

**California Department of Fish and Game  
Preferred Alternative for Marine Protected Areas  
in the Central Coast Study Region**

**Overview of MLPA Requirements and Department Recommendation  
June 22, 2006**

Background on Requirements of the Marine Life Protection Act

In 1999, the legislature approved, and the governor signed, the Marine Life Protection Act (MLPA; Stats.1999, Chapter 1015). The MLPA requires that the Department of Fish and Game (Department) prepare and present to the Fish and Game Commission (Commission) a master plan that will guide the adoption and implementation of a Marine Life Protection Program, which includes an improved statewide network of marine protected areas (MPAs).

The MLPA identifies a set of goals for the Marine Life Protection Program including:

- (1) To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.
- (2) To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
- (3) To improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.
- (4) To protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.
- (5) To ensure that California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.
- (6) To ensure that the state's MPAs are designed and managed, to the extent possible, as a network.

The MLPA notes that a variety of levels of protection may be included in MPAs and that the Program shall include several elements. These are:

- (1) An improved marine life reserve<sup>1</sup> component consistent with the (MLPA) guidelines...
- (2) Specific identified objectives, and management and enforcement measures, for all MPAs in the system.
- (3) Provisions for monitoring, research, and evaluation at selected sites to facilitate adaptive management of MPAs and ensure that the system meets the goals stated in this chapter.
- (4) Provisions for educating the public about MPAs, and for administering and enforcing MPAs in a manner that encourages public participation.

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<sup>1</sup> The MLPA defines "marine life reserve" as a no-take reserve. The current classification for a no-take area would be state marine reserve.

(5) A process for the establishment, modification, or abolishment of existing MPAs or new MPAs established pursuant to this program, that involves interested parties...

The master plan provides guidance on conducting regional science-based and stakeholder driven planning processes to develop alternative packages of MPAs. In order to efficiently and effectively complete these processes a regional approach is recommended, with the specific regions and timelines defined in the master plan. Within each region of the State, the Department will submit a preferred alternative to the Commission. According to the MLPA, the preferred alternative must include recommended no-take areas (state marine reserves) that encompass representative habitat types and communities across a range of depths and conditions and avoid activities that upset the natural ecological functions within reserves. Collectively the regional alternatives must include replicates of similar types of habitats in each biogeographical region, to the extent possible.

The MLPA also lists several specific components for the master plan, including among others: recommendations for the extent and types of habitat that should be represented; recommendations on the minimum size of marine reserves (no-take) to accomplish the MLPA goals; an analysis of the existing state MPAs; a preferred alternative; and other alternatives. The Department will submit a draft Master Plan to the Commission that incorporates both the recommendations for specific MPAs as well as the other components required by the MLPA, including a timeline for completion of the other regions of the State. This master plan will expand upon the master plan framework adopted by the Commission in August of 2005 and described below.

### MLPA Initiative Process

In order to meet the above requirements, the Department and Resources Agency entered into a memorandum of understanding (MOU) with the Resources Legacy Fund Foundation (RLFF) to develop a process that would ensure the timely implementation of the MLPA. The MLPA Initiative was launched to conduct this process and set out to achieve four key objectives to by December 2006:

- the development of a draft master plan framework (adopted by the Commission in August, 2005);
- the development of alternative proposals for an MPA network in a central coast study region (transmitted to the Department in April 2006);
- recommendations on funding sources for MPA implementation and management (transmitted to the Resources Secretary in December 2005); and
- recommendations to increase the coordination between state and federal agencies with authority to manage ocean resources (to be completed).

These products were intended to provide a strong foundation for completing the planning and implementation of a statewide network of MPAs by 2011. The MLPA Initiative included the following groups and organizations involved in the central coast planning process:

- MLPA Initiative staff (contracted)
- Department Staff
- Four volunteer bodies:
  - MLPA Blue Ribbon Task Force (BRTF; an oversight body)
  - Science Advisory Team (SAT; an expansion of the former Master Plan Team with additional expertise), including a SAT subteam for the central coast region
  - MLPA Statewide Interests Group for providing advice on the initiative process,
  - Regional stakeholder group for the central coast region
- Peer review group
- Commission

Using the Commission-adopted master plan framework as a guide, the above groups conducted a comprehensive effort to identify a range of alternative proposals of MPA network components for the Central Coast to submit to the Department.

