeholder input from the Preliminary Assessment phase", I am not commenting on the specifics; but rather offer additional thoughts for consideration.	Acknowledged.
	West Coast Fisheries Consultants	Comments on Preliminary Assessment: Perspectives on Other Ocean Planning Processes	

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
59	West Coast Fisheries Consultants	<p>I would contend that the “coordinated statewide marine spatial planning process”, per the MLPA is a misstatement. At its best, the MLPA process was flawed (footnote: http://www.sandiegouniontribune.com/sdut-mlpa-corruption-hard-prove-2010oct21-story.html). The chair of the South Coast MLPA Blue Ribbon Task Force was the President of The Western State Petroleum Association (footnote: https://www.indybay.org/newsitems/2015/04/09/18770950.php), the Co-Chair of the MLPA Initiative Science Advisory Team pled guilty to embezzling nearly \$1M from the Yurok Tribe (footnote: https://www.nationalfisherman.com/national-international/former-mpa-co-chair-pleads-guilty-to-embezzlement/), and the conflict of interest charge levied against then Fish and Game Commissioner Michael Sutton (footnote: http://www.flashreport.org/blog/2009/07/08/the-controversy-of-fish-game-commissioner-michael-sutton/). Is it any wonder why the fishing communities are fearful of the SDOPP?</p>	<p>Please see updated content in Section 4. Preliminary Assessment - Perspectives on Previous Ocean Planning Processes</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
60	West Coast Fisheries Consultants	<p>After conversations with Port staff, it is clear that the MLPA process was a common response to this Section. The MLPA process was really about excluding certain uses from certain areas. Unfortunately, fishing related activities were primarily impacted. Marine Spatial Planning, on the other hand, could end up picking winners and losers for valuable space in the Ocean. This difference adds much complexity to the process and will inevitably turn it contentious. This is one of the primary reasons why conflict resolution needs to be clearly stated and clearly defined in the Draft Report.</p>	<p>The differing perspectives of marine spatial planning are one of the reasons why the first phase of this pilot project is a "Preliminary Assessment" -- so that the Partners can hear concerns from stakeholders about this type of process. Conflict resolution is a potential outcome of this "visioning" Preliminary Assessment and is included in Section 5. Moving Forward called "Early Engagement Framework." As we explore next steps after finalizing the report, we will further refine the outlined framework, with input from stakeholders. We welcome input and information that stakeholders would like to provide for the Partners' consideration.</p>

61	West Coast Fisheries Consultants	<p>There are examples of how conflicting oceans uses have been addressed:</p> <p><u>The Commercial Fishing Industry Improvement Fund</u> - when Cable Companies desired to place undersea cables under the sea floor (and fishing grounds), those Companies agreed to deposit one hundred thousand dollars per undersea cable project in a special fund for enhancement of Commercial Fisheries, the Commercial Fishing Industry, and Support Facilities. The mission of the Improvement Fund is to award high quality grants that will enhance and assist the Commercial Fishing Industry.</p> <p><u>Lost/Damaged Fishing Gear Compensation Program</u> – when Catalina Sea Ranch (then called KZO Sea Farms) desired to place a shellfish farm in Federal waters offshore Long Beach, California, the operators of KZO and members of the local fishing community agreed to a Lost/Damaged Fishing Gear Compensation Plan that outlines the steps that would be taken by KZO to address any adverse impacts to commercial or recreational fishing operations that may result from the loss and/or damage of fishing gear or catch due to contact or entanglement with the shellfish cultivation facility or associated infrastructure. This was a condition precedent to commencement of construction that required approval by the Executive Director of the Coastal Commission.</p> <p><u>Reimbursement for lost or destroyed lobster trap gear.</u> Kelco used to harvest kelp off the Southern California coast and offshore islands. While harvesting kelp, Kelco vessels would inadvertently run over a lobster fishermen’s buoys – in effect severing the buoy from the trap, which resulted in a lost trap. Kelco had a program in place which reimbursed fishermen for traps lost due to Kelco operations.</p>	<p>The "Early Engagement Framework" may serve to bring together project proponents, resource managers, and stakeholders, including those impacted directly by a proposed activity or use, to address issues of concern and, in some cases, engage in a conflict resolution process. This process may result in agreements that resolve conflicts and will not necessarily include the Commission, if the agreements are founded upon terms outside the Commission's jurisdiction and authorities. The Partnership will review relevant conflict resolution models to inform the development of the early engagement framework. We welcome specific examples or information that stakeholders would like to provide for the Partners' consideration.</p>
	West Coast Fisheries Consultants	<p>Comments on Preliminary Assessment: "What are your current uses in the ocean space?"</p>	

	DRAFT Commenter	Comment	Response
62	West Coast Fisheries Consultants	<p>Research: add to the aerial surveys the collaborate research being conducted by the Department of Fish and Wildlife, the Southwest Fisheries Science Center and the California Wetfish Producer’s Association to attempt to quantify biomass of CPS (Pacific sardine and Northern anchovy) in nearshore waters. These waters are not surveyed by NOAA ships currently used to estimate for CPS stocks. This results in biomass estimates that don’t consider prime CPS habitat and are generally accepted to be underestimates. This has directly impacted CPS fisheries which are managed by a harvest control rule which is based on the estimated stock biomass.</p>	<p><u>Bold and underlined</u> text refers to content added to the report. Strikethrough text refers to content removed from the report. Bold text is used to refer to a specific section, when necessary.</p> <p>We've included your comment into Section 4. Preliminary Assessment in the following section: "What are your current uses in the ocean space?"</p>
63	West Coast Fisheries Consultants	<p>Increasing opportunities for fisheries: While artificial reefs may increase opportunities for certain fisheries, they effectively bar others (net fisheries for example). Additionally, aquaculture and shellfish and seaweed farms are not fisheries and by themselves do not increase opportunities for wild capture fisheries.</p>	<p>We recognize that these should be more specifically categorized to better explain how “aquaculture” and “artificial reefs” may provide increasing opportunities in the ocean space. Please see updated content in Section 4. Preliminary Assessment: "increasing opportunities for fisheries <u>sustainable seafood harvest and habitat</u>"</p>

