

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

**SECTION 3.0
PROJECT DESCRIPTION**

This section describes the location and specific regulatory changes proposed by the California Fish and Game Commission (Commission) under the proposed Integrated Preferred Alternative (IPA). Overview maps are included in this section. Detailed maps of each marine protected area (MPA) under consideration are located in Appendix A.

3.1 PROJECT LOCATION

The Commission is proposing to amend section 632 of Title 14 of the California Code of Regulations, which control certain activities within designated Marine Protected Areas off California. The currently proposed regulatory action involves only MPAs within state waters between Point Conception in Santa Barbara County and the California border with Mexico, and includes state waters adjacent to offshore islands and rocks (see Figure 3-1). This region, designated in this process as the south coast study region (SCSR), covers approximately 2,351 square miles of coastal state waters, from the mean high tide line to a maximum depth of approximately 3,938 feet, including estuarine areas. The SCSR spans five coastal California counties: Santa Barbara, Ventura, Los Angeles, Orange, and San Diego. The Channel Islands are also included within SCSR, however, changes to MPAs adjacent to five Channel Islands (San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara) are not part of the current regulatory action. The 13 existing MPAs surrounding these islands were established during prior Commission rulemaking, and would not be modified by the Commission's currently proposed regulatory action.

The oceanography and ecology of the SCSR have been relatively well-characterized in several publicly available summary documents as well as numerous scientific studies (Department 2009). The following is a general overview of important geographic and ecological features of the region, generally described from north to south. For more specific oceanographic and biological information, please refer to Section 7.0 of this Draft Environmental Impact Report (EIR).

The SCSR is located in the northern portion of the Southern California Bight, a curving section of coastline which extends from Point Conception to Baja California in Mexico (Dailey 1993). Currents within the majority of the SCSR are dominated by a counter-clockwise circulating gyre called the Southern California Eddy (Department 2009). This oceanographic feature comprises a complicated set of seasonally varying currents, but generally forms when the southward-moving California Current bends shoreward near San Diego and northward along the Southern California Bight, forming the northward-moving Southern California Counter Current (Jones 1971). This feature is most well developed in the summer and fall months, and less developed during the winter and spring (Lynn and Simpson 1987, Hickey 1993).

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Point Conception, a rocky headland that delineates the northern limits of the Southern California Bight, marks the northern boundary of the SCSR (Department 2009). At this location, cold waters from central California meet warmer waters from Southern California, marking the interface between two biogeographic provinces, each with distinct biota and ecosystems: the Oregonian province to the north, and the San Diegan (or Californian) province to the south (NCCOS 2005). South of Point Conception, the coastline trends eastward along the Santa Barbara channel, where offshore oil seeps exist. This portion of the coast is relatively protected from ocean swells by the northern Channel Islands, and thus hosts unique marine communities, such as soft-bottom kelp forests. A number of coastal streams meet the sea in this region, as well as the Ventura and Santa Clara Rivers. Some of these systems support estuaries, such as Goleta Slough and Carpentaria Salt Marsh.

South of Ventura County is Los Angeles County. The Palos Verdes Peninsula is located near the center of the SCSR, with Santa Monica Bay to the north and the ports of Los Angeles and Long Beach to the south (Department 2009). The western slope of the peninsula is among the steepest and deepest areas in the SCSR. To the north, Santa Monica Bay contains a wide variety of habitats, including rocky reefs, sandy beaches, and submarine canyons, supporting some 5,000 species in close proximity to the largest urban population center in California. Also within Santa Monica Bay is Marina Del Rey, one of the nation's largest man-made small craft harbors (Department 2009). Adjacent to marina Del Rey is the Ballona Creek and Ballona Wetlands. The Ports of Los Angeles and Long Beach, two of the busiest ports in the country, lie to the south of the peninsula at the mouth of the Los Angeles River (Department 2009). South of Palos Verdes within Los Angeles County are several rivers and streams including the Los Angeles River, San Gabriel River, Dominguez channel (Compton Creek), and Coyote Creek.

The coastline along Orange and northern San Diego counties is mainly characterized by sandy beaches backed by wave-cut platforms and mostly sandy subtidal areas (Department 2009). Numerous small creeks and rivers form a large number of coastal estuaries and lagoons in this region that vary in tidal influence. Estuaries in Orange County include the Bolsa Chica Wetlands, and Upper Newport Bay, which is considered one of the most important birding sites in North America (Department 2009). In south Orange County, the Dana Point Headlands area exhibits rocky intertidal habitat. One of the southernmost active steelhead streams, San Mateo Creek, is located along the broader between Orange County and San Diego County. Farther south into San Diego County, the rocky points of La Jolla and Point Loma support hard-bottom habitat and nearshore kelp forests. A submarine canyon lies offshore near La Jolla and this area is used by a large number of individuals for recreational purposes such Fishing. Rivers and Streams in the San Diego region include the Aliso Creek, Santa Margarita, San Luis Rey, San Dieguito and San Diego rivers. Major estuaries in the southernmost portion of the SCSR include Santa Margarita Marsh, Batiquitos Lagoon, San Elijo Lagoon, San Dieguito Lagoon, Penasquitos Marsh, Mission Bay, San Diego Bay, and the Tijuana River Estuary.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

As stated previously, the SCSR also includes the Channel Islands, a group of eight major islands, islets, and offshore rocks located between 12 and 75 miles offshore (Department 2009). The northern Channel Islands (where no changes to the existing MPA regulations are proposed, as stated previously) – San Miguel, Santa Rosa, Santa Cruz, and Anacapa islands – lie on a submarine ridge between the shallower Santa Barbara Channel and the deeper Santa Cruz basin. The waters surrounding the mostly rocky islands are highly productive and support diverse species assemblages, in part due to the mixing between colder water from the California Current in the western portion of the islands and warmer water from the Southern California Counter Current in the eastern portion of the islands. Farther south lie the islands of Santa Barbara (also not affected by the proposed regulatory changes), San Nicolas, Santa Catalina, and San Clemente. These islands are mostly rocky, and support diverse marine life.

The diverse habitats of the SCSR support a host of marine species, including those that are important for both commercial and recreational fisheries (e.g., market squid, California sheephead, California halibut, California spiny lobster); depressed or overfished species (e.g., red abalone, bocaccio, cowcod, widow rockfish); special-status species that are protected under state and federal laws (e.g., southern sea otter, grey whale, snowy plover, least tern, green sea turtle, steelhead trout, giant sea bass, tidewater goby); and other regionally important species that may derive benefit from MPAs.

Areas along the entire coastline within the SCSR support large human populations and extensive development, with the largest urban centers occurring in the metropolitan areas of Los Angeles and San Diego. The abundant marine resources in the region support a large commercial fishing fleet, as well as a recreational fishing community that includes shore-based, private boaters, and, Commercial Passenger Fishing Vessel (CPFV), or “party boat” operations. Major fishing ports supporting these groups are located in Santa Barbara Harbor, Channel Island Harbor, Ventura Harbor, King Harbor, San Pedro and Terminal Island in the Port of Los Angeles, Port of Long Beach, Newport Bay, Mission Bay, and San Diego Bay, as well as numerous other locations. A variety of non-consumptive activities are also popular within the SCSR, including diving, kayaking, surfing, beach-going, swimming, and a number of different shore and ship-based wildlife viewing activities. Other activities also utilize state waters within the SCSR. These include oil and gas production, electrical energy production, publicly owned treatment works, and dredging.

3.2 PROJECT OBJECTIVES

The MLPA was passed in 1999, and is codified at Sections 2850 through 2863 of the California Fish and Game Code. The MLPA specifically requires that the Department of Fish and Game (Department) prepare a master plan for the reexamination and redesign of California’s existing MPAs (the *California Marine Life Protection Act Master Plan for Marine Protected Areas*, revised in January 2008 [Master Plan]) and that the Commission adopt regulations based on the Department’s 2008 Master Plan. The MLPA requires the

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Commission to reevaluate all existing MPAs and potentially design new MPAs that together function as a cohesive statewide network. The MLPA includes clear guidance associated with the development of the MPA network. MPAs are developed on a regional basis with MLPA- and MPA-specific goals in mind, and are evaluated over time to assess their effectiveness for meeting these goals. The MPA design process began with setting regional goals and objectives that are consistent with the MLPA, then identified site-specific rationales for individual MPAs. Once set, these regional goals and objectives influenced crucial decisions regarding MPA size, location, boundaries, management measures, and the scope of MPA monitoring and evaluation programs. The proposed Project IPA was designed to achieve the regional goals and objectives set forth in the *Adopted Regional Goals and Objectives and Design and Implementation Considerations for the MLPA South Coast Study Region* (Department 2009a), including:

- **Goal 1: To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.¹**
 - Objective 1.1: Protect and maintain species diversity and abundance consistent with natural fluctuations, including areas of high native species diversity and representative habitats.
 - Objective 1.2: Protect areas with diverse habitat types in close proximity to each other.
 - Objective 1.3: Protect natural size and age structure and genetic diversity of populations in representative habitats.
 - Objective 1.4: Protect biodiversity, natural trophic structure and food webs in representative habitats.
 - Objective 1.5: Promote recovery of natural communities from disturbances, both natural and human induced, including water quality.

- **Goal 2: To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.**
 - Objective 2.1: Help protect or rebuild populations of rare, threatened, endangered, depressed, depleted, or overfished species, and the habitats and ecosystem functions upon which they rely.²

¹ Natural diversity is the species richness of a community or area when protected from, or not subjected to, human-induced change. Natural abundance is the total number of individuals in a population.

² The terms “rare,” “threatened,” “endangered,” “depressed,” “depleted,” and “overfished” referenced here are designations in state and federal legislation, regulations, and fishery management plans (FMPs) – e.g., California Fish and Game Code, Marine Mammal Protection Act, Magnuson Stevens Fishery Conservation and Management Act, California Nearshore FMP, Federal Groundfish FMP. Rare, *endangered*, and

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

- Objective 2.2: Sustain or increase reproduction by species likely to benefit from MPAs, with emphasis on those species identified as more likely to benefit from MPAs, and promote retention of large, mature individuals.³
 - Objective 2.3: Sustain or increase reproduction by species likely to benefit from MPAs with emphasis on those species identified as more likely to benefit from MPAs through protection of breeding, spawning, foraging, rearing or nursery areas or other areas where species congregate.
 - Objective 2.4: Protect selected species and the habitats on which they depend while allowing some commercial and/or recreational harvest of migratory, highly mobile, or other species; and other activities.
- **Goal 3: To improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbances, and to manage these uses in a manner consistent with protecting biodiversity.**
 - Objective 3.1: Sustain or enhance cultural, recreational, and educational experiences and uses (for example, by improving catch rates, maintaining high scenic value, lowering congestion, increasing size or abundance of species, and protection of submerged sites).
 - Objective 3.2: Provide opportunities for scientifically valid studies, including studies on MPA effectiveness and other research that benefits from areas with minimal or restricted human disturbance.
 - Objective 3.3: Provide opportunities for collaborative scientific monitoring and research projects that evaluate MPAs that promote adaptive management and link with fisheries management, seabird and mammals information needs, classroom science curricula, cooperative fisheries research and volunteer efforts, and identify participants.
 - **Goal 4: To protect marine natural heritage, including protection of representative and unique marine life habitats in south coast California waters, for their intrinsic value.**

threatened are designations under the California Endangered Species Act. *Depleted* is a designation under the federal Marine Mammal Protection Act. *Depressed* means the condition of a marine fishery that exhibits declining fish population abundance levels below those consistent with maximum sustainable yield (California Fish and Game Code, Section 90.7). *Overfished* means a population that does not produce maximum sustainable yield on a continuing basis (MSA) and in the California Nearshore FMP and federal Groundfish FMP also means a population that falls below the threshold of 30 percent or 25 percent, successively, of the estimated unfished biomass.

