

California Marine Life Protection Act Initiative
North Coast Regional Stakeholder Group
Marine Protected Area Proposal Narrative
September 14, 2010

The marine protected area (MPA) proposal developed by the MLPA North Coast Regional Stakeholder Group (NCRSG) is the result of extensive collaborative efforts by diverse north coast stakeholders since June 2009 to design and evaluate different MPA arrays and proposals. Discussions began during Round 1, when self-selected stakeholders first came together to develop external proposals. Many of the stakeholders from Round 1 were selected for the NCRSG and developed Round 2 draft proposals, intended to meet the minimum and preferred MLPA Master Plan Science Advisory Team guidelines (SAT Guidelines). By Round 3, the NCRSG established a sound understanding of the SAT Guidelines and the north coast's ecological and socioeconomic systems. This understanding, combined with recognition of the diverse interests and cultures represented, allowed the NCRSG to reach consensus on the Unified MPA Proposal described here, a proposal that meets the goals of the Marine Life Protection Act (MLPA) while giving meaningful consideration toward north coast socioeconomic systems. Many of the MPAs in the Unified MPA Proposal were designed during community meetings held in Crescent City, Orick, Trinidad, Eureka, Petrolia, Shelter Cove, Fort Bragg and Albion. The Unified MPA Proposal represents both a unified proposal of the NCRSG and the diverse interests of north coast communities.

The North Coast

California is a diverse state and regional MPA planning is therefore the best approach. This approach allows for consideration of each region's unique features and demographics. The north coast is different from the remainder of California in several ways. Rough seas frequently prevent use of the ocean. Even when the weather is good, the small population size significantly reduces consumptive and non-consumptive uses. Factors such as high economic dependence on fishing, isolated communities, limited industry diversification, high unemployment and poverty rates, make north coast counties relatively vulnerable to changes in fisheries management measures¹. Additionally, the north coast is characterized by highly productive ecosystems and recent data indicates that north coast fisheries are currently sustainable or rebuilding².

¹ *Pacific Fishery Management Council and National Marine Fisheries Service. 2006. Proposed acceptable biological catch and optimum yield specifications and management measures for the 2007-2008 Pacific coast groundfish fishery, and Amendment 16-4: rebuilding plans for seven depleted Pacific coast groundfish species; final environmental impact statement including regulatory impact review and initial regulatory flexibility analysis. Pacific Fishery Management Council, Portland, Oregon, 2006.*

² *National Marine Fisheries Service. 2009. Our living oceans: report on the status of U.S. living marine resources, 6th edition. U.S. Dep. Commerce, NOAA Technical Memo. NMFS-F/SPO-80.*

The Unified MPA Proposal

The Unified MPA Proposal consists of eleven coastal MPA clusters and four estuarine MPAs. The coastal MPAs are distributed throughout the MLPA North Coast Study Region, capturing diverse habitats and forming a robust system of MPAs that are connected by the north coast's strong currents and productive ecosystems. The estuarine MPAs protect diverse estuarine habitat throughout the north coast. The Unified MPA Proposal offers an excellent study environment where we can gain a better understanding of how north coast ecosystems respond to implementation of MPAs, and through adaptive management, can continue to advance the goals of the MLPA.

Science Guidelines

Stakeholders strove to design a proposal compliant with the SAT Guidelines. Many options, configurations and creative ideas were discussed in both formal and informal meetings, until all possibilities had been exhausted. It is important to recognize that the SAT Guidelines were adopted prior to availability of the north coast substrate data. Hence, when adopting the SAT Guidelines, the MLPA Master Plan Science Advisory Team (SAT) could not evaluate the configuration of an MPA array that fully adheres to the SAT Guidelines, or consider what the implications of such a design would be. The NCRSG took the lead in examining how different MPA designs reflect the SAT Guidelines and the implications for north coast ecological and socioeconomic systems. The SAT analysis and MLPA Blue Ribbon Task Force (BRTF) guidance has been critical for NCRSG decision making. The NCRSG has deliberated about conservation and socioeconomic tradeoffs, while sincerely striving to meet the SAT Guidelines. However, when considering MPA proposal designs that fully satisfy the SAT guidelines, it has been repeatedly concluded that the socioeconomic impacts of certain MPAs would be unacceptable for the communities who live near and utilize those areas. Hence, the Unified MPA Proposal comes as close as possible to meeting the SAT Guidelines without having unacceptable impacts to humans, as based upon long-term deliberations among the NCRSG and north coast communities.

Consideration of Uses by California Tribes and Tribal Communities

An immediate problem facing stakeholders arose from the legal misunderstanding between the State of California and California Tribes and Tribal Communities regarding authority to properly recognize the unimpeded continuance of traditional tribal uses while establishing MPAs. In attempting to fulfill their charge, while respecting the uses by California Tribes and Tribal Communities, the NCRSG has had ongoing, involved dialogue amongst themselves, with the MLPA Initiative staff, BRTF, California Department of Fish and Game, and representatives of California Tribes and Tribal Communities. Within the framework provided, the NCRSG has done as much as possible to respect the non-commercial subsistence, ceremonial, and customary uses of the Tribes and Tribal Communities by expressing intent verbally and in the descriptions that accompany individual MPAs that these uses will in no way be infringed upon, and that opportunities for co-management shall be sought between the state and specific

Tribes and Tribal Communities for any given MPA. As the BRTF has also consistently sought to ensure tribal use is not impeded by MLPA implementation, it is hoped that advocacy will continue and that the appropriate, effective remedy will be enacted accordingly.

Despite supporting the presentation of one proposal to the BRTF, it must be understood that Tribes and Tribal communities in the north coast do not support any infringement on the subsistence, ceremonial, and customary uses of Tribal citizens by the State of California. Tribes and Tribal communities participated in this process in order to inform the process of their inherent, unabrogated rights to continue to use the lagoon, estuarine, coastal, and marine ecosystems as they have since time immemorial. The presentation of one array should in no way be construed as a recognition of abrogation of these rights and uses, a relinquishment to state authority, or recognition of state authority in the implementation of the MLPA on the part of Tribes and Tribal communities. Tribes and Tribal communities will continue to use these ecosystems as they always have and as is their inherent unceded right, despite state MPA designation in any location.

Moving Forward

The Unified MPA Proposal represents compromises that have been reached within communities and within the NCRSG. Altering any single element of the Unified MPA Proposal would upset this careful balance and has the potential to undermine its cohesiveness. This cohesiveness, and recognition of the compromises that have been made, is essential to retaining the Unified MPA Proposal's integrity and support by local communities.

The benefits of adopting the Unified MPA Proposal cannot be overstated. Long-term achievement of the MLPA's goals depends on community support and involvement in resource management decisions. Acceptance of the Unified MPA Proposal will build the north coast's capacity for collaborative research and management. Adopting an MPA array that has not been vetted with north coast communities and stakeholders, or altering the Unified MPA Proposal, would be disheartening to north coast residents who have worked very hard, and successfully, to develop an MPA proposal that meets the goals of the MLPA and has broad support from diverse north coast interests.