

**California Marine Life Protection Act Initiative
Central Coast Project
General Comments on Formulating Regulations for Marine Protected Areas (MPAs)
December 5, 2005**

The following comments are provided to help proponents refine potential restrictions for MPAs being proposed along the central coast. Consistency in language and structure will assist the MLPA Blue Ribbon Task Force in reviewing the packages of MPAs and the Department of Fish and Game when drafting formal regulatory language.

- The general SMR regulations should be “No take” as opposed to “No commercial or recreational fishing” unless something different is desired.
- Anchoring and transit through MPAs with catch onboard is allowed [See Title 14, Section 632(a)(7) and (8)]. This should only be mentioned in regulation if the intent is to prohibit anchoring or transit.
- It is best to list the species allowed for take, unless the list of species prohibited is extremely short. When allowing pelagic finfish fishing or salmon fishing, be specific regarding method of take. An example would be “Take of pelagic finfish by trolling is allowed.”

Example 1:

Take of all living marine resources is prohibited except:

Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, kelp, squid and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

Example 2:

Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear.

- Avoid the use of an intertidal SMR on invertebrate protection area attached to an offshore SMCA where possible. Instead, use specific regulations to define the intertidal area
Example 1:
Take of living marine resources is prohibited except recreational hook and line fishing from shore.
Example 2:
Take of living marine resources is prohibited except recreational and commercial finfish in waters greater than 1000 feet from shore.

- Coastal Pelagic Species are defined as:
 - Pacific sardine (*Sardinops sagax*)
 - Pacific mackerel (*Scomber japonicus*)
 - Northern anchovy (*Engraulis mordax*)
 - Market squid (*Loligo opalescens*)
 - Jack mackerel (*Trachurus symmetricus*)
- Pelagic Finfish are defined as:
 - northern anchovy (*Engraulis mordax*)
 - barracudas (*Sphyraena spp.*)
 - billfishes* (family Istiophoridae)
 - dolphinfish (*Coryphaena hippurus*)
 - Pacific herring (*Clupea pallasii*)
 - jack mackerel (*Trachurus symmetricus*)
 - Pacific mackerel (*Scomber japonicus*)
 - salmon (*Oncorhynchus spp.*)
 - Pacific sardine (*Sardinops sagax*)
 - blue shark (*Prionace glauca*)
 - salmon shark (*Lamna ditropis*)
 - shortfin mako shark (*Isurus oxyrinchus*)
 - thresher sharks (*Alopias spp.*)
 - swordfish (*Xiphias gladius*)
 - tunas (family Scombridae)
 - and yellowtail (*Seriola lalandi*)
 - *Marlin is not allowed for commercial take
- Though it is technically legal to conduct permitted aquaculture activities in an SMCA, if the desire is to allow these activities (e.g., within Morro Bay) then it should be specifically noted.
- Waterfowl hunting is not necessarily prohibited in a SMR, SMCA, or SMP unless specific regulations are included to prohibited hunting.

Comparison of MPAs and Regulations in CCRSG Candidate MPA Packages

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Ano Nuevo State Marine Reserve	No take allowed out to 100 ft. beyond low-tide mark.	Gazos to Ano Nuevo State Marine Reserve	No Take	Ano Nuevo State Marine Reserve	No take	Año Nuevo State Marine Reserve	No commercial or recreational fishing permitted, but anchoring allowed south of Point Año Nuevo.
				Ano Nuevo State Marine Conservation Area	No take of coastal pelagic species	Año Nuevo State Marine Conservation Area	No commercial or recreational fishing permitted, except for salmon.
Greyhound Rock State Marine Conservation Area	SMCA prohibits the take of finfish and invertebrates EXCEPT for recreational and commercial fishing for salmon, coastal pelagic species (including squid) and Dungeness crab. Recreational fishing from shore for finfish is allowed.						