DRAFT	Commenter	Comment	Response
64	West Coast Fisheries Consultants	Increased renewable energy: It should be noted that none of these (wind, tidal and wave) are current uses in the Project Area. Structures placed on the water to support renewable energy activities would arguably be considered Fish Aggregating Devices. Use of such devices in certain fisheries is not allowed – so this may have the unintended cost of disallowing certain types of fishing activities in and around those structures.	Some stakeholders do not operate solely within the San Diego ocean space and have general interests in these technologies, which is what is represented through the responses from this question. The goal of this section is not to advocate for or move forward on any of the projects listed here but summarize responses from stakeholders and their interests in how the ocean (in San Diego and beyond) could be utilized in the future. If any project were to be proposed, it will be important to acknowledge how it would impact existing uses, such as the Fish Aggregating Devices that you identify here.
	West Coast Fisheries Consultants	Comments on Preliminary Assessment: "What else would you like us to consider or be concerned with through this process?"	
65	West Coast Fisheries Consultants	Listen to all voices equally: Rather than ensuring that all stakeholders feel heard, why not set as a goal that all stakeholders are heard?	This section is intended to represent what was stated directly by stakeholders. You bring up an important distinction of wording and, together, both statements should be worthwhile goals and we have updated content to reflect your input: "Listen to all voices equally: don't let one voice or the loudest voice take over the discussion; make sure all stakeholders feel heard <u>and are heard...</u>"
	West Coast Fisheries Consultants	Comments on Moving Forward	

DRAFT	Commenter	Comment	Response
66	West Coast Fisheries Consultants	The introductory paragraph under this Section references potential next steps. These include “refine and clarify the goals of the SDOPP”. Once again, the SDOPP and public would benefit from the Port and SLC clearly stating the goals of the SDOPP. As mentioned earlier, including a list of the goals and objectives in the Executive Summary would be beneficial.	Please see the updated content in the Preliminary Assessment Report in Section 1. Purpose: <u>“Essentially, this first phase is a “visioning” process through which the Partners learned from stakeholders about their vision for the ocean space and what practical objectives and deliverables the SDOPP could fundamentally establish that aligns with that vision.”</u>
67	West Coast Fisheries Consultants	Continued data collection within the Project Area will be helpful as dynamic ocean conditions force fishery users to continually move effort back-and-forth within the Project Area.	We've included your comment into Section 4. Preliminary Assessment in the following section: <u>“Do you have suggestions for managing the ocean planning process here in San Diego?”</u>
68	West Coast Fisheries Consultants	As noted below, some of the information gathered, collected and represented in the SDOPP are from uses outside the Project Area. This is concerning. This paragraph concludes by highlighting that next steps may be carried out by “an individual agency”. If that is the case, there is an expectation the commitment to transparency will be continued without regard to the agency involved.	Both agencies, separately and as part of this Partnership, are committed to transparency. Whether actions from the Preliminary Assessment Report are taken by the Partnership or by an individual Partner, the commitment to transparency will remain. Please see the updated content in Section 5. Moving Forward: <u>“Whichever direction the Partnership goes, collaborative stewardship and transparency will remain a goal for each Partner individually and the Partnership as a whole.”</u>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
69	West Coast Fisheries Consultants	<p>Figure 5 shows the Potential Next Steps. These steps are further divided by focusing on which agency can implement what activity. This indicates the Port can “identify future partnerships”. Can you expand on what this means? Does this simply refer to other Port Districts or other local agencies that SLC can partner with, or does this refer to proposed uses within the Project Area which can be setup as partnerships between the Port and/or SLC and a third party?</p>	<p>The Port and Commission are already involved in collaborative partnerships, and one of the purposes of this effort is to maintain and strengthen relationships with all stakeholders. As the local San Diego partner for the SDOPP, the Port can further this relationship-building through local stakeholder engagement and coordination, some of which is through partnerships, such as the MOA that the Port and the U.S. Navy entered into on coastal resiliency.</p>

	DRAFT Commenter	Comment	Response
70	West Coast Fisheries Consultants	<p>Figure 6, the following are suggested edits under each column.</p> <p>Revise the Partnership’s goals:</p> <ul style="list-style-type: none"> • Ensure that the objectives, mission statement and vision are clearly communicated; • Ocean planning will inevitably create winners and losers; • Instead of “reduce conflict” recommend “Design and implement a process to resolve potential conflicts.” • Acknowledge that commercial fishing is a prioritized use under the Coastal Act. Section 30234.5 which states, in part, “The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.” 	<p>Please see the updated figure that further clarifies that the text in the "buoys" are the potential next steps and the text in the "water column" are stakeholder input (directly from Section 4. Preliminary Assessment) that informs those next steps. Please also refer to the caption below the figure. We cannot alter this text since it is input from stakeholders, however we’ve included your suggested edits into Section 4. Preliminary Assessment in the following sections:</p> <ul style="list-style-type: none"> • Ensure that the objectives, mission statement and vision are clearly communicated; ("Do you have suggestions for managing the ocean planning process here in San Diego?") • Ocean planning will inevitably create winners and losers; ("What else would you like us to consider or be concerned with through this process?") • Instead of “reduce conflict” recommend “Design and implement a process to resolve potential conflicts.” ("Do you have suggestions for managing the ocean planning process here in San Diego?") <p>Please see Section 3. Approach - Public and Tribal Engagement: <u>"Commercial fishing is also a prioritized use under the California Coastal Act, Section 30234.5."</u></p>

	DRAFT Commenter	Comment	Response
71	West Coast Fisheries Consultants	<p>Figure 6, the following are suggested edits under each column.</p> <p>Ongoing public engagement:</p> <ul style="list-style-type: none"> Given the protected status of fishing activities and that such activities represent current uses dependent on access to the Project Area, should that require their voice be given more weight than a proposed use which seeks access to the Project Area; but would require displacement of fishing activities? 	<p>Please see the updated figure that further clarifies that the text in the "buoys" are the potential next steps and the text in the "water column" are stakeholder input (directly from Section 4. Preliminary Assessment) that informs those next steps. Please also refer to the caption below the figure. We cannot alter this text since it is input from stakeholders, however we've included your suggested edits into Section 4. Preliminary Assessment in the following sections:</p> <ul style="list-style-type: none"> Given the protected status of fishing activities and that such activities represent current uses dependent on access to the Project Area, should that require their voice be given more weight than a proposed use which seeks access to the Project Area; but would require displacement of fishing activities? ("What else would you like us to consider or be concerned with through this process?") <p>Further, this is a question that should be further explored with the Commission's development of the Early Engagement Framework after the Preliminary Assessment Report is finalized.</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
72	West Coast Fisheries Consultants	<p>Figure 6, the following are suggested edits under each column.</p> <p>Periodic assessments (local):</p> <ul style="list-style-type: none"> • Can you provide some further detail on what would be included in a “comprehensive management plan” given the absence of other Agencies with management responsibilities in the Project Area? • Add “Analysis of potential impacts to current uses and users”. • How is “environmental quality” measured? 	<p>For the first bulletpoint, since this is direct input from stakeholders, we cannot assume further details as to what exactly what they intended by the term "comprehensive management plan." To your point, as there are many agencies with management responsibilities in the San Diego ocean space, continued and enhanced coordination between the SDOPP, Commission, Port, and these other agencies will continue to be valuable. Please refer to Section 5. Moving Forward "Refine and Align with Other Local and State Initiatives" and "Local outreach, regional coordination, identify future partnerships" that prioritize federal, state, and local coordination.</p> <p>Please see the updated figure that further clarifies that the text in the "buoys" are the potential next steps and the text in the "water column" are stakeholder input (directly from Section 4. Preliminary Assessment) that informs those next steps. Please also refer to the caption below the figure. We cannot alter this text since it is input from stakeholders, however we've included your second bulletpoint into Section 4. Preliminary Assessment in the following section:</p> <ul style="list-style-type: none"> • Add “Analysis of potential impacts to current uses and users”. (“Do you have suggestions for managing the ocean planning process here in San Diego?”)

