

California Marine Life Protection Act Initiative
Status of Efforts to Implement Lessons Learned Recommendations from the MLPA North Central Coast Study Region
Revised January 9, 2009

	Recommendation	Complete	In Progress	Not Yet Started	Not Pursuing
1.	The basic MLPA Initiative structure remains the best option for the SC study region: a BRTF with contract staff, RSG, SAT, DFG, and I-Team.	X			
	The MLPA Initiative demonstrated its ability to learn from the CC experience and improve its model for developing MPA alternatives. One product of the NCC process, pending a decision by the commission, was a set of MPA alternatives that demonstrated significant “convergence.” A second product was a consensus IPA recommendation from the BRTF developed almost entirely from the RSG alternatives. A third product was broadly higher levels of satisfaction with the NCC process for developing those alternatives than for the CC. The basic MLPA Initiative structure has now been tested in two study regions and demonstrated its value. No major structural changes are recommended for the next study region				
1a.	The MLPA Initiative should remain a learning enterprise, adaptable and flexible to each new study region and set of stakeholders.		X		
	Veterans of the MLPA Initiative are encouraged to make a commitment to seeing with fresh eyes and listening with fresh ears, even while relying on their experience and the same basic model for public decision making.				
1b.	The MLPA Initiative should maintain its focus on two equally valuable products: (1) a high quality process, and (2) MPA alternatives leading to a BRTF recommendation		X		
	The process is a product of the MLPA Initiative in important respects. Good process promotes ownership of outcomes that can provide a foundation for MPA management. While MPA alternatives are an important and concrete “deliverable,” the public understanding, engagement, and support that result from a high-quality process should continue to be a core MLPA Initiative objective.				
1c.	The MLPA Initiative should explore opportunities to support long-term sustainability of new MPAs.			X	
	The MLPA Initiative process offers an opportunity for the DFG and others to look forward and begin laying the foundation for long-term success. This may include educating key stakeholders about practical MPA management challenges and associated costs and perhaps formulating potential management principles. Without losing its planning focus, the MLPA Initiative should explore these opportunities in the next study region. This recommendation is reinforced below in 4.d.				

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2.	The private-public partnership model between the State of California and the Resources Legacy Fund Foundation should be continued through a new Memorandum of Understanding.[1]	X			
	The public-private partnership reflected in the MOU is the foundation for MPA planning. While the Legislature demonstrated support for MLPA implementation through a budget increase for 2007, the current state budget deficit highlights the unreliable nature of public funding. Private funds have been, and will continue to be, essential to the MLPA Initiative's success. The partnership also provides the flexibility for the MLPA Initiative to hire qualified staff to fill specific needs and to contract for the services of outside consultants such as Ecotrust.				
2a.	RLFF should work with the MOU parties, BRTF, and MLPA Initiative staff to ensure consistent and clear separation.		X		
	There was relatively less concern expressed by stakeholders about the role of RLFF in the MLPA Initiative during the NCC compared with the CC. This recommendation is intended as a reminder of the importance of maintaining clear boundaries between funders and those involved in decision making related to MPA design.				
2b.	There is value in the complex and occasionally inefficient process of MPA development.	X			
	It would be understandable for private sector funders to expect a certain amount of efficiency, with the potential for future cost savings, based on the experience of two study regions. One candidate may be decision support tools like Doris and Marine Map. Experience and efficiency may also lead to cost savings in terms of basic meeting planning and preparation for the SAT, RSG, and BRTF. However, efficiency in stakeholder decision making is a different matter, primarily because each study region and its stakeholders and public are essentially new. The MLPA Initiative's success to this point can be attributed in significant part to the resources available for high-quality public process. To the extent cost-saving is a goal for funders, any cuts should be balanced carefully against the benefits of a well-funded, high-quality, and robust public process. Indeed, the SC study region is larger and more complex and will inevitably require a larger budget than either the CC or the NC.				

