

## STAFF SUMMARY FOR DECEMBER 11-12, 2019

**31. STATEWIDE MARINE PROTECTED AREAS (MPAS) PROGRAM****Today's Item****Information** ☒**Action** ☐

Receive annual update on DFW's marine protected areas (MPAs) program management activities.

**Summary of Previous/Future Actions**

- |  |                                    |
|--|------------------------------------|
| • Final MPA master plan adopted                    | Aug 24-25, 2016; Sacramento        |
| • Annual update on management                      | Dec 12-13, 2018; Oceanside         |
| • <b>Today receive annual update on management</b> | <b>Dec 11-12, 2019; Sacramento</b> |

**Background**

In 2016, FGC adopted the final master plan for MPAs, which formally established DFW's MPA Management Program. As the primary managing agency for the state's MPAs, DFW and core partners manage California's MPAs as a statewide network using a collaborative partnership-based approach. DFW's program has four components: (1) Outreach and education, (2) research and monitoring, (3) enforcement and compliance, and (4) policy and permitting.

DFW's overall approach is essential to inform adaptive management of the MPA network and to help meet the goals of the Marine Life Protection Act. When it adopted the final master plan for MPAs, FGC requested that DFW provide an annual report of program activities. For 2019, DFW has provided a memo detailing actions in the past year for each of the four components (Exhibit 1). At today's meeting, DFW will present highlights from the 2019 management activities and significant events such as the Northern Channel Islands MPAs gaining global recognition (Exhibit 2).

**Significant Public Comments**

1. An update on Marin's Marine Protected Area Watch program, a partnership of the Environmental Action Committee of West Marin with Point Reyes National Seashore and California Academy of Sciences. The program trains volunteers to monitor beaches in Marin County as part of the statewide citizen science program, MPA Watch, and has collected five years of data that is available upon request (Exhibit 3).

**Recommendation (N/A)****Exhibits**

1. [DFW memo](#), received Nov 22, 2019
2. [Northern Channel Islands Marine Protected Areas](#) Join Growing Network of Global Ocean Refuges, Marine Management News, Nov 4, 2019
3. [Letter from Morgan Patton, Executive Director, and Ashley Eagle-Gibbs](#), Conservation Director, Environmental Action Committee of West Marin, received Nov 26, 2019

**Motion/Direction (N/A)**

# Memorandum

**Date:** November 19, 2019

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Game Commission

**From:** Charlton H. Bonham  
Director

**Subject:** Marine Protected Areas Management Program Updates for 2019

## Overview

In 2016, the California Fish and Game Commission (Commission) requested the California Department of Fish and Wildlife (Department) to prepare annual updates about the management of California's marine protected areas (MPAs). The Department, along with core partners, developed an MPA Management Program ([Management Program](#)) to manage the MPAs as a statewide network using a collaborative partnership-based approach. The Management Program is composed of four components: 1) outreach and education, 2) research and monitoring, 3) enforcement and compliance, and 4) policy and permitting. This approach is essential to inform adaptive management of the MPA network and to help meet the goals of the Marine Life Protection Act (MLPA). This memo provides information about 2019 Management Program highlights and future MPA related activities that are a result of collaboration and ongoing coordination with core partners.

## Outreach and Education

Efforts continue to focus on increasing public awareness of the MPA network to improve compliance and understanding of MPAs statewide. Development and distribution of printed materials like brochures and posters and online resources such as MPA blogs, articles, and videos continues to be a priority. Notable accomplishments from 2019 include:

- Finalization and release of the [California MPA Network Outreach and Education Guide](#). The Guide is a resource for partner agencies and organizations who are interested in creating Department approved outreach materials. Created to support consistent and accurate messaging regarding California's MPA Network.
- An updated [Ocean Sport Fishing Web Map](#) provides smart phone users a resource to help visualize their location relative to fishing regulation boundaries, including where they are in relation to MPAs.

Users can also interact with the Web Map to gain regulatory information regarding each MPA to ensure compliance with take regulations.

- An *Outdoor California* article was published in November highlighting rocky intertidal research at the Southeast Farallon Island State Marine Reserve and Special Closure.

### **Research and Monitoring**

The [MPA Monitoring Program](#) guides research and monitoring activities across California's MPA network. The [MPA Monitoring Program](#) implements a two-phase, ecosystem-based approach.

#### Phase 1: Regional, baseline monitoring

Concluded 2018. All Phase 1 products are available [here](#).

