

**California State Parks' Evaluation of MLPA South Coast Round 2 MPA Arrays
July 28, 2009**

As both a trustee and managing agency overseeing nearly 30% of the State's coastline, State Parks has a responsibility to ensure that MPA proposals are consistent with management objectives of existing state park units and to evaluate those MPAs proposed for inclusion into the Park system for consistency with State Park policies, goals and objectives. In November 2008 the SCRSG were presented with the State Parks Guidelines¹ and in April they received the first round evaluations².

In order to provide the SCRSG with the State Parks perspective, State Parks committed to review the draft arrays. As with our the first round evaluations, the State Parks review was limited in scope and covered only proposed MPAs adjacent to State Park terrestrial units, including State Park lands managed by others; and those proposed SMPs that are not adjacent to State Park lands but which, by statute, State Parks would bear management responsibilities.

In reviewing the proposed MPAs, the primary considerations were: 1) consistency of the proposed MPA designation with State Park unit purpose; 2) recognizable boundaries for management; 3) non-adjacent proposed SMPs and SMRAs and; 4) existing State Park underwater units. Within the tables that follow, are comments specific to each proposed MPA.

Consistency of the proposed MPA with a State Park unit is determined by both the unit's designation and its General Plan. Within the South Coast Region there are four basic land State Park designations that may abut an MPA; these are State Park, State Beach, Natural Preserve and, State Nature Reserve. Each has its own specific purpose. A State Park preserves outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California, while making available for public enjoyment and education in a manner consistent with the preservation.³ State Beaches are a class of State Recreational Areas which are operated to provide outdoor recreation opportunities. State Beaches, such as San Elijo, are designed to provide swimming, boating, fishing, and other beach-oriented recreational activities.⁴ Within either a State Park or State Beach, there may be designated internal units. Natural Preserves are units within the boundaries of state park units of outstanding natural or scientific significance. Natural Preserves, such as Tijuana Estuary, preserve such features as rare or endangered plant and animal species and their supporting ecosystems. Although the goal is allow for the natural dynamics of ecological interaction to continue without interference, habitat manipulation is permitted in those areas where it is necessary to preserve the species or associations that constituted the basis for the establishment of the natural preserve.⁵ State Natural Reserves, such as Torrey Pines, are much more restrictive than Natural Preserves. Within a Natural Reserve, resource manipulation is kept at a minimum and the resources shall not be disturbed or removed for purposes other than scientific or management.⁶

For the most part, the proposed MPAs were not inconsistent with State Park management plans, goals or priorities. However, because the positioning of an MPA adjacent to a terrestrial unit requires the coordination of the managing agencies to achieve the objectives of both areas⁷, wherever inconsistencies

¹ California State Parks Guidelines for Creating Marine Managed Areas, November 2008

² California State Parks' Evaluation of Round 1 MPA Arrays, April 28, 2009

³ PRC § 5019.53

⁴ PRC § 5019.56 (c)

⁵ PRC § 5019.71.

⁶ PRC § 5019.65

⁷ MMAIA § 36601 (13)(c)

are found, they need to be remedied. An example of an MPA inconsistent with a Park unit is a proposed SMR adjacent to a Park unit that includes public fishing. Potential inconsistencies may occur where Park management activities, in particular those connected with estuaries and lagoons, may be in conflict with SMR restrictions. Within the review, we point out specific instances of potential conflict.

Shoreline boundary issues were relatively minor and need to be remedied either through alignment with park boundaries or through the use of landmarks. Offshore boundary issues occurred where existing underwater State Park land boundaries were often ignored. Within the study region, State Parks has six existing underwater units; these units are part of the statewide development of underwater parks⁸. These units are extensions of the terrestrial unit, i.e. the official park boundaries include the underwater portion, through either long term lease or direct State Park ownership. The goals and objectives of the units go beyond the management of living marine resources, and include underwater scenic, cultural and recreational resources. Ownership or lease of the underwater substrate gives State Parks additional management capabilities. It is the intent of State Parks to maintain these units within the State Parks system, changing the boundaries of park units is outside this MLPA process.

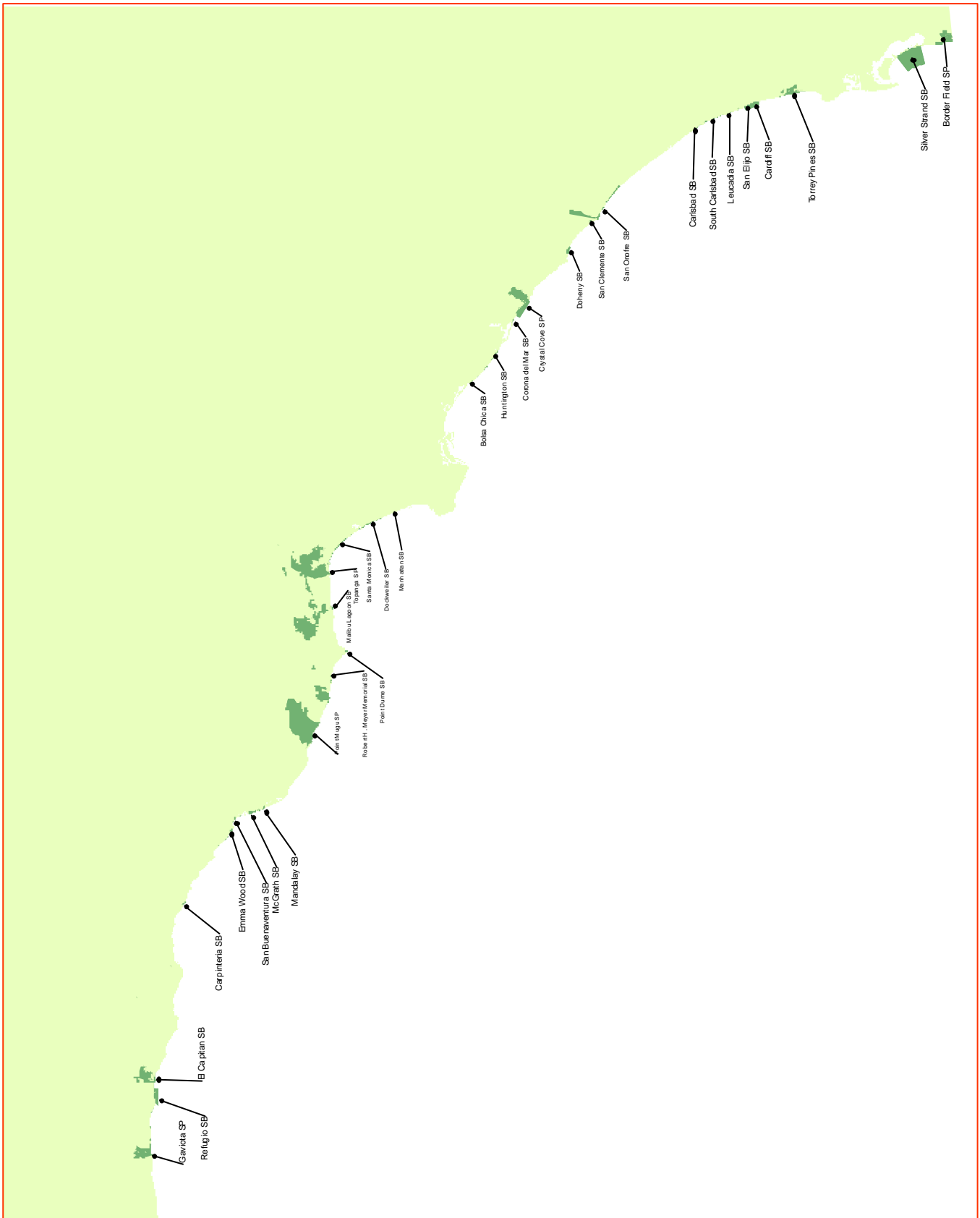
The proposed designations of SMPs not connected to terrestrial State Park units, require special attention. Most of the proposed SMPs within estuaries are publically owned, afforded some protections and are actively managed by a public agency or conservancy. During the last round of array designs, State Parks requested specifics as to the goals and objectives for the proposed MPAs, none were provided. It is important that the intent of the designation be specific with respect to proposed State Park management of the unit. The Fish and Game Commission can only designate and SMR, an SMCA and an SMRMA specific to hunting. Therefore any proposed SMP will initially be designated as an SMCA by the Fish and Game Commission. For the purposes of the MLPA goals and objectives, such a designation may suffice and no further action by the Parks and Recreation Commission may be needed and absent rationale, the recommendation will be not forwarded.

