

STAFF SUMMARY FOR DECEMBER 9-10, 2020

8. STATEWIDE MARINE PROTECTED AREAS 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 |
| • Most recent annual update on management activities | Dec 11-12, 2019; Sacramento |
| • Today receive annual update on management activities | Dec 9-10, 2020; Webinar/Teleconference |

Background

In 2016, FGC adopted the master plan for MPAs, which formally established DFW's MPA management program. As the primary managing agency for the state's MPAs, DFW manages California's MPAs as a statewide network within a collaborative partnership-based approach.

DFW's MPA management 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 master plan for MPAs in 2016, FGC requested that DFW provide an annual report of program activities.

For 2020, DFW has provided a memo detailing actions in the past year for each of the four components (Exhibit 1). While management activities have been affected by COVID-19 restrictions, the management program has made significant advances in 2020, including planning for the 10-year management review of the statewide MPA network in 2022. At today's meeting, DFW will highlight 2020 management activities and significant events (Exhibit 2).

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [DFW memo and attachment, received Nov 12, 2020](#)
2. [DFW presentation](#)

Motion/Direction (N/A)

Memorandum

Date: November 9, 2020

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

Received on 11/12/2020
Original signed copy on file

From: Charlton H. Bonham
Director

Subject: **Marine Protected Areas Management Program Updates for 2020**

I. 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 core 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 an overview of the 2020 MPA Management Program activities, which are the result of collaboration and ongoing coordination with core partners and looks toward the future of the Management Program. The COVID-19 pandemic has had far impacts and California's MPA Management Program is no exception. Throughout each of the Management Program components highlights will include information on how the pandemic has affected MPA management in 2020.

II. Outreach and Education

Efforts continue to focus on increasing public awareness of the MPA Network to improve understanding and compliance with MPA regulations. The Department and partners have emphasized the development of online resources such as blogs, articles, and videos while distribution of printed materials like brochures and posters has become less of a priority.

(a) Notable outreach and education accomplishments from 2020

- The Department has published more than 20 blogs, including a special series highlighting each of the [MPA Collaboratives](#). The Department also created an MPA video [playlist on YouTube](#) which currently has 28 videos highlighting

different MPAs, unique species, and different marine habitats in California.

- Partners at California State Parks (State Parks) expanded their [Parks Online Resources for Teachers and Students \(PORTS\) Program](#) to include 10 virtual field trips (previously four) to parks adjacent to MPAs helping to meet virtual learning needs during the COVID-19 pandemic. State Parks also collaborated with California State University, Monterey Bay, to design and release a new app "Dive Into Point Lobos" which allows users to explore a submarine canyon, kelp forest, and urchin barren in Point Lobos State Marine Reserve; available for free from the [Apple App Store](#) and the [Google Play Store](#).
- The [California Marine Sanctuary Foundation](#) has received funding from the California Ocean Protection Council (OPC) to organize and implement a statewide MPA campaign to heighten the visibility of California's MPAs on social media channels (Facebook, Instagram, and Twitter).
 - Since the program began in June 2020, more than 200,000 unique users have been reached across social media platforms using the hashtags #CalifMPAs and #CaliforniaMPAs.
- In response to increased tidepool collecting during the COVID-19 pandemic, Department staff conducted targeted outreach in rocky intertidal areas to help make the public aware of tidepool collecting regulations. The Department created a new tidepool regulations poster that can be used for temporary posting and outreach, and a simple regulatory sign intended to replace existing signage throughout southern California.

III. Research and Monitoring

The [MPA Monitoring Program](#) guides research and monitoring activities across California's MPA Network. The Monitoring Program employs a two-phase, ecosystem-based approach to monitoring and combines multiple sources of information to guide the State's adaptive management process.

(a) Phase 1: Regional Baseline Monitoring, 2007 to 2018

Baseline monitoring established a comprehensive benchmark of ecological and socioeconomic conditions at or near the time of regional MPA implementation and serves as an important set of data against which future conditions can be measured. Products are available on the [Department's MPA Monitoring page](#).