³ An increase in lifetime egg production will be an important quantitative measure of an improvement of reproduction.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

- Objective 4.1: Include within MPAs key and unique habitats identified by the MLPA Master Plan Science Advisory Team for this study region.
- Objective 4.2: Include and replicate to the extent possible (practicable), representatives of all marine habitats identified in the MLPA or the California Marine Life Protection Act Master Plan for Marine Protected Areas across a range of depths.
- **Goal 5: To ensure that south coast California’s MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.**
 - Objective 5.1: Minimize negative socio-economic impacts and optimize positive socio-economic impacts for all users including coastal dependent entities, communities and interests, to the extent possible, and if consistent with the Marine Life Protection Act and its goals and guidelines.
 - Objective 5.2: Provide opportunities for interested parties to help develop objectives, a long-term monitoring plan that includes standardized biological and socioeconomic monitoring protocols, a long-term education and outreach plan, and a strategy for MPA evaluation.
 - Objective 5.3: Effectively use scientific guidelines in the California Marine Life Protection Act Master Plan for Marine Protected Areas.
 - Objective 5.4: Ensure public understanding of, compliance with, and stakeholder support for MPA boundaries and regulations.
 - Objective 5.5: Include simple, clear, and focused site-specific objectives/rationales for each MPA and ensure that site-level rationales for each MPA are linked to one or more regional objectives.
- **Goal 6: To ensure that the south coast’s MPAs are designed and managed, to the extent possible, as a component of a statewide network.**
 - Objective 6.1: Provide opportunities to promote a process that informs adaptive management and includes stakeholder involvement for regional review and evaluation of management effectiveness to determine if regional MPAs are an effective component of a statewide network.
 - Objective 6.2: Provide opportunities to coordinate with future MLPA regional stakeholder groups in other regions to ensure that the statewide MPA network meets the goals of the MLPA.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

- Objective 6.3: Ensure ecological connectivity within and between regional components of the statewide network.
- Objective 6.4: Provide for protection and connectivity of habitat for those species that utilize different habitats over their lifetime.

3.3 REGIONAL DESIGN CONSIDERATIONS

Based on the six goals of the MLPA (see Section 3.2), the South Coast Regional Stakeholder Group (SCRSG) developed regional objectives to meet those goals in the SCSR, with the support of the SAT, the Department, the BRTF, and others. Regional design considerations are discussed in detail in Section 2.5 of this Draft EIR.

3.4 TYPES OF MPAs

The term “MPA” refers to a named, discrete geographic marine or estuarine area seaward of the high-tide line or the mouth of a coastal river, including any area of intertidal or subtidal terrain, together with its overlying water and associated flora and fauna, with regulations that are more restrictive than the general regulations in the general area and that are designed to protect or conserve marine life and habitat. MPAs are primarily intended to protect or conserve marine life and habitat; therefore, they are a subset of “marine managed areas,” which are broader groups of named, discrete geographic areas along the coast that protect, conserve, or otherwise manage a variety of resources and uses, including living marine resources, cultural and historical resources, and recreational opportunities.

The focus of the SCSR MPA effort is to revise the existing system of MPAs and implementing regulations set forth at 14 California Code of Regulations (CCR) 632 to form a more effective and cohesive network. The existing MPA regulations include four distinct MPA designations: state marine reserves (SMRs), state marine conservation areas (SMCAs), state marine parks (SMPs) and state marine recreational management areas (SMRMA)s. Under current law the Commission has the statutory authority to designate only SMRs and SMCAs. State marine parks may only be created, modified, or deleted under the authority of the California Park and Recreation Commission. Similarly, other types of marine managed areas such as state marine cultural preservation areas and State Water Quality Protection Areas, are beyond the scope of the MPA regulations, and are not part of the proposed Project. Definitions, goals, and a comparison of allowed and prohibited uses among SMRs, SMCAs, and SMPs are presented in Table 3-1.

In some portions of the SCSR, protected zones occur which are not among the formally-identified MPA types set forth in Section 36700 of the California Public Resources Code, but which nonetheless provide protection for marine resources within their boundaries. These types of designations are also described in this section, and their interface with the proposed regulatory changes is briefly discussed.

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

**TABLE 3-1
MPA DEFINITIONS, RESTRICTIONS, AND ALLOWABLE USES**

Characteristic	State Marine Reserve	State Marine Conservation Area	State Marine Park. (Designation authority lies with the Ca. Dept. Parks and Rec.)
Definition	<p>A nonterrestrial marine or estuarine area that is designated so that the managing agency may achieve one or more of the following:</p> <ul style="list-style-type: none"> • Protect or restore rare, threatened, or endangered native plants, animals, or habitats in marine areas; • Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems; • Protect or restore diverse marine gene pools; or • Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative, or imperiled marine habitats or ecosystems. 	<p>A nonterrestrial marine or estuarine area that is designated so that the managing agency may achieve one or more of the following:</p> <ul style="list-style-type: none"> • Protect or restore rare, threatened, or endangered native plants, animals, or habitats in marine areas; • Protect or restore outstanding, representative or imperiled marine species, communities, habitats, and ecosystems; • Protect or restore diverse marine gene pools; • Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative, or imperiled marine habitats or ecosystems; • Preserve outstanding or unique geological features; or • Provide for sustainable living marine resource harvest. 	<p>A nonterrestrial marine or estuarine area that is designated so that the managing agency may provide opportunities for spiritual, scientific, educational, and recreational opportunities, as well as one or more of the following:</p> <ul style="list-style-type: none"> • Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems; • Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative, or imperiled marine habitats or ecosystems; • Preserve cultural objects of historical, archaeological, and scientific interest in marine areas; or • Preserve outstanding or unique geological features.
Restrictions	<p>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</p>	<p>It is unlawful to injure, damage, take, or possess any specified living, geological, or cultural marine resources for certain commercial, recreational, or</p>	<p>It is unlawful to injure, damage, take, or possess any living or nonliving marine resources for commercial exploitation</p>

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

**TABLE 3-1 (CONTINUED)
MPA DEFINITIONS, RESTRICTIONS, AND ALLOWABLE USES**

Characteristic	State Marine Reserve	State Marine Conservation Area	State Marine Park. (Designation authority lies with the Ca. Dept. Parks and Rec.)
	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. Therefore, access and use (e.g., walking, swimming, boating, diving) may be restricted to protect marine resources.	combination of commercial and recreational purposes. In general, any commercial or recreational uses that would compromise protection of the species of interest, natural community, habitat, or geological features may be restricted by the designating entity or managing agency.	purposes. Any human use that would compromise protection of the species of interest, natural community or habitat, or geological, cultural, or recreational features may be restricted by the designating entity or managing agency.
Allowable Uses	Research, restoration, and monitoring may be permitted by the managing agency. Educational activities and other forms of nonconsumptive human use may be permitted by the designating entity or managing agency in a manner consistent with the protection of all marine resources.	Research, education, recreational activities, and certain commercial and recreational harvest of marine resources may be permitted.	All other uses are allowed, including scientific collection with a permit, research, monitoring, and public recreation (including recreational harvest, unless otherwise restricted). Public use, enjoyment, and education are encouraged in a manner consistent with protecting resource values.

Note: These terms are defined in California Public Resources Code Sections 36700 and 36710.

3.4.1 State Marine Reserve

Statutory language governing the nature and intent of SMRs is codified at Section 36700(a) of the California Public Resources Code. In the simplest terms, an SMR prohibits all take, possession, injury, or damage of marine organisms and geological or cultural resources. SMRs do not restrict non-consumptive uses, and research, restoration, and monitoring may be permitted by the managing agency. Educational activities and other forms of non-consumptive human use may be permitted by the designating entity or managing agency in a manner consistent with the protection of all marine resources. While the MLPA specifically precludes commercial and recreational fishing in SMRs, it also allows the managing agency to place restrictions on other activities, including non-extractive activities (e.g., diving, kayaking, snorkeling). It is important to note that this statement does not necessarily imply

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

that navigation would be restricted through MPAs, or that other non-extractive activities would be regulated, although in some instances the latter may be necessary.

3.4.2 State Marine Conservation Area

Statutory language governing the nature and intent of SMCAs is codified at Section 36700(c) of the California Public Resources Code. SMCAs differ from SMRs in their purpose and types of restriction. An individual SMCA may permit certain commercial and/or recreational harvest of marine resources. Fishing restrictions may vary with the focal species, habitats, and objectives of an individual MPA within a region, and may, for example, be in the form of restrictions on the catch of particular species and/or the use of certain types of fishing gear. SMCAs may be useful in protecting more sedentary, benthic (bottom-dwelling) species, while allowing the harvest of pelagic finfish⁴ species. As envisioned in the proposed Project, an SMCA designation would not prohibit maintenance and operation activities associated with existing structures and facilities such as outfall pipes, jetties, aquaculture operations, dredging, sand replenishment, or other permitted operations.

3.4.3 State Marine Park

Prior to the enactment of the MLPA, Marine Managed Areas Improvement Act (MMAIA), and the Marine Life Management Act of 1988 (MLMA), the Commission had designated certain areas as SMPs. Under current law the Commission has authority to designate SMRs or SMCAs but not SMPs. The MLMA requires a review of all MPAs to ensure naming consistent with the conservation mission of each MPA. In compliance with the renaming requirements of the MLMA, the regulatory action currently proposed by the Commission would include appropriately redesignating existing SMPs as SMCAs or SMRs. See Table 3-1 for further MPA definitions and uses.

Under current law, SMPs differ from SMRs in their purpose and types of restriction. Unlike SMRs, SMPs allow some or all types of recreational activities. The types of restrictions on allowed take may vary with the focal species, habitats, and objectives of an individual SMP within a region. Where the primary goal of MPAs in general is biodiversity conservation, the primary goal of an SMP may be to enhance recreational opportunities. As part of the proposed regulatory changes, corrections to Title 14 Section 632 would be made to correct inconsistencies in past naming of MPA areas whose primary mission was to conserve biological resources.

⁴ Pelagic finfish are defined at 14 CCR 632(a)(3) as northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes (family *Istiophoridae*), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tuna (family *Scombridae*), and yellowtail (*Seriola lalandi*).

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

3.4.4 State Marine Recreational Management Area

In addition to SMRs and SMCAAs the Commission has the authority to designate state marine recreational management areas (SMRMAs). Although not formally identified as MPAs in the MLPA, SMRMAs are non-terrestrial marine or estuarine areas designated so the managing agency may provide, limit, or restrict recreational opportunities to meet other than purely local needs while preserving basic resource values for present and future generations. Statutory language governing restrictions in SMRMAs are codified in Section 36700(e) of the California Public Resources Code. SMRMAs prohibit any activities that would compromise the recreational values for which the area is designated for. Specified recreational opportunities may be protected, enhanced or restricted in SMRMAs, while preserving basic resource values of the area.

3.4.5 Special Closure Areas

Special closure areas (SCAs) are areas where the Commission has created either a seasonal or a year-round closure to help protect sea bird nesting, breeding, and roosting areas and/or marine mammal rookeries, haul-out, and breeding colonies. The proposed Project IPA would result in some changes to the regulatory status of SCAs within the SCSR due to the conversion of one existing SCA to an SMCA designation (see Section 3.5, below). However, SCAs are not intended to provide permanent or broad-reaching protection, and are not among the categories of MPAs formally established by Section 36700 of the California Public Resources Code. The proposed Project IPA would not establish any new SCAs. It is anticipated that, regardless of whether or not the proposed Project IPA is adopted by the Commission, the Commission will continue to exercise its statutory authority and will designate SCAs at various times and locations, with appropriate use restrictions, when necessary. Please see Section 3.5.50 for further details on existing SCAs in the SCSR.

3.4.6 Ecological Reserves

Within the SCSR, a number of locations have been designated as Ecological Reserves under existing Commission regulations at 14 CCR 630. Ecological reserves are established to provide protection for rare, threatened or endangered native plants, wildlife, aquatic organism and specialized terrestrial or aquatic habitat types. Public entry and use of Ecological Reserves are restricted, and users must comply with general rules and regulations (14 CCR 630(a)) as well as special regulations specific to each Ecological Reserve (14 CCR 630(b)). The regulations designating Ecological Reserves are separate and apart from the Commission's MPA regulations 14 CCR 632 that are the subject of the proposed Project, and Ecological Reserves are not among the classifications formally identified as MPAs by Section 36700 of the California Public Resources Code. No changes to the Commission's existing regulatory language at 14 CCR 630 are proposed.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

At particular locations within the SCSR, Ecological Reserves overlap areas where changes to MPA regulations are proposed. Where this occurs, the currently proposed Commission regulations include a statement allowing the uses permitted under the existing Ecological Reserve regulations at 14 CCR 630(b) for that location. This practice ensures that there would be no inconsistencies between the proposed MPA regulations and existing Ecological Reserve regulations. Existing Ecological Reserves within or adjacent to the SCSR include: Goleta Slough; Ballona Wetlands; Bolsa Chica; Buena Vista Lagoon; Agua Hedionda Lagoon; Batiquitos Lagoon; San Elijo Lagoon; and San Dieguito Lagoon (14 CCR 630(b)).

