



California's Marine Life Protection Act Initiative North Coast Project (2009-2011)

What is the Marine Life Protection Act (MLPA) Initiative? The MLPA Initiative is a public-private partnership designed to help the State of California implement the MLPA by using the best readily available science and the advice and assistance of scientists, resource managers, experts, stakeholders and members of the public.

Why this project? The MLPA, which was signed into law in 1999, directs the state to redesign California's system of marine protected areas to increase its coherence and effectiveness in protecting the state's marine life and habitats, marine ecosystems and marine natural heritage, as well as to improve recreational, educational and study opportunities provided by marine ecosystems.

What are marine protected areas? Marine protected areas (MPAs) are named, discrete geographic marine or estuarine areas designed to protect or conserve marine life and habitat. Existing examples of MPAs on the north coast of California include Punta Gorda State Marine Reserve, Point Cabrillo State Marine Conservation Area and Van Damme State Marine Conservation Area.

What can I do in a marine protected area? There are three types of MPAs: state marine reserve, state marine park, and state marine conservation area. Each type has different rules about what activities can or cannot occur within its boundaries. In general, marine reserves do not allow any type of extractive activities (including fishing or kelp harvesting); marine parks do not allow any commercial extraction; and marine conservation areas do not allow some combination of commercial and/or recreational extraction.

When and where did the MLPA Initiative start? A regional approach is being used to implement the MLPA along California's 1,100-mile coastline. In September of 2007, regulations for the first of the five study regions were implemented for the central coast (Pigeon Point in San Mateo County to Point Conception in Santa Barbara County). In August of 2009, regulations for the north central coast (Alder Creek near Point Arena in Mendocino County to Pigeon Point in San Mateo County, including the Farallon Islands) were adopted by the California Fish and Game Commission and will be implemented in January 2010. Currently, the MLPA planning process is underway in the south coast (Point Conception to the California/Mexico border) and is in the initial planning stages in the north coast (California/Oregon border to Alder Creek near Pigeon Point).

What are the basic steps in the MLPA Initiative process? An appointed, regional stakeholder group makes proposals for MPAs with advice and guidance from other groups and the public; these proposals are reviewed by a science advisory team, and then by a policy level blue ribbon task force that makes recommendations to the California Fish and Game Commission, the decision-making body under the MLPA.

When will the MLPA Initiative be in my area? The MLPA Initiative is just beginning the planning process in the north coast study region. Following the north coast, the MLPA Initiative will focus on San Francisco Bay (Golden Gate Bridge northeast to the Carquinez Bridge).

How do I get involved in the process? The success of the MLPA Initiative is dependent upon the active involvement of stakeholders and the general public in a variety of ways. Opportunities for involvement include participating in a regional stakeholder group, attending workshops and public meetings, and providing input on MPA proposals and supporting documents as they are developed. The MLPA North Coast Project will afford many opportunities for public involvement in the months to come. For more information, visit www.dfg.ca.gov/mlpa.

MARINE LIFE PROTECTION ACT

California Fish and Game Code Section 2853

The legislature declared that there was a need to ***reexamine and redesign California's system of marine protected areas*** (MPAs) to increase its coherence and its effectiveness at protecting the state's marine life, habitat, and ecosystems.

To improve the design and management of California's MPA system, the California Fish and Game Commission is required to adopt a ***Marine Life Protection Program***, with the following goals:

- (1) To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.
- (2) To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
- (3) To improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.
- (4) To protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.
- (5) To ensure that California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.
- (6) To ensure that the state's MPAs are designed and managed, to the extent possible, as a network.

WHAT ARE MARINE PROTECTED AREAS?

