

# **SOUTH COAST MARINE PROTECTED AREAS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT**

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## **EXECUTIVE SUMMARY**

This section provides an Executive Summary of the Draft Environmental Impact Report (EIR) for the Marine Life Protection Act South Coast Study Region Marine Protected Areas Project as prepared by the California Fish and Game Commission (Commission), with the assistance of the Department of Fish and Game (Department).

### **ES.1 PROJECT LOCATION**

The currently proposed regulatory action involves only marine protected areas (MPAs) within state waters between Point Conception in Santa Barbara County and the California border with Mexico, and includes state waters adjacent to offshore islands and rocks. This region, designated in this process as the south coast study region (SCSR), covers approximately 2,351 square miles of coastal state waters, from the mean high tide line to a maximum depth of approximately 3,938 feet, including estuarine areas. The SCSR spans five coastal California counties: Santa Barbara, Ventura, Los Angeles, Orange, and San Diego. The Channel Islands are also included within the SCSR, however changes to MPAs adjacent to five Channel Islands (San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara) are not part of the current regulatory action. The 13 existing MPAs surrounding these islands were established during prior Commission rulemaking, and would not be modified by the Commission's currently proposed regulatory action.

### **ES.2 PROJECT BACKGROUND**

#### **ES.2.1 Marine Resource Protection Background**

California has a long tradition of addressing the conservation of its diverse coastal and marine wildlife and habitats. Since World War II, pressures on these resources have grown as fishing has increased and coastal development has transformed coastal habitats and generated pollutants (Department 2008).

Historically, the marine policies of California and other state and federal governments have been based largely on assumptions related to the idea that marine populations were large enough that human activities could not possibly impact them (Department 2008).

A wide range of factors, including short-term and long-term shifts in oceanographic conditions, numerous human activities, and accumulated research, have caused scientists, members of the public, and policy-makers to reject those assumptions, and instead, adopt the idea that natural and human factors directly and indirectly influence the abundance and diversity of populations of marine wildlife. The impact of each factor varies with distance from shore and with individual species (Department 2008).

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### ES.2.2 Marine Life Protection Act

In 1999, the California state legislature approved and the governor signed the Marine Life Protection Act (MLPA; codified at Sections 2850 through 2863 of the Fish and Game Code, references herein to specific portions of the MLPA refer to these code sections). In determining the need for the act the legislature held that “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 existing array of MPAs creates the illusion of protection while falling far short of its potential to protect and conserve living marine life and habitat” (MLPA Section 2851).

In enacting the MLPA, the legislature declared that “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” (MLPA Section 2851(b)). The legislature also held that 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 (MLPA Sections 2851(c) and (d)).

The MLPA directs the state to redesign California’s system of MPAs to function as a network in order to: increase coherence and effectiveness in protecting the state’s marine life and habitats, marine ecosystems, and marine natural heritage, as well as to improve recreational, educational, and study opportunities provided by marine ecosystems subject to minimal human disturbance (Department 2008). Six goals guide the development of MPAs in the MLPA planning process, codified at MLPA Section 2853(b), including:

1. Protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.
2. Help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
3. Improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and manage these uses in a manner consistent with protecting biodiversity.
4. Protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic values.
5. Ensure California’s MPAs have clearly defined objectives, effective management measures, and adequate enforcement and are based on sound scientific guidelines.

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6. Ensure the state's MPAs are designed and managed, to the extent possible, as a network.

The MLPA notes that MPAs should include several elements, such as: an "improved marine life reserve component"; specified objectives and management and enforcement measures; provisions for monitoring and adaptive management; provisions for educating the public and encouraging public participation, and; a process for the establishment, modification, or abolishment of existing or future new MPAs (MLPA Section 2853(c)) (Department 2008).

### **ES.3 PROPOSED PROJECT AND ALTERNATIVES**

The proposed Integrated Preferred Alternative (IPA) evaluated in this Draft EIR consists of modifications to the Commission's regulations governing MPAs off the California coast. However, these modifications would not alter the existing regulations regarding the MPAs surrounding five Channel Islands (San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara). Existing MPAs in these areas would remain unchanged.

As described more fully in Section 2.0 of the Draft EIR, substantial public, stakeholder, and agency participation was involved in the development of the proposed Project IPA, and the proposed Project IPA was created by combining elements of three distinct MPA network proposals received through the public participation process. Because the original three proposals were intended to achieve the basic objectives of the proposed Project (as set forth in the MLPA and described above), and represented three separate efforts by affected, concerned, and knowledgeable parties to do so, the three original proposals have been retained for analysis as alternatives to the proposed Project IPA. As required by the State CEQA Guidelines, a "No Project" alternative (Alternative 0) is also evaluated, considering a scenario under which no regulatory action would be taken by the Commission and the existing MPA regulations would remain in effect and unmodified.

