California Marine Life Protection Act Draft Staff Responses to Questions Posed during MLPA Public Meetings from July to August 2010 August 26, 2010 Draft

This document contains a process/policy questions posed during a public comment period at Marine Life Protection Act (MLPA) Initiative meetings or emailed by a member of the public to MLPA Initiative staff reviewed the public comment and provided a response. Additional questions that focus on the scientific aspects of the MLPA are directed to the MLPA Master Plan Science Advisory Team (SAT).

1. Why does the MLPA not address ocean industrialization?

Draft Response: The MLPA was written for and enacted by the California State legislature. The legislature's findings and declarations for the MLPA are found in the California Fish and Game Code Section 2851:

- 2851. The Legislature finds and declares all of the following:
- (a) California's marine protected areas (MPAs) were established on a piecemeal basis rather than according to a coherent plan and sound scientific guidelines. Many of these MPAs lack clearly defined purposes, effective management measures and enforcement. As a result, the array of MPAs creates the illusion of protection while falling far short of its potential to protect and conserve living marine life and habitat.
- (b) California's extraordinary marine biological diversity is a vital asset to the state and nation. The diversity of species and ecosystems found in the state's ocean waters is important to public health and well-being, ecological health, and ocean-dependent industry.
- (c) Coastal development, water pollution, and other human activities threaten the health of marine habitat and the biological diversity found in California's ocean waters. New technologies and demands have encouraged the expansion of fishing and other activities to formerly inaccessible marine areas that once recharged nearby fisheries. As a result, ecosystems throughout the state's ocean waters are being altered, often at a rapid rate.
- (d) Fish and other sea life are a sustainable resource, and fishing is an important community asset. MPAs and sound fishery management are complementary components of a comprehensive effort to sustain marine habitats and fisheries.
- (e) Understanding of the impacts of human activities and the processes required to sustain the abundance and diversity of marine life is limited. The designation of certain areas as sea life reserves can help expand our knowledge by providing baseline information and improving our understanding of ecosystems where minimal disturbance occurs.
- (f) Marine life reserves are an essential element of an MPA system because they protect habitat and ecosystems, conserve biological diversity, provide a sanctuary for fish and other sea life, enhance recreational and educational opportunities, provide a reference point against which scientists can measure changes elsewhere in the marine environment, and may help rebuild depleted fisheries.
- (g) Despite the demonstrated value of marine life reserves, only 14 of the 220,000 square miles of combined state and federal ocean water off California, or six-thousandths of 1 percent, are set aside as genuine no take areas.

(h) For all of the above reasons, it is necessary to modify the existing collection of MPAs to ensure that they are designed and managed according to clear, conservation-based goals and guidelines that take full advantage of the multiple benefits that can be derived from the establishment of marine life reserves.

The legislature does not specifically address 'ocean industrialization' in the findings for the MLPA Informal advice from the office of the California Attorney General on coastal development as it relates to marine protected areas can be found in an MLPA Initiative memo to the MLPA Blue Ribbon Task Force at http://www.dfg.ca.gov/mlpa/pdfs/memo_100109.pdf.