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Greyhound Rock State Marine Reserve	No take allowed	Davenport State Marine Reserve	No Take	Greyhound Rocks State Marine Reserve	No take		
Sand Hill Bluff Intertidal State Marine Reserve	No take allowed	Baldwin to Natural Bridges State Marine Reserve	No Take	Natural Bridges Intertidal State Marine Reserve	No take	Natural Bridges State Marine Reserve	No commercial or recreational fishing permitted.
						Natural Bridges State Marine Conservation Area	No commercial fishing permitted except for salmon, albacore, sardine, anchovy, herring, and mackerel. Recreational fishing permitted.
		Opal Cliffs State Marine Conservation Area	No invertebrate collecting	Opal cliffs State Marine Park	Allows shore fishing		
Elkhorn Slough State Marine Reserve	No take is allowed.	Elkhorn Slough State Marine Reserve	No Take	Elkhorn State Marine Reserve	No take		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Moro Cojo Estuary State Marine Reserve	No take	Moro Cojo Estuary State Marine Reserve	No take	Moro Cojo State Marine Reserve	No take		
Monterey Submarine Canyon No Bottom Contact State Marine Conservation Area	SMCA prohibits take of finfish and invertebrates EXCEPT for recreational and commercial fishing for salmon, coastal pelagic species and highly migratory species.	Soquel Hole State Marine Conservation Area	Salmon, albacore and spot prawn allowed	Soquel Canyon State Marine Conservation Area	Allows salmon, albacore and spot prawn	Soquel Canyon State Marine Conservation Area	No commercial or recreational fishing permitted except for salmon, albacore, sardine, anchovy, herring, and mackerel.
Monterey Canyon No-Trawl State Marine Conservation Area	SMCA prohibits take of marine species by trawl gear. Other recreational and commercial uses are allowed.	Portuguese Ledge State Marine Reserve	No Take	Portuguese Ledge State Marine Conservation Area	Allows salmon, albacore and spot prawn	Portuguese Ledge State Marine Conservation Area	No commercial or recreational fishing permitted except for salmon, albacore, sardine, anchovy, herring, and mackerel.
		East Ed Ricketts State Marine Reserve <i>Option 2B: East Ed Ricketts State Marine Reserve</i>	No Take <i>Option 2B: No Take</i>	Ed Ricketts State Marine Reserve	No take		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Ed Ricketts State Marine Conservation Area	SMCA prohibits take of all marine life EXCEPT for kelp harvesting, recreational hook & line fishing for finfish and recreational spearfishing for halibut and highly migratory species. No take for scientific or educational purposes is allowed.	Ed Ricketts State Marine Conservation Area	Allowed: Hand Harvest Kelp only	Ed Ricketts State Marine Conservation Area	Hand take of kelp only		
Hopkins State Marine Reserve	No take allowed	Hopkins State Marine Reserve	No Take	Expanded Hopkins State Marine Reserve	No take	Hopkins State Marine Reserve	No commercial or recreational fishing permitted.
		West Ed Ricketts State Marine Reserve <i>Option 2B: West Ed Ricketts State Marine Reserve</i>	No Take <i>Option 2B: No Take</i>				

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Pacific Grove – Monterey State Marine Conservation Area	SMCA prohibits commercial take of finfish and benthic invertebrates EXCEPT Dungeness crab, salmon, coastal pelagic species (including squid), herring and kelp. Recreational fishing is allowed for finfish and invertebrates EXCEPT for crustaceans and mollusks.	Pacific Grove State Marine Conservation Area	Allowed: Hand Harvest Kelp, Recreational fishing, No Poke- Pole fishing, no invertebrate collection	Pacific Grove State Marine Conservation Area	Allow hand harvest of kelp, recreational fishing, no poke pole fishing, no invertebrate collection	Pacific Grove State Marine Conservation Area	No commercial fishing except for salmon, sardines, mackerel, anchovy, squid, and herring, and kelp. Recreational fishing allowed for finfish only.
Pacific Grove Intertidal State Marine Reserve	No take allowed	Pacific Grove State Marine Reserve	No Take	Pacific Grove State Marine Reserve	No take		
Cypress Pinnacles State Marine Reserve	No take allowed	Carmel Pinnacles State Marine Reserve	No Take	Pinnacles State Marine Reserve	No take		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Carmel Bay State Marine Conservation Area	SMCA prohibits take of all marine life EXCEPT for recreational finfish and commercial squid and kelp harvest.	Carmel Bay State Marine Conservation Area	Recreational fishing (Except mollusks and crustaceans) and kelp harvesting allowed	Carmel Bay State Marine Conservation Area	Allows recreational finfish and kelp harvest	Carmel Bay State Marine Park	No commercial fishing permitted. Recreational fishing allowed for all species except mollusks and crustaceans.
Point Lobos State Marine Reserve	No take allowed	Point Lobos State Marine Reserve	No Take	Point Lobos State Marine Reserve	No take	Point Lobos State Marine Reserve	No commercial or recreational fishing permitted.
Pt. Lobos State Marine Conservation Area	SMCA prohibits the take of finfish and invertebrates EXCEPT for recreational and commercial fishing for salmon, and commercial fishing for spot prawns.	Point Lobos State Marine Conservation Area <i>Option 2B: Point Lobos State Marine Conservation Area</i>	Salmon and spot prawn allowed <i>Option 2B: Salmon and spot prawn allowed</i>	Point Lobos State Marine Conservation Area	Allows salmon, albacore, and spot prawn	Point Lobos State Marine Conservation Area	No commercial or recreational fishing permitted except for salmon, albacore, sardine, anchovy, herring, mackerel, and, by trap only, spot prawns.
		Point Sur State Marine Reserve	No Take	Point Sur State Marine Reserve	No take		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
				Point Sur State Marine Conservation Area	Salmon and albacore only	Point Sur State Marine Conservation Area	No commercial or recreational fishing permitted, except for salmon, albacore, sardine, anchovy, herring, and mackerel.