3.4.7 National Wildlife Refuges

The National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service (USFWS), is a system of public lands and waters set aside to conserve the nation's fish, wildlife, and plants. The extent of public access and allowed uses vary within the network, but are intended to encompass wildlife-dependent uses involving hunting, fishing, wildlife observation, photography, interpretation, and education, when compatible (USFWS 2009). Although national wildlife refuges are not among the designations identified as MPAs in Section 36700 of the California Public Resources Code, these areas nonetheless provide levels of resource protection that beneficially augment the existing MPA network, and would continue to do so if the proposed regulatory changes were adopted. Three National Wildlife Refuges occur within the waters of the SCSR, including the Seal Beach National Wildlife Refuge in Anaheim Bay, the San Diego Bay National Wildlife Refuge, and the Tijuana Slough National Wildlife Refuge.

3.4.8 Federal Safety Zones

The SCSR contains federal Safety Zones, which are military closures enacted by the United States Coast Guard and managed by the United States Navy. The closures are intended to ensure public safety – not for marine preservation, but they provide additional protection to the proposed network by prohibiting public access and acting as no-fishing zones. Two such safety zones occur near San Clemente Island, and they encompass approximately 37 square miles. These areas are not under consideration for regulatory action because the compatibility of these uses with marine resource protection is uncertain; they are described for informational purposes only. They are not components of the proposed Project IPA and will not be proposed for formal designation as MPAs.

3.5 PROPOSED INTEGRATED PREFERRED ALTERNATIVE

This section describes the inclusions, changes, deletions, and additions to the existing MPA regulations that comprise the proposed Project IPA. Because the proposed regulatory action represents a change in an existing MPA program, rather than initiation of a new program, the following description focuses on the differences between pre- and post-project protections and impacts that would result from the proposed regulations.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Generally, the proposed regulatory changes would: alter the geographic extent of the existing MPAs; change the specific prohibited and allowed uses within existing MPAs; add new MPAs; and remove areas from protection under MPA regulations. In some cases, enlargement of an MPA would result in two MPAs becoming merged, or one being subsumed by another. In these instances, the regulations specify the name and rules that would apply to the MPA. With regard to changes in allowed and prohibited uses, the proposed regulations control which species may be taken, the purpose for which they may be taken (i.e., recreational vs. commercial), and the method by which they are taken. The proposed Project IPA also includes boundary- and regulatory-related sub-options for some MPAs under consideration. A comparative description of each sub-option, illustrating the changes among them has been included in this Draft EIR.

As stated previously, the proposed regulatory action would not alter the existing regulations regarding any MPAs surrounding the five northernmost Channel Islands (San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara Islands). A total of 13 MPAs exist in the vicinity of these islands, consisting of 11 SMRs and two SMCAs encompassing a total of approximately 168 square miles. These MPAs have been subject to prior California Environmental Quality Act (CEQA) environmental review, would remain in place regardless of whether the proposed Project IPA is approved, and would not be modified by the proposed Project IPA or by any of the alternatives evaluated in Section 10.0 of this Draft EIR. Although they would remain unchanged by the proposed Project IPA, these MPAs are included in the discussion below because they are geographically located within the SCSR, and thus provide a contextual backdrop for the proposed regulatory changes. These existing MPAs are also described in Section 9.0 (Cumulative Impacts) of this Draft EIR.

Under the proposed Project IPA, MPAs would be designated as shown on Figure 3-2 and in Tables 3-2 and 3-3. In total, the proposed Project IPA would expand the existing MPA regulations to encompass a minimum of 48 MPAs (with boundary options resulting in a maximum of 51 MPAs) within the SCSR, compared to 42 MPAs under existing conditions. The total area protected would increase substantially, from approximately 182 square miles under existing conditions to approximately 351 square miles under the proposed Project IPA (including MPAs in the vicinity of the northern Channel Islands as described above). In addition to the increased area under protection, the proposed Project IPA would improve the level of protection for the network of MPAs as a whole. This would be achieved by increasing the area captured in no-take MPAs, such as SMRs and the most restrictive SMCAs. The improved network of MPAs that would be created by the proposed regulatory action would increase the area captured in SMRs, “non-fishing” SMCAs, and SMCAs considered to have fishing activities that offer a “high” to “very high” levels of protection under guidelines created by the MLPA Science Advisory Team. Accordingly, the area within MPAs having “very high” and “high” levels of protection would increase under the proposed Project IPA. A numerical summary of the proposed changes to the extent of MPAs within the

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

**TABLE 3-2
CONFIGURATION OF MPAS UNDER THE PROPOSED PROJECT**

Type of MPA ¹	Number of Existing MPAs ²	Number of MPAs Under Proposed Project IPA ²	Total Area of Existing MPAs ³ (Square Miles)	Total Area of MPAs after proposed Project IPA ³ (Square Miles)	Net Change In MPA Area (Square Miles)
State Marine Reserve (SMR) ⁴	15	20	161.0	252.8 – 271.1	+82.7 – 101.0
State Marine Conservation Area (SMCA) ⁵	19	28	17.95	205.1 – 270.1	+78.6 – 93.6
State Marine Park (SMP) ⁶	8	0	2.68	0	-2.68
Total	42	48	181.66	350.6 – 362.9	+169.1 – 184.4

Sources: Department 2010, and Department 2009b.

¹ Type of MPA refers to the type of designation as classified by Section 36710 of the California Public Resources Code.

² Includes all MPA designations within the SCSR, including 11 SMRs and 2 SMCAs at the five northernmost Channel Islands which are not a part of the currently proposed rulemaking and would be retained without modification.

³ Of this total, the retained Northern Channel Island MPAs account for 158.67 square miles encompassed within SMRs, and 9.08 square miles encompassed within SMCAs.

⁴ The total number of SMRs under the proposed Project IPA could decrease to 18 with the selections of Laguna Beach SMCA (Option 1) and Matlahuayl SMCA (Option 1).

⁵ The total number of SMCAs under the proposed Project IPA could increase to 33 with the selections of Refugio SMCA (Option 2), Doheny Beach SMCA (Option 2), Laguna Beach SMCA (Laguna Beach SMR Options 1 and 2), Matlahuayl SMCA (Option 1) and Robert E. Badham SMCA (Option 2).

⁶ An SMP may only be created, modified, or deleted under the authority of the Park and Recreation Commission [Public Resources Code 36725(b)]. (Department 2010:6). Existing SMPs will be renamed consistent with the requirements of MLPA.

SCSR is presented in Table 3-2, and summary characteristics of the MPAs affected by the proposed regulatory changes are presented in Table 3-3.

3.5.1 Point Conception SMR

Classification: Proposed Addition

Proposed Modification of Boundaries: The Point Conception SMR has been proposed in an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMR would extend 3 nautical miles west of Point Conception, and approximately 2 miles east along the coast, bound to the north by the coast and to the south by the offshore limits of state jurisdiction. The proposed SMR has an area of 22.51 square miles and an alongshore span of 5.27 miles. Depths within the SMR would range from 0 to 489 feet. Boundaries of this proposed SMR are depicted graphically on Figure 3-10.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources.

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

**TABLE 3-3
PROPOSED MPA CONFIGURATION UNDER THE PROPOSED PROJECT**

MPA Name¹	SAT Level of Protection	Size (Square Miles)	Alongshore Span² (Miles)	Depth Range (Feet)³
Point Conception SMR	Very High	22.51	5.27	0–489
Kashtayit SMCA ⁴	Low	1.97	1.87	0–165
Naples SMCA	Low	2.58	1.91	0–162
Campus Point SMR ⁶	Very High	10.42	2.86	0–748
Refugio SMCA (exclusion or inclusion options 1 and 2 [Figure 3-3])	N/A and Low	1.03	2.6	0–51
Goleta Slough SMCA ⁵	Very High	0.25	N/A	Depth data not available
Begg Rock SMR	Very High	37.96	6.94	219–374
Point Dume SMCA	High	15.85	4.24	0–2,023
Point Dume SMR	Very High	7.43	1.92	0–1,987
Point Vicente SMCA ⁵	Very High	15.12	3.69	0–2,640
Abalone Cove SMCA	High	4.75	1.23	0–2,181
Bolsa Bay SMCA ⁷	Moderate-Low	0.07	N/A	Depth data not available
Bolsa Chica Basin SMCA ^{5,7}	Very High	0.65	N/A	Depth data not available
Arrow Point to Lion Head Point SMCA (boundary options 1 and 2 [Figure 3-4])	Low	0.54–0.63	2.86	0–259
Blue Cavern SMCA ⁵	Very High	2.62	2.29	0–892
Bird Rock SMCA	High	7.70	2.29	267–2,616
Long Point SMR	Very High	1.67	1.98	0–749
Casino Point SMCA ⁵	Very High	0.01	0.15	0–73
Lover's Cove SMCA	All Moderate-High	0.06	0.39	0–188
Farnsworth Onshore SMCA	High	2.57	2.61	0–291
Farnsworth Offshore SMCA ⁸	High	6.67	2.61	135–1,909
Cat Harbor SMCA	Moderate-Low	0.25	0.45	0–186
Upper Newport Bay SMCA	Moderate-Low	1.28	N/A	Depth data not available
Crystal Cove SMCA (boundary options 1–5 [Figure 3-5])	All Moderate-Low	2.67–3.46	4.32	0–239
Robert E. Badham SMCA (inclusion options under Crystal Cove Options 3 and 4)	Moderate-Low	0.57	0.90	0–10
Laguna Beach SMR/SMCA ⁵ (boundary options 1–5 [Figure 3-5])	Very High	9.15–16.85	2.95	0–1,408
Dana Point SMCA (boundary options 1 and 2, and access options A and B [Figure 3-5])	All Moderate-Low	3.45–3.91	3.85	0–152

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

**TABLE 3-3 (CONTINUED)
PROPOSED MPA CONFIGURATION UNDER THE PROPOSED PROJECT**

MPA Name¹	SAT Level of Protection	Size (Square Miles)	Alongshore Span² (Miles)	Depth Range (Feet)³
Doheny Beach SMCA (exclusion or inclusion options 1 and 2 [Figure 3-6])	N/A or Low	0.19	1.2	0–14
Batiquitos Lagoon SMCA ⁵	Very High	0.48	N/A	Depth data not available
Swami's SMCA (boundary options 1 to 4, [Figure 3-7])	All High	9.68–12.66	2.68	0–979
San Elijo Lagoon SMCA ⁵	Very High	0.44	N/A	Depth data not available
San Diego-Scripps Coastal SMCA (boundary options 1 and 2 [Figure 3-8])	Moderate-Low	1.42–1.47	1.14	0–366
Matlahuayl SMR/SMCA ⁵ (boundary options 1 and 2 [Figure 3-8])	All Very High	1.06–1.11	1.21	0–331
South La Jolla SMR (boundary options 1–4, [Figure 3-9])	All Very High	4.65–5.05	1.74	0–176
South La Jolla SMCA (boundary options 1–4 [Figure 3-9])	All High	2.27–2.46	1.74	147–274
Famosa Slough SMCA ⁵	Very High	0.03	N/A	Depth data not available
Cabrillo SMR	Very High	0.38	1.26	0–30
Tijuana River Mouth SMCA	High	2.90	2.28	0–55

Source: Department 2010.