Pursuant to the MOU between the Department, Resources Agency and RLFF, the Department had the following roles in preparing a preferred alternative:

- “The Department will receive from the Blue Ribbon Task Force the ... proposal for alternative networks of MPAs in an area along the central coast...”
- “...(T)he Department will independently review and make any amendments or modifications to the draft documents that it determines appropriate...”
- “...(T)he Department will submit to the Commission for its review and consideration the revised drafts as the Department's draft ... proposal for alternative networks of MPAs in an area along the central coast...”

These roles were consistent with the intent of the MLPA and the roles specified in the MLPA for the Department and Commission. Specifically, the MLPA requires the following with regards to a master plan including a preferred alternative proposal for MPAs:

- “...The commission shall adopt a master plan that guides the adoption and implementation of the Marine Life Protection Program...” [2855(a)]
- “The department ... shall develop a preferred siting alternative that incorporates information and views provided by people who live in the area and other interested parties...” [2857(a), FGC]
- “...(T)he department shall submit to the commission a draft of the master plan...” [2859(a), FGC]

In April 2006 the Blue Ribbon Task Force formally transmitted three alternative Central Coast MPA packages (Identified as Packages 1, 2R, and 3R) to the Department for its consideration. The Task Force included their recommendation that one package (Package 3R) be considered the preferred alternative. The Task Force included in its

transmittal documents a list of several policy issues that it recommended the Department consider when developing the Department's preferred alternative.

### Developing the Department Preferred Alternative for the Central Coast Study Region

In developing its preferred alternative, the Department considered the input received from the Blue Ribbon Task Force and from the other groups described above along with the extensive public comment and input received during this and previous attempts at implementation of the MLPA. Additionally, the Department conducted a series of face-to-face meetings with a broad range of constituents to discuss their specific concerns about the Department's draft proposal. In total, Department staff held more than 35 meetings with constituents who had been included in the formal stakeholder process, city and county government representatives and other members of the public. Finally, the Department requested that each primary participant in the Central Coast Regional Stakeholder Group process submit their top five concerns regarding the alternative MPA proposals recommended by the Blue Ribbon Task Force.

All of this input helped the Department make critical decisions regarding the formation of a preferred alternative. Important to the Department's decision was ensuring that the preferred alternative be feasible from a standpoint of implementation, monitoring, and enforcement. In recognition of the Initiative process and MOU agreements, the Department began with the Blue Ribbon Task Force recommended preferred alternative (Package 3R). The Department made a variety of changes to the Blue Ribbon Task Force preferred alternative. In general, these changes were made to address the following key issues:

- ensure that MPA boundaries and regulations were simple, clear, and easily enforced;
- consider key policy issues such as existing kelp harvest leases, shoreline fishing access, and user group conflicts;
- ensure that the MLPA requirement to improve recreational opportunities in areas subject to minimal human disturbance was met for all types of recreation (both consumptive and non-consumptive);
- wherever possible, reduce potential impacts to existing uses and use patterns; and
- ensure that the scientific guidance provided in the process was fully considered.

### Department Recommendation

For the initial central coast study region (Pigeon Point to Point Conception) the Department recommends that the Commission consider the three proposals developed during the MLPA Initiative process (Package 1, 2R, and 3R) as alternatives to the Department's preferred (Package P). Each alternative, including the Department's preferred, contains recommendations on the consolidation, expansion, abolishment, or reclassification of existing MPAs, as well as recommended new MPAs to meet the goals of the MLPA.

Both the MLPA Initiative process (in developing alternative proposals) and the Department (in developing a preferred alternative) considered the level to which existing MPAs contributed to the MLPA goals. Table 1 lists the 12 existing MPAs and one special closure in the Central Coast region and the proposed changes to those areas.

Table 1. Existing Central Coast marine protected areas and proposed changes to those areas included in the Department of Fish and Game's preferred alternative, Package "P". SMR = State Marine Reserve, SMP = State Marine Park, SMCA = State Marine Reserve.