Surprisingly, there were only two SMPs proposed for the coast, despite the abundance of existing recreational, cultural, geological educational, management and enforcement resources scattered throughout the study region, neither of these proposed SMPs were aligned with State Park terrestrial units. As one of only two managing agencies and the only agency with management responsibilities of nearly a third of the coast, this appears to represents a loss of opportunity to protect for the general public areas to be managed to meet their specific needs. Only an SMP provides the protection of recreational activities⁹ – activities that, for the most the vast majority, take place along the coast.

In evaluating the Gem arrays as a whole, from perspective of State Park management potential, most of the proposed arrays represent a decrease in resource protection and management. Many completely ignore existing underwater leases; others reduce existing boundaries and reduce the protections to a level that would exist without an MPA. Of the arrays tendered in round 2, the Topaz array represented the least reduction.

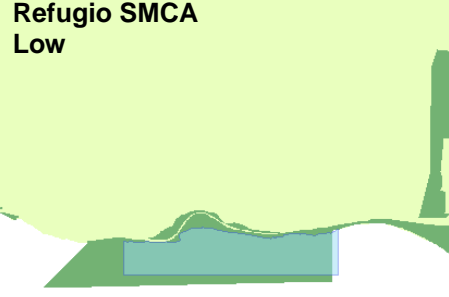
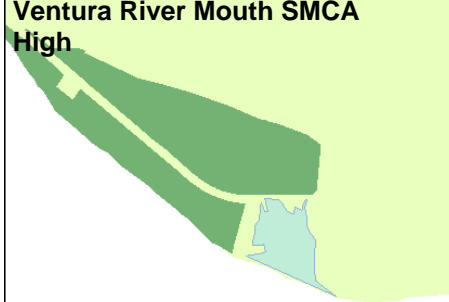
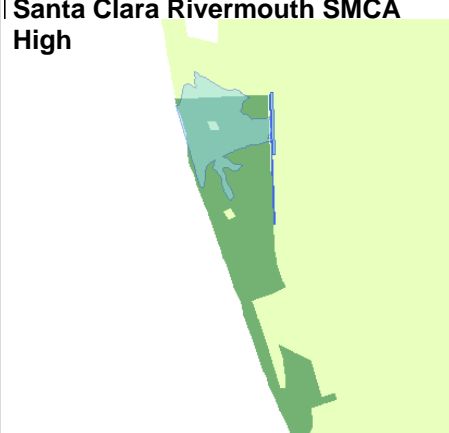
⁸California State Park System Underwater Parks Master Plan

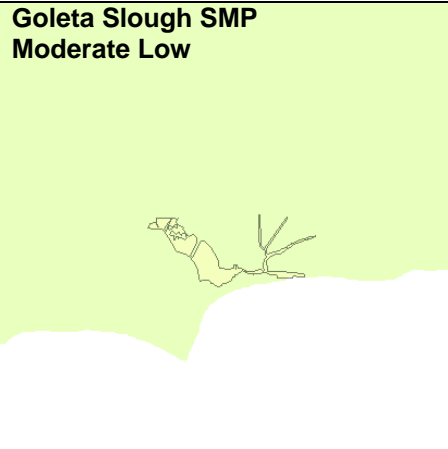
⁹MMAIA § 36710 (b)



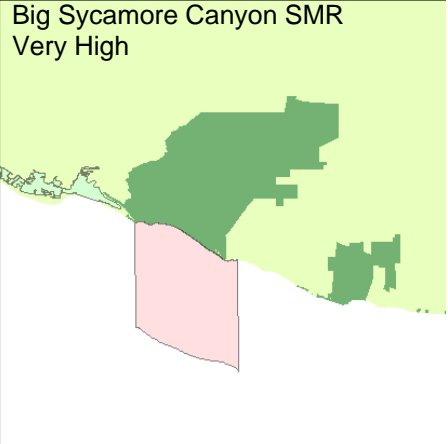
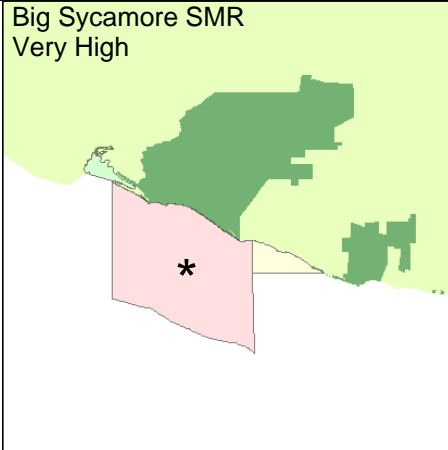
Coastal State Park Units within the MLPA South Coast Study Region

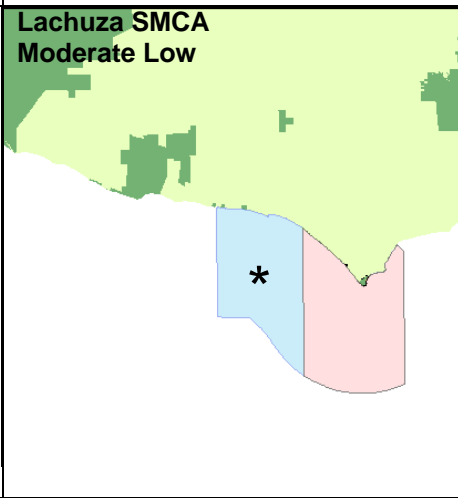
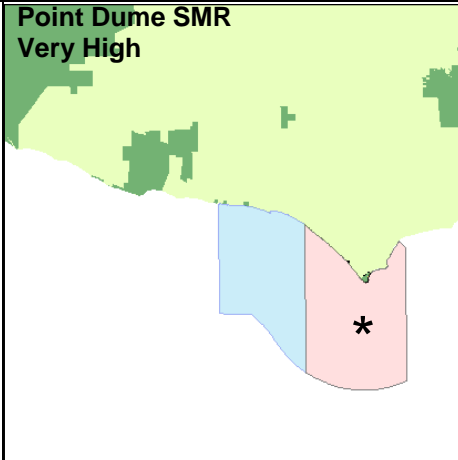
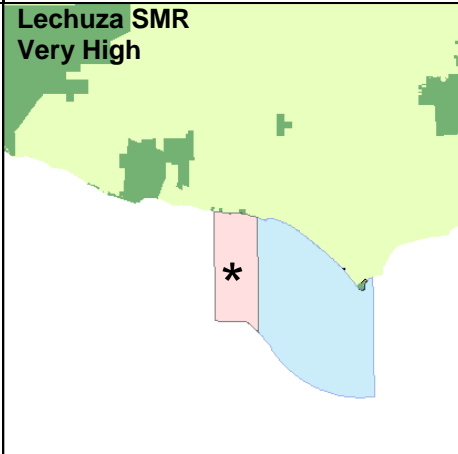
Channel Coast District