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3.	The BRTF is a key innovation for MPA design and public decision making and should fill the same roles in future study regions.		X		
	The BRTF has proved effective in fulfilling diverse roles in two study regions: as a buffer for the commission, overseer of stakeholder design of MPA alternatives, decision maker on an MPA recommendation to the commission, and a public forum for identifying and framing key policy issues under the MLPA. The need for each of these roles is unlikely to disappear for the future study regions, and in fact may be even greater than on the NCC. So long as the BRTF's roles are clear and its authority is undiminished, it should remain as a key element of the MLPA Initiative.				
3a.	The criteria and process for appointing BRTF members should remain the same and should include continuity.	X			
	This recommendation is identical to one from a CC lessons learned report and bears repeating.[2] The BRTF has managed to operate effectively under close public scrutiny in a values-laden context. In particular, it has created incentives for RSG members to commit substantial time and other resources to the process of MPA design. This would not be possible if RSG members perceived that BRTF outcomes were pre-determined, or that the BRTF was not committed to openness and transparency in decision making. BRTF members have generated respect despite disagreements; criticism of the BRTF decision making process is not a reflection on the selection process. Continuing BRTF members also identify increased trust and respect for one another as an asset for the MLPA Initiative. These qualities are rare commodities in public decision processes and should not be put at risk.				
3b.	The BRTF should meet with the RSG early in each study region to clarify roles, objectives, responsibilities, processes, and expectations about the relationship. This conversation should address the BRTF-RSG partnership aspect as well as the hierarchical aspect, i.e., the BRTF role as ultimate advisor to the commission on a preferred MPA alternative. BRTF members should also attend RSG sessions individually but not as part of the agenda.		X		

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	The BRTF did not meet with the RSG until its final decision meeting on the NCC. Feedback from the online survey suggests a potential benefit in clarifying the BRTF’s roles, objectives, and decision processes for the RSG early in each study region. These should be distinguished from the RSG’s role, objectives, and processes. The BRTF should explain its expectations for MPA alternatives development and emphasize proposals that (1) satisfy SAT criteria, and (2) reflect balancing of interests. The significance of consensus and convergence should be explained consistent with the discussion earlier in this report. There is a partnership aspect to the BRTF-RSG relationship, and this should be acknowledged without misleading the public and RSG about decision making authority. A joint meeting—perhaps a half day—should be evaluated as an option, with a format that supports interaction. BRTF members also should individually attend and observe RSG meetings and work groups, but should not be part of the agenda in order to ensure the BRTF is able to deliberate and communicate effectively as a group on important issues.				
3c.	The BRTF should continue an iterative, interactive approach to MPA development similar to the NCC approach.		X		
	The three-round, iterative approach for the NCC was much more satisfactory to RSG members based on the survey than the two-round CC approach and should be maintained, subject to specific needs of each study region. The BRTF also should incorporate opportunities for interactive comparison of alternatives similar to the process at its final decision meeting. In the spirit of adaptation and experimentation, the BRTF should test other options for supporting its relationship with the RSG.				
3d.	The BRTF should not be limited by an exclusive focus on MPA planning and should identify and address key policy issues in the next region.		X		
	The BRTF has an important role to play in developing initial approaches to challenging issues related to MLPA implementation. The sources for these issues vary: some are inherent in the MLPA, some are a result of MPA science, and others are a result of establishing new MPAs through the MLPA Initiative process. A list of potential issues includes:				
	§ Future MPA management including monitoring and enforcement				
	§ The role of regional goals and objectives in light of adaptive management				
	§ SAT use of models and their role in MPA design for the MLPA Initiative				
	§ Water quality in MPA design				
	§ Funding options for MPA management				