1. The 13 existing MPAs within the northern Channel Islands are not included. These MPAs would be retained without modification, and are not part of the proposed rulemaking, although they are displayed in the maps.
2. Alongshore span measured as direct line from one end of the MPA to the other. Estuarine MPAs are not given an alongshore span.
3. Comprehensive bathymetric data for all estuaries is not available. Though bathymetric data does exist in portions of some estuaries, depth ranges are not provided for estuarine MPAs for consistency among evaluations.
4. This area, recommended by stakeholders as an SMP, would instead be designated as SMCA, and could subsequently be designated a SMP at the discretion of the State Park and Recreation Commission.
5. Activities related to an existing artificial structure were identified in the Department of Fish and Game Report to the Fish and Game Commission, *Unresolved Issues and Potential Options for the Integrated Preferred Alternative of the Marine Life Protection Act in the South Coast Study Region* (March 2010) (Also available at http://www.dfg.ca.gov/mlpa/pdfs/scmpas_report_030310.pdf) as occurring within Campus Point SMR, with a recommendation to change the designation to an SMCA and specify that the permitted activities could continue. Information received subsequent to the report indicates that the artificial structure is outside the boundaries of the proposed SMR. Therefore, the regulation retains the SMR designation as proposed.
7. The names originally proposed (Bolsa Chica SMCA/SMCA) are identical. To avoid confusion, the names have been modified to reflect commonly-used terms for each of the respective areas: Bolsa Bay SMCA and Bolsa Chica Basin SMCA.
8. A preliminary wave energy permit has been granted by the Federal Energy Regulatory Commission (FERC) at Santa Catalina Island, that includes part of the proposed expansion of Farnsworth Bank (Catalina) Offshore SMCA, which may need to be included in future regulations for this MPA.

Proposed Modification of Other Regulated Activities: None.

3.5.2 Kashtayit SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: The Kashtayit SMCA has been proposed in an area of the SCSR with no existing MPA and the boundaries would be newly established. The proposed SMCA lies approximately 10 miles east of the proposed Point Conception SMR along the Santa Barbara County coastline. Named after the historic Chumash village site of Kashtayit, the proposed SMCA has a total area of 1.97 square miles and an alongshore span of 1.87 miles. Depths within the SMCA would range from 0 to 165 feet. Boundaries of this proposed SMCA are depicted graphically on Figure 3-10.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources except the recreational take of finfish, invertebrates (other than rock scallops and mussels) and giant kelp (*Macrocystis pyrifera*) by hand harvest.

Proposed Modification of Other Regulated Activities: New regulations propose allowing continuation of activities related to the operation and maintenance of artificial structures, pursuant to any required permits or as otherwise authorized by the Department.

3.5.3 Refugio SMCA

Classification: Proposed Removal with Option to Retain

Proposed Modification of Boundaries: The Refugio SMCA is an existing SMCA adjacent to Refugio State Beach that is proposed for removal under the proposed Project IPA. However, the Department of Parks and Recreation has requested that the Commission consider retaining this existing SMCA without modification. Both the removal and retention options are being considered. This existing SMCA has an area of 1.03 square miles and an alongshore span running 2.6 miles. Depths within the SMCA range from 0 to 51 feet. Boundaries of this SMCA are depicted graphically on Figure 3-10.

Proposed Modification of Take Regulations: Proposed removal of this existing SMCA would lift the existing take regulations, and the option to retain this MPA would maintain the existing regulations without modification. The existing regulations prohibit take of all living marine resources within the Refugio SMCA except:

1. Recreational take of finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobster, ghost shrimp, sea urchins, mussels, and marine worms.
2. Commercial take of finfish, crabs, ghost shrimp, jackknife clams, sea urchins, and algae (except giant kelp, bull kelp), and worms.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Other Regulated Activities: None.

3.5.4 Naples SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: The Naples SMCA has been proposed in an area of the SCSR with no existing MPA and the boundaries would be newly established. The proposed Naples SMCA is located along the Gaviota Coast, approximately 14 miles east of the proposed Kashtayit SMCA. The proposed Naples SMCA has an area of 2.58 square miles and an alongshore span of 1.91 miles. Depths within the proposed SMCA range from 0 to 162 feet. Boundaries of this proposed SMCA are depicted graphically on Figure 3-10.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources except:

1. Recreational take of pelagic finfish (including Pacific bonito) and white sea bass by spearfishing.
2. Commercial take of giant kelp (*Macrocystis pyrifera*) by hand harvest or mechanical harvest.

Proposed Modification of Other Regulated Activities: New regulations propose allowing activities related to the operation and maintenance of artificial structures pursuant to any required permits or as otherwise authorized by the Department.

3.5.5 Campus Point SMR

Classification: Proposed Addition

Proposed Modification of Boundaries: The Campus Point SMR is proposed in an area of the SCSR with no existing MPA and the boundaries would be newly established. The proposed SMR is located near the City of Goleta and the University of California, Santa Barbara (UCSB). The proposed SMR has an area extending west along the Gaviota Coast from UCSB's Campus Point, and south to the offshore limits of state jurisdiction, 3 nautical miles from shore. The proposed SMR has an area of 10.42 square miles and an alongshore span of 2.86 miles. Depths within the SMR range from 0 to 748 feet. Boundaries of this proposed SMR are depicted graphically on Figure 3-10.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: None.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

3.5.6 Goleta Slough SMP and SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: The existing Goleta Slough SMP located near the city of Goleta, is proposed to be removed and replaced by an SMCA designation (see modifications to regulations below) with no boundary modification. The proposed Goleta Slough SMCA would retain the same area as the existing SMP (0.25 square miles). Boundaries of this proposed SMCA are depicted graphically on Figure 3-10.

Proposed Modification of Take Regulations: Existing regulations allow the recreational hook and line take of species other than marine aquatic plants. Under the proposed Project IPA this use would be prohibited.

Proposed Modification of Other Regulated Activities: The prohibition against boating, swimming, wading, and diving in waters below the mean high tide line contained in the Goleta Slough Ecological Reserve regulations [14 CCR 630(b)(54)] would be retained. Existing regulations pertaining to access to the area for persons not carrying out official duties would also remain unmodified [14 CCR 632(b)(75)(D)]. The proposed regulations would allow the following activities to continue: routine maintenance, dredging, habitat restoration, research and education, maintenance of artificial structures, and operation and maintenance of existing facilities in the conservation area pursuant to any required federal, state, and local permits, or activities pursuant to 14 CCR 630 or as otherwise authorized by the Department.

Both the proposed MPA regulations and the existing Ecological Reserve regulations would allow for restoration and other activities to continue.

3.5.7 Big Sycamore Canyon SMR

Classification: Proposed Removal

Proposed Modification of Boundaries: The Big Sycamore Canyon SMR is proposed for removal under the proposed Project IPA. For a description of this existing SMR, please refer to the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations prohibiting take of all living marine resources would be lifted.

Proposed Modification of Other Regulated Activities: Proposed removal of this SMR would lift existing restrictions at 14 CCR 632(b)(90)(C) through (L) pertaining to other regulated activities under such as swimming, boating, firearms, public entry, pesticides, litter, use of aircraft, and pets.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

3.5.8 Point Dume SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: The proposed Point Dume SMCA is within an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMCA is located just south of the Los Angeles County line, southeast of Point Mugu, near Point Dume. The area expands west from Point Dume and extends to the limits of state jurisdiction. The proposed SMCA has an area of 15.85 square miles and an alongshore span running 4.24 miles. Depths within the SMCA range from 0 to 2,023 feet. Boundaries of this proposed SMCA are depicted graphically on Figures 3-11 and 3-12.

Proposed Modification of Take Regulations: Proposed regulations would prohibit take of all living marine resources except:

1. Recreational take of pelagic finfish, including Pacific bonito, and white sea bass by spearfishing.
2. Commercial take of coastal pelagic species by round haul net and swordfish by harpoon.

Proposed Modification of Other Regulated Activities: None.

3.5.9 Point Dume SMR

Classification: Proposed Addition

Proposed Modification of Boundaries: The proposed Point Dume SMR is within an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMR is located adjacent to the proposed Point Dume SMCA, extending both east and west of Point Dume and extending south to the offshore limits of state jurisdiction. The proposed SMR has an area of 7.43 square miles and an alongshore span of 1.92 miles. Depths within the MPA range from 0 to 1,987 feet. Boundaries of this proposed SMR are depicted graphically on Figures 3-11 and 3-12.

Proposed Modification of Take Regulations: Proposed regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: None.

3.5.10 Point Vicente SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: The proposed SMCA is within an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMCA

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

is located over the Rancho Palos Verdes Shelf, extending both east and west of Point Vicente, and southwest to the offshore limits of state jurisdiction. The proposed Point Vicente SMCA has an area of 15.12 square miles and an alongshore span of 3.69 miles. Depths within the proposed SMCA range from 0 to 2,640 feet. Boundaries of this proposed SMCA are depicted graphically on Figure 3-12.

Proposed Modification of Take Regulations: Proposed regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: Proposed regulations would allow activities associated with the Palos Verdes Shelf Superfund Site remediation program pursuant to any required permits or as authorized by the Department.

3.5.11 Abalone Cove SMP and SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: The boundaries of the Abalone Cove SMP would be eliminated and replaced by the boundaries of the significantly larger Abalone Cove SMCA. Under the proposed Project IPA, the SMCA would lie adjacent to the proposed Point Vicente SMCA, stretching 1.23 miles east and to the offshore limits of state jurisdiction at its southern boundary. The proposed SMCA would increase the existing MPA area from 0.10 square miles to 4.75 square miles. Boundaries of this proposed SMCA are depicted graphically on Figure 3-12.

Proposed Modification of Take Regulations: The regulations proposed under the IPA are more restrictive than the take regulations at 14 CCR 632(b)(92)(B) governing the existing SMP. The existing regulations allow the recreational take of finfish by hook and line or spearfishing. The regulations proposed in the IPA would allow only:

1. Recreational take of pelagic finfish, including Pacific bonito, white sea bass by spearfishing only, and market squid by hand-held dip net.
2. Commercial take of coastal pelagic species and Pacific bonito by round haul net, and swordfish by harpoon.

Proposed Modification of Other Regulated Activities: Proposed regulations would allow remediation activities associated with the Palos Verdes Shelf Superfund Site remediation program pursuant to any required permits or as authorized by the Department.

3.5.12 Point Fermin SMP

Classification: Proposed Removal

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: The existing Point Fermin SMP is proposed for removal under the proposed Project IPA. For a description of this existing MPA, refer to the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations allowing only the recreational take of lobster, rockfish (family *Scorpaenidae*), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch (family *Embiotocidae*), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab by hook and line or by spearfishing would be lifted.

Proposed Modification of Other Regulated Activities: None.

3.5.13 Bolsa Chica SMP and Bolsa Bay SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Boundaries of the existing Bolsa Chica SMP would be modified and expanded by the Bolsa Bay SMCA and the Bolsa Chica Basin SMCA (see Section 3.5.14, below). Both proposed SMCAs are located within the Bolsa Chica Ecological Reserve, with Bolsa Bay SMCA encompassing the northern portion of the reserve, and Bolsa Chica Basin SMCA encompassing the southern portion. The proposed Bolsa Bay SMCA has an area of 0.07 square miles. Boundaries of this proposed SMCA are depicted graphically on Figure 3-12.

Proposed Modification of Take Regulations: The currently allowed recreational hook and line take of certain species (other than marine aquatic plants) would be prohibited, and only the recreational take of finfish by hook and line from shore in designated areas would be allowed under the proposed regulations.

Proposed Modification of Other Regulated Activities: Existing regulations restricting boating, swimming, wading, diving, hours of entry, and access locations would be retained under the proposed Project IPA. Existing regulations on management activities would be modified to allow the following: routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structure inside the conservation area pursuant to any required federal, state, and local permits.

3.5.14 Bolsa Chica SMP and Bolsa Chica Basin SMCA

Classification: Proposed Replacement

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: The southern boundaries of the existing Bolsa Chica SMP would be modified, and this MPA would be replaced by the proposed Bolsa Chica Basin SMCA. Adjacent to the proposed Bolsa Bay SMCA, the larger Bolsa Chica Basin SMCA would add an additional area of 0.50 square mile to the existing MPA, yielding a revised total of 0.65 square mile. The proposed SMCA is located within the Bolsa Chica Estuary and Ecological Reserve. Boundaries of this proposed SMCA are depicted graphically on Figure 3-12.