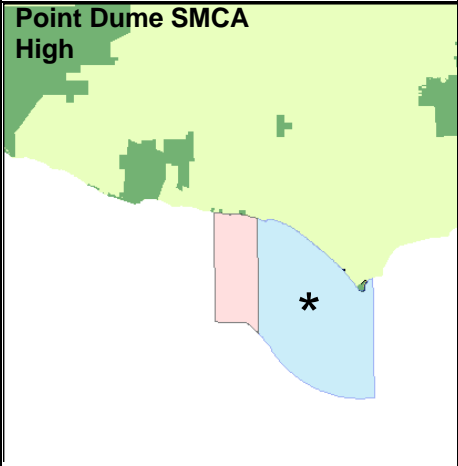
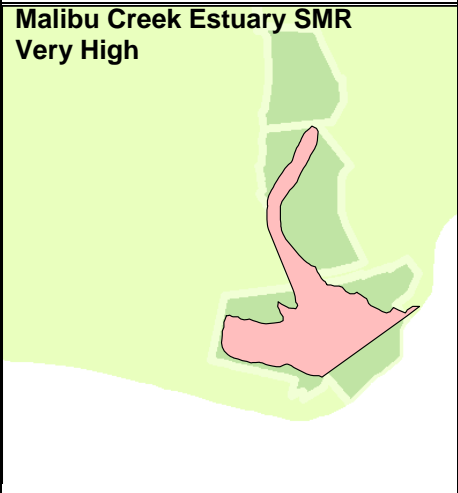
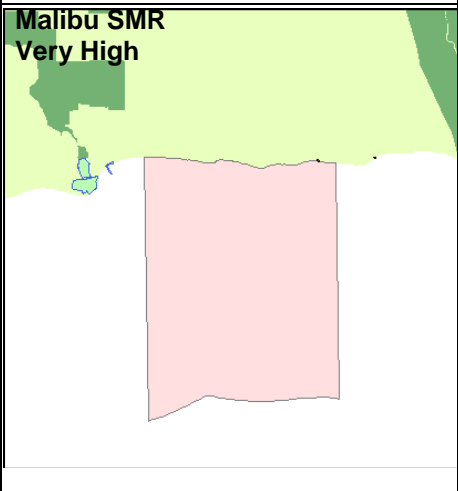
Gem Group	MPA	Proposed Take Regulations	Park Comments
Topaz	<p>Refugio SMCA Low</p> 	<p>All commercial take is prohibited except urchin (diving) Sea cucumber (diving)</p> <p>All recreational take is prohibited except Kelp bass (spear) Barred sand bass (spear) Pelagic finfish (spear) Pacific bonito (spear) White seabass (spear) Halibut (spear) Clams (hand) Mussels (hand) Lobster (diving) Urchin (diving) shore fishing (hook and line)</p>	<p>The economic rationale for the boundary reduction is in error. The Halibut or sea cucumber trawl grounds, which the proponents are attempting to avoid, begin 1 mile offshore and are no where near existing MPA boundaries.</p> <p>Close inspection of the ecotrust data suggest minimal impact on any of the listed commercial species enterprises even to the full extent of the existing MPA.</p> <p>Gear restrictions provided added protections.</p>
Topaz	<p>Ventura River Mouth SMCA High</p> 	<p>All take is prohibited except scientific collection</p>	<p>Outside the boundary of Emma Wood State Beach. The proposed MPA contains approximately 8 acres of open water.</p> <p>The MPA shape misses part of the estuary, upstream of train track.</p> <p>No comment on proposed designation or restricted uses.</p>
Topaz	<p>Santa Clara Rivermouth SMCA High</p> 	<p>All take is prohibited except scientific collection</p>	<p>Already designated a Natural Preserve within McGrath State Parks. State Parks ownership includes main channel and adjacent riparian natural lands of riparian shrubland and saltwater marsh</p> <p>Area north of the park boundary is above mean high tide.</p>

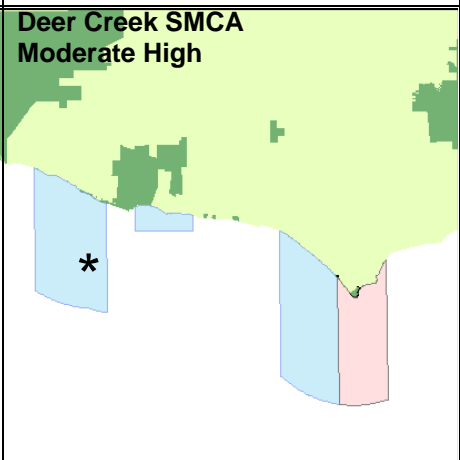
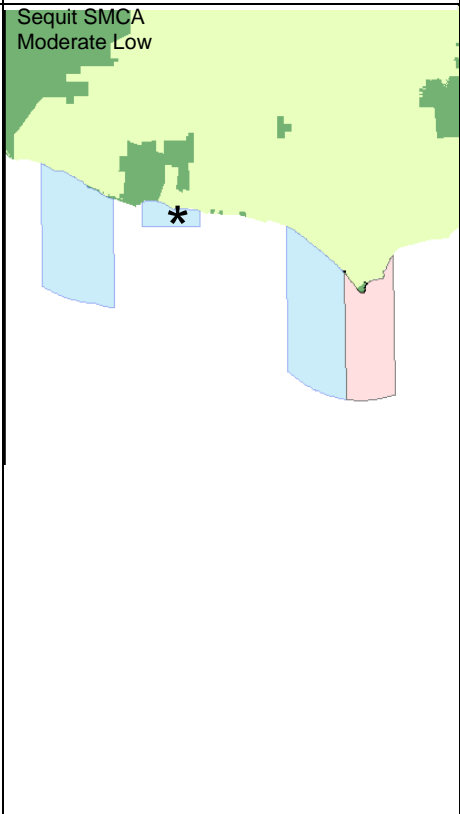
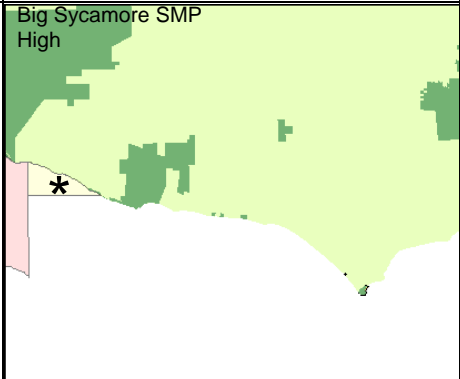
Gem Group	MPA	Proposed Take Regulations	Park Comments
Ex B	<p>Goleta Slough SMP Moderate Low</p> 	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except hook and line take of species other than marine aquatic plants.</p> <p>Other Boating, swimming, wading, and diving are prohibited.</p> <p>Other restrictions exist on accessible areas.</p>	<p><i>There are no proximal State Park Units.</i></p> <p><i>Slough has existing public ownership and management plans.</i></p> <p><i>Proponents have not included rationale for SMP designation.</i></p>