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
			<p>For the third bulletpoint, this is also direct input from stakeholders and we cannot assume further details as to what exactly was intended by the term "environmental quality." This is a question that should be further explored with the Commission's development of the Early Engagement Framework after the Preliminary Assessment Report is finalized.</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
73	West Coast Fisheries Consultants	<p>Figure 6, the following are suggested edits under each column.</p> <p>Refine and align priorities with other local and state initiatives:</p> <ul style="list-style-type: none"> • Priorities need to be carefully described and defined. • It is assumed that mandates under “Ongoing public engagement” will require the items listed under the column to be clearly, openly and timely communicated to the public. 	<p>Please see the updated figure that further clarifies that the text in the "buoys" are the potential next steps and the text in the "water column" are stakeholder input (directly from Section 4. Preliminary Assessment) that informs those next steps. Please also refer to the caption below the figure. We cannot alter this text since it is input from stakeholders, however we've included your suggested edits into Section 4. Preliminary Assessment in the following sections:</p> <ul style="list-style-type: none"> • Priorities need to be carefully described and defined. ("Do you have suggestions for managing the ocean planning process here in San Diego?") • It is assumed that mandates under “Ongoing public engagement” will require the items listed under the column to be clearly, openly and timely communicated to the public. ("Do you have suggestions for managing the ocean planning process here in San Diego?") <p>Further, in Section 5. Moving Forward "Ongoing Public Engagement," we anticipate enhancing, expanding, and improving our public engagement effort and updated content to demonstrate that more clearly:</p> <p><u>"Communicating clearly and often" with the public and with stakeholders was a common piece of feedback that the Partners should prioritize when continuing public engagement.</u>"</p>

	DRAFT Commenter	Comment	Response
	West Coast Fisheries Consultants	Comments on Moving Forward: Revise the Partnership Goals	
74	West Coast Fisheries Consultants	It would seem this necessarily requires amending the MOA to consider and memorialize “expanding or revising to clarify [the SDOPP’s] goals and intent.”	<p>Based on suggestions and concerns raised by the SDFWG and other stakeholders, an amendment to the MOA could be a beneficial outcome of the SDOPP. Because this is stakeholder input from the "Preliminary Assessment," we have included this suggestion in Section 5. Moving Forward of the Preliminary Assessment Report, called "Refine SDOPP Goals." As we explore next steps after finalizing the report, we welcome input and information that stakeholders would like to provide for the Partners’ consideration. This includes consideration of the five suggestions for amending the MOA outlined in the February 12, 2018 written comment to the BPC submitted by the SDFWG.</p> <p>Please see updated content in Section 5. Moving Forward - Potential Next Steps for the Partnership: <u>"Overall, the MOA outlines aspirational goals for the Partners to accomplish. However, based on public engagement and stakeholder feedback, the Partners recognize that over time, some of the initial goals established by the MOA may no longer be relevant to the pilot project. The Assessment Phase demonstrated concerns and needs of stakeholders that could help to determine which goals of the MOA may need to be</u></p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
			<p><u>refined and what new objectives and goals could be established instead."</u></p>
	West Coast Fisheries Consultants	Comments on Moving Forward: Early Engagement Framework	

	DRAFT Commenter	Comment	Response
75	West Coast Fisheries Consultants	There is an implication that leasing areas within the Project Area is a short-term goal of the SDOPP. The comments above regarding the potential for conflicts of interest are reiterated as is the recommendation regarding an impartial panel of disinterested decision makers.	<p>The State Lands Commission has issued hundreds of leases in the San Diego ocean space, and continues to receive lease applications for use of tidelands and submerged lands. The potential next step of developing an "Early Engagement Framework," which we welcome and seek further input on after finalizing this report, will only serve to enhance the process of review for lease applications.</p>
76	West Coast Fisheries Consultants	There is a key bullet point missing from the four principles listed in the middle of Page 49 – namely, “Compliance with applicable laws and regulations.” Both State Lands and the Port have to consider the myriad of legislative and regulatory mandates which may impact the proposed framework.	<p>Please see the updated content in Section 5. Moving Forward - Early Engagement Framework:</p> <ul style="list-style-type: none"> • Proactive, transparent, and robust communication • Science-guided and experience-based decision-making • Balance Public Trust uses • Social equity and environmental justice • <u>Compliance with applicable laws and regulations</u> • Address potential future conflicts"
77	West Coast Fisheries Consultants	The five bullet points near the bottom of Page 49, which address steps in the lease application process - for sake of clarity, what is a stakeholder? Especially in the fisheries management world, individuals with no real stake in an outcome claim they are stakeholders in order to further a specific cause.	Stakeholder is defined earlier in the report, however there could be a need to differentiate between interested parties and actual ocean users in any future "Early Engagement Framework" discussion. As we explore next steps after finalizing the report, such as the Commission's development of the Early Engagement Framework, we welcome input and information that stakeholders would like to provide for the Partners' consideration.

