



Tracking Number: (2023-24MPA-AM1)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

**SECTION I: Required Information.**

*Please be succinct. Responses for Section I should not exceed five pages*

**1. Laguna Bluebelt Coalition**

Name of primary contact person: Mike Beanan

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

**2. Rulemaking Authority (Required) -** Reference to the statutory or constitutional authority of the Commission to take the action requested: Authority cited: Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.

**3. Overview (Required) -**

- a. Extend the Laguna Beach SMCA no-take regulation down to the southern border of the City of Laguna Beach. This area is currently covered by the Dana Point SMCA, which only protects tide pool resources, not the offshore kelp beds.

**4. Rationale (Required) -**

The revised Petition is based upon input from the Orange County Marine Protected Area Collaborative (OCMPAC) and enforcement recommendations from participants. The revised Petition locates the southern No Take SMCA border to follow one East/West latitude line to facilitate a consistent offshore boundary. Laguna Beach has recently taken over enforcement of the South Laguna beaches all the way down to the City border. ~~Right now there is confusion due to the different regulations within one city.~~

This regulation change will make enforcement easier and more consistent because it will create continuity within the city, where the same rules apply to all beaches. All Laguna Beach lifeguards have received MPO training and enforce no-take rules for the



rest of the city beaches. This will result in an increase in outreach and enforcement effectiveness, which supports priority recommendation number 15.

High fishing and lobstering pressure are taking a toll on the remaining kelp beds in South Laguna due to overharvesting and substrate degradation possibly due to anchor chain drag. The Sustainable Fisheries Act of 1996 established new requirements for fishery management councils to identify and describe Essential Fish Habitat and to protect, conserve, and enhance these EFH for the benefit of fisheries. A 2002 update to these EFH regulations allowed fishery management councils to designate Habitat Areas of Particular Concern (HAPCs). HAPCs are considered high priority areas for conservation, management, or research because they are important to ecosystem function, sensitive to human activities, stressed by development, or are rare. The rocky reef and kelp beds in this particular area of South Laguna are slightly different than those in the rest of the city because of the steep drop of the cliffs into the ocean. This creates a unique microhabitat where water nutrients are mixed due to wave refraction off the cliffs.

There are kelp forests offshore in these areas that are desperately needed as habitat. One of the original design considerations for designating MPAs was to “Include within MPAs suitable rocky habitat containing abundant kelp and/or foliose algae” (CMLPA Master Plan for MPAs, Appendix F). ~~When the MPA boundaries were finalized in 2012, the kelp was at its highest extent of coverage since 1967 (see supplemental graph), so the total area of kelp forest was overestimated.~~ The kelp beds off South Laguna have been nearly decimated possibly by overharvesting and anchor chain drag and need to be protected. This, in combination with the potential for additional kelp decline due to warm water and recent wildfire events makes it imperative that we protect as much as possible. The Science Advisory Team (SAT) determined Laguna Beach’s MPA to be the minimum size for success.

The Marine Mammal Protection Act also requires action to be taken here. The south end of the no-take SMCA is visible from shore as a line of lobster trap buoys extending out from the cliffs and beach. One MPA watch volunteer reported 223 buoys off of Table Rock beach on 11/8/2023. This represents a virtual “wall” of dangerous trap lines that interrupt whale migration paths. Whales have been seen frequently traveling very close to shore along this stretch of coastline (see supplemental photo of Thousand Steps beach). A December 2019, [Men’s Journal](#) magazine article stated that in the preceding few weeks Dana Point Boat captains had logged more than 40 sightings of gray whale cow-calf pairs in the shallow coves of Laguna Beach. The lobster buoy lines likely create a dangerous obstacle for migrating whales, which are protected under the MMPA.

Residents in South Laguna support the extension of the no-take SMCA as evidenced by the attached letters of support from the Three Arch Bay Community Services District, Orange County Coastkeeper, Laguna Canyon Conservancy, Laguna Bluebelt Coalition, and the South Laguna Civic Association. They feel that it is not equitable to have only the north and central beaches protected. Please see the attached letters of support. The



Laguna Beach City Council also supports further analysis and participation in the process.