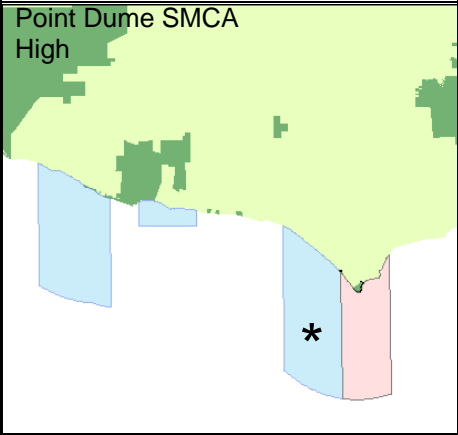
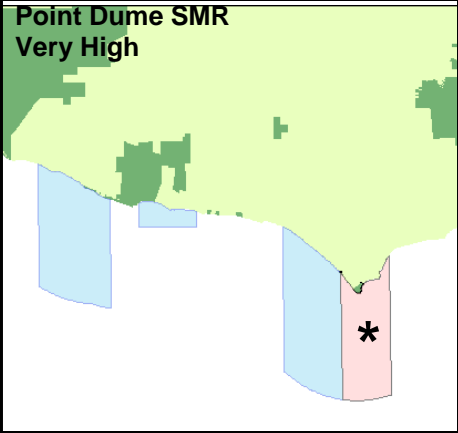
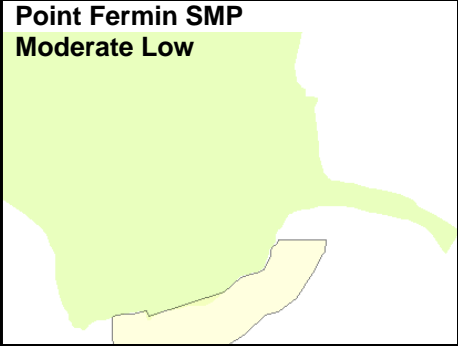
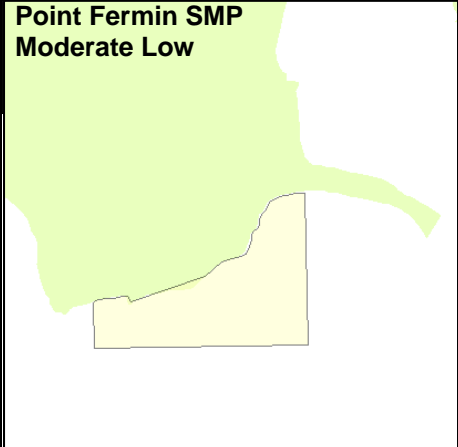
Angeles District

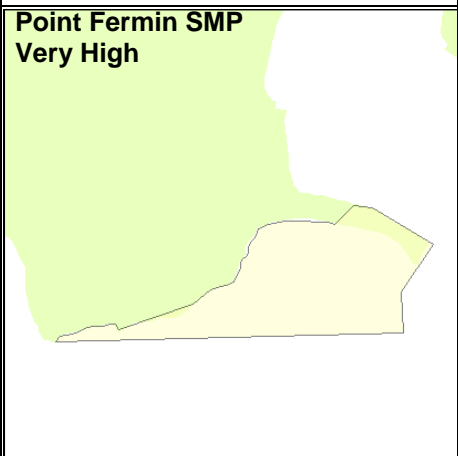
Gem Group	MPA Name	Proposed Take Regulations	Park Comments
Lapis 2 Ex A	<p>Big Sycamore Canyon SMR Very High</p> 	<p>All take is prohibited</p>	<p><i>Boundaries of Lapis 2 and Ex A are essentially identical with a minor difference on the western edge. Ex A boundary aligns with a point and therefore, from a land management perspective may be easier to enforce</i></p>
Ex B	<p>Big Sycamore SMR Very High</p> 	<p>All take is prohibited</p>	

Gem Group	MPA Name	Proposed Take Regulations	Park Comments
Lapis 1	<p>Lachuza SMCA Moderate Low</p> 	<p>All commercial take is prohibited except market squid (pelagic seine) swordfish (harpoon) coastal pelagic finfish (pelagic seine)</p> <p>All recreational take is prohibited except pelagic finfish (spearfishing) Pacific bonito (spearfishing) white seabass (spearfishing) coastal pelagic finfish (dip net) jumbo squid (hook and line) market squid (dip net) pelagic finfish white sea bass and Pacific bonito by hook and line in depths >50 m with "surface gear" (to prevent hooking demersal fish) and only used with non-motorized watercraft.</p>	<p><i>Limits recreational users to non-motorized vessels but no restrictions on commercial.</i></p>
Lapis 1	<p>Point Dume SMR Very High</p> 	<p>All take is prohibited</p>	
Opal	<p>Lechuza SMR Very High</p> 	<p>All take is prohibited</p>	

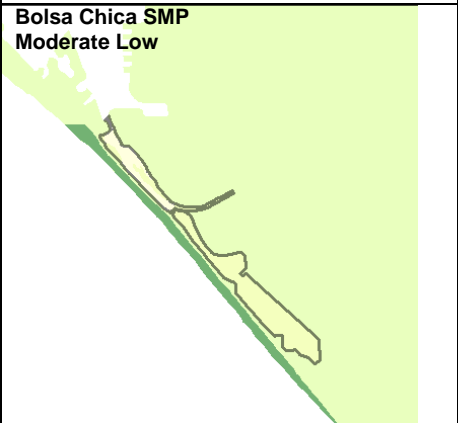
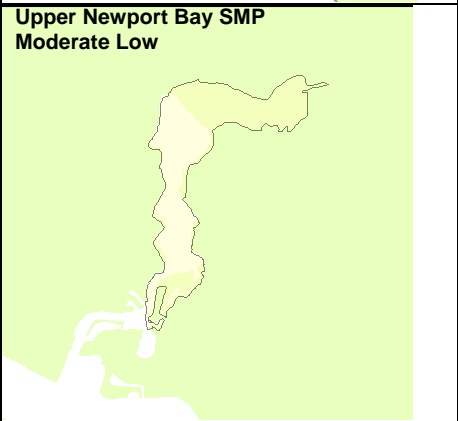
Gem Group	MPA Name	Proposed Take Regulations	Park Comments
Opal	Point Dume SMCA High 	<p>All commercial take is prohibited except Pacific bonito (pelagic seine, spearfishing) coastal pelagic finfish (pelagic seine) market squid (by pelagic seine) swordfish (by harpoon).</p> <p>All recreational take is prohibited except Pacific bonito (spearfishing) coastal pelagic finfish (by dip net) market squid (by dip net) swordfish (by harpoon)</p>	
Lapis 1,2	Malibu Creek Estuary SMR Very High 	<p>All take is prohibited</p>	<p><i>The Malibu Lagoon is owned by State Parks as part of Malibu State Beach. While the sandy beach is open to visitor use the lagoon is restricted to designated locations and observation points.</i></p> <p><i>SMR designation may not be inconsistent with lagoon management not associated with restoration, i.e. sand bar breaching to prevent upstream flooding.</i></p>
Lapis 2 Ex A	Malibu SMR Very High 	<p>All take is prohibited</p>	