The proposed Project IPA and the four alternatives considered in this Draft EIR are summarized below and described in detail in Section 3.0 and Section 10.0, respectively.

#### **ES.3.1 Proposed IPA**

Under the proposed Project IPA, MPAs would be designated as shown on Figure 3-2, and in Tables 3-2 and 3-3 (located in Section 3.0 of this Draft EIR). In total, the proposed Project IPA would increase the existing total of 42 MPAs in the SCSR to a minimum of 48 MPAs. (This number could increase based on which options are selected for some MPA boundaries.) The total area protected would increase substantially, from approximately 182 square miles under existing conditions to more than 351 square miles, depending on boundary options selected by the Commission. These figures include 13 existing MPAs surrounding five of the Channel Islands which are within the SCSR but would be retained without modification and are not a part of the currently proposed rulemaking.

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The SCSR contains federal Safety Zones, which are military closures enacted by the United States Coast Guard and managed by the United States Navy. The closures are intended to ensure public safety – not for marine preservation, but they provide additional protection to the proposed network by prohibiting public access and acting as no-fishing zones. Two such safety zones occur near San Clemente Island, and they encompass approximately 37 square miles. These areas are not under consideration for regulatory action because the compatibility of these uses with marine resource protection is uncertain; they are described for informational purposes only. They are not components of the proposed Project IPA and will not be proposed for formal designation as MPAs.

### **ES.3.2 Alternative 0 (No Project)**

Under Alternative 0 (“No Project” alternative), the MPA regulations for the SCSR would not be revised, and the existing network of MPAs established by regulations in 14 CCR 632(b) would remain in effect. The locations of MPAs under this alternative are depicted graphically on Figure 10-1, and a numerical summary of the extent of these MPAs is presented in Table 10-1 (see Section 10.1 of this Draft EIR). The No Project alternative would retain the existing network of 42 MPAs within the SCSR, which includes the 13 existing MPAs surrounding the northern Channel Islands. The existing MPA network encompasses approximately 182 square miles of protected areas, representing approximately 7.7 percent of state waters within the SCSR.

### **ES.3.3 Alternative 1**

Under Alternative 1, the existing MPA regulations at 14 CCR 632(b) would be modified, altering the boundaries, designations, and conditions governing the MPA network within the SCSR. The locations of MPAs under this alternative are depicted graphically on Figure 10-3, and a numerical summary of the changes in protected area that would occur under this alternative are presented in Table 10-2 (Section 10.0 of this Draft EIR). The regulatory changes proposed under Alternative 1 would expand the existing MPA network to encompass a total of 50 MPAs, compared to 42 under existing regulations, which include the existing 13 MPAs surrounding the northern Channel Islands. The total extent of areas protected would increase from approximately 182 square miles under existing conditions to approximately 361 square miles under Alternative 1.

### **ES.3.4 Alternative 2**

Under Alternative 2 the existing MPA regulations at 14 CCR 632(b) would be modified, altering the boundaries, designations, and conditions governing the MPA network within the SCSR. A numerical summary of the changes in protected area that would occur under this alternative are presented in Table 10-3. The regulatory changes proposed under Alternative 2 would decrease the number of MPAs within the SCSR from 42 to 37, but would increase the geographic area protected from approximately 182 square miles to approximately 342 square

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miles. (These changes include the 13 existing MPAs which surrounding the northern Channel Islands that would be retained without modification). The eight existing SMPs previously designated by the Commission within the SCSR would not be retained under this alternative, and would be either removed or redesignated to other MPA classifications.

### **ES.3.5 Alternative 3**

Under Alternative 3 the existing MPA regulations at 14 CCR 632(b) would be modified, altering the boundaries, designations, and conditions governing the MPA network within the SCSR. A numerical summary of the changes in protected area that would occur under this alternative are presented in Table 10-4. The regulatory changes proposed under Alternative 3 would expand the extent of marine areas protected from approximately 182 square miles under existing conditions to approximately 349 square miles (including the 13 existing MPAs surrounding the northern Channel Islands, which would be retained without modification under all alternatives considered in this Draft EIR). However, the number of discreet MPAs within the SCSR would decrease under this alternative, from an existing total of 42 to a revised total of 39. The 8 existing SMPs previously designated by the Commission within the SCSR would not be retained under this alternative, and would be either removed or redesignated to other MPA classifications.

