Marine Life Protection Act

Overview of California Department of Fish and Game Evaluation of the Round 3 NCRSG MPA Proposal

MLPA North Coast Study Region

October 25, 2010 • Eureka, CA

Rebecca Studebaker
California Department of Fish and Game

Overview of DFG Evaluation

- **Purpose of review**:
  - To ensure proposals meet California Department of Fish and Game (Department) guidelines and goals of MLPA
- **Evaluation components**:
  - **Feasibility**: enforceability, MPA design, boundaries, take regulations
  - **Goals and Objectives:** appropriate and realistically achievable for MPA design
  - **Likelihood to Meet MLPA Goals**: can all required MLPA goals be achieved by individual MPAs and MPA proposal

Summary of Results

Proposal Name	Total # of MPAs and SMRMAs	Total # of Special Closures	% MPAs that Meet All Guidelines	% MPAs that Do Not Meet Guidelines
Round 3 NCRSG Proposal	17	7	41%	59%

Proposal Outcomes:

- Feasibility issues remain:
  - Some issues affect **enforcement** and public understanding
  - Some issues are **biological** in nature and affect MPA effectiveness

General Department Concerns

- Enforcement Feasibility:
  - Boundary Concerns
  - Complex Take Allowances
  - Designation
  - Special Closure Issues

General Department Concerns

- Biological Feasibility:
  - ➢Level of Protection (LOP) and Permissive Take Allowances
  - ➢Unachievable Goals and Objectives
  - ➢Scientific Short-comings

Feasibility: MPA Boundaries

➢ 7 MPAs and SMRMAs have boundary issues
- Boundaries in middle of beach or not on nearby landmark (4)
- Confusing boundaries in bays or estuaries (2)
- Technical fix required (1)

Boundaries Not on Landmarks

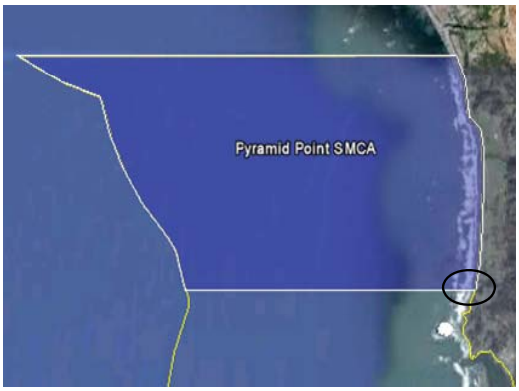
- Concern: Beach users rely on permanent landmarks more than simple coordinates to find boundaries.

- Department Recommends:
  - Consider primary users in area (boat vs beach), and consider using easily-recognized permanent landmarks for boundaries.

Boundaries- Pyramid Point

•Concern: Southern boundary splits a beach

•Option exist nearby (e.g., Hunter Rock and Prince Island)



Boundaries- Samoa SMCA

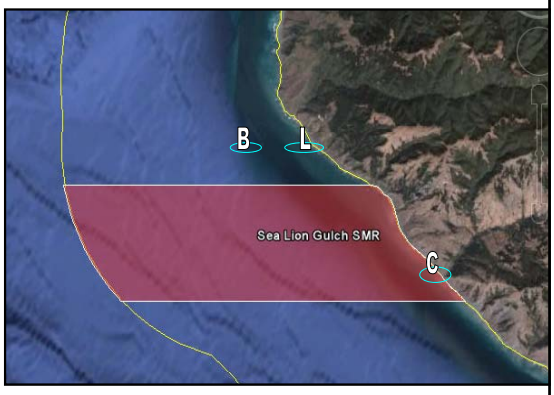
Concern:

- Boundaries not at landmarks
- However, no known options for landmarks in the area

Boundaries- Sea Lion Cove SMR

Concern:

- Uses 10ths of minutes for boundaries.
- Shoreline used by hikers on the Lost Coast trail
- Abundance of landmarks in area could be used (e.g., creek (C), lighthouse (L), navigational buoy (B))



Boundaries- Ten Mile SMCA

Concern:

- Southern boundary splits a beach
- Could use easily recognizable landmark (e.g., mouth of creek)

Inland Boundaries- South Humboldt Bay

Concern:

- Box shape and "floating corners" in enclosed water body
- Options exist nearby to modify this shape (e.g., points of land and slough mouths)