## SECTION II: Optional Information

5. **Date of Petition:** 11/29/2023                      **AMENDED 03/11/2025**
6. **Category of Proposed Change**
- Sport Fishing
  - Commercial Fishing
  - Hunting
  - Other, please specify: MPAs, Section 632.
7. **The proposal is to:** (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)
- Amend Title 14 Section(s): [Westlaw regulations.](#)
  - Add New Title 14 Section(s): Click here to enter text.
  - Repeal Title 14 Section(s): Click here to enter text.
8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition**  
Or  Not applicable.
9. **Effective date:** If applicable, identify the desired effective date of the regulation.  
If the proposed change requires immediate implementation, explain the nature of the emergency:  
This should be implemented as soon as possible. Ancient California Gray Whale Migration is currently being altered due to proliferation of nearshore lobster traps and rope buoys at the southern SMCA boundary.
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents:
- (A) Map of proposed Boundary Adjustment.
  - (B) Letter of support from the Three Arch Bay Community Services District
  - (C) Letter of support from the South Laguna Civic Association
  - (D) Letter of support from the Laguna Bluebelt Coalition
  - (E) Letter of support from Orange County Coastkeeper
  - (F) Letter of support from the Laguna Canyon Conservancy
  - ~~(G) Graphic from "Status of the Kelp Beds in 2019: Orange & San Diego Counties. Prepared for the Region Nine Kelp Survey Consortium" by MBC Aquatic Sciences~~
  - ~~(H) Full Report: "Status of the Kelp Beds in 2019"~~
  - (I) Photo of gray whale at Thousand Steps Beach
11. **Economic or Fiscal Impacts:** Although no socioeconomic data is provided, there may be a fiscal impact on commercial lobster fishers due to reducing their fishing grounds. However, fishing effort will be closer to Dana Point Harbor to save fuel costs and use of ropeless buoys will be encouraged. With removal of lobster buoy lines as migration barriers, whale watching



tours can resume in Laguna Beach (\$10 million estimated annual revenues to Dana Point economy). Less anchoring by CPFVs will reduce anchor chain drag damaging local reefs and kelp forests. ~~Estimated resident property values gain an increase of 20% from proximity to a fully protected MPA~~

**12. Forms:** If applicable, list any forms to be created, amended or repealed:

**SECTION 3: FGC Staff Only**

Date received: **March 11, 2025**

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: \_\_\_\_\_

Meeting date for FGC consideration: \_\_\_\_\_

FGC action:

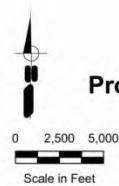
- Denied by FGC
- Denied - same as petition \_\_\_\_\_
- Granted for consideration of regulation change

Tracking Number

Revised Boundary Map



- Symbology**
- City Limits
  - - - SOCWA Effluent Transmission Line
  - - - SOCWA Ocean Outfall
  - ▨ Proposed Laguna Beach SMCA (No-Take) Adjustment