Proposed Modification of Take Regulations: The currently allowed recreational hook and line take of species other than marine aquatic plants from outer Bolsa Bay would be prohibited. The proposed regulations would prohibit the take of all living marine resources.

Proposed Modification of Other Regulated Activities: Existing regulations governing non-consumptive activities at the existing Bolsa Chica SMP [see 14 CCR 632(b)(94)(C) through (F)] would be incorporated into regulations for the proposed Bolsa Chica Basin SMCA. This includes restrictions on boating, swimming, wading, diving, hours of entry, and access locations. Existing regulations on management activities would be modified, to allow routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits.

3.5.15 Arrow Point to Lion Head Point (Catalina Island) Special Closure and SMCA

Classification: Proposed Modification

Proposed Modification of Boundaries: Existing boundaries of the existing SCA would be modified according to two options presented in the proposed Project IPA. The proposed Arrow Point to Lion Head Point SMCA would replace the existing special closure area of the Arrow Point to Lion Head Point Invertebrate Area, and would have an area of 0.54 or 0.63 square miles (depending on which boundary option is selected), and an alongshore span of 2.86 miles. Depths within the proposed SMCA range from 0 to 259 feet. The proposed boundary options are as follows, and are depicted graphically on Figure 3-13:

1. Arrow Point to Lion Head Point Boundary Option 1: Boundaries would retain the existing MPA offshore boundary using distance from shore.
2. Arrow Point to Lion Head Point Boundary Option 2: Boundaries would be modified as coordinates connected by straight lines that approximate the distance from shore.

Proposed Modification of Take Regulations: None; existing regulations allowing recreational take of all living marine resources except marine invertebrates would be retained.

Proposed Modification of Other Regulated Activities: None.

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

3.5.16 Catalina Marine Science Center SMR and Blue Cavern (Catalina Island) SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Existing MPA boundaries would expand offshore to the north, and the proposed Blue Cavern SMCA would replace the existing Catalina Marine Science Center SMR. The proposed Blue Cavern SMCA has an area of 2.62 square miles and an alongshore span of 2.29 miles. Depths within the SMCA range from 0 to 892 square feet. The boundaries of the existing SMR and proposed SMCA are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: Existing regulations prohibiting the take of all living resources would be retained, but an exception allowing take for scientific purposes would be added.

Proposed Modification of Other Regulated Activities: Existing restrictions pertaining to anchoring or mooring vessels, and scientific collection [14 CCR 632(b)(96)(B)] would be retained. New regulations allowing maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or as otherwise authorized by the Department, would be added.

3.5.17 Bird Rock (Catalina Island) SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: Bird Rock SMCA is proposed in an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMCA lies adjacent to the Blue Cavern SMCA, and encompasses an area of 7.70 square miles and an alongshore span of 2.29 miles. The northern boundary of the proposed SMCA extends to the offshore limits of state jurisdiction. Depths within the proposed SMCA range from 267 to 2,616 feet. The boundaries of the proposed SMCA are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources except:

1. Recreational take of pelagic finfish, including Pacific bonito, by hook and line or by spearfishing; white sea bass by spearfishing only; and market squid by hand-held dip net.
2. Commercial take of pelagic finfish by hook and line only, and swordfish by harpoon only.

Proposed Modification of Other Regulated Activities: None.

3.5.18 Long Point (Catalina Island) SMR

Classification: Proposed Addition

Proposed Modification of Boundaries: Long Point SMR is proposed in an area of the SCSR with no existing MPA, and the proposed boundaries would be newly established. The proposed SMR is located on the eastern side of Santa Catalina Island, southeast of the proposed Blue Cavern SMCA. The proposed SMR has an area of 1.67 square miles, extending offshore from Catalina Island in a northeast direction. The alongshore span covers 1.98 miles, and depths within the SMR would range from 0 to 749 feet. The boundaries of the proposed SMR are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: None.

3.5.19 Casino Point (Catalina Island) SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: Casino Point SMCA is proposed in an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMCA is located near the southeastern side of Santa Catalina Island, north of Lover's Cove. The proposed SMCA has an area of 0.01 square mile and an alongshore span running 0.15 mile. Depths within the proposed SMCA range from 0 to 73 feet. The boundaries of the proposed SMCA are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: New regulations would allow maintenance of artificial structures inside the conservation area pursuant to any required permits, or as otherwise authorized by the Department. In addition, options for allowing the feeding of fish for the purpose of marine life viewing have been proposed, and would be considered by the Commission under the proposed Project IPA. The two options under consideration are as follows:

1. Option 1: Do not allow feeding of fish.
2. Option 2: Allow feeding of fish for marine life viewing.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

3.5.20 Lover's Cove SMCA

Classification: Proposed Modification

Proposed Modification of Boundaries: Existing boundaries of the Lover's Cove SMCA, located on the southeast side of Santa Catalina Island, would be expanded. The existing SMCA has an area of 0.02 square mile, and an alongshore span running 0.3 mile. The proposed SMCA would have an area of 0.06 square miles and would cover an alongshore span of 0.39 mile. Depths within the expanded SMCA would range from 0 to 188 feet. The proposed boundary revisions are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: The currently allowed take of finfish and kelp would be disallowed, recreational pier fishing from Cabrillo mole by hook and line only would be permitted.

Proposed Modification of Other Regulated Activities: Proposed regulations would allow maintenance of artificial structures inside the conservation area pursuant to any required permits, or as otherwise authorized by the Department. In addition, options for allowing the feeding of fish for the purpose of marine life viewing have been proposed, and would be considered by the Commission under the proposed Project IPA. The two options under consideration are as follows:

1. Option 1: Do not allow feeding of fish.
2. Option 2: Allow feeding of fish for marine life viewing.

3.5.21 Farnsworth (Catalina Island) Onshore SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: Farnsworth Onshore SMCA is proposed in an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMCA is located on the western side of Santa Catalina Island, adjacent to the proposed Farnsworth Offshore SMCA. The proposed SMCA has an area of 2.57 square miles and an alongshore span of 2.61 miles. Depths within the proposed SMCA range from 0 to 291 feet. The boundaries of the proposed SMCA are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources except:

1. Recreational take of: pelagic finfish including Pacific bonito and white sea bass by spearfishing; market squid by hand-held dip net; marlin, tunas, and dorado (or dolphinfish) by trolling.

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

2. Commercial take of coastal pelagic species by round haul net only and swordfish by harpoon only.

Proposed Modification of Other Regulated Activities: None.

3.5.22 Farnsworth Bank (Catalina Island) SMCA and Farnsworth Offshore SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: The proposed Farnsworth Offshore SMCA would subsume and augment the existing Farnsworth Bank SMCA. MPA boundaries would be expanded westward to the offshore limits of state jurisdiction. The existing MPA has an area of 1.68 square miles. The proposed SMCA has an area of 6.67 square miles and depths ranging from 135 to 1,909 feet. The boundaries of the proposed SMCA are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: The proposed regulations would be more restrictive than existing regulations which allow take of all living marine resources except purple coral. Under the proposed Project IPA, allowed take would be limited to:

1. Recreational take of pelagic finfish including Pacific bonito by hook and line or by spearfishing; white sea bass by spearfishing only; market squid by hand-held dip net; marlin, tunas and dorado (dolphinfish) by trolling.
2. Commercial take of coastal pelagic species by round haul net, and swordfish by harpoon only.

Proposed Modification of Other Regulated Activities: None.

3.5.23 Cat Harbor (Catalina Island) SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: The Cat Harbor SMCA is proposed in an area of the SCSR with no existing MPA, and the boundaries would be newly established. The proposed SMCA is located on the western side of Santa Catalina Island. It has an area of 0.25 square mile and an alongshore span running 0.45 mile. Depths within the SMCA would range from 0 to 186 feet. The boundaries of the proposed SMCA are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources except:

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

1. Recreational take of finfish by hook and line or by spearfishing, squid by hook and line only, and lobster and sea urchin.
2. Commercial take of sea cucumbers (by diving only), spiny lobster, and sea urchin.

Proposed Modification of Other Regulated Activities: Proposed regulations would allow aquaculture of finfish pursuant to any required state permits. Also, maintenance of artificial structures inside the conservation area pursuant to any required permits, or as otherwise authorized by the Department, would be allowed.

3.5.24 Begg Rock SMR

Classification: Proposed Addition

Proposed Modification of Boundaries: Begg Rock SMR is proposed in an area of the SCSR with no existing MPA, and the proposed boundaries would be newly established. The proposed SMR is located approximately 4 nautical miles northwest of San Nicolas Island. The proposed SMR is circular in shape, and has an area of 37.96 square miles. The boundaries of the proposed SMR are depicted graphically on Figure 3-13.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: None.

Implementation Notes: This SMR is not intended to regulate, and would not regulate, activities and operations of the U.S. military (see 14 CCR 632: “Nothing in this section expressly or implicitly precludes, restricts or requires modification of current or future uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents.”).

3.5.25 Upper Newport Bay SMP and SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Under the proposed Project IPA the exiting Upper Newport Bay SMP would be re-designated as an SMCA and the southern boundary would be extended approximately 0.25 mile to the Pacific Coast Highway. Aside from the southern boundary extension, the proposed SMCA would cover approximately the same area as the existing SMP. The existing SMP covers an area of 1.1 square miles and the proposed SMCA covers a total area of 1.28 square miles. This MPA is also within the Upper Newport Bay Ecological Reserve. The boundaries of the existing SMP and the proposed SMCA are depicted graphically on Figures 3-12 and 3-14.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Take Regulations: Existing regulations that allow recreational hook and line take only would be changed to allow only take of finfish by hook and line from shore.

Proposed Modification of Other Regulated Activities: Existing restrictions on swimming, boat speed, and access would be retained under the proposed regulations. New language would be added to allow maintenance dredging, habitat restoration, research and education programs, maintenance of artificial structures, and operation and maintenance of existing facilities inside the conservation area pursuant to any required federal, state, and local permits, or activities allowed under Title 14 of the CCR section 630, or as otherwise authorized by the Department.

3.5.26 Robert E. Badham SMCA

Classification: Proposed Replacement with Option to Retain

Proposed Modification of Boundaries: The existing Robert E. Badham SMCA would be subsumed into the Crystal Cove SMCA. However options to retain and expand the SMCA, are also being considered by the Commission. If this MPA is retained, the boundaries of the existing Robert E. Badham SMCA would be extended northward and farther offshore. The area of the SMCA would increase from the existing 0.02 square mile, to a revised total of 0.57 square mile.

Proposed Modification of Take Regulations: Existing regulations within the Robert E. Badham SMCA allow only recreational take of lobster, rockfish, greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch, blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab by hook and line or spearfishing. Commercial take of spiny lobster is also permitted. If the Robert E. Badham SMCA is subsumed into the Crystal Cove SMCA, then the regulations proposed for the Crystal Cove SMCA would dictate permitted and prohibited uses in this area. These regulations would be more restrictive than those currently in place for the Robert E. Badham SMCA, and would allow only:

1. Recreational take of finfish by hook and line or by spearfishing; lobster and sea urchin.
2. Commercial take of coastal pelagic species by round haul net, spiny lobster by trap, and sea urchin.

Proposed Modification of Other Regulated Activities: If Robert E. Badham SMCA is retained under the proposed Crystal Cove SMCA Options 3 or 4, new regulations would be added allowing beach nourishment or other sediment management activities and operation

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

and maintenance of artificial structures pursuant to any required permits or as authorized by the Department.

3.5.27 Crystal Cove SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Under the proposed Project IPA, the boundaries of the existing Crystal Cove SMCA would be substantially expanded. The expanded SMCA would subsume the existing Robert E. Badham SMCA and Irvine Coast SMCA, with an option to retain and divide the Crystal Cove SMCA into two MPAs: the proposed Crystal Cove SMCA and an expanded Robert E. Badham SMCA. These options are depicted graphically in the maps presented in Appendix A to this Draft EIR. The three existing SMCAs cover a total area of 2.27 square miles, and cover an alongshore span of 3.7 miles. Under the proposed Project IPA, the alongshore span of the Crystal Cove SMCA would increase to 4.32 miles, and the area would vary depending on the boundary option selected for adoption. Depths within the SMCA would also increase from the existing 0 to 136 feet range, to 0 to 239 feet. The proposed SMCA is contiguous to an existing state park and is a site of Juaneno/Acjachemem cultural significance.

