



*This is the official newsletter of the Ocean Protection Coalition of the Mendocino Coast. The Ocean Protection Coalition is an affiliate of the Redwood Coast Watershed Alliance. The Redwood Coast Watershed Alliance is an alliance of citizen organizations on ridges, valleys and waterways of the Mendocino Coast. The Redwood Coast Watershed Alliance is also a tax exempt, IRS-approved non profit organization.*



A foggy morning along the Mendocino County coastline near Gualala photo by Ed Oberweiser

## International Climate Action Day will happen in Mendocino on Oct 24

**By Susan Nutter**

On Saturday, October 24th, local Greenpeace members and thousands of people like you are demonstrating in communities across the country to let President Obama know that the U.S. is ready to lead the world in dramatically reducing our global-warming gas emissions.

President Obama will take this message to the December UN Global Summit in Denmark. Citizens of more than 140 countries around the world will also demonstrate on October 24 with the same message: Stop playing politics and save the planet!

Global warming is affecting every country and every ecosystem and scientists predict we have a 6 to 10 year window before we reach the tipping point.

There will be a demonstration parade that day in Mendocino at 1 p.m. starting from the corner of Ukiah and

Lansing streets.

Join the demonstration and parade. Dress up as your favorite animal (if you like). The parade will conclude at Big River Beach with an 18-person message: STOP GLOBAL WARMING!. Be a letter. Bring creative signs and digital cameras for photos for Obama. Surprise local musicians will help us make this important day fun.

### Mendocino Events

**Friday, October 23, 7:00 p.m.:** Free screening of the acclaimed film, "The Age of Stupid," on the urgency of stopping global warming now, Stanford Inn.

**Saturday, October 24**  
11:00 a.m.: help make prayer flags of plants and animals in front of Corners of the Mouth, Ukiah at Ford Street.

12 Noon: Sign petition and get information on how you can reduce your carbon footprint at Lansing and Ukiah Streets.

1 p.m. Join the parade at

Lansing and Ukiah Streets.

7 - 8:30 p.m. Watch the film, "The Age of Stupid," on the outside of Mendocino Cafe.

Drum circle, Big River Beach.

International Day of Climate Action in Mendocino was organized by local Greenpeace members and is sponsored by the Ravens Restaurant, the Mendocino Cafe, and the Ocean Protection Coalition.

Photographs of the event nationwide will be sent to President Obama, and a video of the Mendocino activities will be put on U-Tube.

Write to Obama and let him know you want immediate action on climate change: President Barack Obama, The White House, 1600 Pennsylvania Avenue, Washington, D.C. 20500; <http://www.whitehouse.gov/>.

To calculate your personal carbon footprint go to : <http://www.nature.org/initiatives/climatechange/calculator/>. To reduce your carbon usage readers can go to: <http://www.carbonfootprint.com/minimisecfp.html>

# Fishermen protest Schwarzenegger's hypocrisy at Global Climate Summit

By Dan Bacher

Southern California fishermen exposed the environmental hypocrisy of Governor Arnold Schwarzenegger at a protest in front of the Hyatt Regency Plaza in Los Angeles during the Global Climate Summit on September 30.

Protesters charged that Schwarzenegger is ignoring ocean pollution while at the same time pushing massive no fishing zones through his fast track Marine Life Protection Act (MLPA) process.

"Schwarzenegger is trying to build his legacy as a green governor while he simultaneously ignores all the ocean pollution plaguing California's beaches and coastal waters," said Wendy Tochihara, coordinator of the protest.

"As anyone in Southern California who enjoys the ocean knows, poor water quality and resulting beach closures are all too common, especially during the rainy season."

Schwarzenegger is imposing these new fishing closures even though a recent peer reviewed scientific study in Science Magazine, coauthored by Dr. Ray Hilborn, said that the California Current is the least exploited fishery of any place in the world studied. California already has the most extensive marine protected area in the world. Its entire continental shelf was closed to fishing for groundfish, along with numerous existing marine reserves. It has the most restrictive fishing regulations on the planet.

The 25 protesters included recreational anglers, commercial fishermen, divers, spear fishermen, surfers, kayakers, and business owners. "Fishermen from all over gathered to show how 'green' our Governor really is," said Tochihara.

The MLPA being implemented in Southern California and on the North Coast was supposed to be comprehensive, addressing all aspects that affect the ocean, like pollution, coastal development and fishing.

"However, the Governor has abandoned sound science and is instead only duplicating existing fishing ban laws," Tochihara said.

The protesters held colorful

signs with slogans including "Terminate Pollution Not Fishermen," "MLPA : Poachers Paradise," "MLPA: Another un-funded Mandate," and "California Has Sustainable Fisheries."

The day before, a broad coalition of North Coast environmentalists, seaweed harvesters and fishermen held a protest in Eureka also blasting the "Green Governor's" environmental hypocrisy as the Schwarzenegger administration held



Fishermen protest MLPA at Hyatt Regency

public meetings regarding the MLPA process on the North Coast.

Mike Carpenter, a sea urchin diver and organizer of a fundraiser for the California Fisheries Coalition in Albion, made the vital connection between the MLPA process and Schwarzenegger's campaign to build a peripheral canal.

Carpenter emphasized that the MLPA is just a "cover-up" for the Governor's plans to build a peripheral canal around the California Delta. It's the largest estuary on the west coast of the Americas.

Many fishermen supported the MLPA when it was passed in 1999. However, under the Republican Schwarzenegger administration it has become a grotesque parody of what it originally intended to do.

