

Rising Tide Of The Seaweed Rebellion: MLPA Reality Check 101

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MLPA Reality Check 101:

It's not the best available science, but the best readily available science that is used.

http://www.astral-arts.com/dsl/natural_diversity_abundance_money.pdf

What a decade on the North Coast! 1999-2009

This year has been celebrated as the 10th anniversary of the MLPA, the Headwaters deal, the Sustained Yield Plans and Habitat Conservation Plans. This year also included the MAXXAM bankruptcy hearing and land transfer to the San Francisco family Fisher holdings and renamed Humboldt Redwoods Co. Other North Coast events included a Fisheries Reality Tour in Point Arena at Sea Lion Cove only 6 weeks before Abalone diving and Seaweed Harvesting were banned by the August 5th, 2009 MLPA closure.

There was also the controversial signed-on support of The Ocean Conservancy and Sierra Club California (Kaitlin Gaffney, Paul Mason respectively) for offshore oil and LNG development at Tranquillon Ridge off Santa Barbara's Coast. (EDC Press Release 012609)

In response to Big Green Blue Ocean Politics, (aka) Ocean Aquarium Fisheries Fascism, North Coast residents have risen up in protest and are organizing.

http://californiafisheriescoalition.blogspot.com/2009_09_01_archive.html

MLPA-i: To Be, Or Not To Be (in the process), That Is The Question?

California Coastal area closures to the intertidal and coastal waters access will be in place by 2011. Look at the full spectrum business community responses in Southern California this last month and throughout the autumn of 2009.

The MLPA-i, isn't just about fishing. It's also known as the California Coastal Makeover Licensing & Privatization Act

The Marine Life Protection Act is about prevention; the prevention of local coastal cultural activities, prevention of fishing, prevention of democratic process by intrigue (it's a big game), prevention of integrated Marine Spatial Planning directives and a more moderate time frame to complete both seafloor and bathymetric layer information and placed based socio-economic impacts studies, and prevention of involvement. Talk to a fisher, a wild ocean food harvester (seaweed), or a family angler.

What a game!

To begin; placing the original law (AB 993) into the hands of private billion dollar foundations with links to presiding officers of MAXXAM and ENRON (also S&L failures) within a decade

of the collapse of the North Coast timber industry, which even it's own right, couldn't survive the corporate pace imposed upon it by external market forces and hostile takeovers, the price of golden parachutes, the rise of resistance within ranks, and local north coast support for activism - was a mistake.

Offshore Santa Barbara - The Paredon, and Tranquillon Ridge Proposals: Slick "New" Oil Extraction Technologies Subvert the Recent State Attorney General MLPA Informal Opinion (Sept 25th, 2009, sent to Brian Baird, Asst. Secretary for Ocean and Coastal Policy)

The Sept 25th, 2009 informal opinion of the State Attorney General's Office is that neither the MLPA nor the MMAIA offers definitions for "injure, take, damage, possess."

The Endangered Species Act (ESA) defines harm as an act which actually kills or injures wildlife and may include significant habitat modification. And under MMS OCS law terminology, ESA mitigations for potential unlawful harm in the environment can include human behavioral modifications, like training videos, and placards in conspicuous places on oil rigs, and the like.

There is no "Take" of Protected Species as a Result of Exposure to Oil.

The National Marine Fisheries Service issues a no-jeopardy Biological Opinions that contain the following language "NMFS is not including an incidental take statement for the incidental take of listed species due to oil exposure. Incidental take, as defined at 50 CFR 402.02, refers only to takings that result from an otherwise lawful activity. The Clean Water Act (33 USC 1251, et seq.), as amended by the Oil Pollution Act of 1990 (33 USC 2701 et seq.), prohibits discharges of harmful quantities of oil, as defined at 40 CFR 110.3, into the waters of the United States. Therefore, even though this biological opinion has the effects on listed species by oil spills that may result from the proposed action, those takings that would result from an unlawful activity (i.e., oil spills) have no protective coverage under section 7 (o)(2) of the Endangered Species Act."

