



Marine Life Protection Act



Photo by Dave Rudie

California Department of Fish and Game Feasibility and Goals and Objectives Analysis of Round 2 Draft MPA Proposals and Guidance for Round 3

Presentation to South Coast Regional Stakeholder Group
August 3, 2009 • Carlsbad, CA
Steve Wertz • California Department of Fish and Game



Presentation Topics

- ❑ Highlight the overall results for the three platforms
- ❑ Identify those elements that do not meet the Department's feasibility and goals and objectives for implementation and management
- ❑ Provide recommended changes to enhance your platforms so they do meet the Department's guidelines in Round 3.



Summary of Feasibility Analysis

Array Name	Total # of MPAs	# of New, Modified, or Retained MPAs	MPAs that Don't Meet All Feasibility Guidelines ¹ (%)	MPAs Below Moderate-High LOP (%)
External A	45	32	69%	28%
Lapis 1	52	39	67%	26%
Topaz	64	51	78%	31%

* Note: Percentages do not include the 13 Northern Channel Island MPAs (or proposed military closures).



Feasibility Evaluation, Round 2 Proposals

- ❑ Elements noted that do not meet guidelines:
 - Inadequate improvements to existing MPAs
 - Highly complex boundaries or multiple zoning
 - Complex or highly permissive take allowances
 - MPAs that provide little ecological protection due to the allowed take
 - Establish new fishery management regulations
 - Catch and Release: outer coast areas



Feasibility- Round Three Focus

Many of the proposed MPAs can meet feasibility guidelines by addressing a few issues...

- Boundaries
 - Adjust hanging corners
 - Fix/remove diagonal lines
 - Resolve multiple zoning issues
- Regulations
 - Improve MPAs with inadequate protections
 - Simplify complex regulations



Example: Simplifying Regulations

Example - Complex Regulations

Allowed Take (complex):

- Prohibits all recreational take except lobster; rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, California sheephead, bonito, California halibut, sole, turbot and sanddab. Finfish shall only be taken by hook and line or spear.
- Prohibits all commercial take.



Example: Simplifying Regulations

Example - Complex Regulations, Simplified

Allowed Take (complex):

- Prohibits all recreational take except lobster; rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, California sheephead, bonito, California halibut, sole, turbot and sanddab. **Finfish** shall only be taken by hook and line or spear.
- Prohibits all commercial take.

Allowed Take (simplified):

- Prohibits all recreational take except lobster; and **finfish** by hook and line or spear only.
- Prohibits all commercial take.



Feasibility- Round Three Focus Cont.

Many issues can be quickly addressed by making improvements that are more “technical” in nature...

- Boundary delineations in estuaries/lagoons
 - Use landmarks for innermost boundary
- Contradictory or unclear MPA proposals
 - Shape doesn't match written description
 - Provide detailed written descriptions for boundaries
 - Provide additional details for take regulations

Key Issues: External A Platform

Multiple Zoning

Laguna Beach Area Ocean Beach Area

Key Issues: External A Platform

MPAs with Inadequate Protection for MLPA:
28% (9 MPAs) below mod-high LOP

- Only protect one species**
 - Cat Harbor
 - Farnsworth Bank
- Extensive allowed take**
 - Point Fermin
 - Bolsa Chica
 - Upper Newport Bay
 - San Diego-Scripps
 - Lover's Cove

Key Issues: Lapis 1 Platform

Incorrect use of diagonal line

Palos Verdes SMR:
Paralleled but did not use existing Management Line (District 19)

Key Issues: Lapis 1 Platform

Multiple Zoning

Laguna Beach Area Catalina - Arrow Point/
Blue Cavern Area



Key Issues: Lapis 1 Platform

MPAs with Inadequate Protection for MLPA:

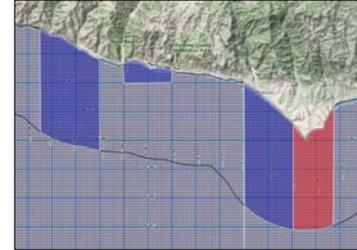
26% (10 MPAs) below mod-high LOP

- ❑ Extensive allowed take
 - Point Fermin
 - Bolsa Chica
 - Upper Newport Bay
 - SoLag Dana
 - Doheny
 - San Diego-Scripps

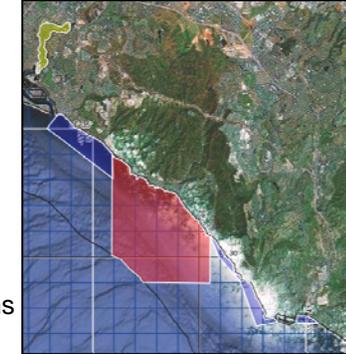


Key Issues: Topaz Platform

Multiple Zoning



Deer Creek to Point Dume Area
All MPAs have different regulations

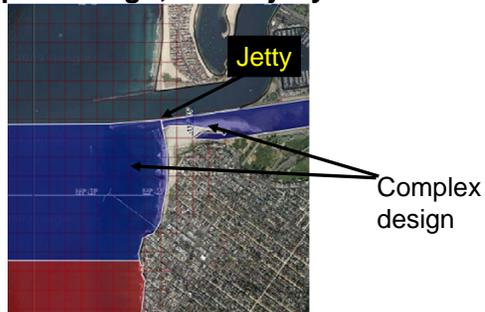


Laguna Area



Key Issues: Topaz Platform

Complex design; use of jetty



Enforcement concern: jetty cannot have different regulations on each side



Key Issues: Topaz Platform

MPAs with Inadequate Protection for MLPA:

31% (16 MPAs) below mod-high LOP

- ❑ Only protect one species
 - Cat Harbor
 - Crystal Cove
- ❑ Extensive allowed take and/or <min size
 - Sequit
 - Lover's Cove
 - Three Arch Bay
 - Imperial Beach
 - Refugio
 - ... (and more)



Key Issues: Topaz Platform

- ❑ **“Scientific Collection only” SMCAs**
 - May occur in any MPA with Department authorization

- ❑ **Recommendation:**
 - Note in “design considerations” that scientific collection or educational research occur and recommend that MOU be developed.



Improvements to Existing MPAs

- ❑ Many of the existing MPAs in proposals:
 - Do not meet feasibility guidelines
 - Have inadequate protections
 - Have unclear purpose



Summary: Improvements Existing MPAs

Array Name	Total # of MPAs ¹	# Existing MPAs Retained ^{1,2}	% Existing MPAs Modified/Retained with Inadequate Improvements		
			% With Inadequate Boundaries	% With Inadequate Regulations	% Inadequate Protections
External A	32	19	89%	47%	37%
Lapis 1	39	24	71%	41%	37%
Topaz	51	27	85%	41%	55%

¹ Does not include the 13 Northern Channel Island MPAs or the military closures.

² Number used to calculate percentages. Does not include the Special Closure at Arrow Point.



A Note on “Surface Gear”

- ❑ LOP: SAT LOP differs for catch & release using surface gear vs. all hook-and-line
- ❑ Problem: “Surface Gear” not defined in regulation or code
- ❑ Update:
 - Cannot be defined
 - Round 3 MPAs may be assigned lower LOP



Goals and Objectives Evaluation

- ❑ **Purpose:**
 - Required for all MPAs (per MLPA)
 - Inform monitoring plans and adaptive management

- ❑ **Purpose of Evaluation:**
 - Ensure each MPA has specific objectives linked to MLPA goals
 - Ensure goals and objectives align with rationale
 - Assess if goals and objectives are realistic and achievable
 - Assess how network collectively fulfills MLPA goals



Evaluation Criteria for Goals

MLPA Goals	Evaluation Elements
1. To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.	<input type="checkbox"/> Level of protection <input type="checkbox"/> Habitat representation <input type="checkbox"/> Modeling <input type="checkbox"/> Birds and mammals
2. To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.	<input type="checkbox"/> Level of protection <input type="checkbox"/> Birds and mammals <input type="checkbox"/> MPA size and spacing <input type="checkbox"/> Modeling
3. To improve recreational, educational, and study opportunities provided by marine ecosystems that are subjected to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.	<input type="checkbox"/> Level of protection <input type="checkbox"/> Habitat replication <input type="checkbox"/> MPA size



Evaluation Criteria Goals (cont.)

MLPA Goals	Evaluation Elements
4. To protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.	<input type="checkbox"/> Level of protection <input type="checkbox"/> Habitat representation
5. To ensure that California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.	<input type="checkbox"/> DFG feasibility analysis <input type="checkbox"/> DFG Goals and Objectives analysis <input type="checkbox"/> California Parks and Recreation Analysis
6. To ensure that the state's MPAs are designed and managed, to the extent possible, as a network.	<input type="checkbox"/> Size and spacing <input type="checkbox"/> Modeling



Ingredients for Success in Round 3

Site Specific Rational

Round 2 Concerns:

- Does not capture intent of the MPA
- Rationale is too broad
- Does not have a clear function or purpose
- More words do not equal better rationale

Round 3 Ingredients for Success:

- Simplify rationale so that it has a clear and concise biological or ecological purpose for the MPA
- Briefly explain the intent of the MPA
- Explain why an existing MPA should be retained as is
- Connect rationale to specific goals and objectives



Ingredients for Success in Round 3

Goals and Objectives

Round 2 Concerns:

- Some goals are not appropriate for MPAs that do not meet SAT guidelines
- Some goals are not appropriate for the assigned LOP
- Overstated or unrealistic goals for the current MPA design
- Goals do not reflect the site specific rationale

Round 3 Ingredients for Success:

- Select appropriate goals based on the design of MPA
- Revise MPAs to match desired goals
- MPAs with LOPs below Mod-high should have appropriate goals and clearly defined rationale to justify intent of MPA
- Identify objectives under selected goals that reflect the site specific rationale.



Recommendations for Round 3 Proposals

1. Refine goals, objectives, & rationales
2. Revise MPAs to match desired goals
3. Reconsider retained existing MPAs
 - Improve design/regulations
 - Provide rationale for protection value

...(continued)...



Recommendations for Round 3 Proposals

(...continued)

4. Improve feasibility & boundary descriptions
5. If SMP is desired, include recommendation to State Parks
6. If you do not follow a feasibility guideline, EXPLAIN YOURSELF in rationale (for BRTF consideration).



Conclusion

- Department staff are on hand to answer your questions during the breakout sessions