	DRAFT Commenter	Comment	Response
78	West Coast Fisheries Consultants	Has the Commission (or Port for that matter) identified any “few select projects to evaluate the ‘Early Engagement’ framework”? If so, what are those projects; and do they have any connection to the Port’s Blue Economy Incubator?	<p>Bold and underlined text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
	West Coast Fisheries Consultants	Comments on Moving Forward: Ongoing Public Engagement	
79	West Coast Fisheries Consultants	As noted earlier, the Port’s openness to discussing the SDOPP with the local commercial fishing community is appreciated. It is hoped and expected this open line of communication will continue. The local fishing community is an important and valuable member of the Port family which offers a unique perspective by being on the water more often than not.	We agree and also expect to maintain this open line of communication with the local commercial fishing community.
	West Coast Fisheries Consultants	Comments on Moving Forward: Periodic Assessments	

	DRAFT Commenter	Comment	Response
80	West Coast Fisheries Consultants	In addition to the activities described, an audit of datasets and data sources should be periodically assessed for their value to the project. Has there been any consideration given to potential events (being natural or man-made) which may require immediate reassessments? Examples may include extreme El Nino events, major tsunami, major oil spills, or other man-made activities which impact local reefs and or eel grass beds?	<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>The Web Mapping Application will be updated periodically to reflect newly available data. Available resources may otherwise limit how quickly this data may be incorporated. However, we will consider this recommendation given our staff's resources and welcome your input on the Web Mapping Application prior to its release.</p>
	West Coast Fisheries Consultants	Comments on Moving Forward: Refine and Align with other Local and State Initiatives	

	DRAFT Commenter	Comment	Response
81	West Coast Fisheries Consultants	Another potential impact of climate change is the movement of tropical or sub-tropical fish stocks into the Project Area and how to best prepare for the possibility of emerging or new fisheries (footnote: An example would be Southern Stock of Pacific Sardine or Round Herring. Each of these make rare appearances in Southern California waters; but with warming waters, it is not outside the realm of possibility that the Project Area could become part of the migratory route for each of these stocks. I use these only as examples. It is likely these would be covered under the Pacific Fishery Management Council's CPS Fishery Management Plan).	<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>The Web Mapping Application will continue to be updated and informed by engagement with stakeholders, including the fishing community, and related resource management agencies such as the Pacific Fisheries Management Council, as well as academic researchers. The Commission will commit to semi-annual updates of the application in recognition that ocean conditions are changing rapidly, and it is critical that decision-makers have the most and best available information to inform responsible and balanced decisions. Many conditions are transforming rapidly in response to climate change and the dynamic nature of the ocean.</p>
	West Coast Fisheries Consultants	Comments on Moving Forward: Potential Next Steps for the Commission	

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
82	West Coast Fisheries Consultants	<p>Has the Commission identified “other areas of the State that face similar complex challenges related to the ocean space and balancing Public Trust uses”? That would help to explain why some of the datasets, which are well outside the Project Area, are being included in the SDOPP.</p>	<p>Please see updated content in Section 5. Moving Forward: "Finally, the Commission may explore using the SDOPP pilot project as a model for regional ocean planning projects that could be implemented in other areas of the state that face similar complex challenges related to the ocean space and balancing Public Trust uses, <u>if there are the resources to do so. The Commission has not currently identified any additional regions in the state to apply this model.</u>"</p> <p>As part of the effort to more fully understand the ocean space offshore San Diego County, the Web Mapping Application contains datasets which span greater geographic areas than the preliminary planning area. In some cases, this is because the information in the data is related to Public Trust uses, values, and resources within the preliminary planning area (e.g. public transportation routes are displayed that connect with public access points to the water to raise awareness of affordable and equitable access to Public Trust lands and waterways). In other cases, it is because the ability to view an entire dataset, one that falls both within the preliminary planning area and without, significantly advances the understanding of that data and enhances its ability to contribute to an analysis of Public Trust uses.</p>

	DRAFT Commenter	Comment	Response
	West Coast Fisheries Consultants	Comments on Moving Forward: Potential Next Steps for the Port	
83	West Coast Fisheries Consultants	There is one sentence in this Section which highlights the very real opportunity for conflicts of interest, “The Port’s strategic location can benefit the SDOPP moving forward by proactively identifying pilot projects and/or partners interested in exploring opportunities in the ocean space.”	<p>The Port and Commission are already involved in collaborative partnerships, and one of the purposes of this effort is to maintain and strengthen relationships with all stakeholders. As the local San Diego partner for the SDOPP, the Port can further this relationship-building through local stakeholder engagement and coordination, some of which is through partnerships, such as the MOA that the Port and the U.S. Navy entered into on coastal resiliency.</p> <p>Stakeholders will be given the opportunity to provide input on any pilot projects and, as stated in the report, the pilot projects would be intended to provide more information to stakeholders about how the Early Engagement Framework could be used and how it could be improved.</p>
	West Coast Fisheries Consultants	Comments on Appendix D	

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
84	West Coast Fisheries Consultants	<p>Will the incorporated and/or reviewed raw data be made available for public review? There are several items included within Appendix D which may benefit from further examination. Specific questions for each of these are provided below.</p>	<p>Please see updated content in Section 3. Approach - Web Mapping Application:</p> <p><u>"At the time of the Preliminary Assessment Report's publication, the Web Mapping Application was not yet available on the Partnership's website. Prior to a public release of the application, the Partners will test its usability and functionality with stakeholders."</u></p>
85	West Coast Fisheries Consultants	<p>Much of the incorporated and/or reviewed data is for areas outside the Project Area (ie – outside of State waters). It would seem this unnecessarily complicates the analysis and wouldn't be helpful for the SDOPP; and raises real fears within the fishing industry that the SDOPP will eventually cover a much larger geographic footprint than currently under consideration. Also, subject matter experts should be consulted when reviewing the individual datasets. Discussions during the Port's SDOPP Workshop, held on October 10, highlighted the need for such expertise as it relates to fisheries data.</p>	<p>Certain features have been selected from larger datasets that have information that does not pertain to the project area (referred to as the "San Diego ocean space" or "preliminary planning area" in the Preliminary Assessment Report). For example, there are loggerhead turtle conservation areas active at certain times and conditions within the preliminary planning area that are included as part of a larger dataset with Leatherback Conservation Areas (which are not within the preliminary planning area). The dataset in Appendix D of the Preliminary Assessment Report included the full name of the dataset to better reflect the portion of the dataset that is relevant to this pilot project. Data outside of the preliminary planning area was reviewed as a reference to complement other data. While the data is listed as reviewed, it may have been determined that it should not be incorporated into the Web Mapping Application.</p> <p>Further, please see updated content in Section 3. Approach - Web Mapping Application:</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
			<p><u>"At the time of the Preliminary Assessment Report's publication, the Web Mapping Application was not yet available on the Partnership's website. Prior to a public release of the application, the Partners will test its usability and functionality with stakeholders."</u></p> <p>We welcome your participation.</p>
	West Coast Fisheries Consultants	Questions Generated by the Draft Report	

