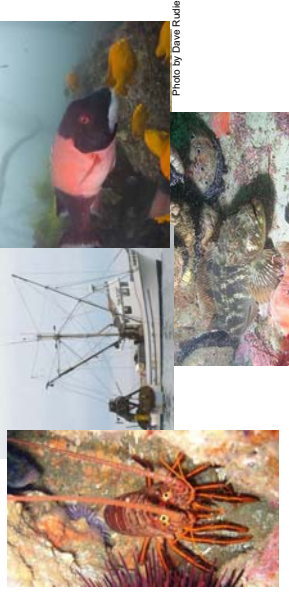




# Marine Life Protection Act



Photos by Dave Rutledge

## California Department of Fish and Game Evaluation of Round 3 MPA Proposals

South Coast Blue Ribbon Task Force Meeting  
October 20, 2009 • Long Beach, CA

Susan Ashcraft  
California Department of Fish and Game



# Summary of Results

Proposal Name	Total # of MPAs <sup>1</sup>	# of New, Modified, or Retained MPAs <sup>2</sup>	% MPAs that Meet Guidelines (+)	% MPAs that Do Not Meet Guidelines (-)
Proposal 1	50	37	57%	43%
Proposal 2	38	25	48%	52%
Proposal 3	40	27	81%	19%

<sup>1</sup> Includes the 13 Northern Channel Island MPAs (does not include the military closures).

<sup>2</sup> Number used for calculating percentages.



# Overview of DFG Evaluation

- Purpose of review:** To ensure proposals meet Department guidelines **and goals of MLPA**
- Evaluation components:**
  - Feasibility: enforceability, MPA design, boundaries, take regulations
  - Goals and objectives: appropriate for MPA design, likelihood of proposals to meet the MLPA goals
- Proposals outcomes:**
  - Improvements in feasibility
  - Feasibility issues remain



# Department Concerns

## Concerns Include:

- Inadequate improvements to existing MPAs
- Boundary or design concerns; difficulties with enforcement
- Permissive Take Allowances
- Complex Regulations
- MPAs unnecessary to fulfill the MLPA mandate or with inadequate protection
- Note: Some MPAs will meet all guidelines with a minor adjustment



## Existing MPAs

### Inadequate Improvements to Existing MPAs

- Boundary concerns not addressed
- Level of protection not improved
  - Due to liberal take allowances, intertidal boundaries, etc...



Existing MPA



Proposal 1



## Existing MPAs: Improved

- Point Cabrillo
  - Boundaries and regulations improved.



Existing MPA



Proposal 1 & 2 (Similar shape in Proposal 3)



## Existing MPAs: Not improved

- Point Fermin
  - Boundaries improved, BUT Mod-low LOP, allows *more* take than existing MPA.



Existing MPA



Proposal 1

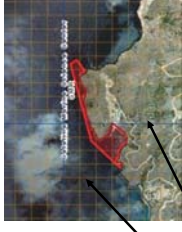


## Existing MPAs: Improved

- Blue Cavern- Catalina Island



Existing MPA



Proposal 1



## Existing MPAs: La Jolla

### Not Improved

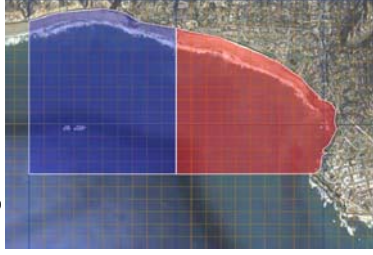
- Boundaries do not meet guidelines
- Enforcement concerns with existing buoys



Proposal 1



Proposal 2



Proposal 3

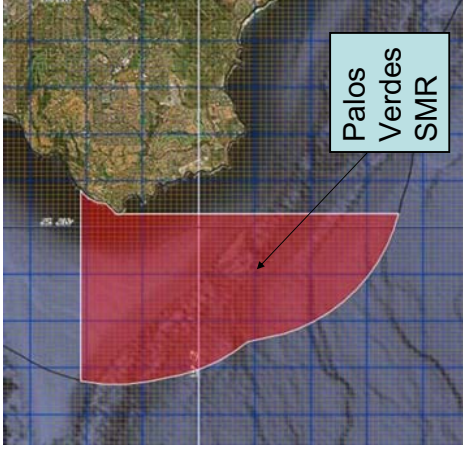
### Improved

- Boundaries meet guidelines



## Feasibility (Boundaries): Palos Verdes

- ❑ Design reduces enforceability and public understanding
- ❑ Limited alongshore span