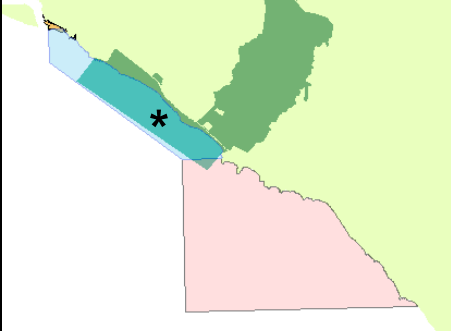
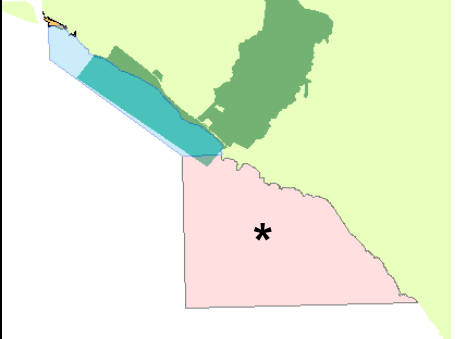
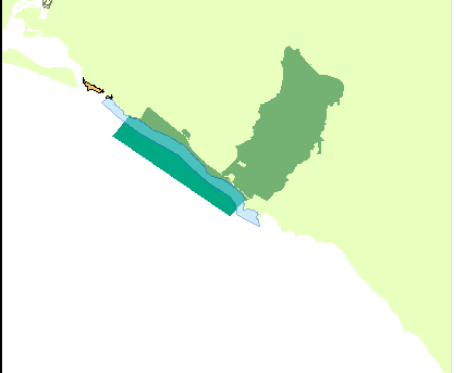
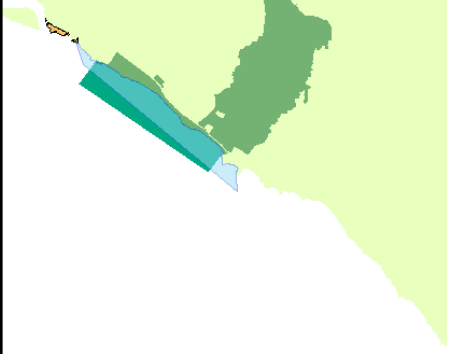
Gem Group	MPA Name	Proposed Take Regulations	Park Comments
Topaz	<p>Deer Creek SMCA Moderate High</p> 	<p>All commercial take is prohibited except Pacific bonito (Pelagic seine) Market squid (Pelagic seine)</p> <p>All recreational take is prohibited except Pacific bonito (spear) White Seabass (spear) Pelagic finfish (spear) Halibut (spear) Market squid (dip net)</p>	<p><i>The space between this SMCA and the proposed Deer Creek SMCA may create an enforcement issue for Leo Carrillo State Park. It would be better if the two were connected with a distinguishable onshore landmark dividing the two.</i></p> <p><i>Parks General Plan for Leo Carrillo includes an underwater park along the entire length of the State Park out to a distance of ½ mile. State Parks has been directed by the Parks and Recreation Commission to seek a lease from the State Lands Commission.</i></p>
Topaz	<p>Sequit SMCA Moderate Low</p> 	<p>All commercial take is prohibited except Lobster (trap) Urchin (diving) Giant kelp (hand harvest).</p> <p>All recreational take is prohibited except Grunion (hand harvest) Kelp bass (hook and line) Barred sand bass (hook and line), Sheephead (hook and line, spear) Spotted sand bass (hook and line), Lobster (diving) Pelagic finfish (spear, hook and line) Pacific bonito (spear, hook and line) White seabass (spear, hook and line) Cabezon (spear, hook and line) Clams (hand harvest) Halibut (spear, hook and line) Lingcod (spear, hook and line) Rockfish (spear, hook and line) Shore fishing (hook and line) Swordfish (harpoon)</p>	<p><i>Given the modest restrictions and proposed purpose of this unit, an SMCA does not appear to be the best designation. If a chief purpose is cultural preservation, an SMP may be a more applicable designation. Within an SMP, however, commercial take would not be allowed. Within the MLPA process, because the Fish and Game Commission does not have the authority to designate SMP. The proponents would need to make clear their intention to propose to the Parks and Recreation Commission either an SMP.</i></p> <p><i>The space between this SMCA and the proposed Deer Creek SMCA may create an enforcement issue for Leo Carrillo State Park. It would be better if the two were connected with a distinguishable onshore landmark dividing the two.</i></p> <p><i>Parks General Plan for Leo Carrillo includes an underwater park along the entire length of the State Park out to a distance of ½ mile. State Parks has been directed by the Parks and Recreation Commission to seek a lease from the State Lands Commission.</i></p>
ExB	<p>Big Sycamore SMP High</p> 	<p>All recreational take is prohibited except Pelagic finfish (spear) Pacific bonito (spear) White seabass (spear)</p>	<p><i>Not inconsistent with Parks, however proposed SMP is not aligned with terrestrial boundaries.</i></p> <p><i>Parks General Plan for Leo Carrillo includes an underwater park along the entire length of the State Park out to a distance of ½ mile. State Parks has been directed by the Parks and Recreation Commission to seek a lease from the State Lands Commission.</i></p>

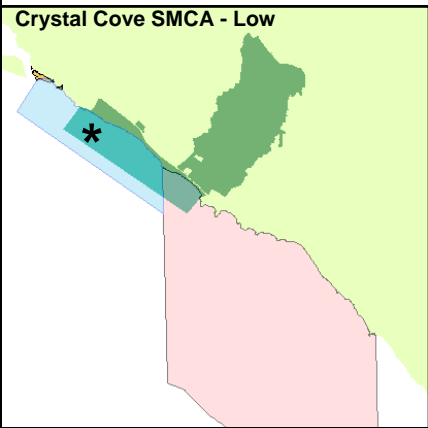
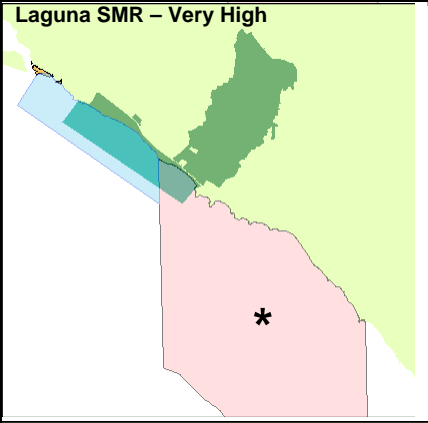
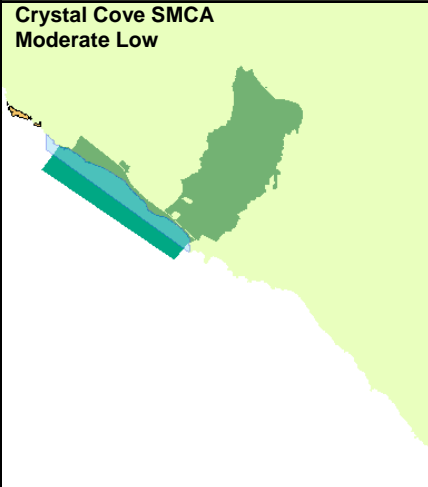
Gem Group	MPA Name	Proposed Take Regulations	Park Comments
Topaz	 <p>Point Dume SMCA High</p>	<p>All commercial take is prohibited except Market squid (Pelagic seine)</p> <p>All recreational take is prohibited</p>	
Topaz	 <p>Point Dume SMR Very High</p>	<p>All take is prohibited</p>	<p><i>Consistent with Parks Underwater Parks Plan</i></p>
Lapis 1,2 Opal Ex A	 <p>Point Fermin SMP Moderate Low</p>	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except Finfish lobster (hoop net, diving)</p> <p>Other Restrictions swimming areas boat speed shoreline access access fees</p>	<p><i>Currently a DFG designation, conversion to an SMP will require separate action form the Parks and Recreation Commission. Allowed uses consistent and activates consistent with SMP designation.</i></p> <p><i>Represents a potential increased protection.</i></p> <p><i>Lapis 1, 2 have conflicting allowed uses, i.e. restrictions on swimming and lobster diving.</i></p>
Topaz	 <p>Point Fermin SMP Moderate Low</p>	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except lobster (dive or hoopnet) finfish (hook and line or spear)</p>	<p><i>Currently a DFG designation, conversion to an SMP will require separate action form the Parks and Recreation Commission. Allowed uses consistent and activates consistent with SMP designation.</i></p> <p><i>Represents a potential increased protection.</i></p>