(b) Phase 2: Statewide Long-term Monitoring, 2018 to present

Following the guidance outlined in the 2018 [MPA Monitoring Action Plan](#), seven long-term monitoring projects have collected two-years (2019 and 2020) of

ecological and human use data to aid in the evaluation of the MPA Network in meeting the goals of the MLPA. Their reports will be available in December 2021.

In early spring 2020, during the beginning of the COVID-19 pandemic, many of the field-based monitoring projects were prevented from collecting data. After implementing safety protocols, all field-based projects have since resumed monitoring, with the understanding that the original extent of data collection is not possible until COVID-19 safety guidance is modified.

(c) Recently funded long-term MPA monitoring projects

- At the end 2019, OPC awarded \$1.5 million for two projects which were later implemented in 2020:
 - One project is to improve an existing coastwide connectivity population model to incorporate: 1) new habitat mapping data collected inside and outside California's MPAs as well as data from Oregon and Baja California (new habitat data collection funded by the Department), 2) population demographics, and 3) fishing effort metrics to better inform the spatial design of California's long-term MPA monitoring program.
 - The second project is for monitoring and assessment of California's more than 500,000 acres of estuarine habitat to provide the state with critical information to inform adaptive management of California's estuary MPAs and a road map for a coordinated statewide estuarine monitoring program.
- In 2020, the California Indian Environmental Alliance received \$1,000,000 from OPC to support the development of a Tribal Marine Stewards Network Pilot Program. This pilot program will engage California Tribes in MPA monitoring and management. Information gained from this pilot project will help identify shared priorities between Tribes and the State and enhance the capacity of California's coastal Tribes to inform the adaptive management of the MPA Network.
- The [California Collaborative Fisheries Research Program \(CCFRP\)](#) received \$310,000 from the Department and \$1,000,000 from OPC to complete statewide monitoring through 2022. CCFRP contracts commercial passenger fishing vessels and takes volunteer anglers out to help collect fisheries data. The information will be used to assess the effects of protected areas on fisheries and provide data to help integrate MPA data into fisheries management consistent with the [2018 Master Plan for Marine Life Management Act](#) by 2024.

IV. Enforcement and Compliance

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

(a) Poaching and Take Violations in MPAs

LED and enforcement officers have observed an increase in the illegal take of marine species inside and outside MPAs. While the exact causes of the increase are not known, it is likely that the COVID-19 pandemic played a role.

For example, there was an extreme increase in collecting activities, both legal and illegal, in tidepools statewide. In southern California near Palos Verdes, between March and October, Department wildlife officers issued 130 citations for tidepool take violations; in comparison, fewer than 10 citations were issued in this area in 2019.

(b) Allied Agencies and Partnerships

The MPA Collaborative Network received funding from OPC and Resources Legacy Fund to conduct an MPA Compliance Priorities Workshop and Enforcement Training for Allied Agency Officers throughout each of California's coastal counties over the next three years. The goal is to increase compliance with MPA regulations through a series of community workshops, enforcement trainings, and outreach to district attorneys and court officers.

V. Policy and Permitting

(a) Scientific Collecting Permits (SCPs)

From January to October 2020, a total of 134 SCPs were issued for research within 58 unique MPAs, including 24 state marine reserves (SMRs), 26 state marine conservation areas (SMCAs), 6 no-take state marine conservation areas, and 2 state marine recreational management areas.

Since the Network was implemented in 2012, a total of 774 SCPs have been issued for research within MPAs. Regionally, the MPAs with the most research and monitoring projects are: Crystal Cove SMCA—148 projects (South Coast), Carmel Bay SMCA—106 projects (Central Coast), Bodega Head SMR—68 projects (North Central Coast), and Van Damme SMCA—34 projects (North Coast).

(b) Pre-existing Artificial Structures Located within MPAs

When the Commission incrementally adopted California's MPA Network, 2007-2012, certain artificial structures such as piers, docks, cables, intake and outflow pipes, and seawalls, already existed where some of the newly designated MPAs

were located. In many cases, these structures had been in place for years prior to MPA establishment. While normal operation of most of these structures may not result in take of marine species, maintenance, repair, or replacement could result in incidental take. The Department in consultation with a working group of the MPA Statewide Leadership Team, developed draft regulations to address maintenance and repair for those pre-existing structures.