Existing MPA Name	Proposed Changes
Año Nuevo Special Closure	Eliminate Special Closure and replace with a no-take SMR in the intertidal area to the north and a subtidal no-take SMR south of the point in conjunction with a limited take SMCA south of Greyhound Rock to the mouth of Scott Creek.
Elkhorn Slough SMR	Expand existing SMR to include the entire channel to mean high tide within the existing boundaries. Add a SMP to the west that prohibits clamming along the south shore.
Hopkins SMR	Expand offshore to include the "deep reef" area as well as to the west to encompass the area between the existing SMR and Lover's Point
Pacific Grove SMCA	Expand area to use visible markers, include more area, and increase the level of protection. Change name to "Pacific Grove Marine Gardens State Marine Conservation Area".
Carmel Bay SMCA	Split into an SMR at the "pinnacles" area (slightly expanded) and an SMCA in the bay itself with the existing regulations.
Point Lobos SMR	Expand to the north, west, and south and create a limited take SMCA offshore to state water boundary.
Julia Pfeiffer Burns SMCA	<b>Delete.</b> The existing area provided little or no real protection and has been replaced by significant areas to the north and south.
Big Creek SMR	Expand to state waters and south to Vicente Creek. Create a limited take SMCA to the north to Lime Creek and out to state waters.
Atascadero Beach SMCA	<b>Delete.</b> The existing area provided protection only to clams and the benefits of that protection were limited by sea otter predation.
Morro Beach SMCA	<b>Delete.</b> The existing area provided protection only to clams and the benefits of that protection were limited by sea otter predation.
Pismo SMCA	<b>Delete.</b> The existing area provided protection only to invertebrates in shallow sandy habitats and benefits of that protection were limited by sea otter predation.
Pismo-Oceano Beach SMCA	<b>Delete.</b> The existing area provided protection only to clams and the benefits of that protection were limited by sea otter predation.
Vandenberg SMR	Expand SMR southward to just below Pt. Arguello and northward to just below Purissima Pt.

The Department's preferred alternative (Package P) includes a total of 26 MPAs for the Central Coast region (Table 2). As noted above, eight existing MPAs are included in the Department's preferred alternative. These eight MPAs have been expanded or, in the case of Carmel Bay SMCA, split into two new MPAs. Although the Department's proposal contains 17 new MPAs, four are directly adjacent to existing areas and can be considered further expansion of the area. In these four cases, the additional expansion is conservation area with some allowed take. Thus, the Department's proposal includes 13 MPAs that are in areas previously not designated as MPAs.

Table 2. Department of Fish and Game preferred alternative (Package P) recommendation for marine protected areas in the Central Coast, including allowed take and Science Advisory Team assigned level of protection.

<b>New MPA Name</b>	<b>Proposed Regulations (allowed take)</b>	<b>SAT level of protection<sup>1</sup></b>
Año Nuevo SMR	No-Take	SMR
Greyhound Rock SMCA*	Recreational finfish by hook and line from shore only, giant kelp ( <i>Macrocystis pyrifera</i> ) by hand, Salmon, Squid	SMCA Low
Elkhorn Slough SMR	No-Take	SMR
Elkhorn Slough SMP*	Recreational finfish by hook and line, clams in area adjacent to DFG wildlife area in west.	SMP low
Moro Cojo Estuary SMR*	No-Take	SMR
Soquel Canyon SMCA*	Pelagic Finfish <sup>2</sup> and Spot Prawn	SMCA moderate
Portuguese Ledge SMCA*	Pelagic Finfish <sup>2</sup>	SMCA high
Ed Ricketts SMCA*	Recreational finfish by hook and line, kelp by hand north of Lat. 36.61383	SMCA low
Hopkins SMR	No-Take	SMR
Pacific Grove SMCA	Recreational finfish and kelp by hand	SMCA low
Carmel Pinnacles SMR	No-Take	SMR
Carmel Bay SMCA	Recreational finfish and kelp by hand	SMCA low
Point Lobos SMR	No-Take	SMR
Point Lobos SMCA*	Salmon, Albacore, and Spot Prawn	SMCA moderate
Point Sur SMR*	No-Take	SMR
Point Sur SMCA*	Salmon, Albacore	SMCA high
Big Creek SMCA*	Salmon, Albacore, and Spot Prawn west of line approximating 25 fms	SMCA moderate
Big Creek SMR	No-Take	SMR
Piedras Blancas SMR*	No-Take	SMR
Piedras Blancas SMCA*	Salmon and Albacore	SMCA high
Cambria SMR*	No-Take	SMR
Morro Bay SMRMA*	No-Take in South. Recreational finfish and Commercial bait fish receiving, Commercial aquaculture by permit in north. Waterfowl hunting under DFG Regs in entire area.	SMCA low/high
Morro Bay SMR*	No-Take	SMR
Point Buchon SMR*	No-Take	SMR
Point Buchon SMCA*	Salmon, Albacore	SMCA high
Vandenberg SMR	No-Take	SMR

\* New MPAs that are not direct expansion of an existing area.