	DRAFT Commenter	Comment	Response
86	West Coast Fisheries Consultants	1. Given that the DRAFT Preliminary Assessment Report repeatedly states that “the intent of the SDOPP is not to establish zones in the ocean space” – when will the Memorandum of Agreement be amended to reflect that?	Once the Preliminary Assessment Report is finalized, we will be able to explore the details of when we can refine the goals of the SDOPP. Then, we will be able to determine a reasonable timeline and clearly communicate that to stakeholders and the public.
87	West Coast Fisheries Consultants	2. Even if “zoning” is removed as an outcome, the DRAFT does speak to “decisions” being made. How will those decisions be made? If such decisions are made within conflicting uses, how will they be resolved? Why didn’t the DRAFT address conflict resolution in a more primary role and in much more detail?	Zoning is not and was never considered an outcome of the SDOPP. Please refer to the Section 1. Purpose of this report. Conflict resolution, or a process to proactively address potential conflicts, has been a suggestion from stakeholders through our public engagement effort. We have included this suggestion in Section 5. Moving Forward of the Preliminary Assessment Report and called it the "Early Engagement Framework." As we explore this next step, we will further refine the outlined framework, with input from stakeholders. We welcome input and information that stakeholders would like to provide for the Partners’ consideration.
88	West Coast Fisheries Consultants	3. Why did the State Lands Commission choose to partner with the Port on this? Given the Port’s limited jurisdiction – why did the Port choose to partner with State Lands on such a large and expansive area which the Port has no jurisdiction over, save a small sliver of submerged lands off Imperial Beach?	The Port of San Diego is a grantee of the State Lands Commission. The Port and the Commission share Public Trust management responsibilities over the tidelands and submerged lands within San Diego Bay and the State waters offshore San Diego County. Many significant Public Trust uses cross-cut both of these ocean areas, and therefore it was considered important to further our own understanding of the current conditions, uses, and

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
89	West Coast Fisheries Consultants	<p>4. The Draft Report repeatedly states that all voices will be heard equally. Will all voices be given equal weight? The fishing industry is heavily reliant upon the Project Area and, arguably, has the most to lose through this process. Will our voices carry more weight that say a potential use which has no current presence in the Project Area?</p>	<p>activities that take place throughout this space, to better inform decisions made in the future that will impact this interconnected area.</p> <p>The Preliminary Assessment Report is meant to record and summarize all input and feedback received from stakeholders. We've included this input into Section 4. Preliminary Assessment - Do you have suggestions for managing the ocean planning process here in San Diego?</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
90	West Coast Fisheries Consultants	<p>5. In the Executive Summary, the Project Area is defined as “the ocean space offshore San Diego.” Later in the Draft Report, on page 26, there is a boxed area entitled “What is the preliminary planning area”. For consistency sake, the verbiage used should be the same. Also – the use of the word “preliminary” is very concerning. Given the description of the preliminary planning area, it is unclear how the SDOPP could be extended beyond this area. In what way could the preliminary planning area change and under what authority?</p>	<p>We utilize the term "preliminary planning area" for purposes of data collection and clipping to an area. For purposes of the San Diego Ocean Planning Partnership, the area could only get smaller depending on feedback from stakeholders and data collected. Because it is solely inclusive of the submerged lands under the State Lands' jurisdiction, it would not expand beyond their jurisdiction.</p> <p>Please see the updated content in Section 3. Approach - Data Collection:</p> <p>"The boundaries of this area are subject to change depending on input from stakeholders. <u>It is important to note that the boundaries of this area will not increase, as this area currently encompasses the westward, northbound, and southbound extents of the Commission’s jurisdiction in San Diego County. To expand this area would require extensive coordination and consultation with federal and state management agencies and stakeholders.</u>"</p>
91	West Coast Fisheries Consultants	<p>6. The Executive Summary (and the public) would benefit from adding a list of Goals and Objectives of the SDOPP.</p>	<p>Please see the updated content in the Preliminary Assessment Report in Section 1. Purpose:</p> <p><u>"Essentially, this first phase is a “visioning” process through which the Partners learned from stakeholders about their vision for the ocean space and what practical objectives and deliverables the SDOPP could fundamentally establish that aligns with that vision."</u></p>

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
92	West Coast Fisheries Consultants	<p>7. Have other State Agencies, which have jurisdiction over the Project Area, been involved? If so, to what degree and how? Examples include the Fish and Game Commission, The Coastal Commission and the Department of Fish and Wildlife?</p>	<p>Please refer to Appendix C "Current List of Stakeholders," which lists both the California Coastal Commission (state office and local office), California Fish & Game Commission, the California Department of Fish & Wildlife (state office and local office) as well as other state and local agencies that have jurisdiction in the San Diego ocean space. The SDOPP has been in contact with the California Department of Fish and Wildlife (CDFW), the California Fish and Game Commission (FGC), and the California Coastal Commission (CCC) through the stakeholder engagement process and related interagency meetings. The Partners also worked closely with CDFW, FGC, CCC, and other state agencies to organize and participate in the Strategic Coastal Planning and Organizing for CA Native Nations Summit in July 2018 in San Diego. One day of this Summit focused exclusively on ocean planning, and included informational presentations about the SDOPP, as well as interagency discussions around coordination. Most recently, Commission staff presented the SDOPP pilot project at the November 2018 California Coastal Commission meeting. The SDOPP will continue to engage its local, state, and federal government agency stakeholders with overlapping but separate jurisdictions offshore San Diego to enhance communication, coordination, and collaboration.</p>

	DRAFT Commenter	Comment	Response
93	West Coast Fisheries Consultants	8. The Draft Report repeatedly claims the process has been transparent. Do you stand by that statement?	Yes.
94	West Coast Fisheries Consultants	9. What level of involvement did State Lands have in the funding of the Port's Blue Economy Incubator Program? Have any other State Agencies helped in the funding? Has the Resources Legacy Fund contributed any funding either directly or indirectly?	The State Lands Commission is not involved in the Blue Economy Incubator.
95	West Coast Fisheries Consultants	10. The Draft Report indicates that SDOPP has held over 90 focused stakeholder meetings –In your efforts for transparency, do you plan to make a list of those meetings and the stakeholder groups who attended available to the public? And indicate how those organizations came to be consulted?	Please see Section 3. Approach - Public and Tribal Engagement on how stakeholders are defined, were identified, and how different stakeholder meeting types were structured. The list of stakeholders provided in Appendix C reflects all stakeholders who were contacted and invited to provide input to the SDOPP. We were able to hold focused stakeholder meetings with the majority of the stakeholders listed, beginning in Fall 2017, and continuing through Fall 2018. There are still some pending conversations that we would like to schedule before we release this information.
96	West Coast Fisheries Consultants	11. A few questions on the Data Collection in Appendix D:	Please see responses below:

DRAFT	Commenter	Comment	Response
97	West Coast Fisheries Consultants	12. How was vessel density measured? If Automatic Information System (AIS) data was used, it will underestimate the raw data as AIS is not required for all vessels which use the Project Area. AIS is currently required only on certain types of vessels (footnote: See 33 CFR §164.46(b).). The same would be true if Vessel Monitoring System (VMS) data was used. Like AIS, VMS is required on a small number of commercial fishing vessels which participate in specific federal fisheries	<p>All metadata (information about a dataset, its intended use, source, date of publication, data limitations, etc.) will be made available for stakeholders to review while testing the Web Mapping Application before its public release. We will be able to answer specific questions and comments about datasets at that time.</p>
98	West Coast Fisheries Consultants	13. Why is data that is clearly outside the Project Area included in the datasets (DGN closures, etc)? This would seem to unnecessarily complicate the project while adding no value.	<p>Certain features have been selected from larger datasets that have information that does not pertain to the project area (referred to as the "San Diego ocean space" or "preliminary planning area" in the Preliminary Assessment Report). For example, there are loggerhead turtle conservation areas active at certain times and certain conditions within the preliminary planning area that are included as part of a larger dataset with Leatherback Conservation Areas (which are not within the preliminary planning area). The dataset in Appendix D of the Preliminary Assessment Report included the full name of the dataset to better reflect the portion of the dataset that is relevant to this pilot project. Data outside of the preliminary planning area was reviewed as reference to complement other data. While the data is listed as reviewed, it may have been determined that it</p>

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
			<p>should not be incorporated into the Web Mapping Application.</p>
99	West Coast Fisheries Consultants	<p>14. What makes an area “biologically important area for Cetaceans”? Is this based on historical information or is it current - given increases in Cetacean population and local ocean conditions (El Nino, The Blob, and marine heat waves). Unlike the other types of data collected, this seems to require a judgment call and would be ripe for disagreements and debate. These questions and concerns would be equally applicable to the dataset on Whales Pacific Summer Density.</p>	<p>All metadata (information about a dataset, its intended use, source, date of publication, data limitations, etc.) will be made available for stakeholders to review while testing the Web Mapping Application before its public release. We will be able to answer specific questions and comments about datasets at that time. Questions about how a biologically important area for cetacean would be best directed to the source of the dataset, listed in Appendix D.</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
100	West Coast Fisheries Consultants	15. Was any effort made to confirm the current validity of this kelp canopy data with the local fishing communities which are on the water on a daily basis?	All metadata (information about a dataset, its intended use, source, date of publication, data limitations, etc.) will be made available for stakeholders to review while testing the Web Mapping Application before its public release. We will be able to answer specific questions and comments about datasets at that time. Questions about the kelp canopy data would be best directed to the source of the dataset, listed in Appendix D.
101	West Coast Fisheries Consultants	16. Were any subject matter experts brought in to review specific datasets? Is it assumed that historical datasets will have value (or be useful) in the future?	The SDOPP compiled publicly available datasets with accompanying documentation for the application. The majority of these datasets are from authoritative organizations such as the National Oceanic and Atmospheric Administration (NOAA) or the California Department of Fish & Wildlife that have already been reviewed. Subject matter experts were not brought in to review specific datasets but we welcome input on specific datasets while we test the Web Mapping Application with stakeholders prior to its public release. Some datasets which otherwise may not reflect current conditions may still be useful for identifying historical trends and are often provided by authoritative sources of the underlying data.

DRAFT	Commenter	Comment	Response
102	West Coast Fisheries Consultants	17. Appendix D refers to Annual Commercial Landings in Tons by different gear types. Looking at the DFW’s commercial fishing landing data – there is no such Report that breaks it down by gear type available on the website. How were these numbers obtained?	The Partners have been working with representatives from the California Department of Fish & Wildlife for these data to be reviewed for inclusion in the Web Mapping Application.
103	West Coast Fisheries Consultants	18. What methodology did you use to break down the DFW blocks into usable information?	The methodology was consistent with guidance from the California Department of Fish and Wildlife and will be made available for stakeholders to review as they test the Web Mapping Application.
104	West Coast Fisheries Consultants	19. Can you provide an example of an Essential Fish Habitat (EFH) Area which is protected from fishing? EFH are designed on a species (or complex) basis and while fishing for a certain species may be disallowed, fishing for other species continues. As an example, there are a number of offshore banks which are a part of the Cowcod Conservation area. Retention of certain species in these area is forbidden; but other species (tunas for example) are allowed.	All metadata (information about a dataset, its intended use, source, date of publication, data limitations, etc.) will be made available for stakeholders to review while testing the Web Mapping Application before its public release. We will be able to answer specific questions and comments about datasets at that time. Questions about Essential Fish Habitat Area would be best directed to the source of the dataset, listed in Appendix D.
105	West Coast Fisheries Consultants	20. Given that the California Recreational Fisheries Survey data is sparse (at best) – what methodology was used to convert that into something that is usable?	While these datasets have limitations, they will be included in the Web Mapping Application for reference and to potentially identify trends in certain areas. Further, all metadata (information about a dataset, its intended use, source, date of publication, data

DRAFT	Commenter	Comment	Response
			<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
106	West Coast Fisheries Consultants	21. How will the overlays of various fishing closures be shown and used? Follow-up question related to Fishing Closures – Is BOEM the proper agency to get this information from? It would seem DFW, NOAA and/or USCG would be the proper Agencies.	limitations, etc.) will be made available for stakeholders to review while testing the Web Mapping Application before its public release.
107	West Coast Fisheries Consultants	22. Regarding “Economically Significant Sites” – it is assumed this will be defined. There also has to be an awareness that different users will have different views on whether a site is economically significant and what value to set as the baseline for determining the significance of a site.	A dataset's source may be listed in Appendix D based on a data portal from which it was originally acquired. The originator of the data will be included in the underlying metadata, with any alterations documented, and this metadata will be included in the Web Mapping Application before its public release.
108	West Coast Fisheries Consultants	23. Do you stand by the statement on Page 30 that the MLPA required a “coordinated statewide marine spatial planning process”? The MLPA process was corrupt (at best) and was more concerned about restricting access to certain user groups (fishing).	Economically Significant Sites refers only to sites identified by the California Department of Fish & Wildlife (CDFW) as "economically significant" when responding to oil spills. We originally intended for this dataset to be incorporated into the Web Mapping Application, however it will not be included. It is still listed in Appendix D because that list refers to all datasets that were reviewed by the Partners. We have updated the title of the dataset in Appendix D to further describe this.
			Yes, the Marine Life Protection Act outlines the requirements for a "coordinated statewide marine spatial planning process." For further reference, please refer to Fish and Game Code, Division 3, Chapter 10.5. Marine Life Protection Act [2850-2863].