The Department has presented this issue and proposed regulatory amendments to the Marine Resources Committee at their June and November meetings. The Department plans to present the proposed changes to the Commission at the December 2020 meeting and prepare a rule-making package for the Commission to consider in 2021.

(c) Aquariums and Marine Species Relocation

Due to the COVID-19 pandemic, six aquariums released animals they could no longer maintain. A total of 221 individuals were released back into the wild, and 41 individuals were relocated to other aquariums following inspection and approval by the Department's Shellfish Health Pathologist.

VI. Tribal Engagement

Early in the MLPA implementation process engagement with California Native American Tribes was low. However, in recent years, progress has been made toward more meaningful Tribal engagement in MPA management, including funding a pilot Tribal Marine Stewards Program in 2020 (see Research and Monitoring subsection).

- There are four regional Tribal seats on the Statewide MPA Leadership Team divided across the north, north central, central, and south coast regions.
- Several Tribes participate in the MPA Collaborative Network, and their involvement has resulted in outreach events and [videos](#) honoring their history, knowledge, and deep cultural connection to the coast and ocean.

VII. Emerging Management Issues

California's MPA Management Program continues to investigate and respond to new and developing issues affecting coastal California and how MPAs may play a role in management responses.

(a) California Wildfires and Endangered Black Abalone

Due to the widespread wildfires along coastal California in August and September, up to 75 percent of the extant black abalone population is at risk of contaminated runoff and/or landslides that may occur during the winter rainy

season. Department staff are coordinating with National Marine Fisheries Service, Office of Spill Prevention and Response, and University of California, Santa Cruz (UCSC)–Long Marine Lab to amend UCSC’s SCP to allow for the emergency relocation of at-risk individuals.

(b) Restoration Efforts in MPAs

Restoration and mitigation in the open and coastal ocean environment are complex and challenging individually and collectively. Recent and frequent requests for restoration and mitigation efforts in California’s MPAs, such as removal of non-native species and removal of native urchins to restore kelp are a couple of examples of the complexity of the issues. The Department has realized that there needs to be a comprehensive approach to restoration and mitigation in state waters both inside and outside MPAs. As a result, the Department is coordinating with OPC and other state agency partners to develop a restoration and mitigation policy to determine when restoration and mitigation efforts are warranted.

VIII. Looking Forward

The Department and its partners continue to work towards achieving the goals and requirements of the MLPA through the MPA Management Program. Attention is now focused on preparation for the MPA Decadal Management Review (DMR) planned in 2022. The DMR will focus on reviewing each of the four components of the MPA Management Program and the progress made towards meeting the MLPA goals.

(a) Working Groups

The Department and OPC, in partnership with the Ocean Science Trust, convened two working groups of the OPC Science Advisory Team to focus on specific components of the DMR. Products from both working groups will help inform the 2022 DMR and support the adaptive management of the MPA Network into the future.

- **Decadal Evaluation Working Group:** The main task for this group is formulating a list of scientifically tractable questions, informed by the MPA Monitoring Action Plan and the MLPA goals, regarding MPA Network performance in 2022 and beyond. Other goals include identification of gaps in our understanding of MPA performance, offering recommendations on filling those gaps, and providing methods for integrating MPA-related data streams into informative analytical products.
- **Climate Resilience Working Group:** This group is tasked with developing recommendations on how California’s MPA Network could be assessed as a

tool to provide ecological and societal resilience to climate change.

(b) Public Communication

Partners at OPC have hired two contractors who will work together to 1) raise awareness of California's MPA Management Program and 2) disseminate information about the first DMR of the MPA Network currently planned for December 2022.

IX. Partner Recognition

The success of the MPA Management Program would not be possible without the 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 ((805) 568-1246.

Attachment 1: Marine Protected Areas Management Program Updates for 2020 Memo hyperlinks in sequential order.