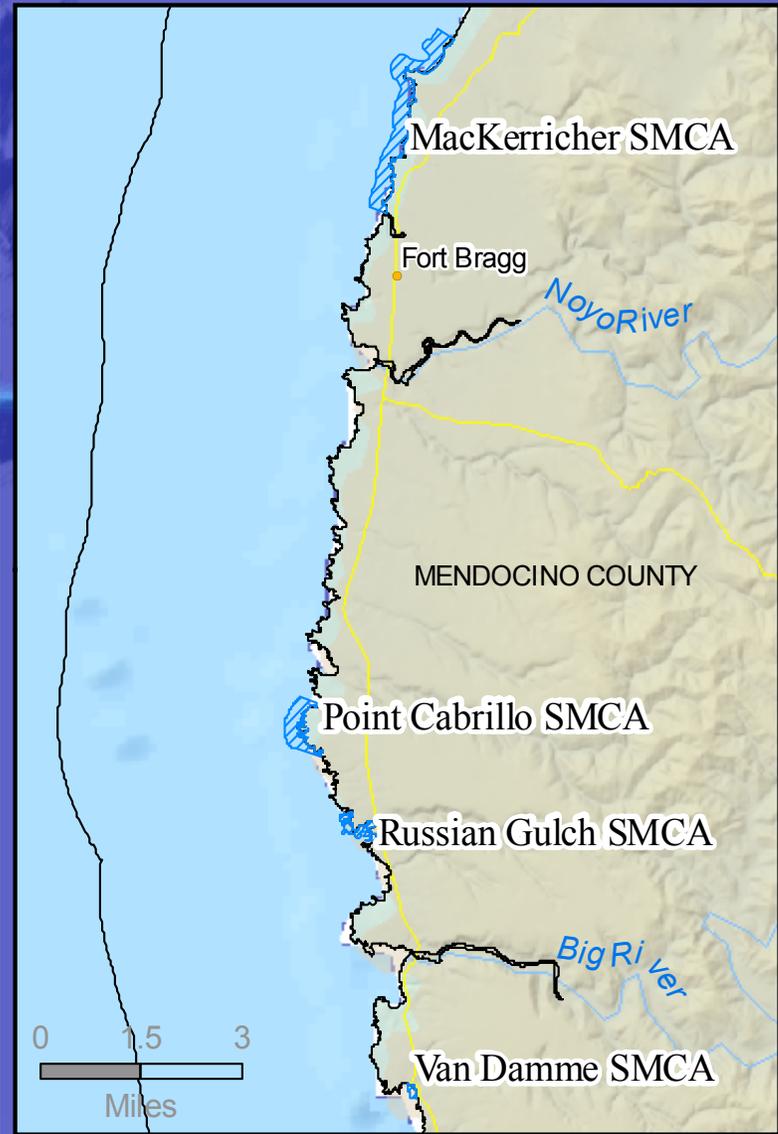
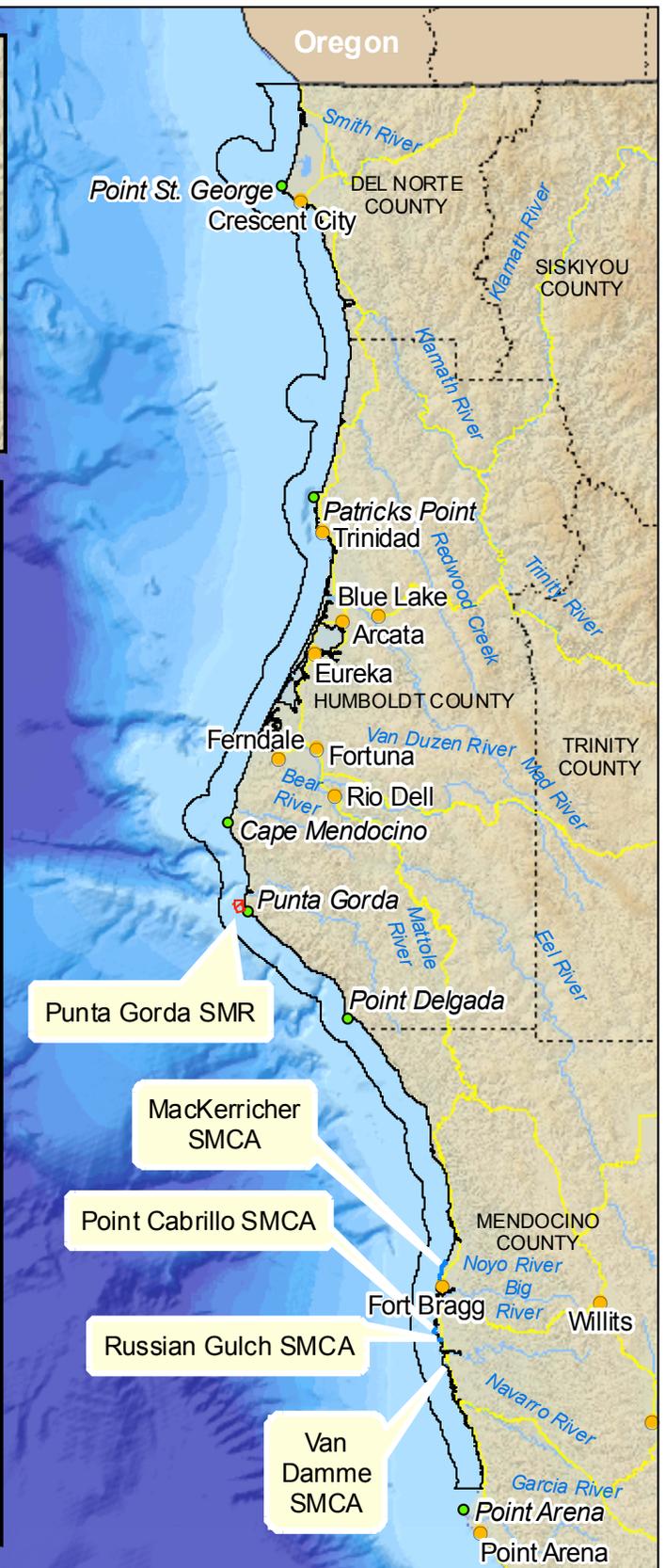
Defined in Public Resources Code, Sections 36602 and 36710

A **marine protected area (MPA)** is a named, discrete geographic marine or estuarine area seaward of the mean 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 that has been designated by law or administrative action to protect or conserve marine life and habitat. MPAs are primarily intended to protect or conserve marine life and habitat...