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Julia Pfeiffer Burns State Marine Reserve <i>Option 1B: Julia Pfeiffer Burns State Marine Reserve</i>	No take of marine life. <i>Option 1B: No take of marine life.</i>					Julia Pfeiffer Burns State Marine Reserve	No commercial or recreational fishing permitted.
Julia Pfeiffer Burns State Marine Conservation Area <i>Option 1B: Julia Pfeiffer Burns State Marine Conservation Area</i>	No take of marine life except for commercial spot prawn, coastal pelagic species (including squid), and commercial/recreati onal salmon (incidental take in authorized fisheries is also allowed. <i>Option 1B: No take of marine life except for salmon and spot prawn.</i>						

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Big Creek State Marine Reserve	No take, no disturbance of bottom, no swimming, no diving, no boating except to pass through the area. Scientific access by permit only.	Big Creek State Marine Reserve	No Take	Expanded Big Creek State Marine Reserve	No take	Big Creek State Marine Reserve	No commercial or recreational fishing permitted.
		Big Creek State Marine Conservation Area	Only salmon and albacore fishing is allowed			Big Creek State Marine Conservation Area	No commercial or recreational fishing permitted except for salmon, albacore, sardine, anchovy, mackerel, and herring.
Alder Creek State Marine Reserve	No take					Salmon Creek State Marine Reserve	No commercial or recreational fishing permitted
Alder Creek State Marine Conservation Area	No take of marine life except for commercial/recreational salmon (incidental take in authorized fisheries is also allowed) and commercial coastal pelagic species (including squid).						

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
		Piedras Blancas State Marine Reserve	No Take	Piedras Blancas State Marine Reserve	No take		
				Piedras Blancas State Marine Conservation Area	Salmon and albacore only	Piedras Blancas State Marine Conservation Area	No commercial or recreational fishing permitted, except for salmon, albacore, sardine, anchovy, herring, and mackerel.
Cambria State Marine Park	Recreational fishing and diving only, no commercial take	Cambria State Marine Park	No Commercial fishing	Cambria State Marine Park	Recreational fishing only		
Cambria State Marine Conservation Area	No commercial take of marine life except for salmon, crab, and coastal pelagic species (including squid). Recreational fishing regulations not affected.	Cambria State Marine Conservation Area	only salmon allowed	Cambria State Marine Conservation Area	Kelp harvest only	Cambria State Marine Conservation Area	Recreational fishing is permitted. No commercial fishing is permitted, except for salmon, albacore, sardine, anchovy, herring, and mackerel.

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
		Ken Norris State Marine Reserve	No Take			Cambria State Marine Reserve	No commercial or recreational fishing permitted.
		Estero Bluff State Marine Reserve	No Take	Estero Bluff State Marine Park	No invertebrate take, shore fishing only		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Atascadero Beach State Marine Conservation Area	SMCA prohibits the take of clams and Diopatra worms. Take of other marine resources is allowed.						
Atascadero Beach Intertidal State Marine Conservation Area	Take of all invertebrates is prohibited						
Morro Bay Harbor State Marine Conservation Area	SMCA prohibits commercial take of fish and invertebrates EXCEPT for live bait (coastal pelagic species). Commercially caught fish onboard a vessel while traveling through the SMCA is allowed. Recreational fishing is allowed EXCEPT take of intertidal invertebrates is prohibited.	Morro Bay State Marine Conservation Area	Allows mariculture and recreational fishing	Morro Bay State Marine Conservation Area	Allows mariculture and recreational fishing		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
		Morro Bay South State Marine Reserve	No Take	Morro Bay South State Marine Reserve	No take		
		Morro Bay East State Marine Reserve	No Take	Morro Bay East State Marine Reserve	No take		
Morro Beach Intertidal State Marine Reserve	No take of marine life.						
Diablo Canyon State Marine Reserve	All take prohibited except for larval/fish entrainment by Diablo Canyon Nuclear Power Plant						
Diablo Canyon State Marine Conservation Area	No take of marine life except commercial/ recreational salmon	Point Buchon State Marine Reserve	No Take	Point Buchon State Marine Reserve	No take		

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Avila Harbor State Marine Conservation Area	SMCA prohibits commercial take of fish and invertebrates EXCEPT for live bait (coastal pelagic species) and kelp harvest. Commercially caught fish onboard a vessel while traveling through the SMCA to offload is allowed. Recreational fishing is allowed.			Point Buchon State Marine Conservation Area	Allow salmon and albacore only	Point Buchon State Marine Conservation Area	No commercial or recreational fishing permitted, except for salmon, albacore, sardine, anchovy, herring, and mackerel.
Intertidal Pismo-Oceano Pismo Clam State Marine Conservation Area	Intertidal (0-100 ft offshore): No take of marine life except fin-fish by hook and line.						
Pismo-Oceano Pismo Clam State Marine Conservation Area	From 100 ft offshore to one mile offshore: No take of Pismo clams, worms, or sand dollars.						