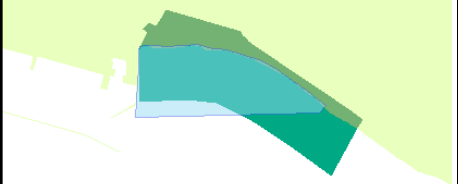

Gem Group	MPA Name	Proposed Take Regulations	Park Comments
External B Prop	Point Fermin SMP Very High 	All commercial take is prohibited All recreational take is prohibited except lobster (dive or hoopnet) finfish (hook and line or spear)	Currently a DFG designation, conversion to an SMP will require separate action from the Parks and Recreation Commission. Allowed uses consistent and activates consistent with SMP designation. Represents a potential increased protection.

Orange Coast District

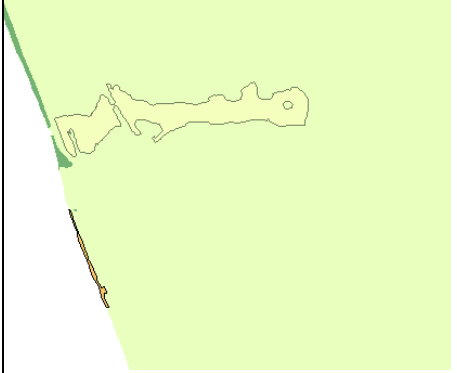
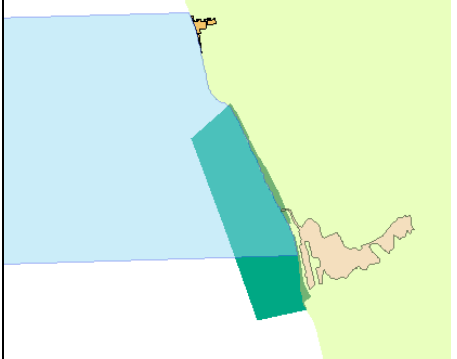
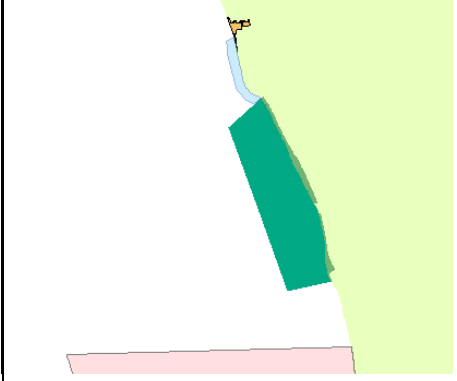
Gem Group	MPA	Proposed Take Regulations	Park Comments
Lapis 1, 2 Opal Topaz Ex A Ex B	Bolsa Chica SMP Moderate Low 	All recreational take is prohibited except hook and line take of species other than marine aquatic plants from designated areas around outer Bolsa Bay. Other Restrictions swimming areas boat speed shoreline access access fees	Adjacent to Bolsa Chica State Beach, the proposed MPA is owned by DFG and operated through a conservancy. It is not a State Park Unit. Proponents have not provided any rationale for the MPAs designation as an SMP nor have they provided the expected role State Parks management of the unit.
Lapis 1 & 2 Opal Topaz Ext B	Upper Newport Bay SMP Moderate Low 	All commercial take is prohibited All recreational take is prohibited except hook and line Other Restrictions swimming areas boat speed shoreline access access fees	There are no proximal State Park units. The existing MPA is owned by DFG and operated in cooperation with a local conservancy. A conversion to an SMP will require separate action from the Parks and Recreation Commission. Proponents have not provided any rationale for the MPAs designation as an SMP nor have they provided the expected role State Parks management of the unit.

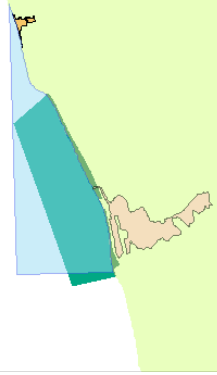
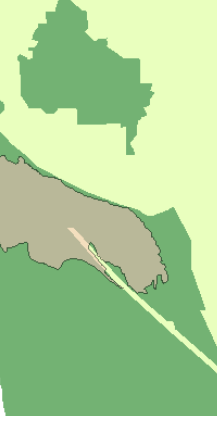

Gem Group	MPA	Proposed Take Regulations	Park Comments
Lapis 1	<p>Newport Beach SMCA 1 Moderate Low</p> 	<p>All commercial take is prohibited except lobster (trap) urchin (diving)</p> <p>All recreational take is prohibited except lobster (diving) pelagic finfish (spearfishing, hook and line) Pacific bonito (hook and line, spearfishing) white seabass (hook and line, spearfishing) halibut (hook and line, spearfishing) shore fishing (hook and line)</p>	<p><i>Rationale (the protection of sheephead and rockfish) is not consistent with ecotrust data which suggest relatively little fishing for sheephead occurs within proposed boundary.</i></p> <p><i>The SMCA therefore provides the appearance of protection by protecting an area not generally used by fishermen targeting sheephead. Little kelp within proposed boundary.</i></p>
Lapis 1	<p>Laguna Beach SMR Very High</p> 	<p>All take is prohibited</p>	<p><i>This MPA represents an increase in protection and is consistent with State Parks general plan for this unit.</i></p>
Lapis 2	<p>Newport Beach SMCA Moderate Low</p> 	<p>All commercial take is prohibited except Spiny Lobster Crab sea urchin finfish only</p> <p>All recreational take is prohibited except Spiny lobster Finfish (hook and line or spearfishing)</p>	<p><i>The intent of this MPA and its focus on the intertidal does not add any further protections than already exist within Parks authority.</i></p> <p><i>Proposed boundaries do not include the existing State Park's lease.</i></p>
Opal	<p>Laguna North SMCA Moderate Low</p> 	<p>All commercial take is prohibited except Spiny Lobster Crab sea urchin finfish only</p> <p>All recreational take is prohibited except Spiny lobster Finfish (hook and line or spearfishing)</p>	<p><i>The intent of this MPA and its focus on the intertidal does not add any further protections than already exist within Parks authority.</i></p>