(a) In a **state marine reserve (SMR)**, 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 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. Access and use for activities such as walking, swimming, boating, and diving may be restricted to protect marine resources. 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. [PROHIBITS ALL EXTRACTIVE ACTIVITIES]

(b) In a **state marine park (SMP)**, it is unlawful to injure, damage, take, or possess any living or nonliving marine resource for commercial exploitation 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. 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. [PROHIBITS ALL COMMERCIAL EXTRACTIVE ACTIVITIES AND POTENTIALLY SOME RECREATIONAL ACTIVITIES]

(c) In a **state marine conservation area (SMCA)**, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes, that the designating entity or managing agency determines would compromise protection of the species of interest, natural community, habitat, or geological features. The designating entity or managing agency may permit research, education, and recreational activities, and certain commercial and recreational harvest of marine resources. [LIMITS RECREATIONAL AND/OR COMMERCIAL EXTRACTIVE ACTIVITIES]



Marine Life Protection Act Initiative



North Coast Study Region
Existing Marine Protected Areas

-  Study Region Boundary
-  Existing State Marine Conservation Area (SMCA)
-  Existing State Marine Reserve (SMR)



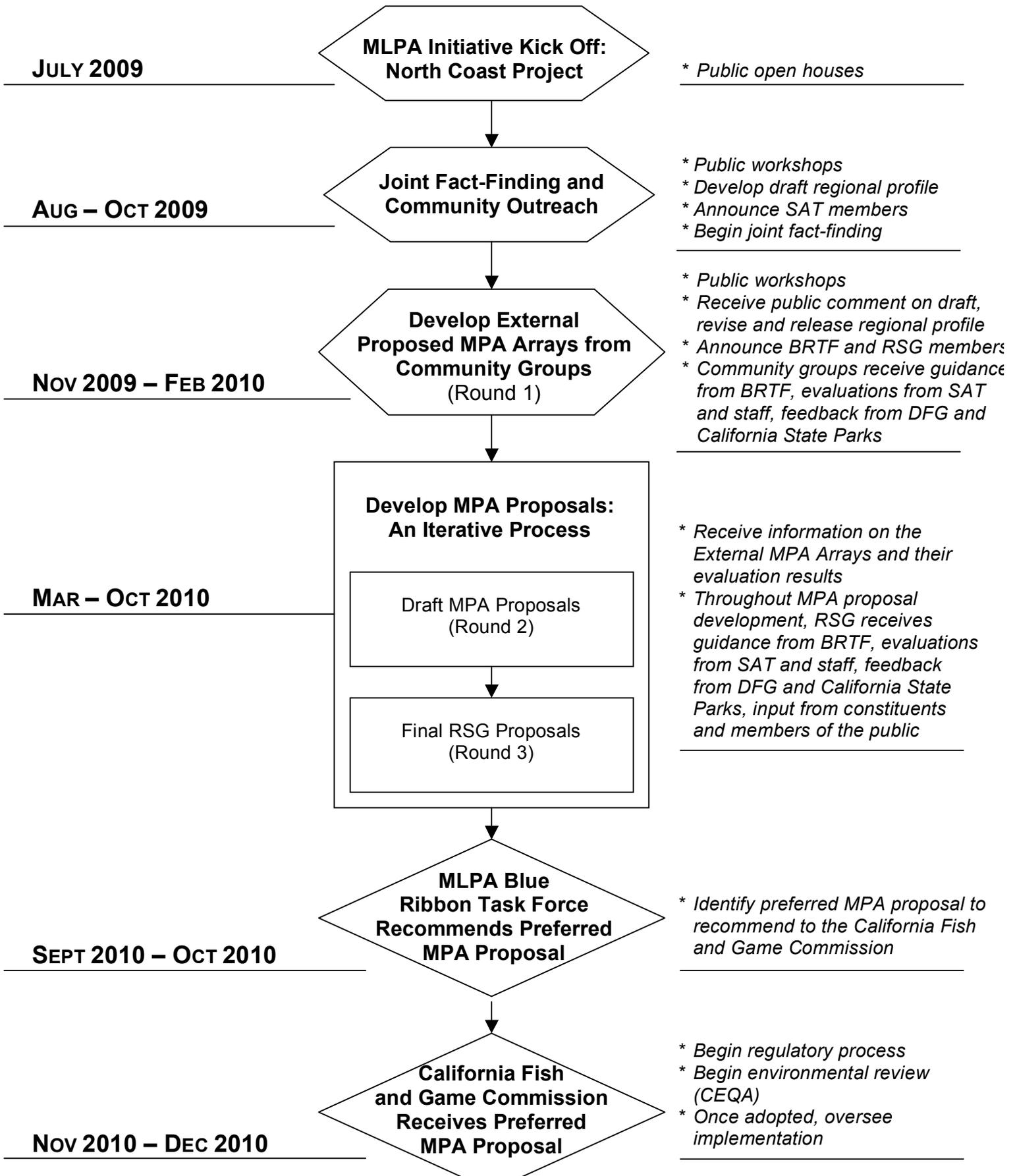
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DFG Marine Region GIS Lab



Marine Life Protection Act Initiative North Coast Study Region Process Outline

*BRTF = Blue Ribbon Task Force DFG = California Department of Fish and Game MPA = marine protected area
MLPA = Marine Life Protection Act RSG = Regional Stakeholder Group SAT = Master Plan Science Advisory Team*