I don't think that the original act was intended to strip federally recognized tribal nations such as the Kashia of Sonoma County of their abalone and seaweed harvesting rights - or to appoint an oil company lobbyist like Cathy Reheis-Boyd, who is employed by the Western States Petroleum Association, to head the MLPA South Coast Task Blue Ribbon Force.

Under Schwarzenegger, the "public" process has become hi-

jacked by private corporate funding through the Resource Legacy Fund Foundation, a group with strong ties to water districts and some of the worst corporate greenwashers on the planet.

The law is now joined at the hip with the peripheral canal by Schwarzenegger and Resources Secretary Mike Chrisman through the parallel MLPA Initiative, Delta Vision and Bay Delta Conservation Plan (BD CP) processes.

**The peripheral canal and MLPA process are intimately linked by:**

(1) Leadership: Phil Isenberg presided over both the Central Coast MLPA and the Delta Vision Blue Ribbon Task Forces - and did an equally atrocious job of "leading" both processes.

(2) Funding: The Resource Legacy Foundation has funded both the MLPA process and the Delta Vision Foundation.

(3) Greenwashing: Desperately needed actions to restore our ocean, bay and Delta waters have been substituted under the MLPA process with the imposition of new, redundant fishing closures on the most heavily regulated ocean waters on the planet to further the Governor's "green" facade. In the case of the Delta Vision and BDCP processes, the dire need to restore the Delta by decreasing water exports and retiring drainage impaired land on the San Joaquin Valley's west side has been substituted with plans to build a peripheral canal. There are plans to increase water exports to corporate agribusiness and southern California while taking Delta family farms out of production and converting them to salt marsh.

(4) Racism and Environmental Elitism: Tribal and environmental justice communities in both processes have been excluded in an example of environmental racism.

The racism of the current MLPA process became apparent when the Kashia Tribe was banned from harvesting abalone, mussels and seaweed off Stewarts Point Reservation, as they have done for hundreds of years, by the California Fish and Game Commission at their meeting

see **GOV** pg 3

# MLPA won't reflect local values or protect the North Coast

By Mike Zamboni

It's hard to believe anyone would support implementing the Marine Life Protection Act (MLPA) on the North Coast. When it passed in 1999 there was less than one percent of State waters closed to fishing.

Since then, federal closures have closed 98.5 percent of the ocean waters from shore to 200 miles to recreational bottom fishing and 80 percent of the Shelf and near shore to commercial fishing. Since then the Pacific Fishery Management Council (PFMC) has cancelled two salmon seasons.

Why would anyone support more closures? The MLPA cannot reflect local concerns. This is because the end result is predetermined by a Draft Master Plan Framework that was created many years ago by a hand-picked group of scientists that stood to gain financially if the MLPA was implemented. No local scientists were contracted to create this document and local input, including my own, was ignored.

This document dictates that Marine Protected Areas (MPAs) be created every 30 to 60 miles along the entire length of California with the end result being a twenty percent closure of state waters.

A group of local stakeholders, of which a third can be fishermen picked by

the state will create a set of MPAs. These will be scrutinized by a panel of scientists of which a third can be from the North Coast region. These recommendations will be sent to a blue ribbon task force containing no local members



Looking north from MacKerricher State Park - photo Ed Oberweiser

and whose chairperson works for Western Petroleum.

The Task Force determines whether or not the proposed set of MPAs is restrictive enough. The proposals will be sent to the Fish and Game Commissioners, none of whom are local. The latest confirmed appointee works for the Packard Foundation, which is the private funder of the MLPA.

The MLPA will not protect the North Coast. Groundfish stocks that reside in state waters are healthy and will increase due to 90 percent cutbacks in quotas in 2001. Any depleted Shelf rockfish that stray into State waters are already protected by the Rockfish Conservation Area that closes the outer

third of state waters to bottom fishing.

A recent stock assessment of Gopher Rockfish in near shore waters states that the stock is at 90 percent of unfished biomass. A stock has to be below 25 percent before being considered depleted and none in our local waters is even close to that level.

All the MLPA will do is close fishing grounds. Nothing in the legislation would prohibit oil from being extracted from a MPA, a wave energy project being built, or an oil spill destroying one. The thirty foot swells that pound the North Coast during the winter cause exponentially more damage to the ocean bottom than a two ounce fishing lure.

All the MLPA will do is further harm the North Coast's fragile economy, sustainable hook and line fishing as well as crabbing and other sustainable fisheries will be curtailed and the tourism associated with them.

Once the fishermen are gone from huge expanses of the coast what will happen to the economies of our coastal communities? Who will be around to oversee our coastal waters?

As we move to "greener" communities, how will importing fish reduce our environmental impact or our dependence on foreign oil? If you like foreign oil, you'll really like foreign fish.

## GOV from page 2

in August.

"What you are doing to us is taking the food out of our mouths," said Lester Pinola, the past chairman of the Kashia Rancheria in a public hearing prior to the contentious vote.

"When the first settlers came to the coast, they didn't know how to feed themselves. Our people showed them how to eat out of the ocean. In my opinion, this was a big mistake."

While corporate environmentalists and the Schwarzenegger administration are pushing for further "no take" marine reserves in a largely recovered groundfish fishery, Central Valley salmon, delta smelt, longfin smelt, green stur-

geon, southern resident killer whales, herring and other species have collapsed to record low population levels in recent years. This is due to massive exports of water to corporate agribusiness by the state and federal governments. These are species that are nearing extinction!