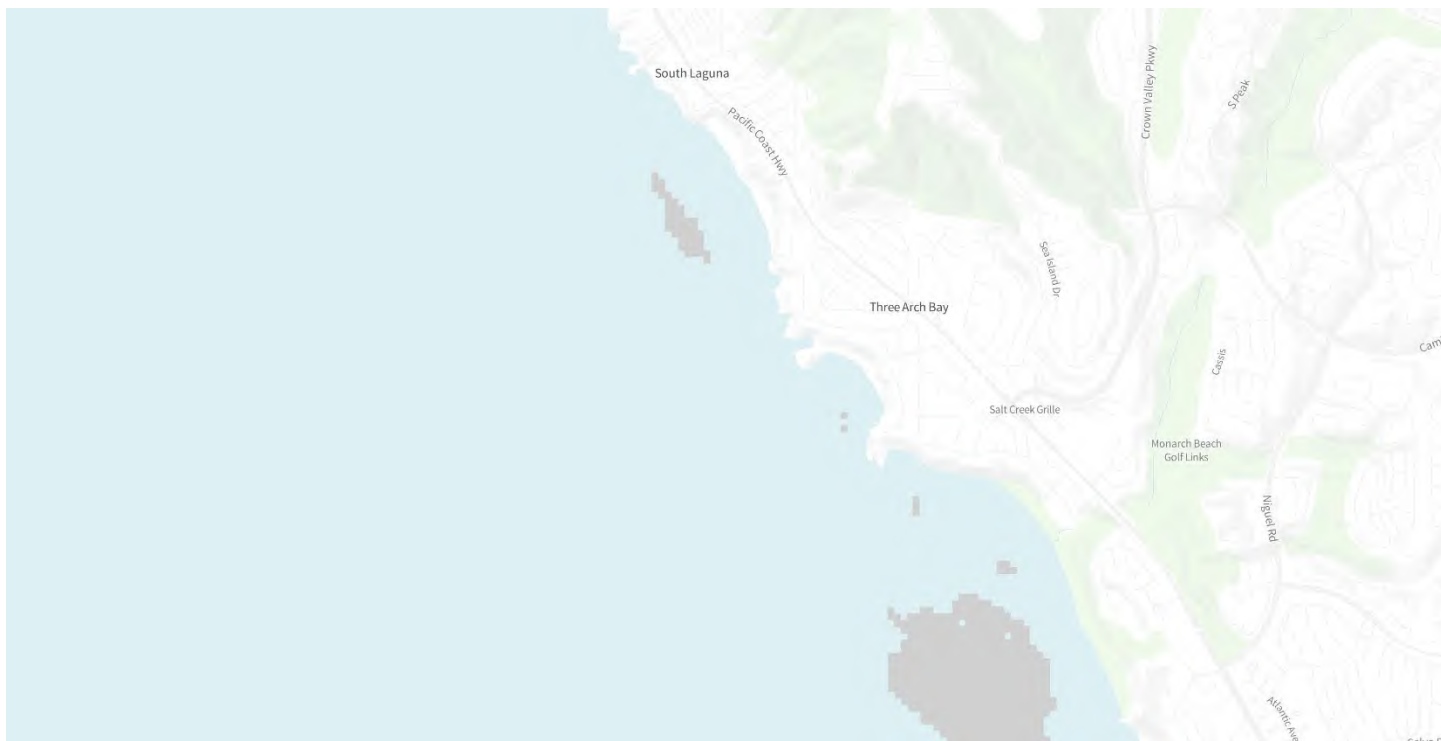


**Figure 1**  
**City of Laguna Beach**  
**Proposed Marine Protected Area Adjustment**

Laguna Bluebelt Coalition  
MPA Decadal Review



Proposed SMCA No Take Rocky Kelp Substrate at Thousand Steps Reef – KelpWatch.org





Proposed SMCA No Take Rocky Kelp Substrate at Thousand Steps Reef – KelpWatch.org





California Fish and Game Commission  
Marine Resources Committee  
[fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

January 7, 2025

Subject: Revision to Laguna Bluebelt Coalition Petition 2023-24 MPA

Commissioners and Staff,

The Laguna Bluebelt Coalition seeks to revise the southern boundary for Petition 2023-24MPA to a No Take SMCA (State Marine Conservation Area) for citywide enforcement consistency and protection of essential sea life habitat between Palos Verdes and La Jolla MPAs.

The proposed revised No Take SMCA is within the jurisdiction of the City of Laguna Beach and has widespread support from community organizations and the City's Environmental and Sustainability Committee. Community support includes the South Laguna Civic Association, Three Arch Bay Service District, Village Laguna, Laguna Canyon Conservancy, Project O, OC Coastkeeper and many individuals.

The City of Laguna Beach has submitted multiple letters seeking to participate in processing the Laguna Bluebelt Petition. In a December 10, 2024 letter to the Commission, Laguna Beach Mayor Rounaghi emphasized the "City looks forward to reviewing the State's assessment of Petition 2023-24 MPA" and "The City remains committed to actively participate and providing informed input...".

Presently, the southern area of Laguna Beach is inaccurately designated as within the Dana Point SMCA leading to confusion about place names and take regulations. The Petition will simplify the no take regulation for the entire city of Laguna Beach, address inaccurate place names and restore Laguna Beach as the correct jurisdiction for this area. The revised No Take SMCA boundary will be identified by the prominent bluff top outcropping at Three Arch Bay consistent with the Laguna Beach City Limits.

The Petition reflects the MLPA's Adaptive Management Objectives to:

- Protect the structure and function of marine ecosystems
- Improve native marine life populations, including those of economic value
- Ensure minimal disturbance while allowing for sustainable opportunities for recreation, education and research
- Ensure comprehensive representation of all key habitats, including unique habitats
- Use learning acquired through administration of the MLPP to adaptively manage the objectives, management measures, enforcement efforts, and scientific guidelines to inform management decisions
- MPAs function as a cohesive statewide network



## Size and Spacing Considerations

The Science Advisory Team (SAT) spacing requirements determined Laguna Beach is an essential linkage for larval dispersal among Southern California's MPAs. Guidelines set a maximum distance and minimum size for each MPA.

**Maximum Shoreline Distance:** To ensure the persistence of a suite of species in an MPA network, the maximum distance between MPAs was determined to be within 50 -100 km (31 -62 miles). A network of MPAs 20 km (12 miles) in length met the upper boundary of the preferred size guidelines and led to population persistence for a larger set of movement combinations. With MPAs this large, decreasing spacing produced a more substantial effect. MPAs of 20 km (12 mile) shoreline length protected a much larger range of movement combinations when spaced 50 km (31 miles) apart (51.8%) than when spaced 100 km apart (21.6%). This increase occurred because persistence of populations with large mean larval dispersal was maintained through a network effect, rather than self-persistence. Laguna Beach's MPAs maximum distance are 50 miles from Palos Verdes MPAs and 72 miles from La Jolla MPAs to meet this goal.

