



## Marine Life Protection Act



**Overview of Department of Fish and Game  
Feasibility Criteria for MPA Proposals, and Evaluation of  
Existing MPAs and Round 1 Arrays**

**North Coast Study Region  
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Susan Ashcraft  
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 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 (March 2010)”*



## Why Feasibility Criteria?

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



## Feasibility of MPAs

MPA design and regulations must be:  
*simple, easily understood & enforceable*

- Categories of Feasibility Criteria:
  - MPA Names
  - Boundaries
  - Take Regulations
  - Design Considerations
  - Other Guidance



## Feasibility Guidance: MPA Names

### Names should:

- Be simple, reasonably short, & reflect the geographic area designated
- Include the MPA designation type (e.g., *Bodega Head State Marine Conservation Area*)
- Not be named after individuals or groups



## Feasibility Guidance: Boundaries

### Boundaries should not:

- Use depth contours or distance offshore
- Use curving or undulating lines

### Boundaries should:

- Use straight due N/S, E/ W lines; and
- Be placed at ***readily determinable lines*** of lat. and long.; or
- Placed at ***easily recognizable permanent landmarks***



## Guidelines for Boundary Type Usage

- Setting boundaries at landmarks vs lines of latitude and longitude
  - Consider the main users in the area
    - Accessibility
    - Relative level of shore-based vs boat based usage
    - Type of boat usage (large boats vs. kayaks)
    - GPS or not
- When heavy shore use or use by boats without GPS: recognizable landmarks are preferred



## Written Boundary Descriptions

Each MPA should include a written description in Marine Map

- Coastline Boundary: "Mean high tide line"
- Offshore Boundary: "State water boundary"
- Describe landmarks
- Example:
  - Northern boundary: 43° 12.000'N
  - Eastern boundary: Mean high tide line
  - Southern boundary: ~42° 12.363'N (lines up at sand rock interface on the north end of Weston State Beach)
  - Western boundary: State water boundary

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## Feasibility Criteria: MPA Design

Multiple Zoning:  
➤ Occurs when an area is split to allow for different uses in multiple portions of the area.

**Not Consistent with Guidelines, Doughnut and L-Shapes**

**Consistent with Guidelines**

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## Feasibility: MPA Design

MPA Designs that do not Meet Department Guidelines

**L-Shaped Designs**

**Ribbon Design**



## Feasibility Criteria: Take Regulations

Take regulations should:

- Be simple and easily understood
  - e.g., using categories like “pelagic finfish”
- Avoid conflict with existing regulations
- Not create new fishery management regulations (i.e., different bag limits, size limits, or seasons).
- ❖ The best regulations are those that can be simply stated in one or two sentences without clarifying language.



## Other Guidance: Special Closures

**Special Closures:**

- No access regulations
- Can only be used for water-based access concerns (not land-based)
- Should use lines of lat. & long. along mainland
- Can use circle only around island or rock;
  - Either 300' or 1000' distance from shoreline
- Only if other state & federal regulations are inadequate
- Should be used sparingly



## Other Guidance: SMRMAs

- SMRMA = State Marine Recreational Management Area
- If considering placing an MPA where waterfowl hunting currently occurs:
  - Use SMRMA designation
  - SMRMAs provide MPA-like protection subtidally while allowing hunting to continue
- Staff are compiling list of areas in study region where waterfowl hunting occurs



## Goals and Objectives

- For each MPA proposal, the Department *will*:
  - Review goals, objectives and site-level rationale for each MPA
  - Give feedback on alignment of goals & objectives to MPA design
  - Provide options to improve MPA design to meet stated goals & objectives






## Prospects of MPAs to Meet MLPA Goals

- The Department will evaluate MPA proposals based on:
  - Guidelines from Master Plan for MPAs
  - SAT guidance, and
  - DFG feasibility criteria
- The Department will advise on improving MPA proposals to better meet MLPA goals