In March 2009 before the Senate Fisheries & Aquaculture committee a testimony by Presented by Jim Martin, West Coast Regional Director, Recreational Fishing Alliance Vice President, Salmon Restoration Association Vice President, Sonoma County Abalone Network Mendocino County Fish & Game Commission Groundfish Advisor to the Pacific Fishery Management Council Member, MLPA Statewide Interest Group Trustee, California Fisheries Coalition

<http://www.pierfishing.com/msgboard/viewtopic.php?p=33875>

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Look through the California Fisheries Coalition entire archive it is all very articulate and relevant. The California Fisheries Coalition blog, this links to a great Sept 1 2009 article by Mendocino County fish commissioner Craig Bell

http://californiafisheriescoalition.blogspot.com/2009_09_01_archive.html

View the RDARS 2009 report which clearly shows the influence of Big Oil, Privatization, Harbor Real Estate and Waterfront Development interests are not "lurking behind" the process, but right out front in top leadership positions that control the public input by moving around the musical chairs through the revolving doors and voting to finalize their plan. The most obvious example of this just occurred August 1, 2009 in time for the 080509 hearing.

http://www.times-standard.com/ci_13156956

The connections between ENRON, MAXXAM, Pacific Lumber, the Nature Conservancy, the Gordon & Betty Moore Foundation, and the Getty Trust, Gray Davis and AB 993 which is the MLPA in it's original form are Dr. John M. Seidl - President of ENRON, MAXXAM, Pacific Lumber, and Chancellor [Barry Munitz the VP](#) of MAXXAM and PL.

The arrogance that we face as wild seaweed harvesters and divers and fishers can be heard in this 2 min mp3 461kb download. This is the 080509 hearing in Woodland, this excerpt is from the end of the 5 hours of testimony just before a decision to close Point Arena at Sea Lion Cove.

<http://www.astral-arts.com/audiomovie/ourjob.mp3>

The Green Chameleons

SAN FRANCISCO June 5, 2001 The Gordon and Betty Moore Foundation announced the addition of Dr. John M. "Mick" Seidl as Director for the Foundation's environmental programs. Seidl oversaw, directed and managed the grant administration of the Foundation's environmental programs, which focus on biodiversity and the protection of the intact natural ecosystem. He reported directly to Lew Coleman, the Foundation's President. "With the Foundation's unique approach to grant-making, we stand to make a significant impact through the smart protection, preservation and stewardship of the earth's biodiversity." *J. Seidl*

<http://www.allbusiness.com/environment-natural-resources/ecology-environmental/6136963-1.html>

Environmental groups such as Greenpeace (which eschews any corporate support) made headlines by chasing whaling ships and blocking logging roads. The Nature Conservancy's less confrontational approach attracted a broad base of supporters. By 1985 membership stood at 300,000.

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Scroll down to Nov 11 2004 at the Gordon & Betty Moore foundation

<http://www.moore.org/pa-news.aspx?pa=0>

TNC and Ducks Unlimited, joined in buying \$3.5 million of California farmland to be reverted to waterfowl habitat. TNC extended its approach of compromise and cooperation to big business. Corporate giving accounted for \$2 million, or 16 percent, of TNC income in 1991. By the mid-1990s, 500 companies, such as Miller Brewing Company, Canon USA, Honda of America, Procter & Gamble, and Warner-Lambert, supported TNC with donations, some of them through cause-related marketing. This arrangement allowed the corporate partners to use the TNC name and logo in promotions. TNC also introduced its own credit card.

Membership reached 766,000 in 1993, revenues were \$280 million, and nearly eight million acres had been protected. Assets approached \$1 billion. On average, 1,000 acres a day are added to its system of nature preserves, the world's largest. When TNC cannot buy desired property, it sometimes attains conservation easements restricting use of the land in return for tax benefits.

John Seidl (at his) Best Management Practices

John Seidl, Administrative Assistant, the F.B. Heron Foundation, and a member of the Grants Managers Network has served as the Committee Chair for this association's Best Practices Manual, being published by the Council on Foundations. This session served to educate attendees on the Manual's purpose. Ursula Stewart and Mark Barreiro accompanied John in the discussion as they served as members of the Manual Committee before joining MicroEdge. We were fortunate to have a member of the Council of Foundations present to bring review copies and take orders for this publication before the end of the conference. We want to thank the Grants Managers Network for their participation.

Mr. John M. Seidl (1987-1995: Vice Chair, 1991) The Nature Conservancy:

<http://www.nature.org/aboutus/leadership/art15467.html>

1991. MAXXAM's President, John Seidl, was selected to be a vice president of the Board of Directors of the Nature Conservancy. Seidl resigned from MAXXAM in 1992. In less than 10 years he had learned spell biodiversity.

