

## Marine Life Protection Act Initiative



### Military Use Areas and Pending Military Closures – Policy Background

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### Key Issues to be Discussed

- Request from the United States Department of Defense not to place marine protected areas (MPAs) in military use areas
- Pending military closures at San Clemente and San Nicolas islands
- Implications of military use areas and pending military closures for MPA planning in the MLPA South Coast Study Region



## Mainland and Island Military Use Areas

- Mainland
  - Military use areas near Point Mugu, Camp Pendleton, San Diego area, etc.
  - No pending military closures proposed
- Islands
  - Military use areas at San Clemente and San Nicolas islands
  - Three pending military closures (no access, no fishing, year round)



## Interim and Long-Term Strategy

- Round 1 of MPA Proposal Development
  - Provide guidance to MLPA South Coast Regional Stakeholder Group (SCRSG) regarding pending military closures and proposing MPAs in military use areas
  - Provide guidance to MLPA Master Plan Science Advisory Team (SAT) on how to evaluate pending military closures and any proposed MPAs in military use areas
- Rounds 2 and 3 of MPA Proposal Development
  - Further discussion and more complete guidance on consideration of pending military closures and military use areas



## Important Considerations

- Policy implications
- Importance and unique nature of military activities
- Best available science on ecological characteristics of military use areas and pending military closures



## Language from the MLPA \*

- Section 2855: “In preparing the master plan, the department shall confer, to the extent feasible, with ... the United States Navy...”
- Section 2863: “The department shall confer as necessary with the United States Navy regarding issues related to its activities.”

\* MLPA = Marine Life Protection Act



## Language from the MMAIA \*

- Section 36711: “The classifications contained in Section 36710 may not be inconsistent with United States military activities deemed mission critical by the United States military.”

\* MMAIA = Marine Managed Areas Improvement Act



## Management of Military Use Areas

- Military manages areas within state waters in conjunction with other bodies, including the California Fish and Game Commission
- Unique aspects of military use areas
  - U.S. Department of Defense is a natural resources trustee
  - Natural resources management plans
  - Environmental impact statement required
  - Opportunities for management, enforcement and monitoring



## Previous MLPA Study Regions

- Central Coast
  - Vandenberg State Marine Reserve designated by the California Fish and Game Commission with requirement for a memorandum of understanding with Vandenberg Air Force Base specified in regulations
- North Central Coast
  - Limited military operations in state waters



## Key Long-Term Decision Points

- 1A: Include pending military closures in MPA evaluations
- 1B: Do not include pending military closures in evaluations
  
- 2A: If include pending military closures, designate as state marine protected areas
- 2B: If include military closures, do not designate as state marine protected areas
  
- 3A: Allow MPAs to be proposed within military use areas
- 3B: Do not allow MPAs to be proposed within military use areas



## Long-Term Decision Point 1

- 1A: Include pending military closures in MPA evaluations  
1B: Do not include pending military closures in evaluations
- Considerations
    - Implications for other types of closed areas
    - Level of protection needed to conduct SAT evaluation
    - Appropriateness of placement to achieve MLPA goals
    - Potential collaboration for management, monitoring, and enforcement
    - Importance of military operations in southern California



## Long-Term Decision Point 2

- 2A: If include pending military closures, designate as state marine protected areas  
2B: If include pending military closures, do not designate as state marine protected areas
- Considerations
    - Implications for effective military use of these areas
    - Consistency with MLPA Initiative policy to date where closed areas are not counted in analysis if not designated as an MPA



## Long-Term Decision Point 3

3A: Allow MPAs to be proposed within military use areas

3B: Do not allow MPAs to be proposed within military use areas

- Considerations
  - Allowance for flexibility in MPA design to effectively meet MLPA goals
  - Implications for effective military use of these areas
  - Potential for comparison of relative ecological value of areas



## Implications for MPA Planning

- Guidance from the MLPA Blue Ribbon Task Force will affect:
  - Development of MPA proposals by MLPA South Coast Regional Stakeholder Group
  - Development of external MPA proposals
  - Evaluation of all MPA proposals by the SAT, California Department of Fish and Game, California State Parks, and staff