Yet the same Packard Foundation and Resource Legacy Fund Foundation-funded NGOs that are so fervent about supporting the corrupt MLPA process and praising Schwarzenegger for his "green" leadership appear to be supporting the peripheral canal.

The canal is an enormously costly project that would seal the doom of collapsing salmon and Delta fish populations. The Packard Foundation and Resource Legacy Fund

Foundation-funded NGOs are refusing to take a stand in opposition to it! What's going on here?

Fortunately, North Coast grassroots environmentalists, Indian Tribes, commercial fishermen and recreational anglers are now united with southern California fishermen, surfers and kayakers. They are opposing the current unjust implementation of the MLPA and Schwarzenegger's attempt to greenwash his failed environmental policies at the Global Climate Summit.

They realize that there is nothing "green" about Governor Arnold Schwarzenegger, the worst Governor for fish and the environment in California history.

# Human activities threaten Gray Whales

By OPC staff

Gray Whales make the longest migration of any mammal known. Each autumn and spring, they pass between their Arctic summer feeding grounds and the warm lagoons near the equator where females give birth (a journey of 8,500 to 11,000 miles).

This yearly round-trip may entail individuals traveling up to 20,400 kilometers.

The migration route takes the whales past one of the most heavily industrialized coastlines in the world and through an area in which the U.S. Navy wants to conduct five years' worth of war training exercises.

Sexual activity can occur at any time of the year, but tends to be concentrated during the migration south. Little is known about the mating strategies of this species, but various numbers of individuals can be involved.

The breeding cycle lasts two years and takes about 13 months. The single calf is then suckled for a further seven months. At birth the calf is smooth compared to the encrusted adults and lacks sufficient blubber that would allow it to survive in Arctic waters.

The mother may have to hold the calf near the surface to help it to breathe during the first few hours after birth. This species is the only Cetacean to feed by straining the sediment on the sea floor. Individuals roll onto their sides after diving to the bottom and take large amounts of sediment into their mouth.

As the whale rises to the

surface it strains the contents of the mouth through the baleen, leaving a trail of mud and sand behind it. The prey is isolated in this way and swallowed.

A number of seabirds are attracted to feeding Gray Whales and take advantage of invertebrates that escape the filtering process. Sufficient fat reserves



are stored in the feeding grounds to allow individuals to go without food during the breeding season. On return to the feeding grounds, about a third of the body weight may have been lost.

## Threats

Killer whales are the only non-human predator of the Gray Whale. Attacks directed towards calves have been observed. Adult Gray Whales often try to position themselves between the killer whales and the calf in order to protect it and may also head for shallow waters and kelp beds to take refuge from the attackers.

The main threat to this whale has been hunting. Humans have exploited the species for its oil, hide, baleen and meat. The activities of early whalers were, at the very least, a contributing factor to the extinction of the Gray Whale in the Atlantic Ocean while massive over-exploitation in

the 19th and 20th centuries almost destroyed the whole species. Commercial hunting is now banned but a small quota is permitted to indigenous hunters.

Shipping and industrial activities in the coastal migratory routes increase the risk of collisions with ships, entanglement in fishing nets and pollution. Furthermore, habitat degradation resulting from drilling and dredging is also a problem.

A new major threat to the gray whales is the Navy's planned five-year war training exercises along the Pacific Northwest coastline. The Navy has asked permission from the EPA for taking (killing) 32 species of marine mammals during the war games.

The National Marine Fisheries Service (NMFS) approvals will have a devastating impact upon the marine mammal populations worldwide. This last Navy permit, which is expected to be issued in February 2010, for the "taking" of more than 11.7 million marine mammals in the Pacific will be the final nail in the coffin for any healthy populations of sea life to survive (see <http://www.newswithviews.com/Peterson/rosalind118.htm>)

## Conservation

In 1946, the International Whaling Commission (IWC) legally protected gray whales from commercial whaling. The eastern Pacific stock has shown a remarkable recovery, increasing from the brink of extinction to around 21,000 individuals today. However, the western Pacific population that migrates along the east coast of Russia remains very small and critically endangered.

See whales page 5

## Local coalition sues FERC

A lawsuit was filed on September 11, 2009 in the Ninth Circuit Court of Appeals by a coalition of local fishermen, governments, and environmentalists, including the Ocean Protection Coalition.

The suit would require the Federal Energy Regulatory Commission (FERC) to prepare a comprehensive plan (including environmental considerations) before issuing any more preliminary permits for

wave energy projects in the Pacific Ocean.

The court has established a briefing schedule, with our opening brief currently due on December 3, 2009.

# Project Kaisei looks for solution to the huge Pacific plastic gyre

**B Project Kaisei**  
[www.projectkaisei.org/](http://www.projectkaisei.org/)

Project Kaisei consists of a team of innovators, scientists, environmentalists, ocean lovers, sailors, and sports enthusiasts who have come together with a common purpose. It will study the North Pacific Gyre and the marine debris that has collected in this oceanic region. It will determine how to capture the debris and to study the possible retrieval and processing techniques that could be potentially employed to detoxify and recycle these materials into diesel fuel.



A typical sample of the plastic in the Gyre

The first research expedition, in the summer of 2009, will be critical to understanding the logistics that would be needed to launch future clean-up operations and testing existing technologies that have never been utilized under oceanic conditions.