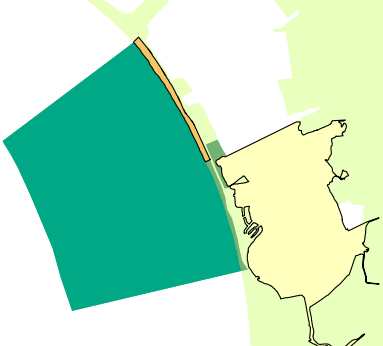
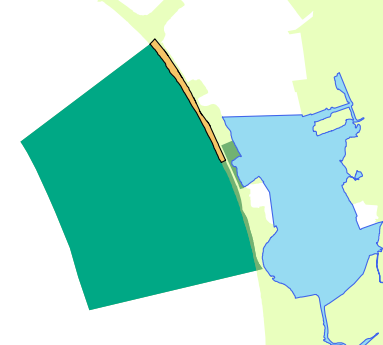
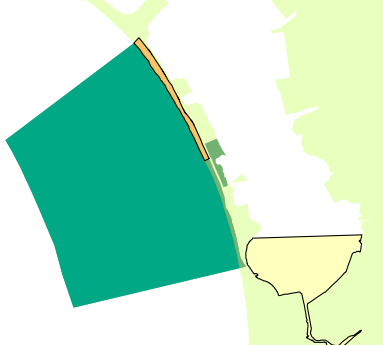
Gem Group	MPA	Proposed Take Regulations	Park Comments
Topaz	<p>Crystal Cove SMCA - Low</p> 	<p>All commercial take is prohibited except Urchin (diving) Halibut (hook and line) Marine algae (hand harvest).</p> <p>All recreational take is prohibited except Pacific bonito (hook and line) Halibut (spear and hook and line) Kelp bass (hook and line) Barred sand bass (hook and line) White Seabass (spear and hook and line) Shore fishing (hook and line).</p>	<p><i>This MPA provides an increase in protection while enhancing the recreational value of the underwater unit for both consumptive and non-consumptive users.</i></p> <p><i>Southern boundary lacks a clear land based distinction which may create enforcement difficulties.</i></p>
Topaz	<p>Laguna SMR – Very High</p> 	<p>All take is prohibited</p>	<p><i>This MPA represents an increase in protection and is consistent with State Parks general plan for this unit.</i></p> <p><i>Northern boundary lacks a clear land based distinction which may create enforcement difficulties.</i></p> <p><i>Northern boundary appears to miss most of the hard substrate within the State Park it is attempting to protect. The boundary could be moved slightly north to protect the reef.</i></p>
Ex A Prop	<p>Crystal Cove SMCA Moderate Low</p> 	<p>All commercial take of all marine aquatic plants and invertebrates is prohibited except Lobster (trap) Crab (trap) Kellet's whelk (trap) sea urchin (diving)</p> <p>All recreational take of all marine aquatic plants and invertebrates is prohibited except Lobster (hoop net and diving) Crab (hoop net)</p> <p>Take of all other species is allowed.</p> <p>Other Restrictions Trampling of inter-tidal species may be limited by local enforcement agencies.</p>	<p><i>This represents a loss of protection and management capabilities.</i></p> <p><i>Proposed boundaries do not include the existing State Park's lease.</i></p> <p><i>The proposed regulations already exist outside the MLPA.</i></p>

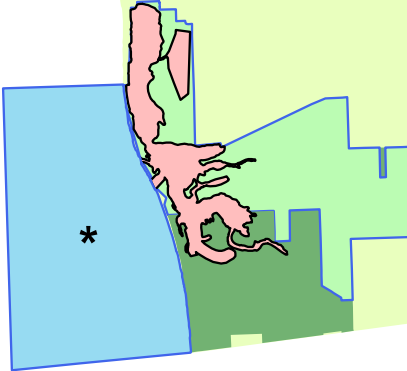
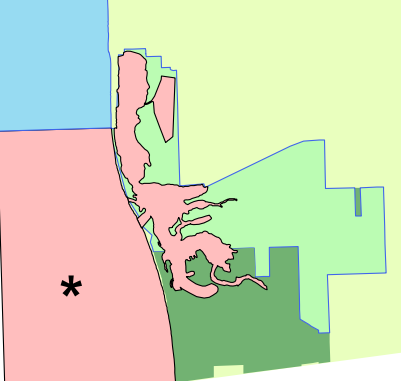
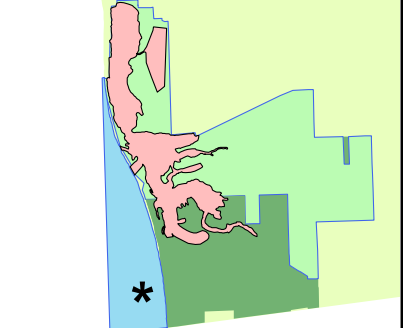
Gem Group	MPA	Proposed Take Regulations	Park Comments
Lapis 1 & 2	<p>Doheny SMCA Low</p> 	<p>All commercial take is allowed including lobster (trap) urchin (diving)</p> <p>The recreational take is prohibited except Chiones Cockles rock scallops native oysters crabs lobsters ghost shrimp sea urchins mussels, and worms finfish lobster (hoop net and diving) urchin (diving) rock scallop (diving) clams (hand harvest) rock crab</p>	<p><i>Conforms to State Parks underwater lease.</i></p> <p><i>Represents a decrease in protection by allowing all commercial take, which currently are not allowed within 1000' of the shore. Unclear as to what is being protected</i></p>
Topaz	<p>Doheny Beach SMCA Moderate Low</p> 	<p>The commercial take is prohibited</p> <p>The recreational take is prohibited except shore fishing (hook and line)</p>	<p><i>Does not align with State Parks underwater lease. State Parks recommends conforming with existing lease</i></p> <p><i>This MPA provides for increased protection</i></p>
Ex A	<p>Doheny Beach SMCA Moderate Low</p> 	<p>The recreational take of all marine aquatic plants and invertebrates is prohibited except Lobster (hoop net and diving) crab by (hoop net)</p> <p>The commercial take of all marine aquatic plants and invertebrates is prohibited except lobster, crab kellet's whelk (trap) sea urchin (diving)</p> <p>Take of all other species is allowed.</p>	<p><i>Does not align with State Parks underwater lease. State Parks recommends conforming with existing lease</i></p> <p><i>Represents a decrease in protection by allowing all commercial take, which currently are not allowed within 1000 feet of shore.</i></p> <p><i>Unclear if the "Take of all other species is allowed" refers to commercial, recreational or both.</i></p>

