

**STAFF REPORT
INFORMATIONAL
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J. Mattox
M. Farnum

**INFORMATIONAL REPORT PROVIDING AN UPDATE ON THE SAN DIEGO OCEAN
PLANNING PARTNERSHIP AND THE PRELIMINARY OBSERVATIONS FROM
STAKEHOLDER INPUT AND DATA COLLECTION EFFORTS**

INTRODUCTION:

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 San Diego Unified Port District (Port) serves the people of California as a specially created district, balancing multiple public trust uses along San Diego Bay spanning five cities. The Port was created by Chapter 67, Statutes of 1962, to manage in trust certain tide and submerged lands within the San Diego Bay. Collecting no tax dollars, the Port manages a diverse portfolio to generate revenues that support vital public services and amenities throughout its dynamic waterfront.

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

The pilot project 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 is a process that has the potential to reduce conflict, and possibly standardize a framework for early engagement and conflict resolution between ocean users by fostering meaningful relationships and

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making robust information broadly available and accessible. The pilot project intends to maximize economic, environmental, and societal co-benefits in a manner that is balanced and holistic.

Over 130 stakeholder groups and individuals have been identified to date, and Commission and Port staffs are working together to engage stakeholders and learn about ocean uses, challenges, and opportunities through one-on-one interviews and group discussions. Over the summer and fall, Commission and Port staffs will continue collecting data and will host a series of stakeholder meetings with Tribal leaders and communities in San Diego County. Stakeholder responses and initial data collection will be used to develop a Preliminary Assessment Report that summarizes the early trends and provides an analysis of stakeholder input. Future steps for the Partnership, potentially including co-management recommendations, will be based and dependent on information in the Preliminary Assessment Report, as well as further development of an interactive spatial tool.

This Early Learnings update presents preliminary observations from stakeholder input and data collection including feedback on ocean uses; challenges, benefits and concerns with ocean planning; and applying lessons learned from previous planning, permitting or review processes to this pilot project.

BACKGROUND:

National Ocean Policy

On July 19, 2010, Executive Order 13547, "Stewardship of the Ocean, Our Coasts, and the Great Lakes" was issued. The order adopted a National Ocean Policy to assist the federal government and coastal states, tribes, and stakeholders, to protect, maintain, and restore the ecological health of the ocean, promote sustainable use of ocean and coastal resources, and strengthen coastal economies. The Executive Order established the National Ocean Council and provided for the development of a Coastal and Marine Spatial Planning (CMSP) framework, which is described as a "framework for effective coastal and marine spatial planning that establishes a comprehensive, integrated, ecosystem-based approach to address conservation, economic activity, user conflict, and sustainable use of ocean, coastal, and Great Lakes resources."

The CMSP framework provides an opportunity to engage public stakeholders, to take advantage of advances in sustainable, science-based ocean and water industries, and to create marine spatial planning tools. The National Ocean Council defers to Regional Planning Bodies as the main planning entities for CMSP. The West Coast Regional Planning Body (West Coast RPB) includes the states of Washington, Oregon, and California, as well as federally-recognized tribal governments in the region. California's state representatives to the West Coast RPB are the Ocean Protection Council and the Commission.

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This pilot is not a sub-regional plan of the West Coast RPB, primarily because it is located solely within state waters. However, the Partnership will ensure coordination with the West Coast RPB as the Partnership continues to progress.

California 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 Commission highly values public engagement and has developed strategies to foster relationships and maximize coordination and collaboration with other agencies. One of the targeted outcomes of these public engagement strategies is to lead or participate in marine spatial planning in support of the Commission's responsibility as a trustee of Public Trust lands and resources. The Commission's participation in the Partnership is in alignment with and advances implementation of Strategy 1.2 – Strategic Partnerships, and Strategy 4.2 – Geographic Information Systems Decision-support Tools.

STAKEHOLDER OUTREACH:

As noted above, Commission and Port staffs have identified over 130 stakeholder groups and individuals to be involved in this effort so far, including local, state, and federal agencies, tribes, nonprofits, academia, commercial fishing, recreational fishing, local cities, and other ocean user groups. Stakeholder engagement is an ongoing process and there have and will be multiple opportunities for stakeholders to provide input, either through focused conversations, group discussions, or public meetings. Typical topical discussions facilitated by staff from the Commission and the Port with stakeholders include uses and challenges in the ocean space, as well as previous participation in other planning processes, and lessons learned from those experiences.