	DRAFT Commenter	Comment	Response
109	West Coast Fisheries Consultants	24. How does aquaculture lead to increasing opportunities for fisheries? While it is beyond dispute that artificial reefs create fishing opportunities, is there an awareness that they also effectively close areas to certain gear types?	<p>We recognize that these should be more specifically categorized to better explain how “aquaculture” and “artificial reefs” may provide increasing opportunities in the ocean space. Please see updated content in Section 4. Preliminary Assessment: “Increasing opportunities for fisheries <u>sustainable seafood harvest and habitat</u>”</p>
110	West Coast Fisheries Consultants	25. Page 41 recounts other items to consider or be concerned with through this process. One of the items is to “Listen to all voices equally”. It is said that all stakeholders feel heard. Perhaps a better goal would that all stakeholders are heard.	<p>This section is intended to represent what was stated directly by stakeholders. You bring up an important distinction of wording and, together, both statements should be worthwhile goals and we have updated content to reflect your input: “Listen to all voices equally: don't let one voice or the loudest voice take over the discussion; make sure all stakeholders feel heard <u>and are heard...</u>”</p>
111	West Coast Fisheries Consultants	26. Page 48 addresses potential pilot projects. Has the SLC (or Port for that matter) identified any “select projects to evaluate the ‘Early Engagement’ framework”? If so, what are those projects; and do they have any connection to the Port’s Blue Economy Incubator?	<p>Not at this time, but we welcome stakeholder input and suggestions.</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
112	West Coast Fisheries Consultants	<p>27. The Early Engagement Framework (pg 49) references the lease application process. Wouldn't it be a better idea to make more headway on the SDOPP before instituting the lease application process? Unless, and until, the SDOPP moves farther along in its processes – this seems very premature. If one economic use is forcefully displaced by another, is it contemplated that the new lease will provide compensation to the displaced user/group?</p>	<p>Throughout the report, mention of "lease applications" specifically refers to leases issued by the State Lands Commission. Please refer to the section on "State Lands Commission Leasing Authority" for more information about this authority. As it comes up in the report, we have tried to clarify that "lease applications" refers to leases issued by the State Lands Commission. The intent of the development of an Early Engagement Framework is not to institute a new leasing process. Please see the updated content in Section 5. Moving Forward - Potential Next Steps for the Partnership: "The Commission may... and Commission staff during the <u>already established Commission</u> lease application process."</p>
113	West Coast Fisheries Consultants	<p>28. Page 50 addresses Periodic Assessments, has there been any consideration given to potential events (being natural or man-made) which may require immediate reassessments? Examples may include extreme El Nino events, major tsunamis, major oil spills, or other man-made activities which impact local reefs and or eel grass beds?</p>	<p>The Web Mapping Application will be updated periodically to reflect newly available data. Available resources may otherwise limit how quickly this data may be incorporated. However, we will consider this recommendation given our staff's resources and welcome your input on the Web Mapping Application prior to its release.</p>

	DRAFT Commenter	Comment	<p align="center">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
114	West Coast Fisheries Consultants	29. Page 51 outlines potential next steps for the Commission, has the Commission identified “other areas of the State that face similar complex challenges related to the ocean space and balancing Public Trust uses”? If so, what are those and how are they ranked in terms of priority?	<p>Please see updated content in Section 5. Moving Forward:</p> <p><u>"Finally, the Commission will explore using the SDOPP pilot project as a model for regional ocean planning projects that could be implemented in other areas of the state that face similar complex challenges related to the ocean space and balancing Public Trust uses, if there are the resources to do so. The Commission has not currently identified any additional regions in the state to apply this model."</u></p>
115	West Coast Fisheries Consultants	30. On Page 52 the following statement is made, “the Port’s strategic location can benefit the SDOPP moving forward by proactively identifying pilot projects and/or partners interested in exploring opportunities in the ocean space.” Can you explain how this is true and if any pilot projects and/or partners have been identified.	<p>The Port and Commission are already involved in collaborative partnerships, and one of the purposes of this effort is to maintain and strengthen relationships with all stakeholders. As the local San Diego partner for the SDOPP, the Port can further this relationship-building through local stakeholder engagement and coordination, some of which is through partnerships, such as the MOA that the Port and the U.S. Navy entered into on coastal resiliency.</p> <p>Stakeholders will be given the opportunity to provide input on any pilot projects and, as stated in the report, the pilot projects would be intended to provide more information to stakeholders about how the Early Engagement Framework could be used and how it could be improved.</p>

	DRAFT Commenter	Comment	Response
116	West Coast Fisheries Consultants	I thank you for your time and consideration of the comments raised in this letter. The SDOPP remains a deep concern to fishermen and fishing groups in the Project Area and throughout the State. As you would imagine, any initiative which has a possibility of closing more waters to fishermen is one that fishermen and fishing communities follow closely.	<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>Acknowledged.</p>
117	U.S. Navy Region Southwest	We have reviewed the DRAFT and submit our comments on behalf of the Navy. These were written in an effort to ease your use of crafting language that we think needs to be portrayed in the document. Working off these comments you may be able to smooth them very easily into your document without much effort should you deem them appropriate for the assessment.	<p>Acknowledged and thank you.</p>
118	U.S. Navy Region Southwest	We also think a map depicting a visual summary of Port and Navy properties will help you clarify the need and value of a collaborative effort with the Navy in this endeavor. We have attached a simple map of Navy properties without annotation that you may use however you may have a better one that has more detail and annotation of Port and Navy properties.	<p>Please refer to Section 2. Partnership – Coordination with the U.S. Navy in the San Diego Ocean Space for updated content.</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
119	U.S. Navy Region Southwest	We have also attached the SDMAC Economic Impact study for your reference in which you will find information that portrays the economic significance of the military community in San Diego. It was from this document that our comment on acknowledgement of ocean uses and military economic was derived. Upon review of the SDMAC study you may find that you can expand further on our comment.	Thank you for this material, please refer to Section 2. Partnership – Coordination with the U.S. Navy in the San Diego Ocean Space for updated content.