California Marine Life Protection Act Initiative

Marine Life Protection Act Timeline

*BRTF = Blue Ribbon Task Force DFG = California Department of Fish and Game MPA = marine protected area
MLPA = Marine Life Protection Act RSG = Regional Stakeholder Group SAT = Master Plan Science Advisory Team*

- **Oct. 1999** – Marine Life Protection Act (Assembly Bill 933-Shelley/Keeley), passed by the State Legislature, is signed into law by Gov. Gray Davis. The Act directs the Department of Fish and Game (DFG) to reexamine and redesign California's system of marine protected areas (MPAs).
- **Jan. 2000** – DFG begins implementing the MLPA. A Master Plan team of scientists is formed to provide input and advice on the re-design of California's MPAs.
- **April 2000** – Meetings of the Master Plan team assess the requirements of the MLPA and how to proceed. Just two DFG staff members are assigned to the process.
- **April 2001** – The Master Plan Team begins developing the Initial Draft Concepts (IDCs) for a network of MPAs in each of the four designated marine regions.
- **Summer 2001** – A series of 10 public workshops are held throughout the summer to discuss the IDCs. More than 2,500 people attended and the response was overwhelmingly highly critical due to a lack of public input on the planning team.
- **Aug.-Dec. 2001** – Taking comments from the public workshops, DFG staff hold 60 small group meetings throughout the state. The results of these meetings were used to develop a process for increased constituent involvement. A newly formed "MLPA Mandate Team" emerged.
- **2002-2003** – The MLPA process basically restarts with the forming of five Regional Working Groups consisting of constituent representatives. Each group focuses on a particular region of the coast. These groups are the Central Coast, the North Central Coast, South Coast, North Coast, and San Francisco Bay. DFG produces MLPA Clarification Guidelines, the Working Group Process and Operating Principals, and an evaluation of existing MPAs with maps.
- **Jan./Feb. 2004** – Budget problems force state officials to put the MLPA process on hold and the Regional Working Groups are disbanded. Gov. Schwarzenegger is inaugurated; former Fish and Game Commission member Mike Chrisman is appointed Secretary for Resources Agency. The new administration focuses on developing new funding sources to get the MLPA back on track.
- **Aug. 2004 to Jan. 2005** – The MLPA Initiative process becomes fully developed and an Memorandum of Understanding (MOU) put in place to formally establish a joint public/private partnership with DFG, Resources Agency and the Resources Legacy Fund Foundation (RLFF). Secretary Chrisman assembles Blue Ribbon Task Force (BRTF) to contract staff to support the Initiative. John Kirlin is named Executive Director.
- **Aug. 2005** – Fish and Game Commission adopts Master Plan Framework for MLPA Initiative.
- **Jan. to Sept. 2005** – MLPA Initiative staff hired. Central Coast Study Region (Pigeon Point in San Mateo County to Point Conception in Santa Barbara County) announced as the first study region. Central Coast Regional Stakeholder Group is formed with 32 primary members and 24 alternates.
- **April 2005** – MLPA Task Force adopts Master Plan framework to guide the adoption and implementation of MLPA and sends to Commission for adoption.
- **Aug. 2006** – Secretary Mike Chrisman announces the North Central Coast (Alder Creek in Mendocino County to Pigeon Point in San Mateo County) would be the second study region.
- **Feb. 2007** – Secretary Chrisman names Blue Ribbon Task Force for North Central Coast study region. Former San Diego Mayor Susan Golding named task force chair.
- **March 2007** – Ken Wiseman named Executive Director for the Marine Life Protection Act Initiative.
- **April 2007** – Fish and Game Commission adopts 29 Central Coast MPAs, covering approximately 18 percent of the state waters along the Central Coast Study Region.
- **June 2007** – DFG Director Ryan Brodrick announces North Central Coast Study Region Science Advisory Team members.
- **Sept. 22, 2007** – Central Coast MPA regulations formally implemented, finalizing the first of the five study regions.
- **Dec. 2007** – Secretary Mike Chrisman announces the order of the remaining three study regions and that data collection would begin for the next, and third, study region, the South Coast (Point Conception in Santa Barbara

County south to the border with Mexico).