Project Kaisei will examine the largest area of the Plastic Vortex, an ocean gyre, situated to the North East of Hawaii and approximately five days by boat from the U.S. (San Francisco area).

The expedition will consist of a large pass through the Plastic Vortex, to collect and study plastic and other debris forms from the ocean in order to showcase some of the new technologies that will be used for processing and recycling.

Because of their immense vastness, the oceans often mask how

much humans might be negatively impacting marine ecosystems. This may be especially true of the Great Pacific Garbage Gyre in the North Pacific Ocean where debris is thought to be accumulating at a gathering point of oceanic currents.

Just how much influence human-produced plastic and other debris is impacting the North Pacific Gyre (roughly a thousand miles off California's coast) has been speculated in recent news reports and other media.

Scientifically, very little is known about the size of the problem and threats to marine life and the Gyre's biological environment.

From August 2 to 21, 2009, Scripps Institution of Oceanography at UC San Diego, with support from the UC Ship Funds and Project Kaisei, has dedicated one of the first scientific missions to explore and analyze the problem of plastic in the North Pacific Gyre.

The graduate student-led Scripps Environmental Accumulation of Plastic Expedition (SEAPLEX) aboard the Scripps research vessel *New Horizon* will explore threats from several angles, with research that includes surveys of plastic distribution, investigations of floating plastic and assessments of impacts on sea life. Visit SEAPLEX at: <http://sio.ucsd.edu/Expeditions/Seaplex/>.

The Project Kaisei team will

embark on a multi-week expedition to the Plastic Vortex from the West Coast in order to:

- Study and document the marine debris found in this area of the Pacific Ocean;
- Test catch methods for removing the debris;
- Conduct research on the chemical interactions of marine debris in the gyre and select fishes and wildlife related to persistent organic pollutants;
- Understand the needs required for an eventual large scale clean-up of the waste material; and
- Test technologies for conversion into an economically viable by-product: diesel fuel.

If the expedition proves successful, and large volumes of plastic debris can be captured and processed, then a full clean-up operational plan would be initiated within 18 months.

The expedition will be supported by:

- a professionally-produced documentary for international distribution,

- a team of scientists and researchers and professional public relations people, educational outreach and global community support in order to raise global awareness and understanding of the North Pacific Gyre.

Project Kaisei's first expedition took place in early August 2009. Project Kaisei is being developed into a multi-year campaign to address concerns related to the health of our oceans and needs funding and partnerships to support this pilot expedition and future projects addressing the issues of marine debris sources and impacts.

## Whales from page 4

Whale watching, particularly in Southern California and Mexico has developed into an extremely popular tourist attraction, allowing people to appreciate these awesome creatures in their natural environment and providing additional value to their conservation.

Because these are coastal whales, any protection of their migration route threatens industrial development of the continental shelf. The lack of protection of the Gray Whale is driven solely and wholly by vested interests who have zero concern for the continuing

survival of these magnificent creatures. In 1970, the Federal government listed the Gray Whales under the provisions of the Endangered Species Act as endangered. At that time, the estimated population was approximately 12,000. In 1994, the Gray Whale was delisted when the population was estimated to be approximately 23,000. From 1999 to 2000, the population crashed. Estimates vary, but half to more than a third of the population died as a result of starvation.

Recent genetic research by Professor Stephen Palumbi, Stanford University suggests the original

population numbered approximately 118,000. This research means that only a tiny fraction of the original population remains.

According to the US Government, the current population in 2007 numbered approximately 18,000. At this level in the past, the Gray Whale had the protection of the U.S. Endangered Species Act. Combined with the collapsing population and the effects of climate change, the current status of the Gray Whale is perilous. The population needs to be urgently re-listed under the U.S. Endangered Species Act.

# Dirty oil: how tar sands are adding to global climate change

By Greenpeace

A report commissioned by Greenpeace Canada analyzes the significant role dirty oil from the Alberta tar sands plays in the global climate crisis.

Greenpeace commissioned respected journalist Andrew Nikiforuk to write the report, "Dirty Oil: How the tar sands are fueling the global climate crisis." Nikiforuk is the award-winning author of "Tar Sands: Dirty oil and the Future of a Continent."

The report shows how the world's addiction to oil drives tar sands development with production likely to expand by three to five fold by 2020. The unconventional bitumen resource of the tar sands produces a dirty oil that is one of the world's most carbon-intensive fuels.

The report argues that the unrestrained release of greenhouse gases from burning fossil fuels, especially carbon-intensive ones threatens the political stability of human civilization.

The rapid increase in the development of carbon-intensive, unconventional oil could tip the scales toward dangerous and uncontrollable climate change.

Tar sands development may provide the technological and financial tool kit for developing other sources of unconventional oil, adding greatly to the threat of global warming.

The report notes that to promote tar sands development, the Canadian government has actively obstructed energy conservation at home and has blocked the development of effective action on climate change abroad.

The environmental destruction caused by the tar sands is not just a Canadian problem. Every major multinational oil firm and state-owned oil company has invested in development of the tar sands, the world's largest energy project.

As a result, companies face dramatic increases in financial liabilities and in their carbon footprints. The world faces an increase in the threat of climate chaos.

## Report Findings

**1.** The rapid development of the tar sands, the world's largest capital project, signals the end of cheap oil. To escalate the production of high-cost and high carbon, unconventional fuels will destabilize the climate and the global economy.