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3e.	The BRTF should continue exploring ways to improve its effectiveness, consistent with MOU goals of transparent decision making.		X		
	The BRTF has responded to the CC lessons learned by trying new approaches for the NCC. One experiment was an informal planning discussion consistent with open meeting laws and the MOU commitment to transparency.[3] It will be useful to continue experimenting with different approaches, perhaps including BRTF sub-committees charged with developing initial options on policy issues and bringing those options to the full BRTF for discussion.				
	This size of the BRTF has changed for each of the first three study regions: from eight (CC), to five (NCC), and now seven (SC). There is a mix of returning and new members for the SC, similar to the NCC experience. The BRTF should consult with the I-Team on ways to tap the trust established among BRTF veterans and build trust with new members. The BRTF should also take early steps to ensure that new members are educated about critical MPA science and policy issues, and that the differences in MLPA experience do not impact BRTF deliberations and decision making.				
3f.	The BRTF should take steps to improve meeting planning and management		X		
	The RSG survey and BRTF and I-Team interviews revealed dissatisfaction with some aspects of meeting planning and management. There are opportunities to improve planning within the BRTF and also with the I-Team to reduce public dissatisfaction. The BRTF should also work with the I-Team to improve in-meeting decision making in response to comments from the survey.				
4.	The DFG's basic approach to MPA planning for the NCC was an asset for the MLPA Initiative and should be continued.		X		
	The DFG received a substantial increase in funding from the Legislature in [2006-7] and increased its staffing for the MLPA Initiative. Overall this increase benefitted the MLPA Initiative in terms of resources for the SAT, RSG, and BRTF. The DFG's staffing increase also provided a valuable opportunity for internal capacity building around the MLPA and public involvement. The DFG's timely and consistent attention to feasibility criteria was helpful for MPA alternatives development, if not always popular. Participation on the SAT ensured a knowledgeable regulatory presence. The lack of a DFG preferred alternative for the commission was consistent with the MOU; while there was some disagreement over this adjustment it does not appear that the quality of information and alternatives available to the commission were affected. With some modifications, this basic approach is a sound model for future study regions.				

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4a.	The DFG should provide a consistent, authoritative voice to the MLPA Initiative on matters related to MLPA implementation in the next study region. Establishing this voice for the BRTF, RSG, and SAT early in the process will build confidence.		X		
	Interviews and online comments indicate that MLPA Initiative participants value a reliable voice from the DFG. During the NCC there were occasions where DFG representatives appeared to lack either information or authority. These perceptions can undermine credibility, whether or not they are accurate. The DFG should establish its lines of authority and decision making and then communicate these to the MLPA Initiative early in the next region. Any changes should also be communicated to avoid misunderstanding. The DFG should not set up expectations that its representatives will always have answers in the moment; it is reasonable to seek time for policy clearance as questions increase in significance.				
4b.	The DFG should maintain its resource commitment to the MLPA Initiative, focusing on its strengths and also looking for staffing efficiency.				
	The next study region likely will place significant demands on all components of the MLPA Initiative and it will be important for the DFG to sustain its staffing commitment. The DFG's GIS team received the highest overall satisfaction ratings from the online survey; maintaining a commitment to this asset should be a priority. At the same time, interviews suggest the DFG gained insights about how to improve staffing efficiency that will be useful for the next region.		X		
4c.	The DFG should employ the same basic model it used to identify feasibility criteria early in the NCC process for other issues related to MPA design.	X			
	The MOU charged the DFG with identifying feasibility criteria early in the NCC process and communicating these to the MLPA Initiative and public. The DFG met this obligation based on review of meeting agendas, documents, and on observation. The DFG was criticized by RSG members and others for the timing of some of its concerns related to goals and objectives during the NCC. To the extent possible, the DFG should identify and present other important factors early in the MPA design process, to avoid situations where stakeholders feel they must revise MPA proposals very late in the process.				

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4d.	The DFG should work with other components of the MLPA Initiative, including the BRTF, I Team, and commission liaison, to develop and implement a strategy for addressing MLPA management issues.		X		
	The DFG faces increasingly complex challenges regarding the MLPA. In addition to its role in the MPA planning phase, the DFG assumes increasing management responsibilities as the commission completes its decision making process for each study region and (presumably) adopts new MPA network components. The DFG is uniquely situated to provide a link between MPA management and design, and should work with the BRTF and commission to develop a joint strategy for supporting MPA management through the planning process. Specific issues may include the relationship of regional goals and objectives to future management and the significance of monitoring for MPA design.				
4e.	The DFG should identify opportunities presented by the MLPA Initiative to educate the public about natural resource management issues and seek funding and partnerships to address these.		X		
	This recommendation assumes the MLPA Initiative is more than a series of resource demands, limitations on authority, and increased responsibilities, and that it can present opportunities for the DFG. One possibility is to identify specific natural resource management issues in future study regions that are linked to MPAs, and seek partnerships and funding to educate the public and develop solutions. Challenges associated with poaching of marine species on the SC are an example cited during interviews.				
4f.	The DFG should explore options for future public-private partnerships to support MPA management.		X		
	California's budget future is not bright, and interviews suggest the need for partnerships, including funding, to support MPA management. The DFG should explore options for adapting the MLPA Initiative model to future management. This is not a recommendation that an MLPA Initiative-like approach be used to manage MPAs. The DFG has statutory authority for management and in many ways, including experience with existing MPAs, appears best suited for that role. The MLPA Initiative presents an opportunity for the DFG to work with other MOU Parties, the BRTF, the Executive Director, and the commission to develop effective MPA management policies that incorporate strengths of the MLPA Initiative, such as transparency, meaningful stakeholder and public engagement, and even lessons learned evaluation.				

