

California Marine Life Protection Act Initiative

Frequently Asked Questions about Marine Protected Areas

1. Is it illegal to travel through or anchor in a marine protected area (MPA) with catch on-board?

Transit and anchoring are generally allowed; the language is found in *Title 14 Section 632 subsections (a)(7) and (8)*. A few areas may restrict or prohibit transit and anchoring to protect a particularly vulnerable habitat or species, though all have allowances for anchoring or transit in emergencies.

Title 14, Section 632(a):

(7)Anchoring. Vessels shall be allowed to anchor in any marine protected area or marine managed area with catch onboard unless otherwise specified in subsection 632(b), areas and special regulations for use. Fishing gear shall not be deployed in the water while anchored in a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall not be deployed in the water while anchored in a state marine recreational management area, state marine park or state marine conservation area. Anchoring regulations shall be consistent with federal law and allowances made for anchoring required by emergency or severe weather.

(8)Transit or Drifting. Vessels shall be allowed to transit through marine protected areas and marine managed areas with catch onboard. Fishing gear shall not be deployed in the water while transiting through a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall not be deployed in the water while transiting through a state marine recreational management area, state marine park or state marine conservation area.

2. How do I know where an MPA is located? Are they all marked with buoys?

Most MPA boundaries are designed to use major onshore landmarks and simple due north/south or east/west lines for easy recognition. However it is ultimately up to the user to determine if he or she is within an MPA. Regulations and site specific maps are available at <http://www.dfg.ca.gov/mlpa/mpa.asp>. In some cases, boundaries that are complex or difficult to determine may be marked with buoys, though this is not realistic in many areas due to depths and ocean conditions.

3. If an area is designated an MPA will it always be an MPA?

Not necessarily. The adaptive management approach recommends that the MPAs be re-assessed approximately every five years, and following that assessment the MPA designation can change. The MLPA allows the California Department of Fish and Game to re-examine MPAs and the MPA network for effectiveness; as MPAs are re-assessed for effectiveness, changes may be necessary, either to individual MPAs or the network as a whole. This may mean changing allowances for extractive activities depending on how well MPAs are meeting their goals and could also mean that other previously closed sites may be proposed for re-opening. Just because an area is closed to one type of use or another does not mean that it will always be that way.

4. How does the MLPA and MPA placement affect existing fisheries management measures and closures?

MPAs and the MLPA are intended to complement, and not replace, existing fishery management regulations. MPAs address a broad array of ecosystem concerns and, in particular, allow for interactions between both fished and unfished species to occur in a more natural setting. If any changes to fisheries regulations were required in response to MPAs, this would occur through existing systems established in fisheries management plans and other regulatory frameworks.