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Fish and Game Commission
November 9, 2020
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Stephen Wertz, Senior Environmental Scientist
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Attachment 1. Marine Protected Areas Management Program Updates for 2020 Memo hyperlinks in sequential order.

1. Page 1

a. Management Program:

<https://www.wildlife.ca.gov/Conservation/Marine/MPAs/Management>

2. Page 2

a. MPA Collaboratives: <https://cdfwmarine.wordpress.com/category/marine-protected-areas-2/mpa-news/>

b. Playlist on YouTube: https://www.youtube.com/watch?v=CVX9yEE_xCo&list=PL-PEXRYYP1R7xDICoLr07byMhc1aRWBs

c. Parks Online Resources for Teachers and Students (PORTS) Program:

<https://www.ports-ca.us/>

d. Apple App Store:

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapps.apple.com%2Fus%2Fapp%2Fxplore-dive-into-point-lobos%2Fid1522432091&data=04%7C01%7CAmanda.VanDiggelen%40wildlife.ca.gov%7C7f9245abfa6c41fd285008d87624716a%7C4b633c25efbf40069f1507442ba7aa0b%7C0%7C0%7C637389246380893213%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=nZMLe0JDn7rH818WspNXeMWj1%2Bhkh6K29jDXvxQUhAA%3D&reserved=0>

e. Google Play Store:

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fplay.google.com%2Fstore%2Fapps%2Fdetails%3Fid%3Dcom.timelooper.xploreucmonterey&data=04%7C01%7CAmanda.VanDiggelen%40wildlife.ca.gov%7C7f9245abfa6c41fd285008d87624716a%7C4b633c25efbf40069f1507442ba7aa0b%7C0%7C0%7C637389246380893213%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=DH%2F0FLC%2BWhq99ROzCoyvjirD6zvjiP8Pj79%2BohnGbQw%3D&reserved=0>

f. California Marine Sanctuary Foundation: <https://www.californiamsf.org/>

g. MPA Monitoring Program:

<https://wildlife.ca.gov/Conservation/Marine/MPAs/management/monitoring>

h. Department's MPA Monitoring Page:

<https://www.wildlife.ca.gov/Conservation/Marine/MPAs/management/monitoring#537132130-baseline-monitoring-reports-by-region>

3. Page 3

a. MPA Monitoring Action Plan:

<https://www.wildlife.ca.gov/Conservation/Marine/MPAs/Management/monitoring/action-plan>

b. California Collaborative Fisheries Research Program (CCFRP):

<https://www.mlml.calstate.edu/ccfrp/>

4. Page 4

a. 2018 Master Plan of Marine Life Management Act:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=159222&inline>

5. Page 5

a. Videos: <https://www.mpacollaborative.org/project-library/>



Marine Protected Areas Annual Update: 2020

9 December 2020

Presented to:

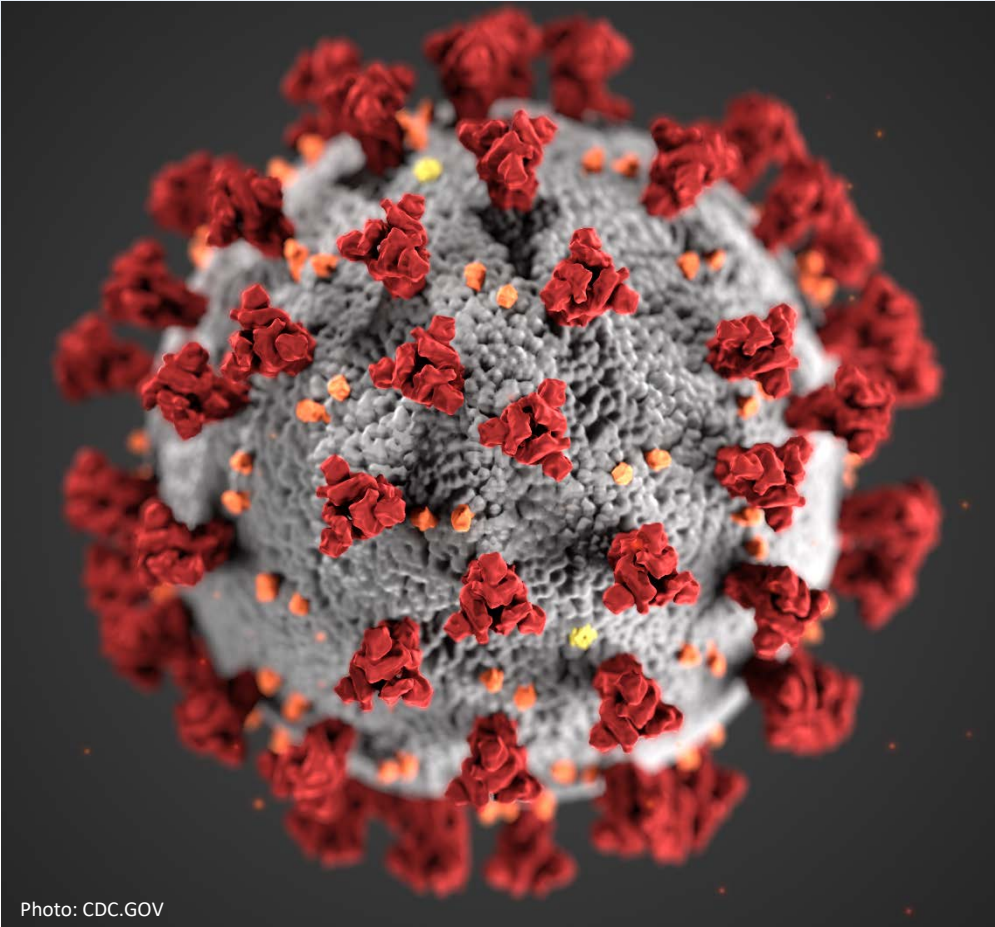
**Fish and Game Commission
Virtual Webinar**

Presented by:

**Amanda Van Diggelen
Environmental Scientist
Marine Region**



COVID Impacts





MPA Statewide Leadership Team



**OCEAN
PROTECTION
COUNCIL**



CALIFORNIA COASTAL COMMISSION

**Regional Tribal
Representation**



**CALIFORNIA
OCEAN
SCIENCE
TRUST**



**COLLABORATIVE
NETWORK**



**CALIFORNIA
Water Boards**
STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS



**NATIONAL MARINE
SANCTUARIES**



**CALIFORNIA
STATE LANDS
COMMISSION**



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Tribal Engagement



CALIFORNIA MARINE PROTECTED AREA STATEWIDE LEADERSHIP TEAM CALL FOR APPLICATIONS FOR TRIBAL REPRESENTATIVES

Background

The [MPA Statewide Leadership Team](#)¹ (Leadership Team) is an advisory body that promotes active and engaged communication among entities with significant authority, mandates, or interest related to California's Marine Protected Area (MPA) network. The Leadership Team also informs regulatory bodies such as the Fish and Game Commission. The members of the Leadership Team recognize the inherent importance of California tribes' traditional and current participation in ocean stewardship, and welcome tribal engagement in MPA management.

In late 2016 and early 2017, through formal meetings and presentations, as well as informal information gathering, the California Ocean Protection Council (OPC) reached out to the Northern and Southern Tribal Chairmen's Association, Intertribal Councils, and other tribal associations throughout the state to develop a process for filling tribal seats on the Leadership Team. Eight Regional Tribal Representative seats were created, with one Primary and one Alternate Representative for each of the following regions: North Coast – California/Oregon border to Mattole River; North Central Coast – Mattole River to Golden Gate Bridge; Central Coast – Golden Gate Bridge to Point Conception; South Coast – Point Conception to US/Mexico border.

Representatives were selected through a 90-day open call and in 2018, the Secretary of Natural Resources appointed the first Regional Tribal Representatives to the Leadership Team. The current Representatives are Ms. Megan Van Pelt (North Regional Tribal Representative; Executive Director of the Resighini Rancheria) and Mr. Reno Keoni Franklin (North Central Regional Tribal Representative; Chairman Emeritus, Kasha Pomo Tribe). **In partnership with California's tribes and tribal governments, the Leadership Team is now seeking to fill the vacant South Coast and Central Coast Primary Representative seats, as well as the four vacant Alternate Representative seats.**

Eligibility

Representatives from tribes that are listed with the California Native American Heritage Commission² are eligible to apply. It is preferable that the Primary and Alternate Representatives for each region are from different tribes, to broaden perspectives and representation.