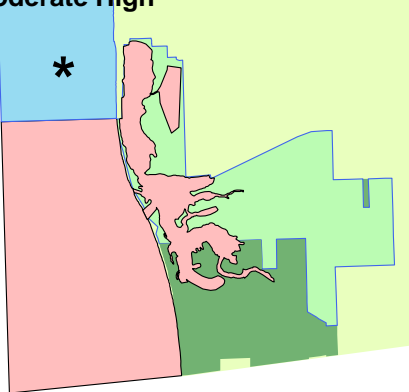
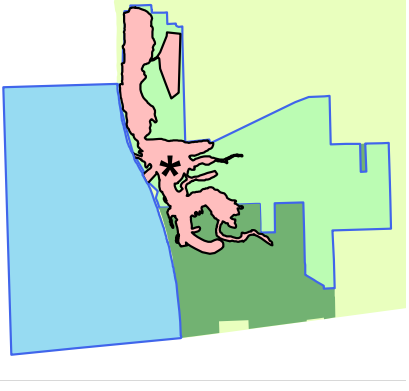
San Diego Coast District

Gem Group	MPA - LOP	Proposed Take Regulations	Park Comments
EX B	<p>Batiquitos Lagoon SMP</p> 	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except Finfish (shore fish hook and line)</p>	<p><i>Not inconsistent with State Parks objectives. However, the proposed MPA is not currently a unit within State Parks and active management is provided by other agencies. Proponents have not provided rationale for State Parks management of the lagoon. State Parks will not recommend the SMP designation to the Parks and Recreation Commission, without clear guidance as to the expected role and objectives for State Parks.</i></p>
Lapis 1	<p>Swami's-San Elijo SMCA Moderate High</p> 	<p>All recreational take is prohibited except pelagic finfish (spearfishing) Pacific bonito (spearfishing) white seabass (spearfishing) Shore fishing with barbless hooks and artificial lures as approved by SAT at medium-high LOP or better.</p>	<p><i>No specified restrictions on commercial fishing. State Parks is unsure if this was intentional.</i></p> <p><i>Southern border does not align with park underwater lease boundary. Ostensibly to avoid water quality issues associated with a low level sewer outfall. State Parks finds fault with this logic. The SAT has stated that water quality is a secondary consideration extending the MPA southward will not alter the water quality of the MPA as proposed while extending the boundary southward would increase the area of protection.</i></p>
Opal	<p>Encinitas SMCA Moderate Low</p> 	<p>All commercial take is prohibited except Spiny Lobster crab sea urchin finfish only</p> <p>All recreational take is prohibited except Spiny lobster Finfish (hook and line, spearfishing)</p>	<p><i>This MPA does not include State Parks underwater lease and represents a reduction in protection.</i></p> <p><i>The "Other considerations" appear in conflict with the proposed regulations. That is, the statement that lobster take is already prohibited contrasts the proposed provision for both commercial and recreational lobster take.</i></p>

Gem Group	MPA - LOP	Proposed Take Regulations	Park Comments
Topaz	<p>Swamis SMCA Moderate Low</p> 	<p>All commercial take is prohibited except Urchin (diving) Lobster (trap)</p> <p>All recreational take is prohibited except Lobster (diving) Shore fishing (hook and line)</p>	<p><i>Not inconsistent with Park Unit.</i></p>
Lapis 2 Opal Topaz Ex A Ex B	<p>Del Mar SMR High</p> <p>*</p> 	<p>All take is prohibited</p>	<p><i>Not inconsistent with State Park general plans. Slight differences in southern boundary between various proposals. Suggest aligning with landmark.</i></p>
	<p>Los Penasquitos Lagoon High</p> 	<p>All take is prohibited</p>	<p><i>Los Penasquitos is designated a Natural Preserve within Torrey Pines State Nature Reserve and already prohibits all take of resources, consistent with the proposed SMR designation. However, management activities (e.g., dredging) within the preserve may not be consistent an SMR.</i></p>

Gem Group	MPA - LOP	Proposed Take Regulations	Park Comments
Lapis 1, 2	<p>Ha Sil (South San Deigo Bay) SMP Moderate High</p> 	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except Catch and release fishing is allowed using barbless hooks and artificial lures.</p>	<p><i>Not inconsistent with Park Unit. Proponents have not provided any rationale for the MPAs designation as an SMP nor have they provided the expected role State Parks management of the unit.</i></p>
Topaz	<p>South San Diego Bay SMCA - Moderate Low</p> 	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except spotted sand bass (hook and line) Pacific bonito (hook and line)</p>	<p><i>Not inconsistent with Park Unit.</i></p>
Ext B	<p>South San Diego Bay SMP - Moderate Low</p> 	<p>All commercial take is prohibited</p> <p>All recreational take is prohibited except catch and release single barbless hooks, circle hooks for bait</p>	<p><i>Not inconsistent with Park Unit. Proponents have not provided any rationale for the MPAs designation as an SMP nor have they provided the expected role State Parks management of the unit.</i></p>

Gem Group	MPA - LOP	Proposed Take Regulations	Park Comments
Lapis 1, 2	<p>Tijuana River Mouth SMCA High</p> 	<p>All commercial take is prohibited except coastal pelagic finfish (pelagic seine)</p> <p>All recreational take is prohibited except coastal pelagic finfish (dip net) pier fishing in compliance with required DFG codes and regulations.</p>	
Opal	<p>Tijuana River Mouth SMR</p> 	<p>All take is prohibited</p>	<p><i>The Tijuana Nature Preserve is State Park Unit co-managed with Federal partners, as part of the Tijuana River National Estuarine Research Reserve Nature Preserves, are designated by the Parks and Recreation Commission to protect and conserve species and their associated ecosystems. PRC 5019.71 defines the restrictions and allowed uses within Nature Preserves. Habitat manipulation "...shall be permitted only in those areas found by scientific analysis to require manipulation to preserve the species or associations that constitute the basis for the establishment of the natural preserve." Such manipulations may or may not be consistent with the State Marine Reserve designation. Until such a determination is made, State Parks will recommend the State Marine Conservation Area designation</i></p>
Topaz	<p>Imperial Beach SMCA Moderate Low</p> 	<p>All commercial take is prohibited except Urchin (diving) Lobster (trap) live bait (purse seine) crabs (trap and hoop net)</p> <p>All recreational take is prohibited except Kelp bass (hook and line) Barred sand bass (hook and line) White Seabass (spear) Pelagic finfish (spear) Lobster (diving)</p>	

Gem Group	MPA - LOP	Proposed Take Regulations	Park Comments
Opal	<p>Tijuana Reef SMCA Moderate High</p> 	<p>All commercial take is prohibited except coastal pelagic seine bait fishing with a permit from the California Department of Fish and Game.</p> <p>All recreational take is prohibited except coastal pelagic finfish (dip net) pier fishing (in compliance with required DFG codes and regulations) pelagic finfish (spearfishing) Pacific bonito (spearfishing) White seabass (spearfishing)</p> <p>Other The City of Imperial Beach would be allowed to continue their beach replenishment and maintenance program. They would be made aware of the damage of kelp removal in beach grooming procedures.</p>	
Lapis 1,2 Opal Topaz	<p>Tijuana Estuary SMR High</p> 		<p><i>The Tijuana Nature Preserve is State Park Unit co-managed with Federal partners, as part of the Tijuana River National Estuarine Research Reserve Nature Preserves, are designated by the Parks and Recreation Commission to protect and conserve species and their associated ecosystems. PRC 5019.71 defines the restrictions and allowed uses within Nature Preserves. Habitat manipulation "...shall be permitted only in those areas found by scientific analysis to require manipulation to preserve the species or associations that constitute the basis for the establishment of the natural preserve." Such manipulations may or may not be consistent with the State Marine Reserve designation. Until such a determination is made, State Parks will recommend the State Marine Conservation Area designation</i></p>