In summary, bigger MPAs yield better results for protecting marine life. Laguna Beach is an excellent candidate when you combine community support and the City's present MPA enforcement measures to be able to achieve noteworthy success.

**Minimum Alongshore Extent:** To best protect adult populations, based on adult neighborhood sizes and movement patterns, Guidelines conclude MPAs should have an alongshore extent of at least 3-6 miles of coastline, and preferably 6-12.5 miles. Larger MPAs would be needed to fully protect marine birds, mammals, and migratory fish. Combined and simplified, the Guideline indicates that MPAs should have a minimum area of 9-18 square miles, or a preferred area of 18-36 square miles.

The Revised Petition to include full protection of all of Laguna Beach's MPAs is necessary to comply with SAT Guidelines since, once approved, it will protect 7 miles of coastline slightly within the preferred alongshore extent (6-12 miles). A fully protected Laguna MPA will also grow to 11 square miles, the minimum preferred area (9-18 square miles).

Once approved, the citywide and a fully protected MPA will comply with SAT Guidelines for preferred coastline and size. This will be complimented by local, well-established education and enforcement capabilities to support the continued success for Laguna Beach's MPAs.

## Stakeholder Collaboration

The Laguna Bluebelt Coalition, a statewide model for MPA Collaboratives since 2009, has met with key stakeholders through OCMFAC including fishing groups, tribal representatives, game wardens and others to revise Petition 2023-24MPA to accommodate the local lobster fishery. By adjusting the southern SMCA to follow the east/west latitude line at the request of the Dana Point lobster group, placement of lobster traps is facilitated by a consistent GPS latitude line to avoid encroachment into the proposed southern Laguna Beach No Take SMCA.

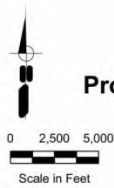
Revised Boundary Map



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**Symbology**

- City Limits
- SOCWA Effluent Transmission Line
- SOCWA Ocean Outfall
- Proposed Laguna Beach SMCA (No-Take) Adjustment



**Figure 1**  
**City of Laguna Beach**  
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## Economic Considerations

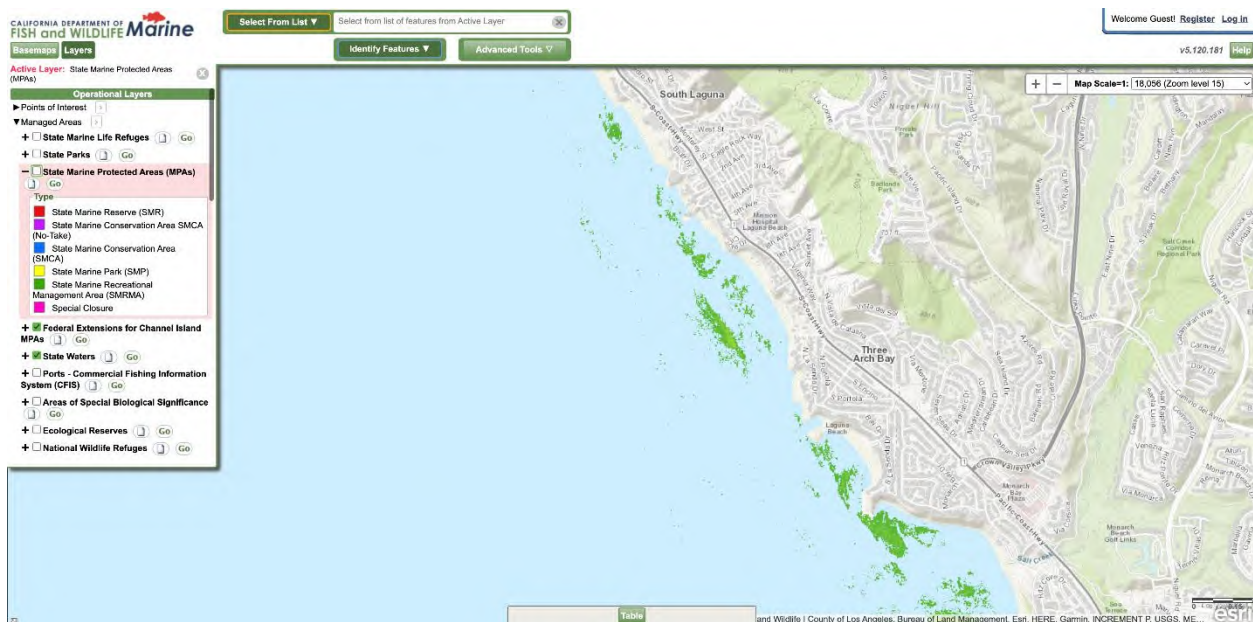
While commercial fishing businesses generally object to MPAs, it is worth noting that Dana Wharf has shifted operations away from fishing to pursue new economic opportunities as the Whale and Dolphin Watching Capital of the World – America’s first Whale Heritage Site. The designation of just over 1 square mile of a new No Take SMCA is just a fraction of the present Dana Wharf fishing grounds and will not measurably impact their annual sportfishing and whale tour revenues. Dana Wharf presently operates large fishing grounds spanning hundreds of square miles from Dana Point south to Camp Pendleton and west to Catalina and San Clemente Islands.