Examples of early feedback received include:

- Need for clear definition and description of the goals for the Partnership's effort;
- Identification of potential agencies that may require involvement in future processes;
- Suggestions related to reducing or extending the boundaries of the area being studied;
- Need for expansive public engagement efforts;
- Sharing of varying perspectives of marine spatial planning, both positive and negative;
- Need for establishment of a conflict resolution framework model or similar process; and

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- Requests to update the MOA to clarify its focus and purpose, including specific clarification that the intent of the pilot project is not to establish zoning for the ocean areas.

All stakeholder input received is important and will not be prioritized or ranked. Additional stakeholder engagement may occur based on feedback received throughout the process.

EARLY LEARNINGS:

The intent of this Early Learnings update is to present input received from stakeholders to date. Note that this is not a comprehensive list of all input received, but rather includes some general, preliminary observations made during stakeholder meetings conducted so far. Commission and Port staffs continue to meet with stakeholders and collect feedback and have several additional meetings planned for the summer and fall. All stakeholders were asked a standard set of initial questions to ensure consistency and elicit the critical perspectives that would lay the foundation of the planning process. Examples of these questions and the feedback provided to staff include:

Have you previously participated in an ocean planning process or a similar planning process?

- Marine Life Protection Act Initiative (participation as a stakeholder, member of the public, or facilitation of the marine protected area designation process)
- Integrated Natural Resources Management Plan (participation in providing feedback for the creation of this joint document between the Navy and the District)
- Pacific Fisheries Management Council (participation in providing input on projects reviewed by the Council)
- National Environmental Policy Act (where there is a federal lead agency)
- California Environmental Quality Act (where there is a state lead agency)

How do you currently use the ocean space?

- Navigation, security, and safety
- Commercial use (fishing, maritime, etc.)
- Recreation (boating, kayaking, fishing, etc.)
- Conservation and resource management
- Academic research

What are your current challenges with using the ocean space?

- Operational resources (e.g., limited funding to optimize their use of the ocean)
- Difficulty navigating the regulatory landscape

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- Environmental conditions (e.g., beach erosion, sea level rise)

What potential benefits do you see for ocean planning?

- Coordination of efforts on regional issues
- Collaboration, cooperation, and communication between stakeholders
- Better access to common information

Do you have suggestions for managing the ocean planning process?

- Have clear and well-communicated vision
- Have a process to resolve potential conflicts
- Make the process inclusive and transparent

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

- Public outreach (i.e., listen to all voices equally, keep stakeholders informed)
- Balance all uses
- Concerns that ocean planning could exclude uses and will result in zoning
- Concerns that this process could add another layer of regulation or burden on local jurisdictions

As mentioned, the input above is not a comprehensive list of all meetings with stakeholders to date, but rather includes general observations and reflects stakeholder input received to date. The Preliminary Assessment Report (discussed below) will summarize all initial stakeholder feedback and input received by both partners.

NEXT STEPS:

Periodic updates on the progress of stakeholder outreach and data collection efforts will be presented to the Commission and the Port Board throughout 2018. Staff will continue to conduct ongoing outreach to federal, state, and local agencies, tribes, non-governmental organizations, industry, fishing interests, community organizations, universities, the military and other stakeholder groups.

Based on feedback received throughout the public engagement process, staff will continue to coordinate, share, and combine resources and data to develop a Draft Preliminary Assessment Report. The Draft Preliminary Assessment Report will include preliminary findings and recommendations and will be circulated for public comment. The Commission and Port staffs anticipate holding a public workshop or other public engagement event to obtain additional input and feedback on the Draft Preliminary Assessment Report later this summer/fall. A final version of the Preliminary Assessment is planned to be completed by the end of this year.

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As a companion to the Preliminary Assessment Report, next steps will also include the development of an interactive spatial tool that will provide a way to visually explore the planning area and help users identify opportunities as well as challenges. Throughout this effort, staff will continue to compile relevant data and information, and scientific peer-reviewed data to ensure the use of best available science and data in the tool and plan to provide a demonstration of the tool by the end of 2018.