- **Feb 13, 2008** - Summary of the MLPA process and planning on the North Central Coast area to date
- **April 23, 2008** – BRTF sends three recommendations and preferred alternative to the Fish and Game Commission for North Central Coast Study Region MPAs.
- **June 11, 2008** – Commission formally receives North Central Coast Study Region MPAs recommendations from BRTF.
- **June 23, 2008** - MLPA Public Open House, South Coast Region, Santa Barbara
- **June 24, 2008** - MLPA Public Open House, South Coast Region, Oxnard
- **June 25, 2008** - MLPA Public Open House, South Coast Region, Santa Monica
- **June/July, 2008** – MLPA Initiative staff host six workshops (in Santa Barbara, Oxnard, Santa Monica, Huntington Beach, Carlsbad and San Diego) to introduce the public to the South Coast study region.
- **July 8, 2008** - MLPA Public Open House, South Coast Region, Huntington Beach
- **July 9, 2008** - MLPA Public Open House, South Coast Region, Carlsbad
- **July 10, 2008** - MLPA Public Open House, South Coast Region, San Diego
- **Aug. 7, 2008** - Secretary for Resources Mike Chrisman Announces Marine Life Protection Act Initiative's South Coast Study Region Blue Ribbon Task Force
- **Aug. 22, 2008** - Blue Ribbon Task Force is formed by charter
- **Sept. 8, 2008** - Introduction to the MLPA South Coast Study Region (SCSR), including existing marine protected areas (MPAs) and the draft regional profile. Updates on the MLPA South Coast Regional Stakeholder Group and MLPA Master Plan Science Advisory Team (SAT).
- **Sept. 8, 2008** - Blue Ribbon Task force held their first south coast meeting in San Diego, Calif.
- **Sept. 8, 2008** – DFG Director Koch Announces Southern California MLPA Science Advisory Team
- **Sept. 10, 2008** - First meeting of the Master Plan SAT meeting for the South Coast Region
- **Sept. 15, 2008** - Joint SAT meeting in El Segundo, CA. SAT meeting for the North Central Coast and South Coast- The North Central Coast SAT voted to adopt a final version of the list of species likely to benefit from marine protected areas (MPAs) in the MLPA North Central Coast Study Region. The South Coast SAT formed work groups to draft answers to preliminary science questions and elected a chair and two co-chairs.
- **Sept 30, 2008** - MLPA Blue Ribbon Task Force Chair and California DFG Director Announce South Coast Regional Stakeholder Group; Members
- **Oct 6-7, 2008** - South Coast Regional Stakeholder Group (SCRSG) hold first meeting in El Segundo, Calif.
- **Nov. 4, 2008** - Meeting of the BRTF for the South Coast Region
- **Nov. 12, 2008** - Third meeting of Master Plan SAT for the South Coast Region. Presentations on the existing North Channel Islands marine protected areas (MPAs) to be delivered to the California Fish and Game Commission, as well as presentations on fish movement and habitats in the MLPA South Coast Study Region to be presented to the MLPA Blue Ribbon Task Force and MLPA South Coast Regional Stakeholder Group were approved. The five proposed bioregions for the MLPA South Coast Study Region were approved.
- **Nov. 18-19, 2008** - SCRSG of the South Coast Region meet in Ventura, CA
- **Dec. 10, 2008** - Meeting of the BRTF for the South Coast Region
- **Dec. 11, 2008** - Potential commission action to provide guidance to the MLPA South Coast Regional Stakeholder Group on how to proceed with the Northern Channel Islands
- **Dec. 17, 2008** - Fourth meeting of the South Coast Region Master Plan SAT. Three science presentations to be given to the Regional Stakeholder Group. Also approved: methods for evaluating habitat representation; delineation of five bioregions in the South Coast StudyRegion; the current approach to identifying unique habitats; the criteria for populating the species likely to benefit list.
- **Jan. 13-14, 2009** - SCRSG meet in San Diego, CA
- **Jan. 22, 2009** - Conference call of the BRTF for the South Coast Region
- **Jan. 23 and 27, 2009** - Fifth meeting of the South Coast Region Master Plan SAT
- **Jan. 29, 2009** - SCRSG work session in Los Angeles, CA
- **Feb. 10, 2009** - SCRSG work session in Huntington Beach, CA
- **Feb. 24, 2009** - Sixth meeting of the South Coast Region Master Plan SAT
- **Feb. 26, 2009** - Meeting of BRTF for the South Coast Region in Santa Barbara
- **March 3-4, 2009** - SCRSG meeting in Long Beach, CA