**2.** The tar sands now produce 1.3 million barrels of heavy oil daily and supply the US, the world's largest oil consumer, with 13 per cent of its crude imports. That share could grow to 37 per cent. China, the world's second-largest oil consumer, has proposed a strategic alliance with Canada to transport dirty oil by supertanker to Asian refineries.

**3.** If exploitation of the tar sands continues unabated, by 2020 it could produce more Greenhouse gases than Austria, Portugal, Ireland or Denmark. The project's CO2 output could even rival or exceed that of Belgium, a nation of 10 million people. Emissions from the tar sands currently exceed those of several European nations including Estonia and Lithuania.

**4.** Energy exports to the US and tar sands production have made Canada one of the most energy- and carbon-intensive nations in the industrial world. Canada is one of the world's highest per capita greenhouse gas emitters.

**5.** Canada does not report life-cycle emissions from the tar sands in a transparent way. Data are incomplete and inaccessible. Most life-cycle carbon studies do not include the effects of destruction of carbon sinks in peat lands or of land disturbance caused by drilling for natural gas, the key fuel for tar sands production.

**6.** Due to their extreme energy intensity, the tar sands have a higher

carbon footprint than **any** other commercial oil product on the planet. The dirtiest projects burn extreme volumes of natural gas to create steam to melt oil out of the ground. These in situ or steam plants now use four times more natural gas than mining operations. Some projects are now 10 times dirtier than production of oil in the North Sea.

**7.** The tar sands now cannibalize Canada's natural gas supply and represent approximately 20 per cent of Canadian demand. To replace the unsustainable consumption of natural gas as a fuel stock for inferior oil production, some organizations have proposed as many as **25 nuclear reactors** to produce bitumen by 2025.

**8.** Given its growing dependence on oil revenue and the influence of fossil fuel lobbies, Canada has actively fought standards to lower the carbon content of fuels. It has lobbied against US legislation to lower emissions, muzzled federal scientists and obstructed international climate change negotiations.

**9.** Like many European oil companies, Royal Dutch Shell has banked its entire future on production from the tar sands. It risks becoming the world's most carbon-intensive company.

**10.** Many U.S. agencies and lobbyists cite Canada's low-level regulatory regime as a global model for exploiting high-carbon fuels such as oil shale.

**11.** Unproven, band-aid technologies, such as carbon capture and storage (CCS), will not reduce emissions from the tar sands on any significant scale in the near future. Neither peak oil nor the carbon crisis, flip sides of the same coin, can be solved with more dirty energy inputs.



The aftermath of Canada's search for oil in tar sands

## ACTION

Call, email or write to Canada's Minister of Energy.

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# What is a true reserve?

By Rich Holland

Should we sue to keep surfers and scuba divers out of State Marine Reserves? All of a sudden it seems we have that option.

Wouldn't it be nice to impose the same fate the bubble blowers and gross polluters (foam/glass boards are one of the least green products on the globe) have wished on us? Miles and miles of what they took for granted as a natural heritage ripped from their grasp, all at



Another view of the Mendocino Coast north from Gualala towards Fort Bragg photo by Ed Oberweiser

the whim of the monied few.

At the heart of this debate is the question: What is a true marine reserve? You might be surprised to note that, prior to the passage of the Marine Managed Area Improvement Act of 2000, many considered some forms of fishing to be an allowable use in reserves.

The Marine Managed Areas Improvement Act (MMAIA), however, goes into great detail on what should and should not be allowed in what it calls a State Marine Reserve.

## **Section 36710, subdivision (a), of the MMAIA states:**

"In a state marine reserve, it is unlawful to injure, damage, take or possess any living, geological, or cultural marine resource, except under a permit or specific authorization from the managing agency for research, restoration, or monitoring purposes. While, to the extent feasible, the area shall be open to the public for managed enjoyment and study, the area shall be maintained to the extent practicable in an undisturbed and unpolluted state.

Access and use for activities including, but not limited to walking, swimming, boating, and diving may be restricted to protect marine resources. Research, restoration and monitoring may be permitted by the managing agency."

The reason for this discussion

comes in the form of an informal letter of advice from Attorney General Jerry Brown's office to the Natural Resources Agency regarding issues such as allowable uses, designation, oversight and enforcement of marine protected areas in California. In the Marine Life Protection Act Initiative process' haste to snatch up coastal resources, the I-Team made several administrative errors. The two most glaring being the misunderstanding of the role of the State Department of Parks and Recreation and the necessary

Endangered Species Act language that defines "harm," a term synonymous with injure and damage, as "an act which actually kills or injures wildlife."

It further provides that such act may "include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering."

The MLPA I-Team quickly jumped to interpret the letter to meet its own ends. It went so far as to couch its take in terms likely to inflame opponents of a State Marine Reserve in Del Mar, in particular the city government of Del Mar, by noting that activities such as sand replenishment are prohibited in a reserve.

Ironically, both the I-Team and the Attorney General's office use the same section of the MLPA legislation to bolster their arguments. The AG notes: "A stated goal of the MLPA is to improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity."

The Attorney General's office added the emphasis on "minimal human disturbance" and as a result it's conclusion is "Department of Fish & Game and Parks and Recreation may not allow activities that injure, damage, take or possess marine resources in marine reserves."

The I-Team staff, however, puts the intent of the non-governmental blue ribbon task force above the language of the law and uses the same passage as justification.

"The MLPA relies upon the MMAIA to define the types of MPAs and uses that are allowed within those MPAs. The MMAIA indicates that, to the extent possible, MPAs should be open to the public for managed enjoyment and study."