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5.	The BRTF and commission effort to improve coordination was successful and should be a priority for future study regions.		X		
	The BRTF and commission (and I-Team) took steps that proved effective during the NCC to share knowledge about issues in the study region, coordinate key steps linked to decision making, and promote a smooth transition between phases. These steps included appointment of a commission liaison to the MLPA Initiative and two joint meetings, as well as regular communication between senior managers. SAT presentations to the commission were another part of this effort. The BRTF and commission should make this improved coordination a priority in each study region.				
6.	Responsibility for managing the MLPA Initiative should follow the same model, relying on private sector staff and consultants and integrating DFG expertise and resources.		X		
	The I-Team model proved adaptable to changed conditions in the NCC study region, including a transition to a new Executive Director, a new BRTF and chair, and different regional requirements. Additional staff were added to fill specific needs, contracting appeared flexible, and the I-Team continued to meet high expectations and standards. DFG staff were an important component of the I-Team, although interviews revealed concerns about fulfilling all MOU resource commitments. There is no reason to change this flexible model for the next study region, particularly given the anticipated demands for expertise in government relations, community outreach, and public affairs, along with continuing need for the highest possible quality of process design and meeting facilitation.				
6a.	The Executive Director should consult with the BRTF chair to address potential support for policy development in the next study region.		X		
	This report recommends substantial attention to policy development in the next study region. If this course is adopted by the BRTF, it will be important to ensure policy expertise is available to support that approach.				
6b.	The Executive Director should pay particular attention to project management and ensure I-Team capacity matches project demands.		X		
	Interviews highlighted senior project management as a skill set that likely will be in high demand as the MLPA Initiative moves to the SC study region. The NCC approach to project management generated some questions but appeared to work based on outcomes. The MLPA Initiative should carefully evaluate anticipated project management needs—the ability to see all parts of a project and pull them together—and ensure there is adequate senior expertise capacity to satisfy these needs.				

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6c.	The I-Team should continue steps to spread responsibility and reduce demands on a small group of experienced staff.		X		
	By most measures the success of the MLPA Initiative through the NCC study region is due in part to the remarkable efforts of a relatively small group of highly committed staff and consultants. Members of this core group do not limit themselves to eight-hour work days and have maintained a single-minded focus on the success of the BRTF, RSG, and SAT for several years. This level of focus and commitment is a significant asset, but it takes a significant personal toll and carries risks for individuals and the MLPA Initiative. The MLPA Initiative should continue steps to spread responsibility and work loads, ensure adequate supervisory and management skills, and plan for transitions of key personnel.				
6d.	The I-Team should continue its intensive approach to recommending RSG members for appointment and should clarify expectations about behavior.		X		
	The I-Team plays an important role in identifying and recommending potential candidates that should be continued. The RSG survey disclosed concerns about balanced representation on the RSG, the impact of "straw polls" used to assess levels of support for proposals, and undisclosed affiliations of some RSG members. These concerns were discussed in the July 28, 2008 memorandum to the Executive Director and presumably were addressed as part of decision making about RSG appointments for the SC. The I-Team also should identify potential steps to limit the types of negative behavior by some RSG members that appeared in the survey comments. One possibility would be to address this issue in guidelines for the RSG, along with potential consequences. The I-Team should consider making behavior an explicit part of the RSG selection process for future study regions.				
6e.	The I-Team should coordinate a review of the use of Special Closures in light of low RSG satisfaction with that approach.				X
	The RSG survey results showed a low level of satisfaction with Special Closures [3.13], and interviews indicate this parallel effort required substantial resources from the I-Team, DFG, and RSG. The I-Team should organize a joint review with the DFG and BRTF (and the SAT if appropriate) of the role of Special Closures early in the next study region.				

