

California Department of Fish and Game
Marine Protected Areas Past Processes Overview
October 5, 2004

Early MPA History

- Between 1900 and 1913, the California Legislature passed several laws to prevent overexploitation of marine species. These laws included 6 MPAs.
 - 1909: Humboldt and Trinidad Bays Preserves - prohibited commercial and recreational crab take.
 - 1909: Santa Cruz and False Bay Fish Reserves - prohibited most recreational and commercial fishing.
 - 1913: Monterey Shellfish and Invertebrate Reserve - prohibited all commercial take of invertebrates except squid and octopus.
 - 1913: Santa Catalina Island Fish Reserve - prohibited all but hook-and-line take within three miles of Catalina.
- All of the above were repealed by 1950

General MPA Processes

- Between 1950 and 1999 nearly 70 MPAs were established through a variety of processes in both the Legislature and Fish and Game Commission.
- These areas were often established for reasons other than the direct protection of marine resources, including the de facto exclusion of certain ethnic groups from intertidal areas.
- At least 9 different designations were used for these areas and none were established with the intent of providing comprehensive management through statewide or even regional networks.

The MRPA Process

- In 1994, The Marine Resources Protection Act (commonly known as the gill net initiative, Prop 132) required the establishment of four no-take MPAs for the purpose of nearshore research.
 - These four areas, like most before them, were selected based not primarily on scientific advice, but on the concept of “not in my backyard”.
 - Though criteria were used to make them appropriate for nearshore research, subsequent analysis has shown that the criteria were not followed as a primary guide.

The MLPA

- By 1999 only about 8 square nautical miles, or less than 1%, of California waters were protected in no-take MPAs.
- Recognizing the lack of coherence in the State’s MPA system, lack of overall protection of resources, and limited number of no-take areas the Legislature passed and the Governor signed the MLPA in 1999.

- The biggest difference in this process was that it requires that the best science available be used to make all the State's MPAs function as part of a regional or state-wide network, not just as single MPAs.
 - The MLPA included specific deadlines for the completion of a Master Plan and implementation of a Marine Life Protection Program.

First MLPA Process

- Based on these deadlines and other requirements in the Act, the Department began implementation by forming a Master Plan Team of scientists and agency Staff.
- Between April and July 2001 the Department sought input through direct mailings to fishermen (primarily commercial) and, working with the Master Plan Team, developed a set of "Initial Draft Concepts" for how to improve the State's existing array of MPAs.
- In July 2001 the Department unveiled these concepts at a set of 10 Siting Workshops, again a requirement of the MLPA.
- Although these were intended as starting points for discussions of alternatives, these workshops were highly controversial and the fishing public in particular saw the Initial Draft Concepts as a fait accompli. In total, more than 2,000 people attended and the workshops generated tremendous press and additional public comment.

Interim Process

- One of the most important comments received from all sides was that the public had not been adequately involved in preparing the Initial Draft Concepts.
- In response, the Department held approximately 60 small group meetings between August and December of 2001.
- These meetings allowed individual constituent groups to discuss their concerns both for process and MPA siting possibilities directly with Department staff and members of the Master Plan Team.
- Based on these meetings the Department developed a new process for increased constituent involvement in the MLPA.

Second MLPA Process

- In January 2002, the Department announced to the Legislature's Joint Committee on Fisheries and Aquaculture (the MLPA designated oversight body) that it was embarking on a new implementation strategy, using Regional Working Groups to help prepare recommendations for the MLPA Master Plan.
- In addition the Department sought and received an extension of the original deadlines in the Act (a second extension was given later during the Regional Working Group process).
- The Department formed seven Regional Working Groups, each with approximately 15 members representing a wide array of constituencies.
- These Working Groups were convened in the summer of 2002 for orientation meetings and each group met separately two times by January 2003.

- The Working Groups seemed to be making progress towards the initial step of their work - to review the existing array of MPAs and determine what regional goals and objectives might be met through the use of MPAs.
- In January 2003, future Working Group Meetings were postponed and the groups put on an informal hold while the Department tried to find funding to continue the process to its completion.
- Continued reductions in staff and funding through January 2004 led the Department to recommend a longer halt of the process until new funding and support could be established.

Channel Islands MPAs

- In 1998, Prior to the passage of the MLPA, a request was brought to the Fish and Game Commission to establish MPAs covering 20% of the waters within 1 mile of the northern Channel Islands
- This request led to more than a year of debate in the Commission forum. Various constituents argued over not only the potential value of MPAs, but the need in the Channel Islands region.
- In response to the proposal and the Commission's desire to see a formal process to discuss the issue, the Department partnered with the Channel Islands National Marine Sanctuary to establish a Marine Reserves Working Group (MRWG).
- This group, established in July 1999, consisted of 17 members representing a wide array of interests concerning the Channel Islands.
- The MRWG met approximately every month between July 1999 and May 2001 with a goal of reaching consensus on a proposal for Marine Reserves (or no-take MPAs) around the Channel Islands.
- Though they could not reach full consensus on a spatial MPA alternative, the group did produce a consensus problem statement and goals and objectives for MPAs as well as implementation recommendations.
- After these 22 months of meetings, the MRWG's work was forwarded to the Sanctuary Advisory Council, which asked the Department and Sanctuary to create a proposal to bring to the Commission.
- Following this advice, the Department and Sanctuary crafted a preliminary draft; distributed it to the MRWG, SAC and other members of the public which was revised based on input received. The draft included two limited-take conservation areas, a departure from the MRWG process but something which had been discussed at length.
- The Department and Sanctuary presented their joint recommendation to the Fish and Game Commission in August 2002.
- Following several Commission meetings and extended public comment, the recommendation was adopted by the Commission in October 2003 and finally implemented in April 2004.