Proposal 1



## Existing MPAs

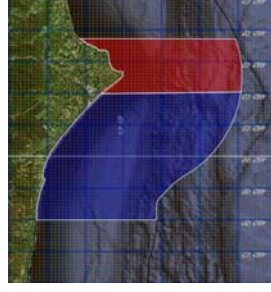
### Existing MPAs with insufficient improvement:

- ❑ **Prop 1:**
  - Point Fermin SMCA
  - Crystal Cove SMCA
  - Dana Point SMCA
  - La Jolla Cove SMR
  - Farnsworth SMCA
  - Emerald Bay SMCA
- ❑ **Prop 2:**
  - Bolsa Chica SMCA
  - Upper Newport Bay SMCA
  - Laguna North SMCA
  - Laguna South SMCA
  - La Jolla SMR
  - Lover's Cove SMCA
  - Farnsworth SMCA
- ❑ **Prop 3:**
  - Newport Coast SMCA
  - Dana Point SMCA

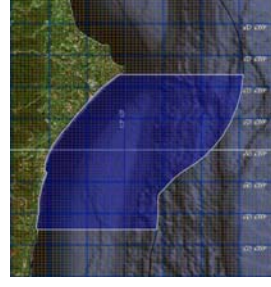


## Feasibility (Boundaries): Point Dume

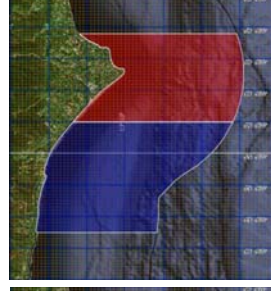
- ❑ All proposals split a popular beach



Proposal 1



Proposal 2



Proposal 3

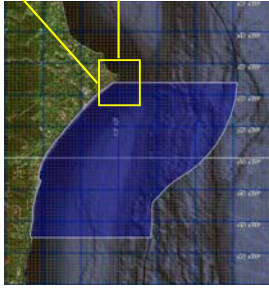




## Feasibility (Boundaries): Point Dume



Many options to remedy exist

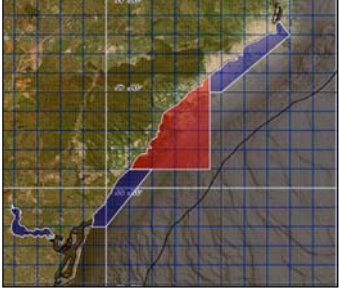


Proposal 2

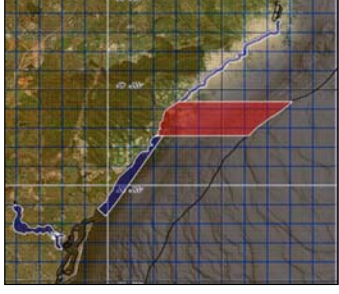


## Multiple Concerns: Laguna Area

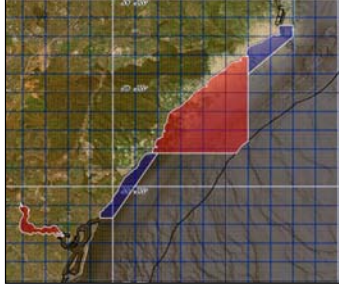
- Allowed take
- Intertidal MPAs
- Confusing boundaries
- Multiple zoning



