Marine Life Protection Act Initiative

Summary of Actions Taken by the BRTF on October 26, 2010 and Potential Additional Recommendation for the North Coast

Presentation to the MLPA Blue Ribbon Task Force
December 9, 2010 • Conference call and webinar

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Presentation Topics

1. Why a meeting today?
2. Recommendations already made by the MLPA Blue Ribbon Task Force (BRTF), which are being forwarded as adopted on October 26, 2010
3. Potential new recommendation from the BRTF

Purposes of Today's Meeting

1. Summarize recommendations already made by the BRTF during its October 25-26 meeting
2. Confirm intent of Motion 4 (North Coast Enhanced Compliance Alternative MPA Proposal)
3. Ensure that recommendations sent to the California Fish and Game Commission reflect the BRTF's intent
4. Potentially consider new recommendation

BRTF North Coast Recommendations

In October, the BRTF made seven separate recommendations, all of which are being forwarded to the California Fish and Game Commission (F&GC):

1. Forward the Revised Round 3 NCRSG MPA Proposal, with special closures recommendation
2. Incorporate tribal uses into MPAs for the north coast
3. Co-management with sister agencies
4. Forward the North Coast Enhanced Compliance Alternative MPA Proposal
5. Add recreational take intended to accommodate tribal take of eulachon and Pacific lamprey to estuarine MPAs
6. Retain three existing MPAs with modifications
7. Change classifications for Ten Mile Estuary and Navarro River Estuary state marine recreational management areas

NCRSG = MLPA North Coast Regional Stakeholder Group MPA = marine protected area

Recommendation #1 (Adopted Motion 1)

Revised Round 3 NCRSG MPA Proposal (RNCP)

- Includes NCRSG recommendation to name the Ten Mile MPAs after Skip Wollenberg and staff recommended updates to the recreational take intended to accommodate tribal uses
- Includes seven special closures recommendation, as well as alternative to special closure designation for Green Rock and Flatiron Rock, with intent to allow access for traditional, noncommercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities within special closures when it becomes possible under State of California legal authority

Recommendation #2 (Adopted Motion 2)

Incorporate Tribal Uses into MPAs of the MLPA North Coast Study Region

- Identify "tribal uses" as a separate category of use in the regulations applicable to each MPA
- Include specific language allowing tribal uses in SMCAs, SMPs and state marine recreational management areas (SMRMAs)
- When legal authority clarified, create SMCA "ribbons" in each SMR to only allow traditional, non-commercial tribal uses
- Work with tribes and tribal communities to resolve outstanding issues with regard to continuing tribal traditional, non-commercial uses

SMCA = state marine conservation area SMP = state marine park SMR = state marine reserve

Recommendation #3 (Adopted Motion 3)

Co-management of MPAs with "Sister" Agencies in the MLPA North Coast Study Region

- F&GC should work with tribes and tribal communities and encourage "sister" agencies to work with the F&GC and tribes and tribal communities to develop co-management of MPAs where appropriate
- "Sister" agencies broadly construed to include agencies at different levels of jurisdiction, including local agencies, tribes and tribal communities

Recommendation #4 (Adopted Motion 4)

North Coast Enhanced Compliance Alternative MPA Proposal (ECA)

- RNCP with modifications to create shoreline "ribbons" within some SMCAs; offshore SMCAs include only uses with moderate-high or high LOPs
- No ribbons at Reading Rock SMCA (uses at moderate-high or high LOP) or Ten Mile Beach SMCA (all proposed uses)
  - Accompanying statement that any proposed recreational uses intended to accommodate tribal uses be restricted to only tribes and tribal communities when administrative or legislative action is taken
  - Includes recommendation for seven special closures
- Retain in estuarine MPAs, for uses intended to accommodate tribal uses, only those with a moderate-high or high LOP
  - Add pelagic finfish (recreational spearfishing) to all SMCAs

LOP = level of protection

Recommendation #5 (Adopted Motion 5)

Add Recreational Take of Eulachon and Pacific Lamprey to Estuarine MPAs

- Eulachon (dip net) and Pacific lamprey (spearfishing, hook and line, bow and arrow, and hand)
- Added to all estuarine MPAs with proposed uses intended to accommodate tribes and tribal communities (South Humboldt Bay SMRMA, Big River Estuary SMP, and Navarro River Estuary SMRMA)

Recommendation #6 (Adopted Motion 6)

Retain Three Existing MPAs with Modifications

- Three existing MPAs (MacKerricher SMCA, Russian Gulch SMCA and Van Damme SMCA) located offshore lands managed by California State Parks
- Retain existing take regulations (both commercial and recreational)
- Add proposed allowed uses intended to accommodate tribes and tribal communities
- California State Parks and the California Department of Fish and Game work together to address feasibility concerns with boundaries

Recommendation #7 (Adopted Motion 7)

Change Classifications for Ten Mile Estuary and Navarro River Estuary State Marine Recreational Management Areas

- If designated, change classification of Ten Mile Estuary SMRMA to an SMR, as intended by NCRSG
- If designated, change classification of Navarro River Estuary SMRMA to an SMCA, as intended by NCRSG

Rationale for Potential New Alternative

- ECA does not achieve the original intent of Motion 4
- Ensure that recommendations sent to the F&GC reflect the intent of the BRTF
- Strengthen the level of protection to be more consistent with the science guidelines
- Increase compliance with feasibility guidelines
- Help ensure that the statewide system of MPAs can achieve the goals of the Marine Life Protection Act

Potential New Motion/Recommendation

Revised Round 3 NCRSG MPA Proposal at Moderate-High LOP

- Only include proposed allowed uses with moderate-high or high LOP for MPAs or SMRMAs (affects Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, South Humboldt Bay SMRMA, Big Flat SMCA, Vizcaino SMCA, Skip Wollenberg/Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA)
- Accompanying statement that traditional, non-commercial tribal uses intended when legislative or administrative change allows tribes and tribal communities to engage in traditional tribal uses within MPAs and SMRMAs
- Add pelagic finfish (recreational spearfishing) to all SMCAs

Alternative MPA Examples - Samoa

ECA

- Offshore LOP = Moderate-high
- Nearshore LOP = Moderate-low

RNCP

- LOP = Moderate-low

Potential Additional Alternative

- LOP = Moderate-high