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
		Purisma Point State Marine Reserve	No Take	Purisma Point State Marine Reserve	No Take		
		Purisma Point State Marine Park	No commerical fishing; recreational shore -fishing only			Purisma State Marine Conservation Area	No commercial or recreational fishing permitted, except for finfishing by hook-and-line from shore.
Vandenberg Zone 4 State Marine Reserve	No take. No disturbance of bottom; no boats, diving or other use (boat transit only); public entry restricted. Existing MOU with Vandenberg AFB allows all uses necessary for VAFB's national defense mission.			Vandenberg State Marine Conservation Area	No commercial rockfishing allowed	Conception State Marine Park	No commercial fishing permitted. No recreational fishing permitted except for finfish by hook and line from shore

Package 1		Package 2		Package 3		Package 4	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/Disal lowed Uses	MPA Name	Allowed/ Disallowed Uses
Vandenberg State Marine Reserve	No take. No disturbance of bottom; no boats, diving or other use (boat transit only); public entry restricted. Existing MOU with Vandenberg AFB allows all uses necessary for VAFB's national defense mission.	Point Conception State Marine Reserve	No Take	Vandenberg State Marine Reserve	No take		
Vandenberg Zone 4 State Marine Conservation Area	SMCA prohibits the take of finfish and invertebrates EXCEPT for recreational and commercial fishing for salmon and commercial fishing for Dungeness and rock crab. Recreational fishing from shore for finfish is allowed.						

Comparison of MPAs and Regulations in External Candidate MPA Packages

Package A		Package B		Package C	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses
Año Nuevo State Marine Reserve	No take	Central Coast State Marine Reserve	No Take	Año Nuevo State Marine Reserve	No Take
Año Nuevo State Marine Conservation Area	Allowed: Commercial and recreational pelagic trolling, purse seine fishing				
Sand Hill Bluff State Marine Reserve	No take				
Elkhorn Slough State Marine Reserve	No Take				
Soquel Canyon State Marine Conservation Area	Allowed: recreational and commercial salmon and albacore trolling and commercial spot prawn trapping only				
Portuguese Ledge State Marine Reserve	No take				
Monterey Shale Beds State Marine Park	Recreational fishing except for groundfish.	Monterey Peninsula State Marine Reserve	No Take		
Edward F. Ricketts State Marine Reserve	No take				
Hopkins State Marine Reserve	No take				

Package A		Package B		Package C	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses
Pacific Grove State Marine Conservation Area	Allowed: commercial fishing for squid, sardines, herring, anchovy, mackerel and kelp. Recreational fishing for finfish only. No intertidal harvest.				
Cypress Pinnacles State Marine Reserve	No Take				
Carmel Bay State Marine Park	Allowed: All recreational fishing except crustaceans and mollusks				
Point Lobos State Marine Reserve	No Take				
Point Lobos SMCA	Allowed: salmon trolling and commercial spot prawn trapping only				
Big Sur State Marine Reserve	No take				
Big Creek State Marine Reserve	No Take				
Big Creek SMCA	Allowed: recreational and commercial salmon trolling and commercial spot prawn trapping.				
Piedras Blancas State Marine Reserve	No take			Piedras Blancas State Marine Reserve	No Take
Cambria State Marine Park	Allowed: All recreational fishing				

Package A		Package B		Package C	
MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses	MPA Name	Allowed/ Disallowed Uses
Cambria State Marine Reserve	No take				
Morro Bay State Marine Reserve	No take			Montaña de Oro State Marine Reserve	No Take
Point Buchon State Marine Reserve	No take				
Pt. Sal State Marine Reserve	No take			Point Sal State Marine Reserve	No Take
				Purisima Point State Marine	No Take
				Purisima Point State Marine Conservation Area	Open to recreational fishing but closed to all other activities
Pt. Arguello State Marine Conservation Area	Allowed:only recreational fishing that can be accessed from the boathouse on Vandenberg, including spearfishing and fishing from the dock itself.			Arguello Promontory State Marine Reserve	No Take
				Boathouse State Marine Conservation Area	Prohibits all activities except: recreational fishing and diving, training for search and rescue groups, and activities relating to delivery of parts to VAFB.