Roles and Responsibilities

Tribal Representatives on the Leadership Team work to ensure that tribes in their geographic region are represented in MPA management. This representation is critical to ensuring that California's MPAs are governed fairly and effectively. The Leadership Team has developed a partnership-based Work Plan with strategic priorities, actions, and outcomes in four focal areas of MPA management: outreach and education,

¹ <http://www.opc.ca.gov/programs-summary/marine-protected-areas/partnerships/>

² <http://nahc.ca.gov/>



Wade Crowfoot | Secretary for Natural Resources | Council Chair
Jared Blumenfeld | Secretary for Environmental Protection
Betty Yee | State Controller | State Lands Commission Chair
Ben Allen | State Senator
Mark Stone | State Assemblymember
Michael Brown | Public Member
Jordan Diamond | Public Member

Item 6a

Staff Recommendation
June 19, 2020

Tribal Marine Stewards Network Pilot Program Michael Esgro, OPC Marine Ecosystems Program Manager & Tribal Liaison

RECOMMENDED ACTION: Staff recommends that OPC approve the disbursement of \$1,000,000 to the California Indian Environmental Alliance (CIEA) to support the development of a Tribal Marine Stewards Network pilot program.

LOCATION: Statewide

STRATEGIC PLAN OBJECTIVE(S): 2.1: Enhance Engagement with Tribes; 3.1: Protect and Restore Coastal and Marine Ecosystems

EXHIBITS:

Exhibit A: Letters of Support

FINDINGS AND RESOLUTION:

Staff recommends that OPC adopt the following findings:

"Based on the accompanying staff report and attached exhibit(s), OPC hereby finds that:

- 1) The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the Ocean Protection Act; and
- 2) The proposed projects are not 'legal projects' that trigger the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section, section 15378."

Staff further recommends that OPC adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

"OPC hereby approves the disbursement of up to \$1,000,000 to the California Indian Environmental Alliance (CIEA) to support the development of a Tribal Marine Stewards Network pilot program.