#### Phase 2: Statewide, long-term monitoring

Following the guidance outlined in the [MPA Monitoring Action Plan](#) that was approved by the Commission and the Ocean Protection Council (OPC) in October 2018, OPC awarded \$9.5 million for seven long-term MPA monitoring projects. The awards support research and analysis of marine ecosystems, oceanographic conditions, and human uses through 2021. A combined total of 24 universities, agencies, and institutions are involved in this long-term monitoring investment.

Projects as titled, include:

- *Establishing a statewide baseline and long-term MPA monitoring program for commercial and CPFV fisheries in the state of California*; summary available [here](#)
- *Monitoring and evaluation of kelp forest ecosystem in the MLPA marine protected area network*; summary available [here](#)
- *Evaluating the performance of California's MPA network through the lens of sandy beach and surf zone ecosystems*; summary available [here](#)
- *California Collaborative Fisheries Research Program – monitoring and evaluation of California marine protected areas*; summary available [here](#)
- *Assessment of rocky intertidal habitats for the California marine protected area monitoring program*; summary available [here](#)
- *Integrated ocean observing systems for assessing marine protected areas across California*; summary available [here](#)
- *Monitoring and evaluation of mid-depth rocky reef ecosystems in the MLPA marine protected areas*; summary available [here](#)

In 2019, OPC awarded \$1.5 million to improve an existing population connectivity model to better inform the spatial design of California's long-term MPA monitoring

program, and for monitoring and assessment of California's more than 500,000 acres of estuarine habitat.

The Department continues to build and maintain working relationships with many of our partner organizations involved in long-term MPA monitoring efforts. Department staff were out numerous days in the field participating in long-term MPA monitoring projects with partners including multiple academic institutions, the Partnership for Interdisciplinary Studies of Coastal Oceans, Reef Check California, the Multi-Agency Rocky Intertidal Network, the California Collaborative Fisheries Research Program, Marine Applied Research and Exploration, and the National Parks Service. Additionally, the Department's R/V *Garibaldi* and R/V *Mystinus* collectively provided approximately 55 days of vessel time in support of long-term MPA monitoring.

### **Enforcement and Compliance**

The Department's Law Enforcement Division (LED) continues to monitor California's MPAs to enforce regulations and encourage compliance.

#### MPA Enforcement Efforts

LED staff frequently contact individuals in the field when in MPAs. Throughout 2017 around 33,000 contacts were made resulting in more than 1,000 warnings and over 900 citations. Throughout 2018 almost 19,000 contacts were made with around 800 warnings and 500 citations issued. From January through June 2019 11,611 related contacts were made by our LED staff, resulting in 422 warnings and 224 citations.

#### Legislation

On January 1, 2019 [Assembly Bill 2369](#) went into effect. This bill increases penalties for commercial fishing operations found violating MPA regulations.

#### Enforcement Tools

LED continues efforts to improve the enforcement and compliance of wildlife violations through a new electronic records management system. The new system went live in September and will help identify violation hot spots as well as repeat or cross county offenders.

### **Policy and Permitting**

#### Scientific Collecting Permits (SCP)

From January to October, a total of 54 SCPs were issued for research within 85 MPAs, including 41 state marine reserves, 35 state marine conservation areas, 7 no-take state marine conservation areas, and 2 state marine recreational management areas.

Since the Network was implemented in 2012, a total of 749 SCPs have been issued for research within MPAs. Regionally, the MPAs with the most research and monitoring projects are: Crystal Cove SMCA – 100 projects (South Coast), Carmel

Bay SMCA – 80 projects (Central Coast), Bodega Head SMR – 49 projects (North Central Coast), and Van Damme SMCA – 22 projects (North Coast).

Although no action has been required of the Commission regarding the following items in 2019, the Department is working with partners to address the topics and will involve the Commission appropriately.

#### Pre-Existing Man-Made Structures Located within MPAs

At the time the Commission adopted California's MPA Network, 2007-2012, certain man-made structures such as piers, docks, cables, intake and outflow pipes, and seawalls, already existed within some of the newly designated MPAs. In many cases, these structures had been in place for years or decades prior to MPA establishment. While normal use or operation of most of these structures or facilities may not result in take of marine species, maintenance, repair, or replacement could result in take, particularly during a short-term, active construction or repair phase.

The Department is currently working with the MPA Statewide Leadership Team to determine a best approach to address limited incidental take of marine resources associated with repair and maintenance of structures that predate the MPA Network.