The four boundary options for this SMCA are depicted graphically on Figure 3-5. The options are as follows:

1. Crystal Cove Boundary Option 1: The proposed Crystal Cove SMCA would enlarge the three existing SMCAs, extending the protected area farther offshore and slightly farther north along the coast. The proposed SMCA under this option would have an area of 3.46 square miles. Option 1 is depicted graphically on Figure 3-5a.
2. Crystal Cove Boundary Option 2: This option differs from Option 1 in that the southern boundary is modified to use the existing onshore point and extending it perpendicular to shore. The proposed SMCA under this option would cover a total area of 3.24 square miles. Option 2 is depicted graphically on Figure 3-5d.
3. Crystal Cove Boundary Option 3: This option would divide the area from Boundary Option 1 into two MPAs in order to retain the historic name of Robert E. Badham, north of Crystal Cove State Park land. The proposed SMCA under this option would have an area of 2.89 square miles. Aside from this element, Option 3 is identical to Option 1. Option 3 is depicted graphically on Figure 3-5f.
4. Crystal Cove Boundary Option 4: This option would divide the area from Boundary Option 2 into two MPAs in order to retain the historic name of Robert E. Badham north of Crystal Cove State Park land. Aside from this element, Option 4 is identical to Option 2. The proposed SMCA under this option would have an area of 2.67 square miles. Option 4 is depicted graphically on Figure 3-5g.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Take Regulations: Existing regulations prohibiting take of living marine resources would be retained. However, existing exceptions for recreational and commercial take outlined in 14 CCR 632(b)(101)(B) would be repealed, and replaced by one of the following two options:

1. Take Option A: Allow recreational take of finfish by hook and line or by spearfishing, and, lobster and sea urchin. Allow commercial take of coastal pelagic species by round haul net, spiny lobster by trap, and sea urchin.
2. Take Option B: Allow recreational take of finfish by hook and line or by spearfishing, and, lobster, and sea urchin.

Proposed Modification of Other Regulated Activities: New regulations would allow for beach nourishment or other sediment management activities and operation and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or as otherwise authorized by the Department.

3.5.28 Irvine Coast SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Existing boundaries would be eliminated; the Irvine Coast SMCA would be subsumed into the proposed expanded Crystal Cove SMCA. For a description of the existing Irvine Coast SMCA, please refer to the discussion of the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations allow recreational hook and line or spearfishing take of; lobster, rockfish, greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch, blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Commercial take of spiny lobster is also allowed. These allowed uses would be discontinued, and would be replaced by regulations proposed for the Crystal Cove SMCA, described in Section 3.5.27 above. The exact regulatory changes resulting from this action would vary depending on which of regulatory options is selected.

Proposed Modification of Other Regulated Activities: The area subsumed by the proposed Crystal Cove SMCA would be subject to new regulations associated with that MPA; please refer to the description of Other Regulated Activities in Section 3.5.27 above for further details.

3.5.29 Laguna Beach SMCA and Laguna Beach SMR/SMCA

Classification: Proposed Replacement

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: Boundaries around the existing Laguna Beach SMCA would be removed and replaced by the expanded Laguna Beach SMR proposed under the IPA. The SMR would also subsume the existing Heisler Park SMR and South Laguna Beach SMCA. The offshore boundaries of the proposed SMR would expand to deeper waters, increasing the maximum depth encompassed by the SMR from 136 feet, to 1,408 feet.

Five boundary options for the Laguna Beach SMR are presented in the proposed Project IPA to avoid conflicts with the existing Aliso Creek treatment facility outfall pipe that lies near the southern border of the SMR. These options (depicted graphically on Figure 3-5) also have implications for redesignating the MPA – or portions of the MPA – as an SMCA, as potential activities related to maintenance and operation of the outfall pipe are incompatible with an SMR designation. The boundary options are as follow:

1. Laguna Beach Boundary Option 1: Under this option, the designation of the proposed SMR would change to a non-fishing SMCA. The northern boundary of this SMCA originates just north of Emerald Bay and extends southward approximately 3.65 miles. The southern boundary extends due west from the mean high tide at the end of Seacliff Drive in Laguna Beach approximately 4.25 miles. The resulting Laguna Beach SMCA would encompass a total area of 9.71 square miles – 8.85 square miles greater than the area encompassed by the three existing MPAs (see Appendix A for detailed figures).
2. Laguna Beach Boundary Option 2: This option would divide Boundary Option 1 geographically into two MPAs: the SMR designation is retained except for 1.5 miles of the southernmost miles of coastline, which would be designated as a non-fishing SMCA. The resulting SMR would have an area of 6.26 square miles, and the SMCA 3.45 square miles (see Appendix A for detailed figures).
3. Laguna Beach Boundary Option 3: The northern boundary under this option, is identical to the description in Boundary Option 1; the southern boundary (shared with the northern boundary of Dana Point SMCA) is modified to exclude the pipe by moving the southeast corner northward. The resulting boundary would lie in a nearshore line perpendicular to shore, which would also enhance feasibility. The resulting SMR would have an area of 9.15 square miles (see Appendix A for detailed figures).
4. Laguna Beach Boundary Option 4: Under this option, both the northern and southern nearshore boundaries would be modified to be perpendicular to shore for enhanced feasibility. This SMR would have an area of 10.73 square miles (see Appendix A for detailed figures).
5. Laguna Beach Boundary Option 5: The northern and southern nearshore boundaries under this option are similar to Boundary Option 4: they are perpendicular to shore. However, the perpendicular-to-shore boundaries would extend to the offshore limits of

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

state jurisdiction. The resulting SMR would have an area of 16.85 square miles (see Appendix A for detailed figures).

Proposed Modification of Take Regulations: Under the proposed regulations, the currently allowed limited recreational take of lobster and rockfish, greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch, blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot and sanddab hook and line or by spearfishing gear and commercial take of lobster (14 CCR 632(b)(103)(B)) would be disallowed, and take of all living marine resources would become prohibited.

Proposed Modification of Other Regulated Activities: New regulations propose that:

1. Boats may be launched and retrieved only in designated areas and may be anchored within the conservation area only during daylight hours.
2. Operation and maintenance of artificial structures inside the conservation area be allowed pursuant to any required federal, state, and local permits, or as otherwise authorized by the Department (this proposed regulation would only apply under Boundary Options 3, 4, and 5).

3.5.30 Heisler Park SMR

Classification: Proposed Replacement

Proposed Modification of Boundaries: Existing boundaries would be eliminated; the Heisler Park SMR would be subsumed by the proposed Laguna Beach SMR. For a description of the existing Heisler Park SMR, please refer to the description of the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing prohibitions against the take of all living marine resources would remain in effect under the regulations proposed for the Laguna Beach SMR.

Proposed Modification of Other Regulated Activities: The existing restrictions on boat launching and retrieval to daylight hours would remain unchanged under the regulations proposed for the Laguna Beach SMR. New regulations would allow the operation and maintenance of existing artificial structures.

3.5.31 South Laguna Beach SMCA

Classification: Proposed Replacement

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: The existing SMCA would be subsumed by the proposed Laguna Beach SMR. For a description of the existing South Laguna Beach SMCA please refer to the description of the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations allowing recreational take of lobster and rockfish, greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch, blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot and sanddab by hook and line or by spearfishing gear and commercial take of spiny lobster would be lifted, and would be replaced by regulations prohibiting the take of all living marine resources.

Proposed Modification of Other Regulated Activities: None.

3.5.32 Dana Point SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Boundaries of the existing Dana Point SMCA would be expanded substantially, and this MPA would subsume the existing Niguel SMCA. The proposed expansion of the Dana Point SMCA would cause this MPA to abut the Laguna Beach SMR. Depths within the MPA would range from 0 to 152 feet.

Due to the occurrence of an outfall pipe in the proposed Laguna Beach SMR, two boundary options for the Dana Point SMCA are presented for consideration in the proposed Project IPA. The boundary options (depicted graphically on Figure 3-5) are as follows:

1. Dana Point Boundary Option 1: This option is connected with Laguna Beach SMR Options 1, and 2. Under this option, the northern boundary would travel in a north-south direction from Laguna Beach, and the southern boundary would travel west from the southern boundary of the existing Dana Point SMCA. This option would result in an area of 3.45 square miles (see Appendix A for detailed figures).
2. Dana Point Boundary Option 2: This option is connected with Laguna Beach SMR Boundary Options 3, 4, and 5. The northern boundary would be moved northward and perpendicular to shore (as described in the Laguna Beach SMR Boundary Options above), while the southern boundary would remain unchanged from Dana Point Boundary Option 1. This option would result in an area of 3.95 square miles (see Appendix A to this Draft EIR for detailed figures).

Proposed Modification of Take Regulations: Existing regulations at 14 CCR 632(b)(107)(B) allow recreational take of lobster, rockfish (family *Scorpaenidae*), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family *Embiotocidae*), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab by hook and line or by spearfishing gear; and commercial take of spiny lobster. The proposed Project IPA would change these regulations to allow only:

1. Recreational take (below mean lower low-tide line) lobster, sea urchin, and hook and line or spearfishing of take of finfish.
2. Commercial take of coastal pelagic species by round haul net, and spiny lobster and sea urchin.

Due to the expanded size of the proposed Dana Point SMCA, two options are under consideration by the Commission to address potential conflicts with existing regulations. The options are:

1. Access Option A: Remove existing restrictions to entry into the intertidal zone, and scientific collecting oversight by the director of the Dana Point SMCA.
2. Access Option B: Retain existing restrictions to entry into the intertidal zone and scientific collecting oversight by the director of the Dana Point SMCA. This restriction would be limited to a defined area that corresponds to the area around the Dana Point Headlands.

Proposed Modification of Other Regulated Activities: New regulations would allow operation and maintenance of artificial structures inside the SMCA pursuant to any required federal, state and local permits, or as otherwise authorized by the Department.

3.5.33 Niguel SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Existing boundaries would be eliminated as the existing SMCA is subsumed by the proposed Dana Point SMCA. For a description of this existing SMCA, refer to the description of the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations allow recreational take of lobster, and rockfish, greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch, blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot and sanddab by hook and line or by spearfishing gear, and commercial take of spiny lobster. The proposed Project IPA would change these regulations to allow the recreational take of finfish by hook and line or by

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

spearfishing; to allow the take of lobster and sea urchin below the mean lower low-tide line only; to allow the commercial take of coastal pelagic species by round haul net, and to allow the commercial take of spiny lobster and sea urchin.

Proposed Modification of Other Regulated Activities: None.

3.5.34 Doheny SMCA

Classification: Proposed Removal

Proposed Modification of Boundaries: Existing boundaries would be eliminated. For a description of this existing MPA refer to the No Project alternative (existing MPAs) in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations at 14 CCR 632(b)(109) prohibiting the take of all living marine resources except recreational take of chiones, clams, cockles, rock scallops, native oysters, crabs, lobster, ghost shrimp, sea urchins, mussels, and marine worms and finfish would be lifted.

Proposed Modification of Other Regulated Activities: None.

3.5.35 Doheny Beach SMCA

Classification: Proposed Removal with Option to Retain

Proposed Modification of Boundaries: Doheny Beach SMCA is an existing SMCA located in the City of Capistrano Beach that is proposed for removal under the proposed Project IPA. However, the California Department of Parks and Recreation has requested that the Commission consider retaining this existing SMCA. This existing SMCA has an area of 0.19 square miles, and an alongshore span running 1.2 miles. Depths within the SCMA range from 0 to 14 feet. Boundaries of this SMCA are depicted graphically on Figure 3-14. If this MPA is retained by the Commission, existing boundary regulations at 14 CCR 632(b)(108)(A) would be retained without modification.

Proposed Modification of Take Regulations: Existing regulations allow only the hook and line or spearfishing recreational take of lobster, rockfish, greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white sea bass, opaleye, halfmoon, surfperch, blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Commercial take of spiny lobster is also currently allowed. Under the proposed Project IPA, these existing regulations would be lifted. If this MPA is retained by the Commission, existing take regulations (14 CCR 632(b)(108)(B)) would be retained without modification.