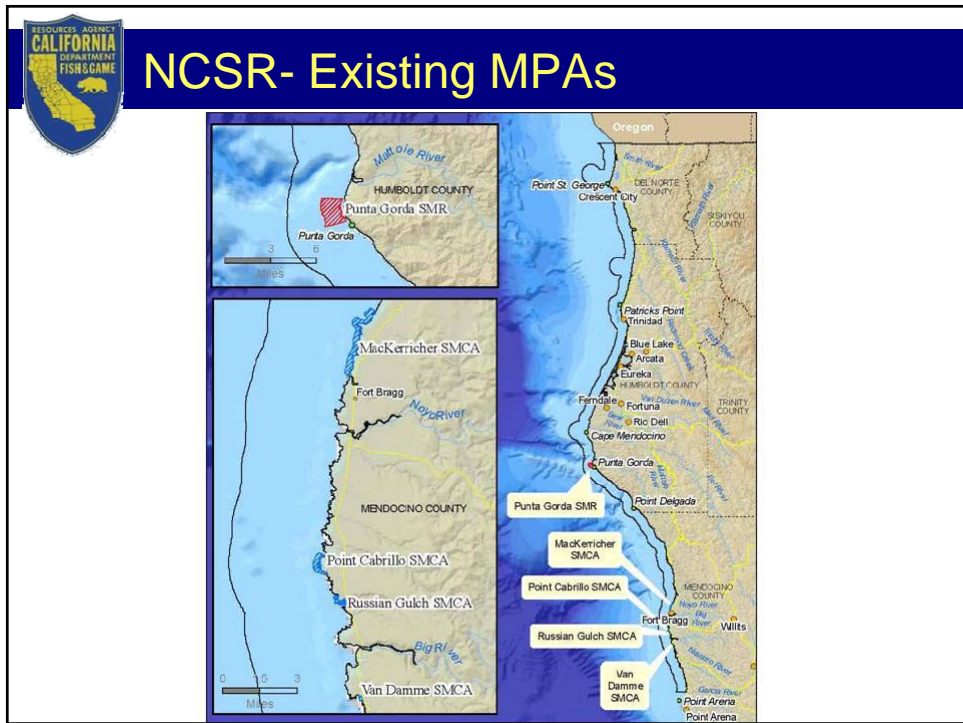


## Summary of DFG Guidelines Purpose

- 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

 **NCSR- Existing MPAs**

- **Study Region Boundaries**
  - Alder Creek (near Point Arena) north to the Oregon Border
- **Existing MPAs**
  - 5 total MPAs
    - 4 SMCA (all in Mendocino County)
    - 1 SMR (Humboldt County)
  - No existing MPAs located in Del Norte County





## Evaluation of NCSR Existing MPAs


- None of the existing NCSR MPAs meet all of the Department's feasibility criteria
    - Issues include:
      - Use of depth contours
      - Distance offshore as boundary delineations
      - Complex take regulations
      - MPAs with Low LOP
      - Intertidal MPAs
- ✧ A detailed evaluation of each existing MPA has been provided



## Evaluation of Round 1 Arrays

Eight arrays were submitted for evaluation

- Frequently noted design elements include:
  - MPA type improperly designated
  - Boundaries that utilize distance or depth contours
  - Boundary descriptions that do not include explicit description of intended boundaries (e.g., "aligns with headland" or "from the sand / rock interface")
  - Take regulations that do not specify all allowed commercial and recreational take and gear types




## Feasibility Evaluation of Round 1 Arrays

### Summary of Individual MPA Evaluation Findings


Array	# of Proposed MPAs	% of Proposed MPAs that Meet Guidelines for Both MPA Boundaries and MPA Design	% of Proposed MPAs that Meet Guidelines for Both MPA Type and Take Regulations*
A	15	46%	20%
B	12	33%	8%
C	15	20%	0%
D	16	37%	0%
E	14	28%	57%
F	13	23%	0%
G	13	23%	0%
H	10	30%	0%

\* Much of this can be addressed by properly assigning an MPA type and specifying the allowed take for each MPA





## Round 1 Arrays- General Feedback


- MPA Type
  - If take is allowed in an MPA, an MPA type other than SMR should be used
  
- Management Schemes in MPAs
  - Mobile MPAs, as proposed in Array A, would not meet the goals of the MLPA
  - If proposals such as Marine Stewardship Zones are desired, they should be brought directly to the Commission



## Round 1 Arrays- MPA Design

➤ Awkward Shapes and Wedges



## Round 1 Arrays- Allowed Take

- General Feedback
  - Allowed take should be explicitly stated (commercial and/or recreational, species & gear type) for each MPA
  - Must apply and be available to everyone
- Trap Removal
  - Allowing the removal of commercial fishing gear is not a defined regulated activity that should be applied to an individual MPA
  - Enforcement has developed a policy memo on this subject



## Round 1 Arrays- Other Proposed Uses

- Removal of Invasive Species
  - This should not be applied to an individual MPA
  - DFG has programs in place regarding invasive species



## Round 1 Arrays- Other Proposed Uses (Cont.)

- Existing Permitted Activities
  - Should be taken into consideration when designing MPAs
  - A new MPA designation would not automatically prohibit these activities
  - In areas with these activities, the Department recommends:
    - Using the appropriate MPA designation, and
    - Specifically allowing the activity to continue
- Future uses that may be incompatible with the goals and objectives of an MPA
  - RSG can recommend they be disallowed

\*See the 25 September 2009 AG memo on the subject for guidance on this subject



## Round 1 Arrays- Individual MPA Evaluations

- Feedback on feasibility aspects of each round 1 MPA proposed is provided in the evaluation document
  - Should help improve round 2 proposals



## Round 1 Arrays- Next Steps

- Expect that feasibility aspects will improve in subsequent rounds
- Department staff will be available at RSG meetings to answer questions and provide guidance regarding feasibility aspects of potential MPA designs