- **April 1 and 6, 2009** - Seventh meeting of the South Coast Region Master Plan SAT
- **April 15-16, 2009** - Meeting of the BRTF for the South Coast Region in Dana Point
- **April 28, 2009** - SCRSG meeting in Oxnard, CA
- **April 29, 2009** - SCRSG work session in Oxnard, CA
- **May 5, 2009** - Eighth meeting of the South Coast Region Master Plan SAT with public meeting locations in San Diego, Los Alamitos, Santa Barbara and Sacramento
- **May 15, 2009** - Ninth meeting of the South Coast Region Master Plan SAT
- **May 18-19, 2009** - Meeting of the BRTF for the South Coast Region (Teleconference/webinar)
- **May 19-20, 2009** - SCRSG work session in Santa Ana, CA
- **May 21, 2009** - SCRSG meeting in Santa Ana, CA
- **June 4, 2009** - Meeting of the BRTF for the South Coast Region in Los Angeles
- **June 18, 2009** - Tenth meeting of the South Coast Region Master Plan SAT
- **June 22, 2009** - North Coast Ecotrust Workshop, Eureka, CA
- **June 23, 2009** - North Coast Ecotrust Workshop, Fort Bragg, CA
- **June 29, 2009** - MLPA Public Open House, South Coast Region, Carlsbad
- **June 30, 2009** - MLPA Public Open House, South Coast Region, San Diego
- **July 1, 2009** - MLPA Public Open House, South Coast Region, Laguna Beach
- **July 2, 2009** - North Coast Ecotrust Workshop, Crescent City, CA
- **July 6-9, 2009** - MLPA Public Open House, South Coast Region, San Pedro, Marina del Rey, Oxnard, and Santa Barbara
- **July 13, 2009** - MLPA Public Open House, South Coast Region, Catalina Island
- **July 20-22, 2009** - North Coast Public Open House, Eureka, Fort Bragg and Crescent City, CA
- **July 23, 2009** - North Coast Data Outreach Meeting, Eureka, CA
- **July 28-29, 2009** - Meeting of the BRTF for the South Coast Region in Santa Monica
- **Aug. 3, 2009** - SCRSG meeting in Carlsbad, CA
- **Aug. 4, 2009** - SCRSG work session in Carlsbad, CA
- **Aug. 5, 2009** - FGC adopts North Central Coast Region MLPA
- **Aug. 27, 2009** - North Coast Tribal Information Session, Eureka, CA
- **Sept. 9-10, 2009** - SCRSG meeting in Los Angeles, CA
- **Sept. 29, 2009** - North Coast MPA Planning Workshop, Eureka, CA (teleconference/webinar locations in Fort Bragg and Crescent City)
- **Oct. 6, 2009** - Eleventh meeting of the South Coast Region Master Plan SAT
- **Oct. 11, 2009** - MLPA celebrates its 10 year anniversary 
- **Oct. 14, 2009** - SCRSG teleconference and online meeting for briefing regarding Attorney General advice letter
- **Oct. 20-22, 2009** - South Coast Regional Meeting of the BRTF
- **Nov. 10, 2009** - BRTF sends recommendations to the Fish and Game Commission for South Coast Study Region
- **Oct. 27, 2009** - CDFG Director Donald Koch announces members of the MLPA Master Plan SAT
- **Oct. 27-29, 2009** - North Coast Public Workshops II, Fort Bragg, Eureka and Crescent City, CA
- **Oct. 30, 2009** - Joint meeting with North Coast -South Coast Science Advisory Team, Eureka, CA
- **Nov. 17, 2009** - Blue Ribbon Task Force Named For MLPA North Coast Study Region
- **Nov. 18-19, 2009** – First meeting of the North Coast BRTF, Eureka, CA
- **Dec. 9, 2009** - DFG delivers the BRTF recommendation to the Fish and Game Commission at a joint meeting
- **Jan. 13-14, 2010** – Second meeting of the North Coast BRTF, Crescent City, CA
- **Jan 21-22, 2010** – Second meeting of the North Coast SAT, Eureka, CA
- **April 2010** - North Central Coast Region expected to go into effect (estimated date)
- **Oct-Dec. 2010** - BRTF is expected to make final recommendation regarding North Coast MPA proposals to the commission (estimated date)
- **2010** - Beginning of San Francisco Bay Region (from Golden Gate Bridge northeast to the Carquinez Bridge) (estimated date)
- **2011** - California Coast is expected to be completed (estimated date)

California Marine Life Protection Act Initiative

Frequently Asked Questions

Revised January 28, 2010

1. What is the process for developing marine protected area (MPA) proposals within the north coast study region?
2. What is the timeline for MPA planning in the north coast?
3. What does best readily-available science mean and how is it used in the MPA planning process?
4. Why is fisheries management not directly addressed in the Marine Life Protection Act (MLPA)?
5. How does the ecosystem management requirement in the Marine Life Management Act (MLMA) differ from the MLPA?
6. Is there a minimum total area or pre-determined percentage of each study region or different type of habitat that is required to be in marine protected areas (MPAs)?
7. If an area is designated an MPA will it always be an MPA?
8. How do I know where an MPA is located? Are they all marked with buoys?
9. Is it illegal to travel through or anchor in a marine protected area (MPA) with catch on-board?
10. What is the role of the MLPA Initiative's private funding partners?

- 1. What is the process for developing marine protected area (MPA) proposals within the north coast study region?** In previous study regions, groups and individuals "external" to the appointed regional stakeholder group have submitted MPA arrays and proposals, while the regional stakeholder group developed "internal" arrays and proposals. Complete external MPA proposals were included in the MPA planning process in a variety of ways: by the regional stakeholder group as elements of internal MPA proposals; as separate MPA proposals; and/or as ideas that informed the MPA planning process.

Process Adaptations to Better Suit the North Coast Community

To fully integrate the robust local knowledge available within the MLPA North Coast Study Region, community groups and individuals were invited to develop external MPA arrays as the first round of MPA proposal development. This revised approach allows members of the north coast community to build a foundation from which the MLPA North Coast Regional Stakeholder Group (NCRSG) can work to develop MPA proposals.

Similar to past study regions, complete external MPA arrays that include full geographic coverage of the study region and outline details of MPAs, including specific boundaries and proposed regulations, will be evaluated by the MLPA Master Plan Science Advisory Team (SAT), California Department of Fish and Game (DFG), California State Parks and MLPA Initiative staff, as well as reviewed by the MLPA Blue Ribbon Task Force (BRTF) and the public. External proposed MPA arrays, along with their evaluation results, will be presented to the NCRSG for consideration in MPA planning.

North Coast Regional Stakeholder Group

More than 80 individuals were nominated to the NCRSG and 30 were appointed in late January

by the director of the California Department of Fish and Game and the chair of the MLPA Blue Ribbon Task Force. The NCRSG is primarily tasked with developing MPA proposals for the north coast study region. During its initial meetings, the NCRSG will be provided with draft arrays developed by community groups, and the various evaluations and feedback received on those arrays, to be considered in MPA proposal development.