In addition, Goal three of the MLPA is focused on improving recreational, educational and study opportunities afforded by MPAs subject to minimal human disturbance.

As was indicated at its July 2009 meeting, staff understands that it is not the intent of the MLPA Initiative Blue Ribbon Task Force (BRTF) to prevent human use of, or access to, MPAs for non-extractive activities, such as swimming, wading, diving and boating.

This intent of the BRTF, and subsequent guidance to the South

restrictions for a true reserve. A lot of this stems from buying into the concept of a physical network rather than an administrative network. In the wholesale acceptance of one, the basic need of the other was ignored.

One reason the MMAIA and MLPA legislation passed so easily is because it was plain to see that California's existing marine protected array was an unorganized hodge-podge of undersized and underfunded sites that actually protected little of the coastline.

So the MLPA rightfully called for a system of MPAs to be managed as networks and specifically calls for an increase in the size and number of State Marine Reserves. Even more than that, the act expanded on the concept of a reserve beyond that described by the MMAIA. "Notwithstanding any other provision of this code, the taking of a marine species in a marine life reserve is prohibited for any purpose, including recreational and commercial fishing, except that the Fish & Game Commission may authorize the taking of a marine species for scientific purposes, consistent with the purposes of this chapter, under a scientific collecting permit issued by the Department of Fish & Game (DFG)."

The Attorney General's office notes that "Neither the MLPA nor the MMAIA defines injure, damage, take, or possess."

It suggests that regulations be adopted to fill that gap, using Federal

# Marine plant life holds the secret to preventing global warming

By Frank Pope

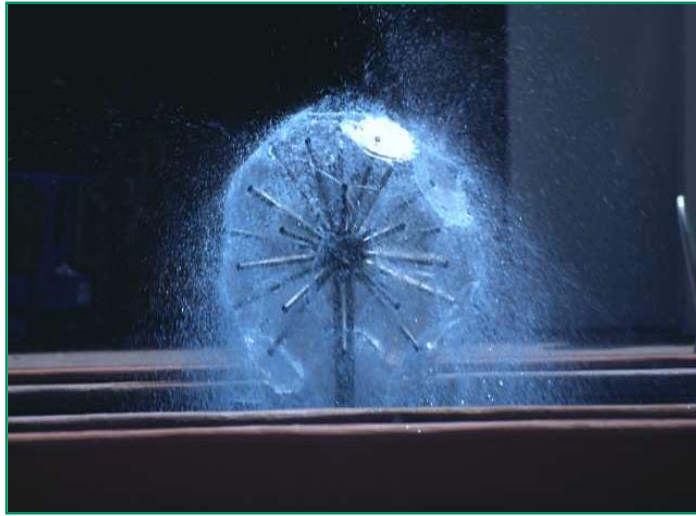
Life in the ocean has the potential to help to prevent global warming, according to a recently published report. Marine plant life sucks two billion tons of carbon dioxide from the atmosphere every year. However, most of the plankton responsible never reaches the seabed to become a permanent carbon store.

Mangrove forests, salt marshes and sea grass beds are a different matter. Although together they cover less than one percent of the world's seabed, they lock away more than half of all carbon buried in the ocean floor. They store an estimated 1.65 billion tons of carbon dioxide every year, nearly half of global transport emissions. This makes them one of the most intense carbon sinks on Earth.

Their capacity to absorb the emissions is threatened, however. Habitats are being lost at a rate of up to seven percent a year, up to 15 times faster than the tropical rainforests. A third have already been lost. Halting their destruction could be one of the easiest ways of reducing future emissions, says report, Blue Carbon, a UN collaboration. The potential contribution of blue carbon sinks has been ignored up to now, says the report, which was a collaboration between the United Nations Environment Program (<http://www.unep.org/>), the Food and Agriculture Organization (<http://www.fao.org/>), threatening their access to sunlight. "We already know that marine ecosystems are multi-trillion-dollar assets linked to sectors such as tourism, coastal defense, fisheries and water purification services. Now it's emerging that they are natural allies against climate change," said Achin Steiner, UN Under-Secretary General. Accurate figures for the extent of these habitats are hard to obtain. They may be more than twice the lower estimates used in the report. "The carbon burial capacity of marine vegetated habitats is phenomenal, 180 times greater than the average burial rate in the open ocean," said the report's authors. "As a result they lock away between 50 and 70 percent of the organic carbon in the ocean." To protect them the authors suggest a Blue Carbon Fund be launched to help developing nations to protect the habitats. Oceanic carbon sinks should also be traded in the same fashion as terrestrial forests, they say. Together with the UN's scheme to reduce deforestation, they could deliver up to 25 percent of emission reductions needed to keep global warming below 2 Centigrade (36F). Christian Nellemann, the editor of the report said, "On current trends they [ecosystems] may be all largely lost within a couple of decades."

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With 50 percent of the world's population living within 65 miles of the sea, human pressures on near-shore waters are powerful. Since the 1940s, parts of Asia have lost up to 90 percent of their mangrove forests, robbing both spawning fish and local people of sanctuary from storms. The salt marshes near estuaries and deltas have suffered a similar fate as they are drained to make room for development. Rich in animal life, they harbor a huge biomass of carbon-fixing vegetation. Seagrass beds often raise the level of the seabed by up to three meters as they bury mats of dead grass, but turbid water is



Any fool can see the BRTF's sole intent is the elimination of fishing in prime coastal habitats. The reality is that other activities, such as simply walking out on an anemone covered reef to jump into the surf, contain the potential to bring grave harm to the environment, not to mention the mental anguish sure to be experienced by birds and mammals when exposed to humans. That could lead to lost clutches and pups, which I defy you to define as anything other than injury and the Natural Resources Defense Council. One of the authors of the MLPA knows that. So if some disgruntled fisherman doesn't sue first, the NRDC will. Count on it.