Proposal 1



Proposal 2



Proposal 3

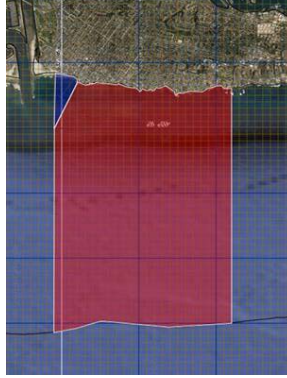


## Feasibility: Ocean Beach

- Proposal 1
  - Northern boundary moved 1/10<sup>th</sup> south. Reduced enforceability and does not meet guidelines.
- Proposal 2
  - Better: Does not meet boundary guidelines but is enforceable



Proposal 1



Proposal 2

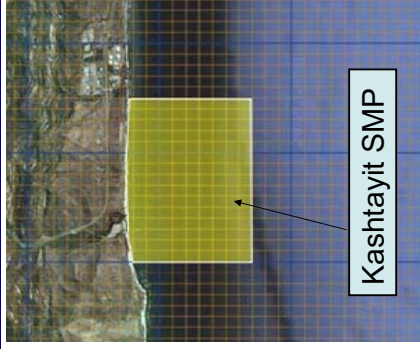


## Feasibility: Permissive Take Allowances

- Permissive MPAs:
  - i.e., allows take of all finfish
  - Provides little protection ecologically due to the extensive allowed take
  - Unnecessary to fulfill the MLPA mandate



## Example: Permissive Take Allowances



Kashtayit SMP

Proposal 1

### Allowed Take

#### Recreational

Allows the take of:

- All finfish
- All invertebrates
  - except rock scallops and mussels
- Giant kelp by hand

#### Commercial

- No Commercial take is allowed



## Feasibility: Complex Take Allowances

- ❑ MPAs with long lists of excepted species and gear types
- ❑ Reduces enforceability and public understanding of the regulation



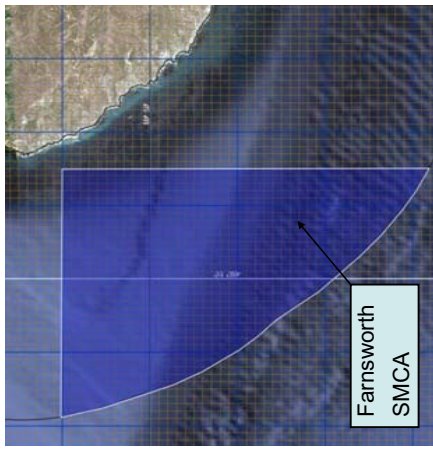
## Regulations: Permissive Take

### Proposed MPAs with permissive take allowances:

- ❑ Proposal 1:
  - Kashtayit SMP
  - Naples SMCA
  - Point Fermin SMCA
  - Crystal Cove SMCA
  - Dana Point SMCA
  - Cat Harbor SMCA
  - Emerald Bay SMCA
- ❑ Proposal 2:
  - Laguna North SMCA
  - Laguna South SMCA
  - Lover's Cove SMCA



## Example: Complex Take Allowances



Farnsworth SMCA

Proposal 2

### Allowed Take

#### Recreational:

- Pelagic finfish spearfishing, hook and line
- Pacific bonito spearfishing, hook and line
- White seabass spearfishing, hook and line
- Market squid dip net
- Coastal pelagic finfish dip net
- Jumbo squid hook and line

#### Commercial:

- Pelagic finfish hook and line
- Pacific bonito pelagic seine
- Pacific bonito hook and line
- White seabass hook and line
- Coastal pelagic finfish dip net, pelagic seine
- Jumbo squid hook and line
- Market squid pelagic seine, dip net
- Swordfish harpoon



## Regulations: Complex Take Allowances

### Proposed MPAs with complex take allowances:

- **Proposal 1:**
  - La Jolla South SMCA
- **Proposal 2:**
  - Farnsworth SMCA
  - Point Dume SMCA
  - Abalone Cove SMCA
  - Bird Rock SMCA
  - Farnsworth SMCA
- **Proposal 3:**
  - Newport Coast SMCA
  - Dana Point SMCA