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
120	San Diego Coastkeeper	<p>We wish to take this opportunity to express our disappointment with the level of public engagement and stakeholder outreach that took place prior to the release of the Draft Report. Coastkeeper has on several occasions expressed to the Port and the State Lands Commission its interest in any efforts or attempts to provide a platform or framework for future coastal resource use, extraction, or preservation. Despite this interest, we were invited to meet only once with Port staff and their consultants for a total of 20-30 minutes to express our thoughts, concerns, and priorities surrounding these efforts. Other than what appears to have been a last-minute public meeting providing information and seeking input on the Draft Report, we were made aware of no other instances or opportunities to weigh in on the direction, substance, or purpose of the agency partnership or the framework as a whole. We hope that if any further actions are taken to advance the SLC-Port agreement or framework, a much more robust and meaningful public engagement process is undertaken.</p>	<p>We recognize and acknowledge this feedback with the public engagement process thus far. We plan to enhance public engagement moving forward, as communicating clearly and often and transparency were frequently heard suggestions through these focused stakeholder meetings. We are constantly improving our approach and hope to make opportunities to participate and be engaged better known in the future. Moving forward, enhancing and improving ongoing public engagement is one of our identified potential next steps and we have updated content in Section 5. Moving Forward - Potential Next Steps for the Partnership to include:</p> <p>"Stakeholders noted that the Partners could still continue to enhance and improve public engagement to make ocean planning more familiar to communities and raise awareness regarding specific projects and their anticipated impacts, benefits, and alternatives. Transparency is a foundational pillar, and as such, the Partners are committed to enhancing future public engagement. <u>“Communicating clearly and often” with the public and with stakeholders was a common piece of feedback that the Partners should prioritize when continuing public engagement.</u>"</p>

			<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
DRAFT	Commenter	Comment	
121	San Diego Coastkeeper	Perhaps due to this lack of meaningful public engagement throughout this process, we are still unclear as to the specific purposes or intended uses of this partnership, framework, or tools that result. The Draft Report is careful to note that, “the intent of the Partnership is not to establish zones in the ocean space for specific uses, diminish the significance or purpose of previously established areas, nor promote specific ocean uses over others,” but it appears to speak more to what it is not meant to do than what it is meant to accomplish moving forward.	<p>Please see the updated content in the Preliminary Assessment Report in Section 1. Purpose:</p> <p><u>"Essentially, this first phase is a “visioning” process through which the Partners learned from stakeholders about their vision for the ocean space and what practical objectives and deliverables the SDOPP could fundamentally establish that aligns with that vision."</u></p> <p>And updated content in the Section 3. Approach - Timeline</p> <p><u>"With conclusion of the Assessment Phase, the Partners will further consider potential next steps, identified in the “Moving Forward” section of this report. Any subsequent phase of this pilot project will necessitate further public engagement and data collection to develop, define, and shape future deliverables and outcomes."</u></p>

	DRAFT Commenter	Comment	Response
122	San Diego Coastkeeper	To the extent that comments are being sought on a future direction for ocean planning in the Bay and immediate coastlines off San Diego County, Coastkeeper does not believe such efforts are necessary, or even ripe for undertaking, at this time. While a mapping tool may provide useful to demonstrating what types of extractive, protective, or other uses exist currently, we urge great caution to the Port and SLC not to allow such a tool to be used in such a way that facilities industrial or other development which would further strain our coastal and ocean resources.	<p>Please see updated content in Section 3. Web Mapping Application:</p> <p><u>"The Web Mapping Application is an informational tool that makes ocean conditions and Public Trust use and resource data available and accessible to everyone. It is meant to inform decision-making, raise awareness about the ocean space, and facilitate collaboration, communication, and coordination. For example, for areas that are of particular interest for a proposed or existing use, the Web Mapping Application will not only provide information about environmental conditions of that area and how it is currently used, but also provide contact information for stakeholders and ocean users so that they may start a dialogue about issues of mutual concern and interest.</u> In addition, the ability to visualize multiple layers of data at one time could help inform management decisions, such as the Commission's process for considering lease applications in the ocean space. <u>The Commission will document the use of the Web Mapping Application when it informs the Commission's decision-making.</u> "</p>

	DRAFT Commenter	Comment	<p style="text-align: center;">Response</p> <p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p>
123	San Diego Coastkeeper	<p>Finally, we are not convinced, and do not now believe, that further ocean planning efforts are necessary or warranted, as existing regulatory or legislative mechanisms (such as CEQA, Coastal Commission, and SLC review, among others) currently serve to ensure the protection and proper use of our marine and coastal waters.</p>	<p>This ocean planning process is distinct from other marine spatial planning efforts that took place in the past. This process is about putting together information and resources that everyone can reference for better, more-informed decision-making, founded on science and community engagement. All are invited to participate. It is the Commission's responsibility, as the manager of the public's lands, to expand its efforts to gather and use the best available science to make decisions about the lands entrusted to its care in the best interests of all Californians. This process and the Early Engagement Framework only seek to enhance the Commission's current lease application review process (referenced here).</p>
124	County of San Diego	<p>The Draft Preliminary Assessment Report does not directly address recreational trails as part of the recreational uses that are associated with the ocean space. Specifically, the California Coastal Trail (CCT), managed by the California State Lands Commission, is described in the County's Trails Master Plan as a planned regional trail along the coastline from the northern to southern border of the County.</p>	<p>We will contact you to determine the best way to include the California Coastal Trail in the Web Mapping Application.</p>

	DRAFT Commenter	Comment	Response
125	County of San Diego	According to the Department of Parks and Recreations' (DPR) current data, the CCT is only 69% complete with more than 20 mile of gaps in North County. In 2000, the CCT was recognized as a State and national resource, and the trail was designated as California's Millennium Legacy Trail. Per the 1975 California Coastal Plan, the trail should align along or near the coast, ideally near the shoreline.	<p><u>Bold and underlined</u> text refers to content added to the report.</p> <p>Strikethrough text refers to content removed from the report.</p> <p>Bold text is used to refer to a specific section, when necessary.</p> <p>Acknowledged.</p>
126	County of San Diego	DPR requests that the California State Lands Commission consider the extension of the California Coastal Trail (CCT) along or near the coast as part of this Project.	<p>The Commission's land ownership jurisdiction ends at the ambulatory Public Trust boundary, as commonly measured by the Mean High Tide Line. The Commission is tasked with ensuring meaningful public access to the State's navigable waterways, and will work with other agencies who have jurisdiction and authority over adjacent lands to maintain and enhance public access, including through the use of recreational trails like the California Coast Trail.</p> <p>We have also included this feedback into Section 4. Preliminary Assessment: Do you have suggestions for managing the ocean planning process here in San Diego?</p>