<sup>1</sup> In order to analyze the differences between no-take reserves and limited take conservation areas and parks, the Science Advisory Team developed a protection level ranking described in the Master Plan.

<sup>2</sup> 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.

The Department's preferred alternative (Package P) includes MPAs covering an area of 208.4 square miles, which represents approximately 18.1 percent of state waters within the Central Coast region. Of this, less than half are no-take state marine reserves covering an area of 93.3 square miles or approximately 8.1 percent of state waters (Figure 1). The remaining areas are primarily state marine conservation areas. Many of the SMCAs allow the take of either all pelagic finfish (defined above) or salmon and albacore and were considered by the SAT to offer high ecosystem protection (Figure 2). In some state marine conservation areas other species such as squid, kelp, and spot prawn are also allowed. Generally the state marine conservation areas protect benthic fishes and invertebrates most likely to benefit from area protection.

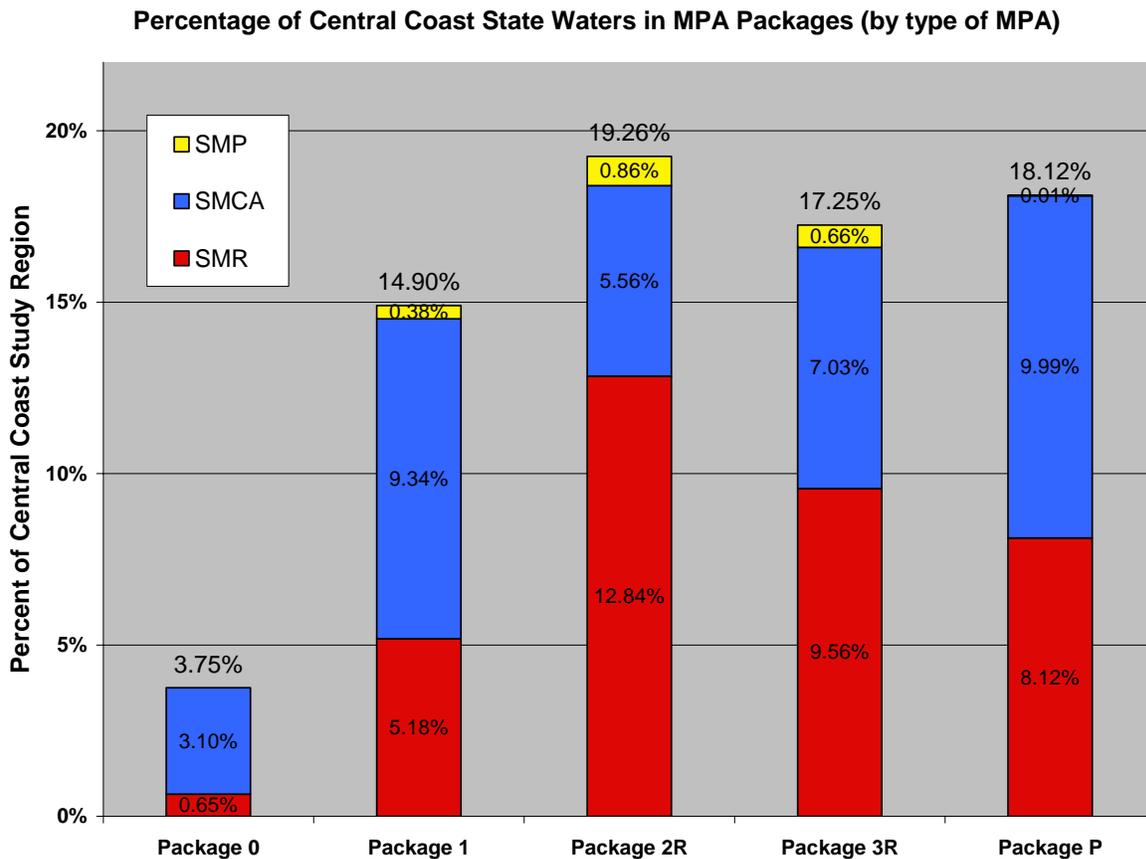


Figure 1. Percent of the Central Coast study region included in the Department's preferred alternative (Package P) as compared to existing MPAs (Package 0) and alternative proposals (Package 1, 2R, and 3R). SMP = state marine park, SMCA = state marine conservation area, and SMR = state marine reserve. Note that one state recreational management area (Morro Bay) is included in the calculations as part SMR and part SMCA based on its allowed uses.