Building on lessons learned from previous study regions and the unique attributes of the north coast study region (in particular, the close relations that already exist among north coast stakeholders), the NCRSG will be composed of primary members only (in previous study regions, the stakeholder groups included both primary members and alternates). This process change will allow for more full-group discussions and increase the effectiveness of NCRSG deliberations.

- 2. What is the timeline for MPA planning in the north coast?** The MLPA Initiative is in the initial stages of the MPA planning process in the north coast. MPA proposals developed through the MLPA Initiative are crafted over three iterative rounds. In October, north coast communities were invited to develop draft MPA arrays as part of Round 1 of the MPA planning process. During Rounds 2 and 3, NCRSG members will have the opportunity to integrate ideas from the external arrays as they develop the next stage of MPA proposals. Input from community groups and the general public will continue to be included throughout the MPA proposal development process.

During each round of planning, MPA arrays and proposals are evaluated by the SAT. In addition, feedback is provided by the BRTF, DFG, California State Parks and MLPA Initiative staff. The public also has an opportunity to provide input during each round. The various forms of evaluation and input provide opportunities for refinement and improvement in successive rounds.

(NOTE: all dates are subject to change)

Round 1 (draft external proposed MPA arrays developed by community groups)

November – February 2010

Round 2 (draft MPA proposals developed by NCRSG)

March – May 2010

Round 3 (final NCRSG MPA proposals developed by NCRSG)

June – September 2010

Develop BRTF recommendation(s), including preferred MPA proposal

October 2010

Present BRTF recommendation(s) to the California Fish and Game Commission

December 2010

- 3. What does best readily-available science mean and how is it used in the MPA planning process?** Scientific guidelines for MPA planning are provided in the text of the Marine Life Protection Act; further details are outlined in the *California Marine Life Protection Act Master Plan for Marine Protected Areas*, as adopted by the California Fish and Game Commission after

substantial public input and scientific peer review. The methods and application of the guidelines in the master plan have been peer reviewed and found to be scientifically sound. Marine systems are highly complex and better information is constantly being generated by ongoing research. Recognizing this, and that complete information and knowledge will never exist to fully inform management decisions, the MLPA requires the use of best readily available science in decisions regarding the siting of new MPAs and any major modifications of existing MPAs (California Fish and Game Code §2855(a)).

Current information is based on a long history of scientific research and data gathering, not only in California, but also around the world on species distribution, spawning areas, life history characteristics and habitat relationships, among other topics. In keeping up with the best, readily-available science, the science guidance is reviewed, refined and improved in each study region as the planning process proceeds.

Best readily-available data is accessible in a format where it can be readily incorporated into the MPA planning process. In previous study regions, the MLPA Initiative worked to identify readily-available information by hosting a data outreach workshop and undertaking joint fact-finding with stakeholders and members of the public, as well as creating with the science advisory team a process for data to be submitted and considered in the process. While there will always be additional information that may further inform MPA planning, a large amount already exists to help California redesign its system of MPAs to achieve the goals of the MLPA.

Data are used in a variety of ways in the MLPA Initiative process. For example, information about the north coast study region is provided to stakeholders in a regional profile as well as an online decision support tool called MarineMap (<http://northcoast.marinemap.org/marinemap/>). The MLPA Master Plan Science Advisory Team (SAT) uses data to create guidelines and conduct evaluations of MPA proposals.

4. **Why is fisheries management not directly addressed in the MLPA?** Marine protected areas (MPAs) and the Marine Life Protection Act (MLPA) are intended to complement, rather than replace, existing fishery regulations. The MLPA is designed to improve our system of MPAs in order to protect marine life, habitat and ecosystems. MPAs address a broad array of ecosystem needs 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.
5. **How does the ecosystem management requirement in the Marine Life Management Act (MLMA) differ from the MLPA?** California's primary state fisheries management statute, the MLMA, acknowledges that conservation and management programs (such as that being developed under the MLPA) help ensure conservation and facilitate long-term protection of fishery resources. The purpose of habitat protection in the MLMA is to advance the "primary fishery management goal" of sustainability and so may only provide limited protection of a particular habitat. Conversely, although the MLPA considers fishery habitat, it also encompasses broader, ecosystem-based objectives that are not limited to only managing fisheries. Some goals of the MLPA simply cannot be achieved with traditional fisheries management.

A lessons-learned evaluation of the MLMA is currently underway as a joint venture between the California Ocean Protection Council, California Fish and Game Commission, and DFG. That

project is intended to evaluate the performance to date of the MLMA and provide recommendations to improve future MLMA efforts.

6. **Is there a minimum total area or pre-determined percentage of each study region or different type of habitat that is required to be in marine protected areas (MPAs)?** There is no total area or minimum percentages designated to be set aside for MPAs in each study region. There are also no explicit requirements for a percentage of a given habitat type. The MPA design process is based on the goals and objectives of the MLPA and a set of scientific guidelines, outlined in a master plan for MPAs, for achieving a sound network. These guidelines do not set a specific percentage to include in MPAs; rather they provide a range of guidance for individual MPA size, habitat types, distance between MPAs and information on key habitats and species likely to benefit from MPAs.
7. **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 requires a reexamination of 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 limits one type of use or another this does not mean that it will always be that way.
8. **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 some areas due to depths and ocean conditions.
9. **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.