MPA Management Program



Outreach and Education

Photo: MPA Collaborative Network



Research and Monitoring

Photo: CDFW, A. Van Diggelen



Enforcement and Compliance

Photo: CDFW, A. Van Diggelen

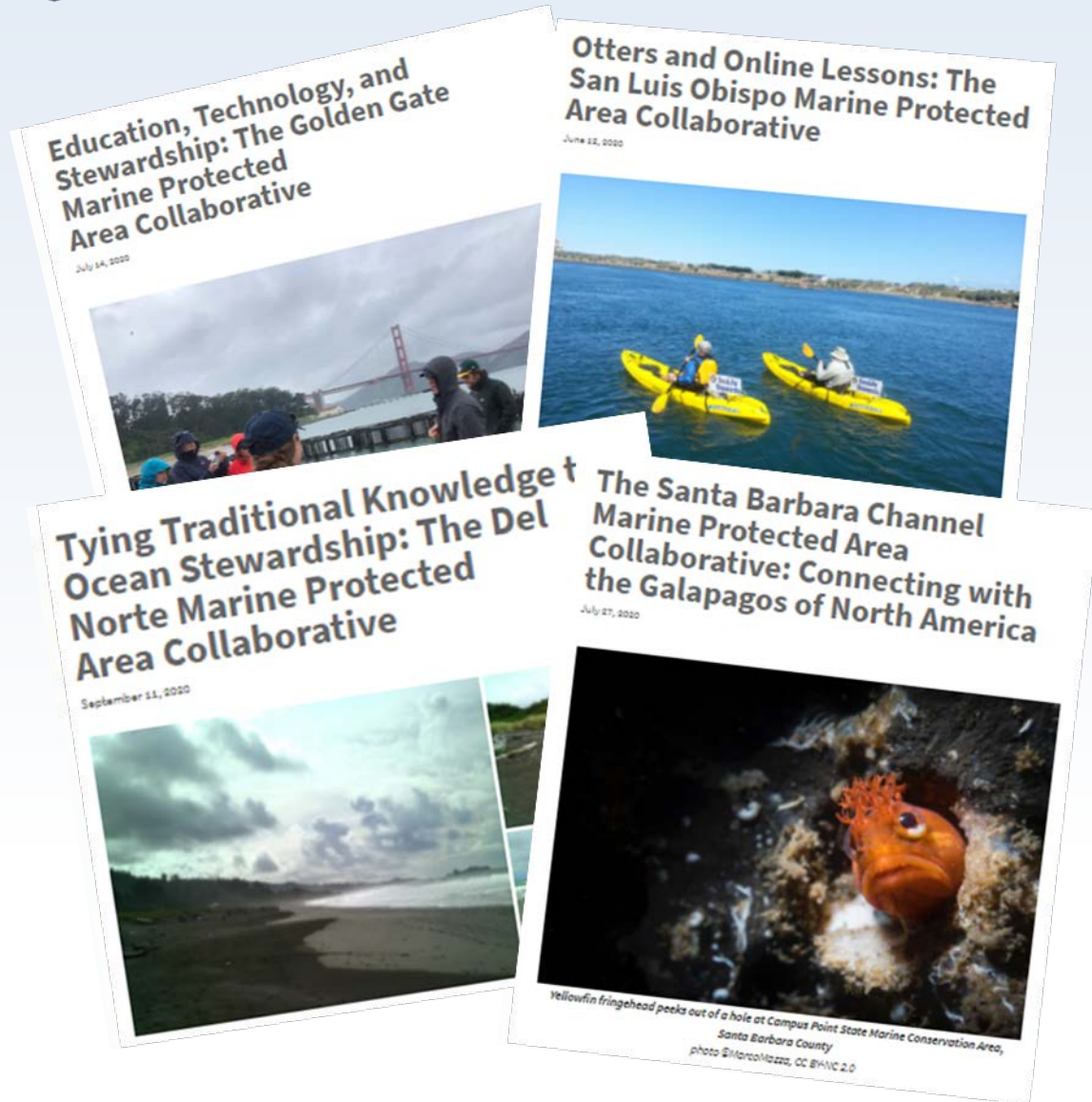


Policy and Permitting

Photo: Jeff Landesman



Outreach and Education



Connected with 250,000 unique social media accounts across Facebook, Instagram, and Twitter