#### Restoration Project and Upper Newport Bay State Marine Conservation Area

OPC funded a feasibility study proposed by the Newport Bay Conservancy to evaluate potential routes to restore the full continuum of tidal to freshwater to upland habitat in Big Canyon. Big Canyon is the largest remaining natural canyon on the east side of Newport Bay, located in southern California. It has been informally designated as a Nature Park with the upper 45-acre parcel owned by the City of Newport Beach. The lower 15-acre portion is owned by the Department and is a part of the Upper Newport Bay State Ecological Reserve which sits adjacent to Upper Newport Bay State Marine Conservation Area (SMCA). Following this feasibility study, if restoration plans are approved by all appropriate permitting agencies, there is potential to add habitat to the existing Upper Newport Bay SMCA. A range of potential habitat options are under consideration including mud flats, marsh, and wetlands restoration resulting in approximately 2-6 acres in net gain of estuarine habitat to the SMCA.

#### **International Recognition and Relations**

California's MPA Management Program continues to receive international recognition and build relationships with international partners.

- On October 24, California received a [Blue Park Award](#) for the MPAs around the [Northern Channel Islands](#) at the 2019 Our Ocean Conference in Oslo, Norway. In recognition of their strong protection of marine ecosystems and biodiversity, the Northern Channel Islands earned Platinum level status and will join the coalition of outstanding Blue Parks around the world.

The MPAs at the Northern Channel Islands are some of the oldest in California's comprehensive statewide marine network.

- In 2018, a diverse group of Californians, known as the Expert Assessment Group for the Green List (EAGL), began working with the International Union for Conservation of Nature (IUCN) to assess how California's MPA Network aligns with the [IUCN Green List program](#). During 2019, California Native American Tribes and general public provided comments on the California [adapted Green List indicators](#) developed by the EAGL. Beginning this fall, and continuing into 2020, the EAGL will finalize their examination and responses to the comments received on the adapted indicators and will make site visits to help assess how management of California's MPA network meets IUCN's Green List criteria. The initial evaluation process is anticipated to be completed by the end of 2020.
- The Department along with core partners provided MPA management guidance to both an Indonesian delegation and a Chilean delegation in February and October 2019, respectively. Both delegations came to California seeking guidance, insight, and recommendations on how to manage and govern MPAs once implemented.

### **Looking Forward**

The Department and its partners continue to work towards achieving the goals and requirements of the MLPA through the MPA Management Program. Significant attention is now focused on preparation for the MPA decadal management review in 2022. The Decadal Management Review will focus on reviewing each of the four components of the MPA Management Program and the progress made towards meeting the goals of the MLPA. Performance evaluation questions outlined in [Appendix B](#) of the MPA Monitoring Action Plan will guide the discourse regarding the DMR.

These highlights would not be possible without leveraging numerous cooperative partnerships at statewide, regional, and local scales. The Department will continue to provide the Commission with annual MPA highlights to facilitate conversations about the adaptive management of the network.

If you have any questions or need more information, please contact Dr. Craig Shuman, Marine Regional Manager, at (916) 445-6459.

### **Attachment**

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Attachment 1. *Marine Protected Areas Management Program Updates for 2019 Memo*  
*hyperlinks in sequential order.*

1. Page 1

- a. Management Program: <https://www.wildlife.ca.gov/Conservation/Marine/MPAs/Management>
- b. California MPA Network Outreach and Education Guide: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=169141&inline> (PDF)
- c. Ocean Sport Fishing Web Map: <https://www.wildlife.ca.gov/OceanSportfishMap>

2. Page 2

- a. MPA Monitoring Program: <https://wildlife.ca.gov/Conservation/Marine/MPAs/management/monitoring>
- b. All Phase 1, regional baseline monitoring products: <https://www.wildlife.ca.gov/Conservation/Marine/MPAs/management/monitoring#537132130-baseline-monitoring-reports-by-region>
- c. MPA Monitoring Action Plan: <https://www.wildlife.ca.gov/Conservation/Marine/MPAs/Management/monitoring/action-plan>
- d. Establishing a statewide baseline and long-term MPA monitoring program for commercial and CPFV fisheries in the state of California: <https://caseagrants.ucsd.edu/project/establishing-a-statewide-baseline-and-long-term-mpa-monitoring-program-for-commercial-and>
- e. Monitoring and evaluation of kelp forest ecosystem in the MLPA marine protected area network: <https://caseagrants.ucsd.edu/project/monitoring-and-evaluation-of-kelp-forest-ecosystems-in-the-mlpa-marine-protected-area>
- f. Evaluating the performance of California's MPA network through the lens of sandy beach and surf zone ecosystems: <https://caseagrants.ucsd.edu/project/evaluating-the-performance-of-californias-mpa-network-through-the-lens-of-sandy-beach-and>
- g. California Collaborative Fisheries Research Program – monitoring and evaluation of California marine protected areas: <https://caseagrants.ucsd.edu/project/california-collaborative-fisheries-research-program-monitoring-and-evaluation-of-california>
- h. Assessment of rocky intertidal habitats for the California marine protected area monitoring program: <https://caseagrants.ucsd.edu/project/assessment-of-rocky-intertidal-habitats-for-the-california-marine-protected-area-monitoring>
- i. Integrated ocean observing systems for assessing marine protected areas across California: <https://caseagrants.ucsd.edu/project/integrated-ocean-observing-systems-for-assessing-marine-protected-areas-across-california>