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## Reserve from page 7

Coast Regional Stakeholder Group (SCRSG), is consistent with the informal advice provided by the Attorney General's office."

This time the emphasis is mine, but as the I-Team likes to say, "is consistent" with their interpretation of the act.

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# Mendocino County solar energy report

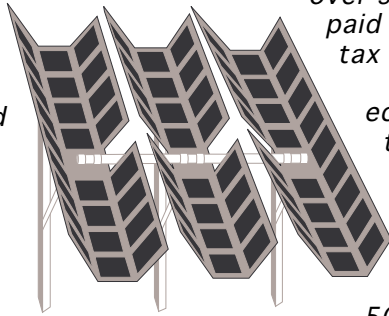
By Char Flum

Fort Bragg has no solar program that is government funded so that home owners can have the cost of a solar installation paid for by a government entity. The cost of the solar Installation could be amortized over several years and added to the yearly tax bill.

Fort Bragg Councilman Dan Gjerde attended an event in Willits where the county's housing authority (the CDC) announced it is going to administer \$500,000 from PG&E for energy conservation improvements over the next three years. This may be part of a larger effort to implement similar programs in Fort Bragg. Lets hope that this happens and that the local population keeps asking for these programs to be instituted.

Sonoma County is one of the

fastest growing areas that's implementing this type of program where costs are added to the tax bill. The solar program has installed thousands of solar panels on individual homes. Owners are paying for the cost of the installation on a long-term basis, with the cost being spread over several years and paid out with their tax bill.



Despite the economic downturn, California is on track to a million solar roofs. Today the number has grown to 50,000. If we keep this growth up, we will reach the goal of one million solar roofs by 2017. This will generate more electricity than six coal-fired plants and generate more than 21,000 jobs.

Falling costs for solar panels and incentives like the Million

Solar Roofs rebate program established by SB1 has helped Californians go solar, cutting their bills and energy pollution.

The biggest barrier to solar power's continued expansion is the up front cost of the installation. Utilities were recently required to pay solar customers who provide electricity to the grid beyond their personal use. This is good news for those wanting to use their solar collection's extra energy to help pay for their installation.

While government officials are calling for more coal-fired plants, nuclear plants and oil drilling, the answer is so simple.

We need green energy that will cut the increase in CO<sub>2</sub> emissions. Solar energy has been growing our food since time began.

Now it can lead the way to a future without the dangerous use of nuclear power, oil and coal. We can depend on renewable energy from the sun.

## The world's oceans are heating up

From ClimateScienceWatch  
[www.climate-science-watch.org/index.php/csw/details/ocean-warming-ocean-warming/](http://www.climate-science-watch.org/index.php/csw/details/ocean-warming-ocean-warming/)

The world's oceans this summer are the warmest on record. The National Climatic Data Center, the government agency that keeps weather records, says the average global ocean temperature in July was 62.6 degrees. That's the hottest since record-keeping began in 1880. The previous record was set in 1998.

Meteorologists blame a



combination of a natural El Nino weather pattern on top of worsening manmade global warming. The warmer water could add to the melting of sea ice and possibly strengthen some

hurricanes. The Gulf of Mexico, where warm water fuels hurricanes, has temperatures dancing around 90. It's most noticeable near the Arctic, where water temperatures are as much as 10 degrees above average.

"Breaking heat records in water is more ominous as a sign of global warming than breaking temperature marks on land. That's because water takes longer to heat up and doesn't

cool off as easily," said climate scientist Andrew Weaver of the University of Victoria in British Columbia. "This is another yet really important indicator of the change that's occurring," Weaver said.

Robert Henson, in his outstanding overview [http://www.amazon.com/Rough-Guide-Climate-Change-2nd/dp/1858281059/ref=sr\\_1\\_1?ie=UTF8&s=books&qid=1250819016&sr=1-1](http://www.amazon.com/Rough-Guide-Climate-Change-2nd/dp/1858281059/ref=sr_1_1?ie=UTF8&s=books&qid=1250819016&sr=1-1). says:

"The undersea storage of vast amounts of heat has serious implications for humanity's future. the much deeper layer below the thermocline is more insulated. This means the heat it slowly absorbs from above will take a long time to work its way out way out of the climate system."

### Quote of the month

Anything else you're interested in is not going to happen if you can't breathe the air and drink the water.

