

**California Department of Fish and Game**  
**Marine Protected Areas Past Processes Overview**  
**October 5, 2004**

Early MPA History

- Between 1900 and 1913, the California Legislature passed several laws to prevent overexploitation of marine species. These laws included 6 MPAs.
  - 1909: Humboldt and Trinidad Bays Preserves - prohibited commercial and recreational crab take.
  - 1909: Santa Cruz and False Bay Fish Reserves - prohibited most recreational and commercial fishing.
  - 1913: Monterey Shellfish and Invertebrate Reserve - prohibited all commercial take of invertebrates except squid and octopus.
  - 1913: Santa Catalina Island Fish Reserve - prohibited all but hook-and-line take within three miles of Catalina.
- All of the above were repealed by 1950

General MPA Processes

- Between 1950 and 1999 nearly 70 MPAs were established through a variety of processes in both the Legislature and Fish and Game Commission.
- These areas were often established for reasons other than the direct protection of marine resources, including the de facto exclusion of certain ethnic groups from intertidal areas.
- At least 9 different designations were used for these areas and none were established with the intent of providing comprehensive management through statewide or even regional networks.

The MRPA Process

- In 1994, The Marine Resources Protection Act (commonly known as the gill net initiative, Prop 132) required the establishment of four no-take MPAs for the purpose of nearshore research.
  - These four areas, like most before them, were selected based not primarily on scientific advice, but on the concept of “not in my backyard”.
  - Though criteria were used to make them appropriate for nearshore research, subsequent analysis has shown that the criteria were not followed as a primary guide.

The MLPA

- By 1999 only about 8 square nautical miles, or less than 1%, of California waters were protected in no-take MPAs.
- Recognizing the lack of coherence in the State’s MPA system, lack of overall protection of resources, and limited number of no-take areas the Legislature passed and the Governor signed the MLPA in 1999.

- The biggest difference in this process was that it requires that the best science available be used to make all the State's MPAs function as part of a regional or state-wide network, not just as single MPAs.
  - The MLPA included specific deadlines for the completion of a Master Plan and implementation of a Marine Life Protection Program.

#### First MLPA Process

- Based on these deadlines and other requirements in the Act, the Department began implementation by forming a Master Plan Team of scientists and agency Staff.
- Between April and July 2001 the Department sought input through direct mailings to fishermen (primarily commercial) and, working with the Master Plan Team, developed a set of "Initial Draft Concepts" for how to improve the State's existing array of MPAs.
- In July 2001 the Department unveiled these concepts at a set of 10 Siting Workshops, again a requirement of the MLPA.
- Although these were intended as starting points for discussions of alternatives, these workshops were highly controversial and the fishing public in particular saw the Initial Draft Concepts as a fait accompli. In total, more than 2,000 people attended and the workshops generated tremendous press and additional public comment.

#### Interim Process

- One of the most important comments received from all sides was that the public had not been adequately involved in preparing the Initial Draft Concepts.
- In response, the Department held approximately 60 small group meetings between August and December of 2001.
- These meetings allowed individual constituent groups to discuss their concerns both for process and MPA siting possibilities directly with Department staff and members of the Master Plan Team.
- Based on these meetings the Department developed a new process for increased constituent involvement in the MLPA.

#### Second MLPA Process

- In January 2002, the Department announced to the Legislature's Joint Committee on Fisheries and Aquaculture (the MLPA designated oversight body) that it was embarking on a new implementation strategy, using Regional Working Groups to help prepare recommendations for the MLPA Master Plan.
- In addition the Department sought and received an extension of the original deadlines in the Act (a second extension was given later during the Regional Working Group process).
- The Department formed seven Regional Working Groups, each with approximately 15 members representing a wide array of constituencies.
- These Working Groups were convened in the summer of 2002 for orientation meetings and each group met separately two times by January 2003.

- The Working Groups seemed to be making progress towards the initial step of their work - to review the existing array of MPAs and determine what regional goals and objectives might be met through the use of MPAs.
- In January 2003, future Working Group Meetings were postponed and the groups put on an informal hold while the Department tried to find funding to continue the process to its completion.
- Continued reductions in staff and funding through January 2004 led the Department to recommend a longer halt of the process until new funding and support could be established.