And under the guise of:

PARTNERSHIPS TO ENSURE ENVIRONMENTAL SUSTAINABILITY

TNC with 8\$ million dollars from the Moore Foundation sent Dr John to Costa Rica. National Biodiversity Institute (INBio) (Costa Rica) John M. "Mick" Seidl, Chief Program Officer, Environment, Gordon and Betty Moore Foundation

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One thing is for certain. MAXXAM has designs on California as well as the rest of the world. It is far more than just a lumber company. And it is something we should all take very seriously. <http://www.jailhurwitz.com/sevensins.html>

MLPA Preservation by Privatization: Nature conservancy 2009

CONSERVATION LEASING AND OWNERSHIP OF MARINE RIGHTS: LEASING KELP BEDS TO EXAMINE THE NURSERY ROLE OF *MACROCYSTIS* CANOPY

There are significant submerged lands available for lease and ownership in the USA says Mark Carr of the North Coast MLPA Science Advisory Team. It has been assumed that strategies for marine conservation must be substantially different than those for terrestrial conservation, in part because it is not possible to “buy the bottom” of the publicly owned oceans. This is an unfortunate misconception. There are significant submerged lands available for lease and ownership in the USA.

The Nature Conservancy is exploring the leasing and ownership of submerged lands as a tool for marine conservation for a diverse array of ecosystems. To examine some of the benefits, considerations and strategies of this tool in California, the Nature Conservancy has received approval to lease over 1700 acres of kelp forests within the Monterey Bay National Marine Sanctuary.

CONSERVATION WITHOUT BORDERS SOCIETY FOR CONSERVATION BIOLOGY 20th ANNUAL MEETING • 24–28 JUNE 2006 SAN JOSE, CALIFORNIA, USA

Back on land, **MAXXAM has minimized** its holdings and now focuses its business on real estate and horse and dog racing. The company's real estate interests include commercial and residential properties in Arizona, California, Texas, and Puerto Rico, as well as Motel 6 locations in about 10 states. MAXXAM also owns the Sam Houston Race Park horseracing track in Houston and a greyhound dog racing track in Harlingen, Texas.

The MAXXAM company quit the timber business in 2008 when its former subsidiary, Humboldt Redwood (formerly Pacific Lumber Company), was taken over by Mendocino Redwood Company. Pacific Lumber Company had filed for bankruptcy a year earlier. Chairman and CEO Charles Hurwitz controls more than 80% of MAXXAM. <http://www.answers.com/topic/maxxam-inc>

Under questioning, oil traders said that Enron executives had asked them to manipulate earnings by moving revenue from one year to another. Enron investigators had also learned that bank statements were doctored and that the account was opened with forged documents. "I was waiting for Lay to fire them on the spot," says one participant in a meeting. To the contrary, Enron executives expressed faith in the head of the trading unit, Louis Borget. "I have

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complete confidence in your business judgment . . . and personal integrity," Enron's then President John "Mick" Seidl wrote to Borget. "Please keep making us millions." Two months later, at a meeting of Enron's audit committee, Lay weighed in. "I've decided we're not going to discharge the people involved in this, because the company needs those earnings," Lay said, according to two participants in the meeting.

In late 1992, a group called the **New Foundations Working Group** was formed at Harvard University the oldest American college. Harvard College, originally for men, was founded in 1636 with a grant from the General Court of the Massachusetts Bay Colony. The **New Foundations Working Group** was comprised of a consortium of institutional investors, corporate CEOs, senior managers, board members, and legal and economic experts on governance. The charter of the group was to train their assembled expertise on a search for **new approaches to governance** that would allow corporations and investors to capitalize on the new realities of the market to develop positive, constructive long-run relationships.

<http://www.thefreelibrary.com/Communicating+smartly+to+your+shareholders.-a015717695>

Listed as a member is John Seidl - Former Chairman Kaiser Aluminum, President MAXXAM, ENRON Corporations.

Director with Term Expiring at the 2002 Annual Meeting Iomega Corporation

John M. Seidl

The 2002 Annual Meeting of Shareholders of Iomega Corporation: Mr. Seidl, 62, has been a Director since 1999. He is also Chief Program Officer, Environment, of the Gordon and Betty Moore Foundation located at The Presidio in San Francisco. Mr. Seidl is a director of the Denver, Colorado-based St. Mary's Land and Exploration Company, and a former member of the Board of Governors of the Nature Conservancy of Arlington, Virginia.

