Marine Life Protection Act

Overview of Department of Fish and Game
Feasibility Evaluation of Round 2 Proposals
North Coast Study Region
July 22, 2010 • Fort Bragg, CA
Rebecca Studebaker
California Department of Fish and Game

Overview of Department Role

The MLPA Initiative *Memorandum of Understanding (MOU)* explains the Department's role:

- The Department *will not*
  - Create it's own alternative;
  - Recommend a preferred alternative;
  - Support any individual stakeholder proposal

Overview of Department Role, cont.

- The Department *will*
  - Provide comments to FG Commission on MPA proposals;
  - Provide a Statement of Feasibility Criteria; and
  - Give advice on feasibility aspects of draft MPA proposals
- The Department provides its advice
  - During work group sessions; and
  - Through a formal evaluation of each submitted MPA proposal

Categories of Department Advice

- Department advice and feedback will cover:
  1. **Feasibility of MPAs**: enforceability, MPA design, boundaries, take regulations
  2. **Stated goals and objectives**
  3. **Likelihood** of proposals **to meet the MLPA goals**
- Department guidelines outlined in document: "*Feasibility Criteria and Evaluation Components for Marine Protected Area Proposals*, Revised March 23, 2010"

Why Feasibility Criteria?

- Purpose of DFG Feasibility criteria & feedback:
  - Ensure MPAs are easy for the public to understand;
  - Ensure MPAs are enforceable;
  - Help avoid design qualities that may pose a risk to MPA success;
  - Help avoid creating a management burden (enforcement, monitoring, public expectations)

Evaluation of Round 2 Proposals

Four proposals were submitted for evaluation

- Frequently noted design concerns include:
  - Infeasible boundary design
    - (e.g., depth contours, or complexity)
  - Incomplete boundary descriptions
    - (e.g., “aligns with headland”)
  - Unspecified take regulations
  - Take regulations not available to everyone

Feasibility Evaluation of Round 2 Arrays

Summary of Individual MPA Evaluation Findings

Array	# of Proposed MPAs	# of Proposed Special Closures	% of Proposed MPAs that Do Not Meet Guidelines			
			MPA Design	MPA Boundaries	Take Regulations (Unspecified Allowed Take)	Take Regulations (Other)
Ruby 1	23	10	48%	56%	52%	39%
Ruby 2	12	3	50%	66%	50%	41%
Sapphire 1	20	5	45%	50%	55%	15%
Sapphire 2	14	3	50%	43%	64%	14%

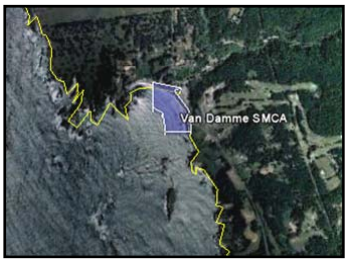
Round 2 Proposals- General Feedback

General Comments on Round 2 Proposals:

- Allowing the take of "Invasive Species"
  - "Invasive species" is not a regulated category of take
  - Recommendations such as this can be placed under "other considerations"
- Blanket permitting exemptions for future projects
  - Exemptions to regulatory permits can not be mandated in the MLPA process
- Special Closures
  - Should only be used if other state & federal regulations are inadequate for protection
  - Should be used sparingly

Existing MPAs

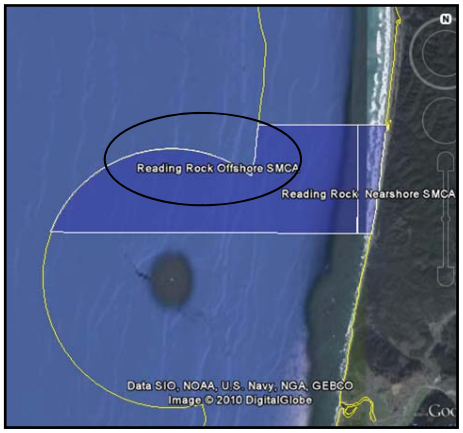
- Existing NCSR MPAs submitted without improvement
  - Boundaries and regulations unimproved