Alternative 3 would also designate one area as a State Marine Recreational Management Area (SMRMA), a designation allowed pursuant to Section 36700(e) of the Public Resources Code for areas where restricting recreational opportunities may be necessary for the preservation of resource values. The restrictions imposed within a SMRMA are focused on recreational uses, and the MLPA (Section 2852(c)) does not include SMRMAs among the classifications considered to be MPAs. Thus, while a SMRMA would be designated under this alternative, that designation would not affect the extent of the MPA network. The SMRMA is also not included in the MPA summary statistics presented in this section. For more information related to the proposed SMRMA, refer to Section 10.4.1.8 of this Draft EIR.

## **ES.4 COMPARISON OF PROPOSED IPA AND ALTERNATIVES**

### **ES.4.1 Proposed IPA and Alternatives 1, 2, and 3**

A qualitative summary of potential environmental impacts of the proposed Project IPA as compared to the alternatives is provided in Table ES-1. As may be seen in the table, the impacts associated with both the proposed Project IPA and its alternatives are similar and consist of “no impact” or less-than-significant impacts; no significant or unavoidable impacts were identified (for a detailed description of impact analyses, refer to Sections 5.0, 6.0, 7.0, and 8.0 [for the proposed Project IPA], and 10.0 [for the alternatives]). Minor differences in impacts are qualitatively identified in the table using the signs for “plus” (greater than the IPA), “minus” (less than the IPA) and “equal” (similar to the IPA). These differences are

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**TABLE ES-1  
SUMMARY OF POTENTIAL ENVIRONMENTAL IMPACTS UNDER PROPOSED  
IPA AND ALTERNATIVES**

Environmental Topic	Proposed IPA	Alternative 0 (No Project)	Alternative 1	Alternative 2	Alternative 3
Protected Area (square miles)	350.59	181.86	360.82	341.56	348.92
Consumptive Uses and Socioeconomic Considerations	LTS <sup>1</sup>	NI <sup>1</sup>	LTS	LTS	LTS
Air Quality	LTS	NI	LTS (+) <sup>2</sup>	LTS (-)	LTS (=)
Global Climate Change and Greenhouse Gas Emissions	LTS to B	NI	LTS to B (+)	LTS to B (-)	LTS to B (=)
Water Quality	NI to LTS	NI	NI to LTS	NI to LTS	NI to LTS
Mineral Resources	LTS	NI	LTS (-)	LTS (+)	LTS (=)
Biological Resources	LTS	NI	LTS (+)	LTS (-)	LTS (=)
Cultural Resources	NI to LTS	NI	NI to LTS (+)	NI to LTS (-)	NI to LTS (=)
Public Services and Utilities	LTS	NI	LTS (=)	LTS (=)	LTS (=)
Land Use and Recreational Resources	NI to LTS	NI	NI to LTS (+)	NI to LTS (-)	NI to LTS (=)
Vessel Traffic	LTS	NI	LTS (+)	LTS (-)	LTS (=)
Hazards and Hazardous Materials	NI to LTS	NI	NI to LTS	NI to LTS	NI to LTS
Environmental Justice	LTS	NI	LTS (=)	LTS (=)	LTS (=)

<sup>1</sup> NI = No Impact; LTS = Less Than Significant.

<sup>2</sup> Impact levels relative to proposed Project are as follows: (+) = greater impact than proposed Project IPA; (=) = same impact; and (-) = less impact than proposed Project IPA.

primarily associated with the change in area of the MPA networks. However, in some cases the change in area was offset by other factors and no difference in impacts was discernable.

#### **ES.4.2 Alternative 0 (No Project)**

Alternative 0 has the potential to result in potential environmental impacts to some resources, as the foreseeable consequences of not approving the Project could include continued decline of marine ecosystems. For additional discussion, see Section 10.0 of this Draft EIR. However, under this alternative the benefits of the proposed Project IPA would not occur. Alternative 0 would not comply with the MLPA's mandate to improve the existing network of MPAs, and would not realize any of goals of the MLPA (refer to Section 3.0 of this Draft EIR). Additionally, the No Project alternative would not take full advantage of the multiple benefits that can be derived from the establishment of marine life reserves, and would not result in changes to those factors shown to directly and indirectly influence the abundance and diversity of marine wildlife populations and fisheries.