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7.	The SAT filled multiple roles for the NCC that should continue for the next study region.		X		
	The SAT members served as educators, advisors, and evaluators. They also advanced MPA science through model development and refinement of science criteria and added significantly to social capital. The SAT moved past prior differences over the MLPA's "best readily available scientific information" standard and developed analytical frameworks—spatially explicit models—that integrate fisheries management and marine ecology. In addition, the SAT forum served as an important component of a publicly transparent decision making process. What the SAT members refrained from doing is also significant: they remained in the role of MPA evaluators and did not pre-empt the primary role of the RSG as developers of MPA proposals, through modeling or otherwise.				
7a.	The co-chairs model worked well and should be the preferred option for the next study region.	X			
	SAT members consistently expressed support for the co-chairs model used for the NCC. This should be the first option for future study regions. The co-chairs should consult with the I-Team about ways to incorporate process expertise into their meetings based on SAT dynamics in each study region.				
7b.	The SAT should work with the I-Team to improve interaction with the RSG.		X		
	The "formal" RSG-SAT written question process merits attention to improve responsiveness without interfering with other SAT tasks. Perhaps more important is testing approaches for increasing constructive access to the SAT for the RSG throughout the MPA planning process. The SAT should work with the I-Team on "early education" of the RSG about science guidelines and evaluation methodology, and should customize its presentations for the RSG audience. Limiting RSG members to offering public comments during SAT meetings magnifies the impression of separation. It may also be useful to create opportunities for selected panels of RSG members to address the SAT on specific topics. This recommendation is not intended as support for joint meetings of the SAT and RSG or for unstructured forums with open agendas. Finally, the SAT should identify its most effective public communicators and assign them to interact with the RSG, whether as part of a SAT sub-team regularly attending RSG meetings or for specific presentations.				

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7c.	The SAT should work with the BRTF to ensure its members, new and returning, are familiar with MPA science.		X		
	BRTF members are heavily scrutinized for their understanding of science guidelines, evaluation methodology, and other MPA issues. It is essential that the SAT and BRTF [with the I-Team] organize ongoing education in a way that meets busy schedules and differences in knowledge based on prior experience. It is also important that BRTF agendas leave sufficient time for deliberation on key issues and not be consumed by science briefings. One option suggested by BRTF members is to organize briefings in advance of regular BRTF meetings, with appropriate notice, and limit the number of SAT briefings that are part of regular BRTF agendas.				
7d.	The SAT should work with the I-Team to design its meetings and agendas to allow sufficient time for discussion of key science issues.		X		
	Several SAT members pointed to the need for more discussion and deliberation time on SAT agendas. Stakeholders echoed frustration about limited discussion, particularly where it is followed by voting. Some SAT members also expressed support for one-day meetings that could fit more easily into their schedules. The SAT should explore ways to address both these interests with the I-Team, and the MLPA Initiative should devote resources to expanded SAT meetings if that is necessary.				
7e.	The SAT should maintain a rigorous focus on science consistent with the SAT charter, and refine its approach to addressing data gaps, complexity, and uncertainty.		X		
	As scientists, SAT members are accustomed to operating in an environment characterized by data, hypotheses, complexity, and uncertainty. The MLPA Initiative is a public process that integrates science into policy making by non-scientists. The process ultimately involves balancing different values, particularly where there is uncertainty, and this balancing is assigned to the BRTF (and RSG) and ultimately the commission. Given intense public attention, it is important for the SAT to be consistent about identifying data gaps and uncertainty and communicating this effectively to non-scientists. The SAT should identify options and risk and leave value choices to the BRTF, and ultimately to the commission. The SAT also should have a consistent, understandable framework for receiving and evaluating stakeholder and public information. The SAT should consider refining its procedures in light of learning from the National Research Council about effective science integration in public processes described in this report.				