See: [The Ultimate Guide To Fishing In Dana Point, CA | Dana Wharf](#)

## Essential Marine Habitats

With steep coastal bluffs, isolated coves and offshore reefs, Laguna Beach’s southern coastline provides unique habitats for coastal sea life nurseries. Kelp forests populate local reefs throughout the city while dolphin and whales routinely transit the area for foraging opportunities and annual migration.

### Laguna Beach’s Essential Kelp Habitat



The City of Laguna Beach has a long ocean tradition and is committed to protecting marine resources. All Marine Safety Lifeguards are qualified as Marine Protection Officers to maintain a robust education and enforcement program.

The Laguna Beach General Plan and Policies recognize the value of coastal resources (see References).

The success of Laguna’s Marine Protected Areas over the past 12 years is clear evidence that sea life can be protected and restored in an urban environment. The City’s commitment to manage over 6 million visitors continues to educate and motivate compliance with all MPA regulations and policies. Revising

the southern SMCA boundary for full citywide protection will support the community's dedication to achieve the goals and objectives of the State's Marine Life Protection Act.

The Laguna Bluebelt Coalition appreciates the dedicated role of the Fish and Game Commission to serve as a global leader in advancing the State's recovery of sea life for present and future generations.

Mike Beanan  
w/Laguna Bluebelt Coalition



**Julianne E Steers, Sargo School**

## References

### Laguna Beach General Plan and Policies

Action 1.1.1 Protect natural assets and open-space areas to maintain their role as “carbon sinks.”

Policy 4.1 Policy 4.2 Develop and adopt a program to protect sensitive coastal resources.

Action 4.1.1 Compile an inventory of the City’s coastal resources and prepare a Coastal Resources Protection Program.

Action 4.2.2 Enforce State’s Marine Life Management Act and identified Marine Life Protected areas within the City and local regulations for the protection of marine life and intertidal resources and to conduct educational and outreach programs.

Action 10.7.2 Periodically review the City’s Water Quality Control Ordinance and related policies for protecting marine resources and update as appropriate.

In cooperation with the State Department of Fish and Game, a Marine Preserve was created by the State in 1968 for a portion of the City’s shoreline particularly rich in tidepool life. In addition to the Marine Preserve, the State, in conjunction with the City, established an Ecological Reserve in 1974, creating, in essence, a marine sanctuary, or a protected "aquarium".

Policies 2-A Encourage the expansion of the Marine Life Refuges and the designation of particularly unique or ecologically sensitive coastal areas as Ecological Reserves (such as seal and bird rocks), pursuant to the provisions of the State Department of Fish and Game.

2-F Develop a local enforcement program, pending funding availability, consisting of shoreline protection regulations and citation authority for Marine Safety personnel.

2-H Support restoration of offshore kelp beds.

41 Watershed Protection and Restoration Promote the protection and restoration of offshore, coastal, lake, stream or wetland waters and habitats and preserve them to the maximum extent practicable in their natural state. Oppose activities that may degrade the quality of offshore, coastal, lake, stream or wetland waters and habitat and promote the rehabilitation of impaired waters and habitat.

Develop an enforcement program for the protection of marine life resources.

Promote an expanded Marine Life Refuge.

Marine Resources: A small estuary occurs at the mouth of Aliso Creek. As recently as 1976 this estuary supported the Tidewater Goby, a species considered uncommon and declining in numbers due to habitat loss. A resource inventory included in the Orange County Conservation Element identifies the presence of the South Laguna Marine Life Refuge in the South Laguna area. The refuge, near the mouth of Aliso Creek, was given refuge status by the California Fish and Game Commission because the animal

populations in the rocky intertidal habitat had not been subjected to the collecting pressures that had occurred in other areas along the south coast.