## Recommended Technical Fixes

- **Modify MPA Names:**
  - Helo SMCA (Proposal 1)
  - Point Mugu SMRMA (Proposal 2)
  - Mishopsno SMCA (Proposal 3)
  - Lachusa SMCA (Proposal 3)
  - Matlahuayl SMR (Proposal 3)
- **Adjust MPA Boundaries:**
  - Ocean Beach (Proposal 1)
  - Swami's SMCA (Proposal 3)
  - Mishopsno SMCA (Proposal 3)



## Feasibility: Technical Fixes

- Some feasibility concerns can be easily addressed.
  - Boundaries:
    - Some MPAs used simple coordinates in areas with heavy shore-based use
    - Remedy: move to adjacent permanent landmark
  - MPA Names:
    - Use of historical names only
    - Remedy: hyphenate historical and geographical name



## Recommended Technical Fixes, cont.

- **Scientific Collection Regulations**
  - Scientific collection obligations for fishermen;
  - New permitted activity (recreational removal of urchins)
- **MPAs:**
  - Laguna SMR (Proposal 1)
  - La Jolla South SMCA (Proposal 1)
  - Casino Point SMCA (Proposal 1)
- **DFG Recommendation:**
  - Identify activities as *recommendations* rather than requirements in *regulation*.



## Goals and Objectives

- MPA goals and objectives must be achievable with the MPA design
  - Intent to help ensure that:
    - Expectations are realistic
    - MPAs are successful & advance intent of MLPA
- Evaluation overview
  - Examines compatibility of proposed MPAs with stated goals and objectives
  - Provides recommendations to fix incompatibility



## Goals and Objectives Review

### Outcomes:

- Site-level rationale: Improved
- MPA goals and objectives concerns:
  - Inappropriate relative to guidelines
  - Some MPAs: should be improved or consider removal
  - Some objectives misaligned with goal
- Recommendation: remove inappropriate goals and objectives (or modify MPA to meet)



## Goals and Objectives

Example of content:

MPA Name	Contributes to One or More Goal	Inappropriate Goals and Objectives	Recommended Action
Emerald Bay SMCA	Yes	Inappropriate use of: G1 Objectives 2, 3, 4, 5; G2 Objectives 1, 2, 3, 4; G3 Objectives 1, 2; G4 Objective 1; G5 Objectives 3, 5	Remove inappropriate goals and/or objectives
Cat Harbor SMCA	Yes	Inappropriate use of: G3 Objectives 1, 2; G6 Objective 4	Remove inappropriate goals and/or objectives
Long Point SMR	Yes	Inappropriate use of: G2 Objectives 1, 2, 3; G5 Objective 3	Remove inappropriate goals and/or objectives
Casino Point SMCA	No		Remove MPA



## Likelihood to Meet the Goals of MLPA

Round 3 includes MPAs that:

- Do not meet DFG design guidelines
- Allow extensive take
- Provide inadequate protection
- Do not affect network performance if included or excluded





## Factors Affecting MPA Effectiveness

Proposal Name	Total # of MPAs <sup>1</sup>	# of New, Modified, or Retained MPAs <sup>2</sup>	MPAs Below Moderate-High LOP (%)	MPAs with Complex <sup>3</sup> Regulations (%)	MPAs with Permissive <sup>4</sup> Regulations (%)	MPAs with Boundary/Design Concerns (%)
Proposal 1	50	37	27%	5%	19%	19%
Proposal 2	38	25	20%	16%	20%	24%
Proposal 3	40	27	7%	7%	0%	18%

<sup>1</sup> Includes the 13 Northern Channel Island MPAs (does not include the military closures).

<sup>2</sup> Number used for calculating percentages.

<sup>3</sup> Complex regulations are categorized as those that allow a long list of excepted species and/or gear types to the general regulation.

<sup>4</sup> Permissive regulations are categorized as those that allow, at minimum, the take of all finfish and are below a moderate-high level of protection.



## Recommendations

- Consider Department guidance to:
  - Apply adjustments to MPAs to meet per feasibility evaluation
  - Apply technical adjustments to all MPA proposals advanced
  - Align goals and objectives per Department guidance
  - Eliminate from proposals MPAs that do not meet the intent of the MLPA