Attachment 1. *Marine Protected Areas Management Program Updates for 2019 Memo*  
*hyperlinks in sequential order.*

- j. Monitoring and evaluation of mid-depth rocky reef ecosystems in the MLPA marine protected areas: <https://caseagrant.ucsd.edu/project/monitoring-and-evaluation-of-mid-depth-rocky-reef-ecosystems-in-the-mlpa-marine-protected>
- 3. Page 3
  - a. Assembly Bill 2369:  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB2369](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2369)
- 4. Page 4
  - a. Blue Park Award: <https://cdfwmarine.wordpress.com/2019/11/04/northern-channel-islands-marine-protected-areas-join-growing-network-of-global-ocean-refuges/>
  - b. Northern Channel Islands: <https://blueparks.org/parks/channel-islands/>
  - c. IUCN Green List Program: <https://www.iucn.org/theme/protected-areas/our-work/iucn-green-list-protected-and-conserved-areas>
  - d. Adapted Green List indicators:  
[http://www.opc.ca.gov/webmaster/media\\_library/2019/08/IUCN-Green-List-Standard-1.1-CA-EAGL-Adaptation-Oct-23-2018.pdf](http://www.opc.ca.gov/webmaster/media_library/2019/08/IUCN-Green-List-Standard-1.1-CA-EAGL-Adaptation-Oct-23-2018.pdf)
- 5. Page 5
  - a. Appendix B: <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161750&inline>



California Department of  
**Fish and Wildlife**

[Marine Management News](#)

## **Northern Channel Islands Marine Protected Areas Join Growing Network of Global Ocean Refuges**

[November 4, 2019](#) by [marinenews](#)



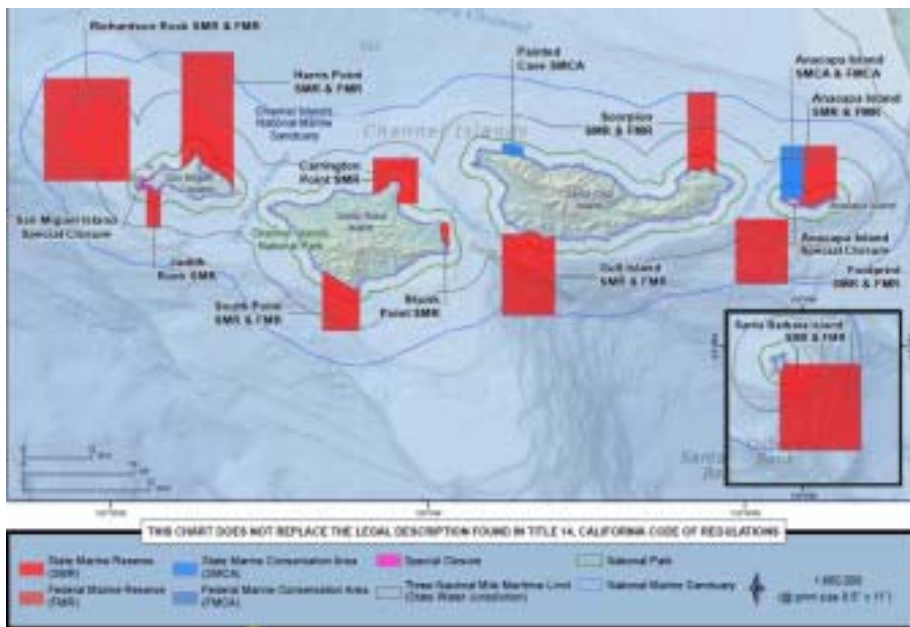
**Pink gorgonians and brittle stars,  
Northern Channel Islands.**

**CDFW MARE photo**

The [Marine Conservation Institute](#) and its international science council has recognized the Northern Channel Islands marine protected areas (MPAs) off the coast of Santa Barbara, California as an outstanding MPA with a Blue Park designation. A total of 16 MPAs worldwide have earned the prestigious Blue Park Award, indicating they meet the highest science-based standards for marine life protection and management. The award was announced on October 24, 2019 at the Our Ocean Conference in Oslo, Norway.