**SOUTH COAST MARINE PROTECTED AREAS PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

Proposed Modification of Other Regulated Activities: None.

3.5.36 Buena Vista Lagoon SMP and Agua Hedionda SMP

Classification: Proposed Removal

Proposed Modification of Boundaries: Existing boundaries of these two SMPs would be eliminated. For a description of this existing MPA refer to the No Project alternative (existing MPAs), presented in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: At Buena Vista Lagoon, existing regulations prohibiting take of all living marine resources except the limited take of species other than kelp by hook and line would be lifted. At Agua Hedionda, existing regulations prohibiting the take of all living marine resources would be lifted.

Proposed Modification of Other Regulated Activities: None.

3.5.37 Batiquitos Lagoon SMP and Batiquitos Lagoon SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: The existing Batiquitos Lagoon SMP would be expanded and redesignated as the Batiquitos Lagoon SMCA. The boundaries of the proposed SMCA would extend eastward of the Interstate Highway 5 Bridge, increasing the area encompassed by the MPA from 0.28 square mile to 0.48 square mile. Boundaries of the existing SMP and the proposed SMCA are depicted graphically on Figure 3-15.

Proposed Modification of Take Regulations: Existing regulations allow the recreational take of finfish by hook and line from shore (14 CCR 632(b)(112)). The proposed regulations prohibit take of all living marine resources. Batiquitos Lagoon is also the site of an existing Ecological Reserve designated by existing regulations at 14 CCR 630(b)(10).

Proposed Modification of Other Regulated Activities: Existing restrictions on boating, swimming, wading, and diving would be retained under the proposed regulations. Other restrictions pertaining to management activities for fish and wildlife, flood control and vector control, and authorized operation and maintenance activities (14 CCR 632(b)(112)(C-D)), would be modified to allow the following: operation and maintenance, habitat restoration, research and education, maintenance dredging, and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or activities pursuant to 14 CCR 630, or as otherwise authorized by the Department.

3.5.38 Encinitas SMCA

Classification: Proposed Replacement

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: The existing Encinitas SMCA would be subsumed by the proposed Swami's SMCA. For a description of this existing MPA, please refer to the description of the No Project alternative presented in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations allowing only take of finfish would be replaced by the regulations proposed for the Swami's SMCA. The proposed regulations would allow for recreational take of pelagic finfish and white sea bass by spearfishing, with a regulatory option under consideration to allow hook and line fishing from shore.

Proposed Modification of Other Regulated Activities: None.

3.5.39 Cardiff-San Elijo SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: The existing Cardiff-San Elijo SMCA would be subsumed into the proposed Swami's SMCA. For a description of this existing MPA, refer to the description of the No Project alternative (existing conditions), presented in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations allowing only: recreational take of finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobster, ghost shrimp, sea urchins, mussels, and marine worms; and commercial take (14 CCR 632(b)(114)(B)) would be replaced by the regulations proposed for the Swami's SMCA. The proposed regulations would allow only recreational take of pelagic finfish and white sea bass by spearfishing, with a regulatory option under consideration to allow hook and line fishing from shore.

Proposed Modification of Other Regulated Activities: None.

3.5.40 Swami's SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: Existing MPA boundaries would expand as the proposed Swami's SMCA subsumes the existing Encinitas and Cardiff-San Elijo SMCA's. The proposed SMCA would decrease the alongshore span encompassed by the existing MPAs from 3.0 miles, to 2.68 miles, but the proposed SMCA greatly expands the area of protection offered by the MPA by extending the boundaries to the offshore limits of state jurisdiction. The existing MPAs have a combined area of 1.32 square miles and the proposed SMCA has an area of 9.7 square miles. As a result, the maximum depth within the MPA would increase from 59 feet, to 979 feet.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Four boundary options for the Swami's SMCA are presented in the proposed Project IPA, as shown on Figure 3-7. The boundary options under consideration are:

1. Swami's Boundary Option 1: The boundaries under this option would originate adjacent to the Encinitas and San Elijo state beaches, and would extend due west to the offshore limits of state jurisdiction. This SMCA would have an area of 9.68 square miles (see Appendix A for detailed figures).
2. Swami's Boundary Option 2: The northern boundary would be moved northward to align with Cottonwood Creek, increasing the proposed area to 10.53 square miles (see Appendix A for detailed figures).
3. Swami's Boundary Option 3: The southern boundary would be moved southward to the edge of San Elijo State Beach, as recommended by the Department of Parks and Recreation. The area of the resulting SMCA would increase 11.81 square miles (see Appendix A for detailed figures).
4. Swami's Boundary Option 4: The northern boundary would be moved northward as in Option 2, and the southern boundary would be moved southward as in Option 3, increasing the area of the proposed SMCA to 12.66 square miles (see Appendix A for detailed figures).

Proposed Modification of Take Regulations: Proposed regulations would prohibit take of all living marine resources. However, the Commission is reviewing options based on recommendations from the Department of Parks and Recreation to consider the existing high level of recreational activities at the adjacent state beaches. The two take regulation options are:

1. Take Option 1: Allow recreational take of pelagic finfish including Pacific bonito and white sea bass by spearfishing.
2. Take Option 2: Same as Option 1, with the additional provision allowing recreational take by hook and line from shore, as requested by the Department of Parks and Recreation.

Proposed Modification of Other Regulated Activities: The proposed regulations would allow beach nourishment or other sediment management activities and operations and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or as otherwise authorized by the Department.

3.5.41 San Elijo Lagoon SMP and San Elijo Lagoon SMCA

Classification: Proposed Replacement

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: Existing San Elijo Lagoon SMP boundaries would remain unchanged, but the MPA would be redesignated as the San Elijo SMCA. Boundaries of this MPA are depicted graphically on Figure 3-15.

Proposed Modification of Take Regulations: Regulations currently allowing recreational take of finfish by hook and line from shore (14 CCR 632(b)(115)(B)) would be replaced by regulations prohibiting the take of all living marine resources.

Proposed Modification of Other Regulated Activities: Existing provisions restricting boating, swimming, wading, and diving would be retained under the proposed regulations. However, existing regulations outlined in 14 CCR 632(b)(115)(D) and (E) pertaining to management activities would be modified and replaced by new regulations allowing: operation and maintenance, maintenance dredging, habitat restoration including sediment deposition, research and education, and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or activities pursuant to 14 CCR 630, or as otherwise authorized by the Department.

3.5.42 San Dieguito Lagoon SMP

Classification: Proposed Removal

Proposed Modification of Boundaries: Existing boundaries would be eliminated. For a description of this existing MPA refer to the No Project alternative (existing MPAs), presented in Section 10.1 of this Draft EIR.

Proposed Modification of Take Regulations: Existing regulations prohibiting take of living marine resources except for hook and line fishing in designated areas (14 CCR 632(b)(116)(B)) would be lifted.

3.5.43 San Diego Scripps SMCA and San Diego-Scripps Coastal SMCA

Classification: Proposed Replacement

Proposed Modification of Boundaries: The boundaries of the existing San Diego-Scripps SMCA would be expanded, and this MPA would be redesignated as the proposed San Diego-Scripps Coastal SMCA. The northern and southern boundaries of the existing SMCA would move farther north in the proposed SMCA, with offshore boundaries extending into deeper waters. The existing SMCA has an alongshore span of 0.5 mile and proposed SMCA would have an alongshore span of 1.14 miles. The maximum depth within the MPA would increase from 10 feet to 366 feet.

Lying just south of the proposed San Diego-Scripps Coastal SMCA is the proposed Matlahuayl SMR (see Section 3.5.44, below). Two boundary options for these adjacent

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

MPAs are under consideration to prevent incompatibility of the of the Matlahuayal SMR designation with activities at Scripps Pier, which lies in between the two adjacent MPAs, The boundary options are depicted graphically on Figure 3-8 and are as follows:

1. San Diego-Scripps Coastal Boundary Option 1: The northern boundary would originate just north of La Jolla Farms, and the southern boundary would originate just north of the Scripps Pier. As a result, Scripps Pier would cut across the two MPAs diagonally, with the beginning of the pier within the Matlahuayl SMR, and the end within the San Diego-Scripps Coastal SMCA. The area of the SMCA under this option would be 1.42 square miles. This option is linked to Matlahuayl SMR Boundary Option 1.
2. San Diego-Scripps Coastal Boundary Option 2: Under this option, the northern boundary would be identical to Boundary Option 1. The southern SMCA boundary, however, would extend southward to encompass the entire pier. This would increase the area within the SMCA to 1.47 square miles. This boundary option is linked to the Matlahuayl SMR Boundary Option 2.

Proposed Modification of Take Regulations: Existing regulations at the San Diego-Scripps SMCA allow commercial and recreational take of finfish. Under the IPA these regulations would be replaced by the regulations proposed for the San Diego-Scripps Coastal SMCA, which would allow only the recreational take of coastal pelagic species – except market squid – by hook and line only.

Proposed Modification of Other Regulated Activities: Under existing regulations, the University of California and all officers, employees, and students were allowed to collect invertebrates and marine plants for scientific purposes without permits. Under the proposed regulations (see 14 CCR 632(b)(117)(C)), individuals would have to obtain a scientific collecting permit from the Department authorizing such take. Additional proposed regulations would allow the operation and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or as otherwise authorized by the Department.

3.5.44 La Jolla SMCA and Matlahuayl SMR

Classification: Proposed Replacement

Proposed Modification of Boundaries: The existing La Jolla SMCA would be expanded and redesignated as the proposed Matlahuayl SMR. The existing SMCA has an alongshore span of 1.1 miles, and the proposed SMR would have an alongshore span of 1.21 miles and depths ranging from 0 to 331 feet. The proposed SMR is collocated with an existing ASBS and encompasses one existing research and monitoring program location. As discussed in Section 3.5.43 above, two boundary options are presented in the proposed Project IPA for

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

this location to ensure compatibility with activities associated with Scripps Pier (see Figure 3-8). The proposed options are:

1. Matlahuayl Boundary Option 1: Under this option, the proposed Matlahuayl SMR would be designated as an SMCA instead, to allow for maintenance activities associated with the pier. The resulting SMCA would have an area of 1.06 square miles. This option is linked to San Diego-Scripps Coastal SMCA Boundary Option 1.
2. Matlahuayl Boundary Option 2: Under this option, the northern boundary of the proposed MPA would be moved southward to exclude the pier, and the MPA would be designated as an SMR. This option would result in a Matlahuayl SMR boundary encompassing 1.06 square miles, and is linked to San Diego-Scripps Coastal SMCA Boundary Option 2.

Proposed Modification of Take Regulations: The currently allowed commercial take of squid for bait by use of hand held scoop (due west of a line drawn due north from Goldfish Point) would be disallowed under the proposed regulations, and all take of living marine resources would become prohibited.

Proposed Modification of Other Regulated Activities: Existing regulations restricting boat launching and anchoring (14 CCR 632(b)(118)(C)) would be retained under the proposed regulations but would be modified to allow operation and maintenance of artificial structures inside the conservation area pursuant to any required federal, state, and local permits, or as otherwise authorized by the Department.

3.5.45 South La Jolla SMR and South La Jolla SMCA

Classification: Proposed Additions.

Proposed Modification of Boundaries: South La Jolla SMR and South La Jolla SMCA are proposed in an area of the SCSR with no existing MPAs, and the proposed boundaries would be newly established. The proposed South La Jolla SMR lies adjacent to and east of the proposed SMCA of the same name, and extends to the offshore limits of state jurisdiction. Depths within the proposed SMR range from 0 to 176 feet. The proposed South La Jolla SMCA is an offshore SMCA abutting the western boundary of the proposed South La Jolla SMR. Depths within the MPA range from 147 to 274 feet. The proposed onshore/offshore MPA complex has a shared northern and southern boundary.

Four boundary options for northern and southern boundaries of the South La Jolla SMR and South La Jolla SMCA MPA complex are under consideration to facilitate public understanding and compliance with the proposed boundary regulations and for enforcement feasibility. The four options (depicted graphically on Figure 3-9) are as follows:

1. South La Jolla Boundary Option 1: The protected area would be bounded by the mean high tide line and straight lines connecting latitude and longitude points. The areas of the

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

proposed SMR and SMCA under this option would be 4.65 square miles and 2.67 square miles, respectively.