Photo: California State Parks



Photo: California State Parks



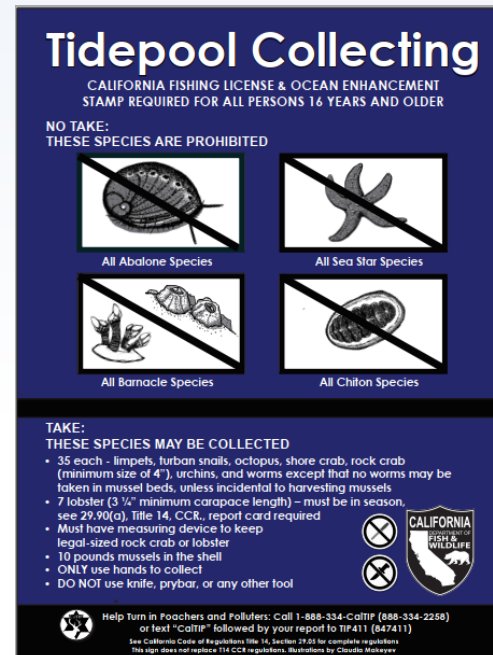
Research and Monitoring





Enforcement and Compliance

- LED Activities
- Tidepool take/COVID issues
- Collaborative Enforcement

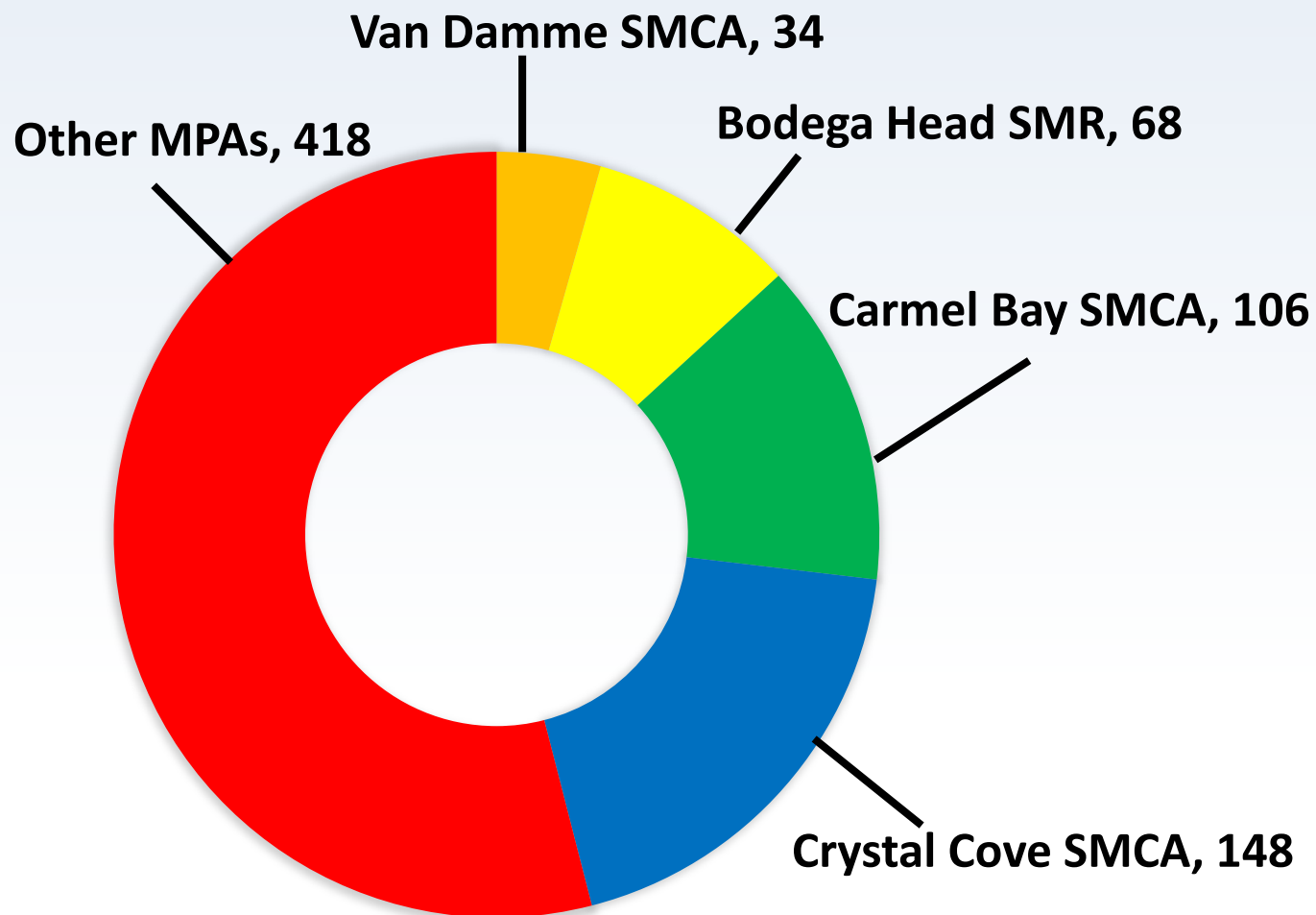




Policy and Permitting

Number of Projects in MPAs since 2012

Total 774





Emerging Management Issues





Looking Forward

- Informative updates in the four core management areas
- Informed by experts convened through two working groups
 - Decadal Evaluation Working Group
 - Climate Resilience Working Group
- Develop communication plan to manage expectations

Thank You ♦ Questions?

Amanda Van Diggelen, Environmental Scientist

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- Associate Government Program Analyst: Tamara Heitzenrater