Don't sit this one out. DO SOMETHING! You are here by a accident of fate and alive at a absolutely critical moment in the history of our planet. - Carl Sagan

# OPC Needs You

STOP OCEAN INDUSTRIALIZATION



Go Environmentally Safe, Clean Energy NOW  
Ocean Protection Coalition

## Write Your Officials

**President Barack Obama** – The White House, 1600 Pennsylvania Ave., Washington, DC 20500, (202) 456-1111, FAX (202) 456-2461, [web - http://whitehouse.gov](http://whitehouse.gov)

**U.S. Senator Barbara Boxer** – District Office: 1700 Montergomery St., Suite 240, SF 94111, (415) 403-0100, FAX (202) 224-0454, mailing address: 312 N. Spring St., Suite 1748, Los Angeles 90012, [web - http://boxer.senate.gov](http://boxer.senate.gov)

**U.S. Senator Dianne Feinstein** – 331 Hart Senate Office Building, Washington, DC 20510, (202) 224-3841, FAX (202) 228-3954; District Office for state and local issues: One Post St., Suite 2450, San Francisco 94104, (415) 393-0707, [web - http://feinstein.senate.public.gov/public](http://feinstein.senate.public.gov/public)

**Rep. Mike Thompson** – 1st District, 231 Cannon Office Building, Washington, DC 20515, (202) 225-3311, FAX (202) 225-4335; Coast representative, Heidi Dickerson, 430 N. Franklin St., P.O. Box 2208, Fort Bragg, CA 95437, 962-0933, FAX 962-0934, [web - http://mikethompson.house.gov/](http://mikethompson.house.gov/)

**Gov. Arnold Schwarzenegger** – State Capitol, Sacramento 95814, (916) 445-2841, FAX (916) 558-3160 [web - http://gov.ca.gov](http://gov.ca.gov)

**State Sen. Patricia Wiggins** – Senate District 2, Capitol Building, Room 4081, Sacramento, CA 95814 (916) 651-4002, FAX (916) 323-6958; Field Rep. Kathy Kelly, Ukiah office 200 S. School St., P.O. Box 785, Ukiah, CA 95482, 468-8914, FAX 468-8931, [web - http://dist02.casen.govoffice.com](http://dist02.casen.govoffice.com)

**Assemblyman Wesley Chesbro** – Assembly District 1, State Capitol, P.O. Box 942849, Sacramento, CA 94249-001, (916) 319-2001, FAX (916) 319-2101; Ukiah Field Rep Ruth Valenzuela, 311 N. State St., Ukiah, CA 95482, 463-5770, [web - http://democrats.assembly.ca.gov/members/a01/](http://democrats.assembly.ca.gov/members/a01/)

**Mendocino County Board of Supervisors:** 1st District, **Carre Brown**, 2nd District, **John McCowen**; 3rd District, **John Pinches**; 4th District, **Kendall Smith**; 5th District, **David Colfax**. County Administration Center, 501 Low Gap Rd., Rm 1090, Ukiah, CA 95482, 463-4221, FAX 463-4245, [web: http://co.mendocino.ca.us/bos/](http://co.mendocino.ca.us/bos/)

**Fort Bragg City Council:** Contact at: City Hall, 416 N. Franklin St., Fort Bragg, CA 95437, 961-2823, FAX 961-2802 [citycouncil@fortbragg.com](mailto:citycouncil@fortbragg.com)  
**Mayor Doug Hammerstrom** - [dhammerstrom@fortbragg.com](mailto:dhammerstrom@fortbragg.com)  
**Vice Mayor Dave Turner** - [dturner@fortbragg.com](mailto:dturner@fortbragg.com)  
**Meg Courtney** - [mcourtney@fortbragg.com](mailto:mcourtney@fortbragg.com)  
**Dan Gjerde** - [dgjerde@fortbragg.com](mailto:dgjerde@fortbragg.com)  
**Jere Malo** - [jmelo@fortbragg.com](mailto:jmelo@fortbragg.com)

The Ocean Protection Coalition is a non profit group originally formed to prevent offshore oil drilling off the Mendocino coast.

Now our coastline is threatened by the Minerals Management Service's five-year plan with offshore lease sales.

We are also facing two new threats. The Federal Energy Regulatory Commission (FERC) is granting wave power preliminary pilot projects off the Mendocino, Eureka and Ventura County coastlines.

If that wasn't bad enough, now the United States Navy wants to conduct a five-year training exercise in what it calls the Northwest Training Range Complex. This will threaten ocean waters from the Canadian border to the Humboldt/Mendocino county line and beyond. The navy wants to conduct expanded sea and air warfare training and weapons development activities on more than 120,000 nautical square miles off the Pacific Northwest coastline. The navy's weapons training and development activities include bombing, the placement of hundreds of sonar buoys, live firing of guns, missiles, torpedoes and the release of a number of toxic chemicals and substances into the ocean. These include phosphorus, tuolene, depleted uranium and unexploded ordnance containing chromium, chromium compounds and many more.

The Navy acknowledges that half a million marine mammals, mostly whales and dolphins could be harmed by the many explosions and especially the sonar. The Gray Whales will have to navigate through this horror 10 times during their migrations to Mexico and back during the navy's five-year war exercises.

OPC is fighting to stop the militarization and industrialization of our oceans. We need your support and help now! We need you to circulate petitions against the destruction of the oceans. We need your written letters to flood the halls of Congress and the White House. We need you at our demonstrations and need you to attend meetings both ours and regulatory agency ones. We will use the OPC News to give citizens updates on threats to the ocean and our coastline. Please sign up to subscribe for hard copies of the OPC News and pass them around. You can also contact us at: [smallpigstudio@hotmail.com](mailto:smallpigstudio@hotmail.com) to get on our list serv and receive the OPC News electronically.

**OPC is a small organization with minimal funds to carry on our important work. If you are able to donate even a small amount, it will be gratefully accepted. Please send your donations to: The Ocean Protection Coalition, P.O. Box 1006, Fort Bragg, CA 95437. We are a non-profit organization. If you would like more information about our group or meeting time and place, please call 964-5035.**