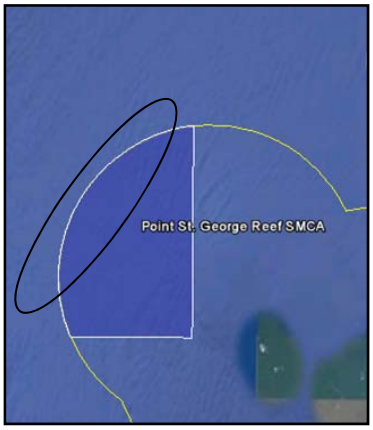
Ruby 1

MPA Design

- Awkward Shapes and Wedges



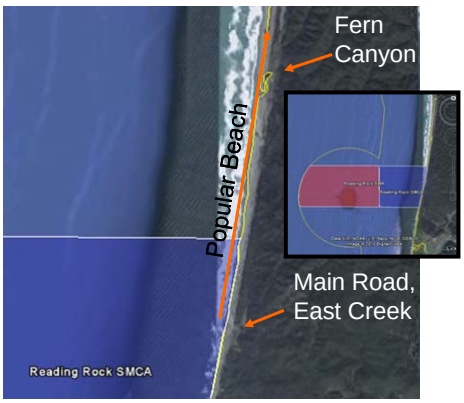
Reading Rock SMCA, Ruby 2



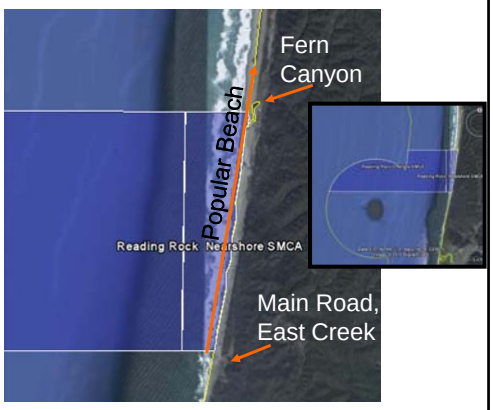
Point St. George SMCA, Ruby 1

Boundaries Splitting Beaches

- Should be adjusted to increase public understanding and enforceability



Sapphire 2

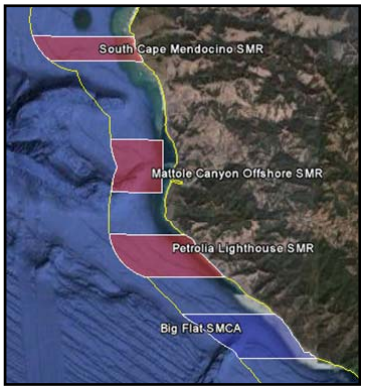


Ruby 2

Multiple Zoning

- Creates complex arrangements
  - Reduces enforceability and public understanding

Ruby 1 & 2

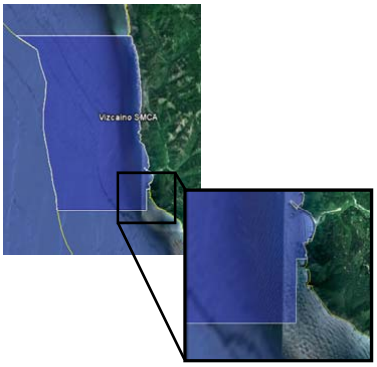


Sapphire 1 & 2

Hanging Corners

- Creates complex arrangements
  - Reduces enforceability and public understanding

All Round 2 Proposals



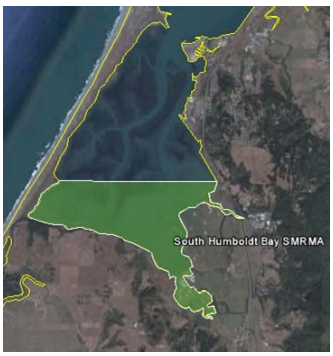
Ruby 1 & 2, Sapphire 1 (similar)

Hanging Corners (continued)

- Creates complex arrangements
  - Reduces enforceability and public understanding

Ruby 2 & Sapphire 2

Sapphire 1



Ruby 1

Boundaries in Estuaries

- Boundaries need to be at permanent landmarks to increase enforceability

Eastern Boundaries

Western Boundaries

Goals and Objectives Evaluation

Purpose:

- Ensure goals and objectives are appropriate based on MPA design
- Guide RSG to select goals and objectives that are best suited to inform and guide monitoring activities based on design
- Evaluation elements based on SAT guidelines & other MLPA evaluations (i.e. DFG Feasibility Evaluation)

Goals and Objectives Review

Evaluation Outcomes:

- Site-level rationale: Ensure MPA intent is clear and has a concise ecological statement
- MPA goals and regional objectives inappropriately assigned to MPAs:
  - With LOP below Mod-high (G1, G2, G3, G4)
  - With spacing gaps (G2, G6)
  - That don't meet Goal 3 evaluation guidelines (G3)
  - Not adhering to DFG feasibility guidelines (G5)
  - Not improving existing MPA boundaries or regulations (G3)

Goals and Objectives Review

Recommendations for Round 3 Improvements:

- Improve MPA design, designation, and take allowances to reflect desired objectives and site-specific rationale;
- Remove inappropriate goals and objectives or;
- Remove MPA if not benefiting the network (i.e. too small, regulations too complex, not providing clear Goal 3 benefits, or no clear ecological protections)

Likelihood to Meet the Goals of the MLPA

- "Undetermined" LOPs created challenges for the Round 2 evaluation
  - Many MPAs with "undetermined" LOPs
- The Department will provide comments on Round 3 MPAs that do not meet the requirements of the Goals of the MLPA
- Examples:
  - MPAs that create a management burden (complex or permissive regulations)
  - MPAs that do not meet SAT guidelines or the goals of the MLPA

Summary of DFG Guidelines Purpose

- DFG Guidelines are intended to ensure that MPAs have:
  - Simple regulations, easy to enforce & understand
  - Reasonable goals and objectives for each proposed MPA
  - Good prospects to meet MLPA goals

Round 2 Proposals- Next Steps

- Expect that feasibility aspects will improve in the final round
- Department staff will continue to be available to answer questions and provide guidance regarding feasibility aspects of potential RSG MPA designs