This [Blue Park Award](#) recognizes the outstanding efforts by state and federal managers with the California Department of Fish and Wildlife, NOAA's Office of National Marine Sanctuaries, the National Park Service, and other partners who work together to protect the spectacular Northern Channel Islands marine ecosystem.

“The MPAs around the Northern Channel Islands are some of the oldest in California’s comprehensive statewide network,” said Becky Ota, California Department of Fish and Wildlife Marine Habitat Conservation Program Manager. “The California Department of Fish and Wildlife is proud of our collaborative conservation accomplishments both at the Channel Islands and throughout California, and we are continuing to work together with our state, federal and community partners to adaptively manage [California’s 124 MPAs](#).”



## Northern Channel Islands Map.

CDFW

The Northern Channel Islands MPAs collectively cover 1,469 square miles (3,804 square kilometers). Bathed by the California Current and a regional upwelling of deep, cold, nutrient-rich water, the region hosts abundant fish assemblages of small schooling species like anchovies and sardines which in turn feed larger, open water fish and bottom fish.

“Channel Islands National Marine Sanctuary protects one of America’s most treasured marine environments for current and future generations to use and enjoy,” said Chris Mobley, Superintendent of Channel Islands National Marine Sanctuary. “We are extremely proud to receive this award in recognition of our collaboration with partners and stakeholders to promote long-term marine conservation.”

The MPAs protect several unique ecosystems, including giant kelp forests and deep coral gardens. Over 5,000 species of invertebrates, marine mammals like seals and sea lions, large, open-water fish, small schooling fish, and seabirds all live here. Many of the animals that can be found in the MPAs are also protected endangered species, such as the blue whale, orca, olive ridley sea turtle, and fur seal.

“Our goal is to recognize those MPAs like the Northern Channel Islands that deliver real results for marine life conservation and inspire others around the world to strongly protect 30 percent of the ocean’s most important places by 2030,” said Dr. Lance Morgan, President of Marine Conservation Institute. “We hope that Blue Park recognition of the Northern Channel Islands MPAs provides a shining example of regional marine conservation efforts and inspires others to follow the same path to protect our oceans for generations to come.”

For more information about the Northern Channel Islands MPAs and the other five 2019 Blue Park Award winners, please visit <https://marine-conservation.box.com/s/xfh3bs9tn0ydh2c45vkdzq5vrz367l7p>.



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November 26, 2019

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*Via electronic delivery to: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)*

Re: Comments on FGC Agenda Item 31  
Statewide Marine Protected Areas (MPAs) Program

Dear Commissioners,

The Environmental Action Committee of West Marin (EAC) is based in Point Reyes Station and has been working to protect the unique lands, waters, and biodiversity of West Marin since 1971. Since 2013, we have partnered with Point Reyes National Seashore and California Academy of Sciences to lead Marin's Marine Protected Area (MPA) Watch program.

We submit these brief comments regarding Agenda Item 31, Statewide Marine Protected Areas (MPAs) Program, to remind the Fish and Game Commission (Commission) of the valuable work of the MPA Watch citizen-science program. As you are aware, MPA Watch is a statewide network of organizations that train volunteers to observe and collect unbiased data on coastal and marine resource use within California's 124 MPAs. Citizen-science volunteers are trained to collect data on human activities (consumptive and non-consumptive). The data may be used to inform the management, enforcement, and science of California's MPAs.

EAC's Executive Director currently co-chairs the Golden Gate MPA Collaborative and directs EAC's Marin MPA Watch Program,

November 26, 2019  
EAC Comments re. Agenda Item 31

which trains volunteers to monitor the beaches in Marin County in partnership with the Point Reyes National Seashore and California Academy of Sciences. Since 2013, we have trained over 250 volunteers and provided field trips to local colleges, high schools, and middle schools to learn about our unique network of MPAs. Additionally, EAC hosts and trains high school, college, and graduate interns who are interested in learning more about coastal resource conservation. Our program has collected over five years of data that is open and accessible for agencies and organizations to review upon request.

In sum, we thank the Commission for its support of our state's MPA network and appreciate this opportunity to share an update about our local program.

Respectfully,



Morgan Patton  
Executive Director



Ashley Eagle-Gibbs  
Conservation Director

cc: Susan Ashcraft, California Fish and Game Commission  
Elizabeth Pope, California Fish and Game Commission