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7f.	The SAT should ensure that it communicates effectively with the BRTF and RSG about potential modifications to science guidelines and evaluation criteria based on anticipated science issues for the SC.		X		
	Interviews suggest that the science guidelines will continue evolving, as they did during the NCC process. One likely change will address the influence of ocean currents; another may involve water quality, according to interviews. The SAT took steps to improve public understanding of changes to the science guidelines for the NCC, such as preparing detailed written explanations. These and other steps should be a consistent SAT priority.				
8.	The BRTF and DFG should collaborate with the commission to address key policy issues related to MPA management in the next study region.		X		
	The MPLA Initiative has matured to the point that it should be a priority to address the complex topic of MPA management. Recommendations 1c, 3d, 3f, 4d, 4e, and 4f, in particular, propose that partners in the MLPA Initiative process give close attention to MPA management issues, beginning with the SC process. One focus should be steps to support effective management during the MPA design process, perhaps through a modified approach to developing regional goals and objectives, as well as objectives for individual MPAs. A second focus should be on developing MPA management principles that reflect the strengths of the MLPA Initiative model as well as respect for the DFG's authority and strengths.				
9.	The BRTF should clarify the role of government agencies serving as members of the RSG, and consult as necessary with the California Resources Agency.	X			
	The NCCRSRSG included representatives of multiple federal and state government agencies. The interviews and survey results reflect diverse views about the appropriate role of government agencies on the RSG. Survey responses cover a full spectrum: one view that accepts full participation (or at least not opposing such participation), another that prefers non-voting participation, and a third that opposes participation. The majority view appears to accept full participation. The BRTF addressed this general question early in the NCC process and BRTF interviews support the principle of full participation by government agencies. The BRTF should clarify this issue at the outset of the RSG process.				

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	There was a specific issue during the NCC process about the role played by the Department of Parks and Recreation ("State Parks") in advocating for a particular MPA within the RSG. Interviews suggest multi-layered concerns: one level involves the general question noted above, a second involves the internal consultation process for the California Resources Agency and State Parks, and a third is result-oriented, i.e., does the proposed MPA have merit? Looking to the SC and the presence of beaches under the jurisdiction of State Parks, it is likely the same type of situation will present itself, and this eventuality should be part of the BRTF's clarification. This matter may also be of interest to the California Resources Agency as well as the DFG.				
10.	The I-Team, BRTF, and DFG should continue their highly productive, collaborative efforts to improve public understanding of and access to the MLPA Initiative.		X		
	The MLPA Initiative is a public process, and its goal of building public support for MPAs depends on effective communication. The MLPA Initiative spends significant resources to provide information: all meetings are available to view live as a web cast, and past meetings are available in video and audio formats from the MLPA archives. The MLPA Initiative also posts significant amounts of information on its web site, which is hosted by the DFG: www.dfg.ca.gov/mlpa/ .				
	Interviews revealed virtually unanimous support for a re-design of the MLPA Initiative web site to reduce clutter, highlight critical information, and allow easier retrieval of documents. This step appears to be underway and should yield benefits during the next study region.				
	While the MLPA Initiative is highly visual in some respects, like its use of GIS tools, it is print-heavy in others. The I-Team should develop better visual depictions of the MPA planning process, such as a timeline identifying key process steps, identifying where the MLPA Initiative is at any point in time, and options for public involvement.				
	Finally, the MLPA Initiative should increase its staff expertise in community relations, public affairs, and communications. This includes not only contract staff but also the DFG's team. The DFG should evaluate its model of concentrating MLPA communication and outreach in Sacramento and consider building that capacity for the Marine Region. This is not a criticism of DFG staff but rather a recognition of increasing demands related to the MLPA.				

[1] [The MOU parties executed a new MOU intended to cover the remaining study regions in August 2008.](#)

[2] [Report on Lessons Learned from the Marine Life Protection Act Initiative, prepared by J. Michael Harty and DeWitt John \(August 17, 2006\) \(Harty/John](#)

[3] [The BRTF is not subject to Bagley-Keene because it is not a creation of statute, but has operated pursuant to MOU transparency principles.](#)