### Channel Islands MPAs

- In 1998, Prior to the passage of the MLPA, a request was brought to the Fish and Game Commission to establish MPAs covering 20% of the waters within 1 mile of the northern Channel Islands
- This request led to more than a year of debate in the Commission forum. Various constituents argued over not only the potential value of MPAs, but the need in the Channel Islands region.
- In response to the proposal and the Commission's desire to see a formal process to discuss the issue, the Department partnered with the Channel Islands National Marine Sanctuary to establish a Marine Reserves Working Group (MRWG).
- This group, established in July 1999, consisted of 17 members representing a wide array of interests concerning the Channel Islands.
- The MRWG met approximately every month between July 1999 and May 2001 with a goal of reaching consensus on a proposal for Marine Reserves (or no-take MPAs) around the Channel Islands.
- Though they could not reach full consensus on a spatial MPA alternative, the group did produce a consensus problem statement and goals and objectives for MPAs as well as implementation recommendations.
- After these 22 months of meetings, the MRWGs work was forwarded to the Sanctuary Advisory Council, which asked the Department and Sanctuary to create a proposal to bring to the Commission.
- Following this advice, the Department and Sanctuary crafted a preliminary draft; distributed it to the MRWG, SAC and other members of the public which was revised based on input received. The draft included two limited-take conservation areas, a departure from the MRWG process but something which had been discussed at length.
- The Department and Sanctuary presented their joint recommendation to the Fish and Game Commission in August 2002.
- Following several Commission meetings and extended public comment, the recommendation was adopted by the Commission in October 2003 and finally implemented in April 2004.

**California Marine Life Protection Act Initiative**  
**Summary of the First Phase (2004-2006) MLPA Initiative Process**  
*May 11, 2007*

The Marine Life Protection Act (MLPA) directs the state to design and manage a network of marine protected areas in order to, among other things, protect marine life and habitats, marine ecosystems, and marine natural heritage, as well as improve recreational, educational and study opportunities provided by marine ecosystems.

The MLPA requires the California Department of Fish and Game (DFG) to prepare, or cause to be prepared, and submit to the California Fish and Game Commission a master plan that will guide the adoption and implementation of a Marine Life Protection Program within DFG. The commission is then required to adopt a master plan, based on the best readily available science, which includes a statewide network of marine protected areas (MPAs).

To achieve the goals of the MLPA, the California Resources Agency and DFG partnered with the Resources Legacy Fund Foundation in August 2004 to fund the MLPA Initiative.

Drafting a master plan framework (MPF) was the first step in developing a complete master plan for MPAs along the California coast. The MLPA Blue Ribbon Task Force recommended a draft MPF in April 2005 and, based on that recommendation, DFG then submitted a proposal to the commission. The commission adopted a MPF in August 2005.

In December 2005, the task force forwarded to Secretary for Resources Mike Chrisman a consultants' report on options for funding activities of the MLPA. In February 2006, the task force then submitted to Secretary Chrisman a set of recommendations for long-term funding of a system of MPAs in California.

Beginning in June 2005, an extensive stakeholder process developed draft packages of MPAs for the central coast that were reviewed by a science advisory team, initiative staff and the public. In March 2006 the task force made recommendations regarding MPAs along the central coast, including selecting three MPA packages, with one selected as a preferred alternative, to forward to DFG. In June 2006, the department developed and forwarded its recommendations to the commission. In August 2006 the California Fish and Game Commission selected a preferred alternative and two other packages for regulatory review under the California Administrative Procedures Act and environmental review under the California Environmental Quality Act.

In November 2006 the BRTF forwarded a report on improved coordination and collaboration with federal agencies involved in MPA management; the report included 16 specific recommendations. The BRTF also forwarded to Secretary for Resources Mike Chrisman a recommendation for how the state could secure agreement and commitment among state agencies with marine protected area responsibilities to complete statewide implementation of the Master Plan by 2011

In April 2007, the California Fish and Game Commission made a final decision regarding central coast MPAs. The adopted regulations for those MPAs are expected to become effective in the summer of 2007. In addition, it is anticipated that the California Park and

Recreation Commission will take action to designate two of the central coast MPAs as state marine parks, based on the action and recommendation of the Fish and Game Commission.

The Fish and Game Commission will be presented with recommendations for alternative MPA packages along the remaining sections of California coast between 2006 and 2011, ultimately leading to the adoption of a full master plan and implementation of a marine life protection program.

Throughout all stages of the First Phase (2004-2007) MLPA Initiative process there was extensive public involvement, from stakeholder panels at task force meetings to public comment on draft documents and at meetings of the task force, science advisory team and regional stakeholder group. All meetings of the three groups were videotaped and archived for public viewing.