The Emerging Expanding Duties of Educational Institutions Chief Financial Officer

Driven by competition and other external forces, colleges and universities are experiencing rapid and fundamental change. The traditional work of the CFO, as an advisor and manager, has focused on providing fiscal and operating stability to the institution. Without diminishing the important and continuing need for those functions, in times of great change, reliance on maintaining the status quo can be counterproductive or even damaging. New visions combined with effective change processes are needed. Institutions *will* change.

Whether that change represents a threat or an opportunity for renewal depends, to no small extent, on the quality of institutional leadership. As a key member of the leadership team, one who brings a unique set of knowledge and skills to the institution, the CFO must move into a new role, one that actively promotes and leads change. By doing so, he or she will be positioned to guide the changes that the institution must make to grow and prosper.

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Throughout the 1990's the merging of financial institutions and educational systems prospered. Many books appeared in the business and Education sections of national bestseller lists, bestsellers with titles like:

First, Break All the Rules: What the World's Greatest Managers Do Differently

Roles and Responsibilities of the Chief Financial Officer (New Directions for Higher Education)

Managing Higher Education as a Business

A Vice President from the Business World Brings a New Bottom Line to Penn State

An Analytical Framework for Thinking About the Use of For Profit Structures for University Services and Activities

The Monster Under the Bed: How Business Is Mastering the Opportunity of Knowledge for Profit

The New Society of Organizations

The Global Learning Infrastructure Blueprint for a Digital Economy: Wealth Creation in an E-Business Era

When Industries Change: Scenarios for Higher Education

Reinventing the University: Object Lessons from Big Business

Organizational Change That Works: How to Merge Culture and Business Strategies for Maximum Results

California's State University educational systems and Institutions of Philanthropy were often headed by the same "culture despots" of the recent MAXXAM/ENRON regime. Having seized control of the obvious land use margins of error within the continental borders of the US, and survived numerous national scandals, mergers, stock market fluctuations, lawsuits, and the collapse of savings and loan institutions, the officers of publicly traded corporations profiting on hostile takeovers and increased extraction rights to the the commons, became stewards of culture for the new century.

Barry Munitz, Vice President of MAXXAM, went on to be the Chancellor of the Regents at CSU System, after causing problems there, went on to the J. P. Getty Trust where after 8 years of corporate inappropriateness he got fired in 2006. He is a director of Sallie Mae. His tenure at

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the Getty exposed the corporate governing structure of the largest Foundations of Philanthropy to scrutiny by state policy makers across the nation and was found that it asserted the same undo corporate influence on politics, golden parachute packages, resource and land use decisions, and public perception of law.

As soon as Barry Munitz joined the Getty, he took to the road and the speaking circuit. His speech on the "The Role of Institutions in Leading Public Discourse". The head of the Getty Trust, it's chief executive officer would Chair Gray Davis' gubernatorial transition team in the name of facilitating public discourse and proposed a conspiracy between boards of institutions, agencies, etc., to change public perception and policy towards governance reform. It is succinctly illuminating.

“The fundamental change has to be a conspiracy between governing boards, the selectors of governing boards and the preparers of college and university presidents and museum directors and symphony directors....”

Simultaneous to the selection of Dr. Munitz' as Chancellor, then California State Senator Barry Keene introduced and later passed a Senate-Assembly Joint Concurrent resolution that would make the Chancellor of the CSU system the head of a to-be-formed Center for the Resolution of Environmental Disputes. In March 1992 of Chancellor Munitz named Humboldt State University the Center for Resolution of Environmental Disputes.

<http://library.humboldt.edu/humco/holdings/archives/chronology.html>

Later. California's governor-elect, Gray Davis, would make his first appointment since being elected governor. In a hurried conference call with reporters less than one week after the election, he announced that former California State University Chancellor Barry Munitz would direct his transition team.

<http://www.metroactive.com/papers/metro/12.03.98/munitz-9848.htm>

Personally I like the phrase, “Enlightened Management” from the MLPA-Initiative Ecosystem Based Management approach and Adaptive Management Tools language in the MLPA Master Plan Framework.

The MLPA is based on Payroll Science as Policy.

SAT review is truncated by the MLPA Master Plan Framework.

Tomas DiFiore

Seaweed Rebellion

Seaweed Rebellion MLPA Resources

<http://www.astral-arts.com/mlparesources.html>