- 10. What is the role of the MLPA Initiative's private funding partners?** The private partners in the MLPA Initiative help only to ensure funding of the MLPA process and have no say in the creation of any alternative MPA proposal or in the final adoption of MPAs. Funding partners are considered a partner of the California Natural Resources Agency and the California Department of Fish and Game, and their role in the MLPA process is clearly stated in a formal memorandum of understanding. The California Fish and Game Commission, which receives no private funding, is the final decision making authority under the MLPA.

California Marine Life Protection Act Initiative
Frequently Asked Questions Regarding Appointments to the
MLPA North Coast Regional Stakeholder Group
February 2, 2009

1. Who appoints the MLPA North Coast Regional Stakeholder Group (NCRSG)?

The NCRSG appointments were made by California Department of Fish and Game Director John McCamman and MLPA Blue Ribbon Task Force Chair Cindy Gustafson. The appointments were made after receiving recommendations from two neutral facilitators, who interviewed the recommended nominees, along with other senior MLPA Initiative and California Department of Fish and Game (DFG) staff.

2. What is the appointment process for regional stakeholders?

A request for nominations to the NCRSG was made this fall and distributed to over 3,000 groups and individuals asking for nominations to be made by November 30. Nominees were evaluated against the selection criteria established in the request for nominations (located at <http://www.dfg.ca.gov/mlpa/ncproject.asp>). Staff recommendations to the director and chair were informed by facilitator interviews, nomination letters, any letters of support, DFG background checks (including fish and game citations), as well feedback from other staff who have knowledge of and experience working with the nominees.

The director and chair appointed stakeholders who represent a broad diversity of interests, perspectives, and geographic locations within the MLPA North Coast Study Region. In instances where staff was unable to find strong candidates that could represent a certain interest or perspective, staff was directed by the director and chair to seek nominees beyond the initial set of nominees (i.e., nominees who submitted their nomination letters by November 30) to recruit possible additional nominees. In each of these cases, the nominee submitted the requested information and was interviewed by the neutral facilitators. A similar directive has been used in other study regions.

3. Why were 31 stakeholders chosen for the NCRSG?

The 31 individuals appointed to the NCRSG are viewed as collectively representing the broad diversity of perspectives and interests in the north coast. To help ensure the effectiveness of NCRSG meetings, staff was aiming to recommend 25-30 members. This target range was in part informed by lessons learned from past MLPA study regions and by some of the unique attributes of the north coast study region (e.g., relatively close relationships among many of the nominees).

NCRSG members will strive to achieve a high level of agreement in developing and advancing alternative marine protected area (MPA) proposals. The intent is to strive for MPA proposals that earn broad-based, cross-interest support from NCRSG members. The NCRSG is not intended to function as a representative voting body.

4. Does the NCRSG have tribal representation and how does this compare to previous study regions?

The MLPA north central coast and south coast study regions each had two tribal representatives. Due to the larger number of tribes, tribal citizens, and tribal use of marine

resources on the north coast, DFG Director McCamman and BRTF Chair Gustafson believed that broader tribal representation was required for the NCRSG.

5. What happens if a stakeholder resigns from the group?

Stakeholder resignations would be addressed on a case-by-case basis. If an NCRSG member resigns or otherwise leaves the process early on, we would try to replace him/her with someone else representing similar interests, expertise and geography, and who also satisfactorily meets the selection criteria. If an NCRSG member stops participating late in the process, we might choose to not replace that individual; this would in part depend on an assessment of whether that individual's interests/perspectives could be adequately represented by other NCRSG members.

6. What information will be given to stakeholders at the Feb 8-9, 2010 meeting in Eureka and will this information be provided to the general public as well?

All meeting materials for all NCRSG meetings will be made available to the public on the MLPA website. As they become available, all briefing materials received by the stakeholders for the first meeting can be found at http://www.dfg.ca.gov/mlpa/meeting_020810.asp

7. Is there a process to remove a member of the NCRSG?

There is a draft ground rule for the NCRSG on "commitment to the process." The draft ground rule states: NCRSG members commit to adhere to these ground rules, as a set of mutual obligations, once they are ratified. NCRSG members are encouraged to help uphold and enforce these ground rules. If an NCRSG member consistently deviates from these ground rules, that member may be replaced by another person upon confirmation by the director of DFG and the chair of the BRTF. Prior to an NCRSG member being dismissed, the NCRSG member will meet with the facilitation team and the MLPA Initiative executive director to discuss the reasons for the dismissal. Flagrant personal attacks or repeated violations of the ground rules may be cause for immediate removal.

8. Are NCRSG members compensated for their participation?

NCRSG members will be reimbursed for travel expenses, including food, lodging and mileage, for attending publicly-noticed meetings and work sessions. NCRSG members can also apply for a stipend; NCRSG members who are volunteering their time and are not compensated in some other way to participate may apply for a stipend of \$175.00 per day for publicly-noticed meetings and work sessions.

9. How long do members serve on the NCRSG?

NCRSG members are expected to participate in six 2-day meetings and work sessions between February and September 2010, plus one joint meeting with the BRTF in October 2010.