2. South La Jolla Boundary Option 2: Under this option, the northern boundary would be moved northward above the intertidal reef to align with visible landmarks (a stairway and Palomar Avenue). This would increase the areas of the SMR and SMCA proposed in Option 1 to 4.83 and 2.39 square miles, respectively.
3. South La Jolla Boundary Option 3: Under this option, the southern boundary would be moved southward to align with a major street (Missouri Street). This would increase the areas of the SMR and SMCA proposed in Option 1 to 4.87 and 2.34 square miles, respectively.
4. South La Jolla Boundary Option 4: Under this option, the northern boundary would move northward as described in Option 2, and the southern boundary would move southward as described in Option 3. This would increase the areas of the SMR and SMCA proposed in Option 1 to 5.05 and 2.46 square miles, respectively.

Proposed Modification of Take Regulations: New regulations would allow the recreational take of pelagic finfish, including Pacific bonito, by hook and line within the SMCA.

Proposed Modification of Other Regulated Activities: None.

3.5.46 Famosa Slough SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: Famosa Slough SMCA is proposed in an area of the SCSR with no existing MPA, and the proposed boundaries would be newly established. The proposed SMCA has an area of 0.03 square miles along the coast within the Famosa Slough estuary southward of the San Diego River channel. Boundaries of the proposed SMCA are depicted graphically on Figure 3-15.

Proposed Modification of Take Regulations: New regulations would prohibit take of all living marine resources.

Proposed Modification of Other Regulated Activities: The proposed regulations would allow habitat restoration, maintenance dredging, and operation and maintenance of artificial structures inside the conservation area pursuant to any required permits, or as otherwise authorized by the Department.

3.5.47 Mia J. Tegner SMCA and Cabrillo SMR

Classification: Proposed Replacement

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Proposed Modification of Boundaries: Boundaries of existing Mia J. Tegner SMCA would be expanded, and this MPA would be redesignated as the proposed Cabrillo SMR. The area of the existing Mia J. Tegner SMCA is 0.02 square miles. The boundaries of the proposed Cabrillo SMR are extend farther offshore, and encompass an increased area of 0.38 square miles, and a longer alongshore span running 1.26 miles. The maximum depth within the MPA would increase from 10 feet to 30 feet. Boundaries of the proposed Cabrillo SMR, as well as the SMCA proposed for replacement, are shown on Figure 3-15.

Proposed Modification of Take Regulations: Existing regulations allowing recreational and commercial take of finfish and commercial take of marine aquatic plants would be replaced by regulations prohibiting the take of all living marine resources.

Proposed Modification of Other Regulated Activities: None.

3.5.48 Tijuana River Mouth SMCA

Classification: Proposed Addition

Proposed Modification of Boundaries: The Tijuana River Mouth SMCA is proposed in an area of the SCSR with no existing MPA, and the proposed boundaries would be newly established. The proposed SMCA abuts the California – Mexico border and extends north up the coast 2.28 miles. The proposed SMCA has an area of 2.90 square miles, and depths ranging from 0 to 55 feet. Proposed boundaries are depicted graphically on Figure 3-15.

Proposed Modification of Take Regulations: New regulations would allow only:

1. Recreational take of coastal pelagic species except market squid by hand-held dip net.
2. Commercial take of coastal pelagic species except market squid by round haul net.

Proposed Modification of Other Regulated Activities: The proposed regulations would allow beach nourishment or other sediment management activities and operation and maintenance of artificial structures inside the conservation area pursuant to any required permits or as otherwise authorized by the Department.

3.5.49 Northern Channel Islands MPAs

The five northernmost Channel Islands (San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara) contain a total of 13 existing MPAs, including the Anacapa Island SMR, Carrington Point SMR, Footprint SMR, Gull Island SMR, Harris Point SMR, Judith Rock SMR, Richardson Rock SMR, Santa Barbara Island SMR, Scorpion SMR, Skunk Point SMR, South Point SMR, Anacapa Island SMCA, and Painted Cave SMCA. These existing MPAs would be retained without modification, and are not a part of the currently proposed

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

rulemaking. Descriptions of these existing MPAs are provided for informational purposes in Section 10.1 of this Draft EIR.

3.5.50 Special Closures in the SCSR

The SCSR currently contains three areas designated by the Commission as Special Closure Areas (SCAs). Although they do not constitute MPAs as defined by the Public Resources Code, SCAs are codified in the same regulatory section as MPAs (Title 14, part 632 of the California Code of Regulations) and are subject to somewhat similar provisions limiting certain human uses. Existing SCAs within the SCSR include the San Miguel Island Special Closure (14 CCR 632(b)(77)), the Anacapa Island Special Closure (14 CCR 632(b)(86)), and the Arrow Point to Lion Head Point (Catalina Island) Invertebrate Area Special Closure (14 CCR 632(b)(95)). The San Miguel Island and Anacapa Island closures would be retained without modification under the proposed Project, as these areas surround the northern Channel Islands. Regulations governing these special closures pertain to boating and urchin fishing at San Miguel Island, and to shallow-water trapping and protection of a brown pelican fledging area at Anacapa Island.

The existing Arrow Point to Lion Head Point (Catalina Island) Invertebrate Area Special Closure, located on Santa Catalina Island, would not be retained under the proposed Project IPA. However, the existing use restrictions prohibiting the recreational take of invertebrates have been incorporated into the proposed Project IPA's regulations for the Arrow Point to Lion Head Point (Catalina Island) SMCA, which would subsume the geographic area currently designated as an SCA. Thus, implementation of the proposed Project IPA would not lift the existing take restrictions within this area. The proposed Project IPA would not designate any new SCAs.

3.6 MANAGEMENT, ENFORCEMENT, AND MONITORING OF MPAs

As described previously, one of the stated goals of the MLPA is to ensure that MPAs within the SCSR have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines. Management, enforcement, and monitoring of MPAs under the IPA would help to ensure that this goal is achieved.

3.6.1 Monitoring and Adaptive Management

The 1999 California Marine Life Protection Act (MLPA, Chapter 10.5 of the California Fish and Game Code, §2850–2963) directs the state to redesign California's system of marine protected areas (MPAs) to function as a more cohesive and effective network to protect the state's marine life, habitat, and ecosystems. The MLPA also requires the adoption of a Marine Life Protection Program that includes provisions for monitoring, research, and evaluation at selected sites to facilitate adaptive management of MPAs, and to ensure that the new system meets the goals outlined by the MLPA (California Fish and Game Code

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

§2853(C)(3)). In regard to MPAs, the MLPA defines adaptive management as a management policy that seeks to improve management of biological resources, particularly in areas of scientific uncertainty, by viewing program actions as tools for learning. Actions shall be designed so that they will provide useful information for future actions, even if they fail. In addition, actions will be designed to emphasize monitoring and evaluation so that the interaction of different elements within marine systems may be better understood (California Fish and Game Code Section 2852(a)).

The proposed Project IPA, guided by statutory language in the MLPA, was designed to meet the following goals: protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems; help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted; improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and manage these uses in a manner consistent with protecting biodiversity; protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic values; ensure California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement and ensure MPAs are based on sound scientific guidelines; ensure that the state's MPAs are designed and managed, to the extent possible, as a network. These goals were incorporated into MPA design guidelines, in addition to the following recommendations: lessen negative impact while maintaining value; take into account local resource use and stakeholder activities in the placement of MPAs, as well as the adjacent terrestrial environment and associated human activities.

The North Central Coast Marine Protected Areas Monitoring Plan (NCC Plan) was adopted by the Fish and Game Commission on April 7, 2010. The NCC Plan guides MPA monitoring within the North Central Coast study region, and represents a general model for the types of issues and the monitoring actions that are envisioned for the MPAs in the new state-wide network. The NCC Plan envisions monitoring biological impacts of MPAs on areas both inside and outside of MPAs. The NCC Plan also has been designed to assess the effects of consumptive activities (such as commercial fishing and recreational fishing) on MPAs and ecosystems, and inversely, any effects on consumptive uses by MPAs. Similarly, the NCC Plan is designed to assess the effects of non-consumptive uses (such as beach going, diving, kayaking, and wildlife viewing) on MPAs and ecosystems, and inversely, the effects of MPAs on non-consumptive uses. The NCC Plan is going to evaluate MPA design assumptions and expected outcomes to allow unexpected issues to be resolved through future management or regulatory actions. The size, shape, and spacing of established MPAs will be reviewed to see if they meet expected outcomes and in light of new scientific information. The allowed uses and restrictions will be reviewed to see if the ecosystem and social responses to MPA restrictions are as expected during the initial design of the MPA network. The NCC Plan monitoring activities are designed to incorporate stakeholders and expert scientists in the review and monitoring of the MPA network. The issues and concerns that

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

were brought up during the development of the MPA network for the North Central Coast study region will be monitored to determine if these issues need addressing through management or regulatory changes. The cycle of MPA review envisioned is every 5 years.

A south coast regional MPA monitoring plan, based on the same framework used in the NCC Plan, would be adopted by the Commission at some point after the Commission takes action to revise the MPA regulations for the SCSR consistent with the MLPA. This plan is currently under development, and the first of a series of stakeholder workshops to gather input were held in July 2010. As in the adopted NCC Plan, it is envisioned that the South Coast Regional MPA monitoring plan would evaluate issues related to human uses inside and outside of the designated MPAs. Monitoring results would be compared to expected biological outcomes, and deviations from expected outcomes would be identified and analyzed. Any inconsistencies between the assumptions, expected outcomes, and conditions within the proposed Project IPA network would be identified. Potential issues regarding concentration of consumptive uses along MPA boundaries or areas adjacent to MPAs will also be reviewed, as well as impacts to adjacent areas and stakeholders. Should the performance of the MPA network (or of individual MPAs) be significantly different than expected (not realizing expected conservation and rebuilding of important fish populations, not lessening negative impact while maintaining value, etc.), the Act and the Master Plan provide the process and regulatory framework for adaptive management, allowing changes in the design or restrictions of the MPAs to meet the goals of the MLPA and Master Plan guidelines. In addition, regulatory or management changes could be applied to lessen observed environmental or socioeconomic side-effects, if consistent with MLPA goals. If warranted, regulatory decisions made during the present process could be reconsidered by the Commission based on results of monitoring or other considerations during the SCSR five year review.

3.6.2 Enforcement

The 2008 *Master Plan for Marine Protected Areas* (Department 2008) notes that a lack of law enforcement resources is one of the reasons existing MPAs fall short of their potential to protect resources (Fish and Game Code (FGC) Section 2851(a)). This lack of resources is not unique to the MPA context, and is true across all marine management activities in California. To remedy this, the MLPA requires that the Marine Life Protection Master Plan include recommendations for improving the effectiveness of enforcement practices. (FGC Sections 2856(a)(2)(I) and (J)). The proposed regulatory revisions were drafted with the intent that boundaries should be clear, well-marked where possible, recognizable, measurable, and enforceable. In addition, as described in Section 2.4.9 of this Draft EIR, the Department made recommendations to the Commission during development of the proposed Project IPA to improve public comprehension and enforceability of the proposed regulations.

SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Increased use of cooperative agreements between agencies is encouraged to ensure adequate enforcement, as no single federal, state, or local agency has complete jurisdiction over the coastal and marine environment. Therefore, the Department works closely with the enforcement programs of multiple entities on matters of mutual enforcement interest, including the U.S. Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) Fisheries and Marine Sanctuaries, U.S. Coast Guard, National Park Service (NPS), and California Department of Parks and Recreation. Though these programs often provide financial or logistical support, they do not provide significant staff resources statewide, especially for offshore patrols necessary for MPA enforcement, or, patrols of areas not adjacent to their own facilities. As part of seeking new cooperative agreements as outlined by the 2008 *Master Plan for Marine Protected Areas*, the Department will make efforts to acquire more direct assistance from appropriate agencies. Effective enforcement of state and federal regulation within and around the MPAs will improve the likelihood for success of MPAs in conserving and protecting marine resources. For a more complete discussion of the methods and equipment used for enforcing the MPA regulations, please refer to Section 7.3 (Public Services) of this Draft EIR.