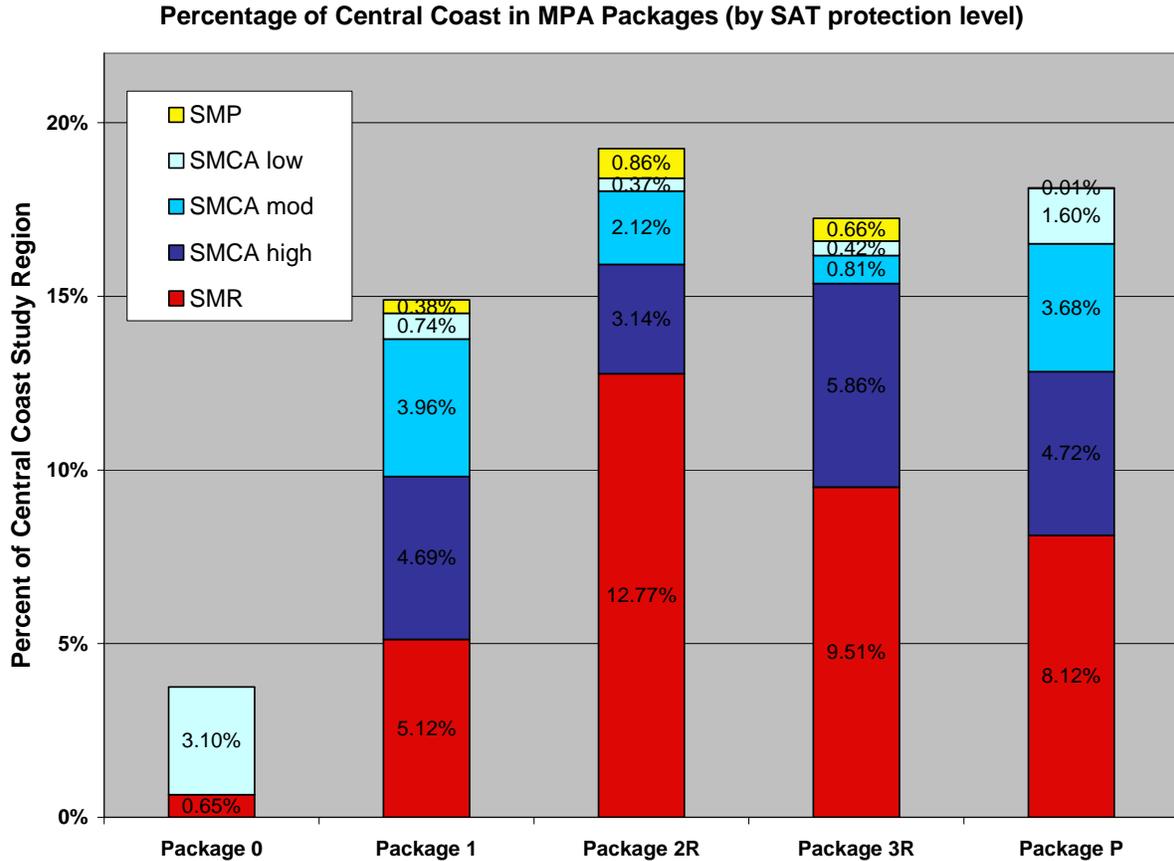


Figure 2. Percent of the Central Coast study region included in the Department's preferred alternative (Package P) as compared to existing MPAs (Package 0) and alternative proposals (Package 1, 2R, and 3R). SMP = state marine park, SMCA = state marine conservation area, and SMR = state marine reserve. Level of protection is noted as defined by the Science Advisory Team in the Master Plan. Note that one state recreational management area (Morro Bay) is included in the calculations as part SMR and part SMCA based on its allowed uses.

Attached to this summary are the following documents detailing the Department's preferred alternative (Package P):

- overview maps of the northern and southern portions of the central coast including the Department's preferred alternative areas;
- a series of seven smaller scale maps depicting the Department's preferred alternative;
- a detailed description of each MPA in the preferred alternative along with associated goals, specific objectives, description of changes from the Task Force preferred alternative (Package 3R) and rationale for areas and changes;
- a detailed overview of the percentage area and habitats included in the Department's preferred and other alternatives; and
- a comparison of the proposed regulations by area for the Department's preferred and other alternatives.