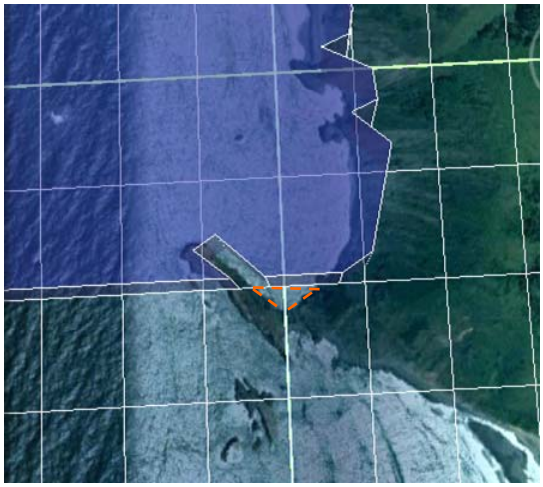
Inland Boundary - Big River SMP

Concern:

- Eastern boundary is not placed at an easily recognizable landmark; options may exist

Technical Fix- Vizcaino SMCA

- Mapping Error
- MPA should include all of the cove
- Recommendation: Advise GIS team to correct boundary



Feasibility: Complex Take Allowances

- Complex take allowances:
  - Include long lists of allowed species and gear types
  - Reduce enforceability and public understanding of the regulation

Example: Complex Take Allowances

Example: Samoa SMCA

Commercial:

- **Salmon troll**
- **Dungeness crab trap**
- **Surf and night smelt dip net and cast net**

Recreational:

- **Salmon troll**
- **Dungeness crab trap, hoop net, diving**
- **Surf and night smelt dip net and cast net**
- **Rockfishes, cabezon, lingcod, greenling, California halibut, flatfishes (4 species), white sturgeon, sharks skates and rays (9 species), redtail surfperch, other surfperch, smelt, pelagic finfish,, anchovy smelt and Pacific lamprey hook and line**
- **Rockfishes, cabezon, lingcod, greenling , barracuda, billfishes (4 species) and Pacific lamprey spear fishing**
- **Sharks, skates and rays (9 species) spear or harpoon**
- **shiner surfperch, surf smelt, and anchovy dip net or cast net**
- **Eulachon dip net**
- intertidal snails and clams (5 species) hand
- Dungeness crab trap or hoop net

Regulations: Complex Take Allowances

- **8 MPAs/SMRMA with this concern:**
  - Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, Big Flat SMCA, Vizcaino SMCA, Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA
- **Recommendation:** Reduce the list of allowed species or use species groups

Feasibility: MPA Designation Type

- Waterfowl hunting affects designation type:
  - California Fish and Game Commission policy to use SMRMA to avoid conflicting rules, but two questions follow:
    1. Is it legal?
    2. Is it occurring?
  - Recommendation: Advance to Commission to determine best designation (SMRMA, SMP, SMCA)
- 3 MPAs with this Concern:
  - Big River Estuary SMP, Ten Mile Estuary SMRMA, Navarro River SMRMA

Feasibility: Special Closures

7 Special Closures are proposed.

- Access: All 7 exempt select groups from access closure
  - Special closures must apply to all individuals.
  - Recommendation:
    - Remove exemption language from special closure; or
    - Remove special closure.
- Closure Name: 4 of 7 have the word “seasonal” in their name
  - Inconsistent with statewide naming convention
  - Recommendation: Remove the word “seasonal” from the special closure name only

Feasibility: Permissive Allowed Take

- provide little protection ecologically due to the Recommendation: Improve the level of protection to moderate-high or above
- 9 of 17 MPAs/SMRMAs propose extensive take allowances
- MPAs with this Concern: Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, South Humboldt Bay SMRMA, Big Flat SMCA, Vizcaino SMCA, Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA.

Permissive Take & Level of Protection

- MPAs with permissive take allowances:
  - e.g., allows take of all finfish
  - Provide little protection ecologically due to the extensive allowed take
  - Results in lower LOP
  - Unable to fulfill intended purpose or MLPA mandate
- Department view:
  - LOP at or above Mod-High: acceptable
  - LOP below Mod-High: permissive take, and insufficient ecological protection

Permissive Take & Level of Protection

- **9 MPAs/SMRMA have an LOP below Mod-High:**
  - Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, Big Flat SMCA, Vizcaino SMCA, Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA
- **Recommendation:** Increase protective value to LOP of moderate-high or above, especially in intended "backbone MPAs"

Goals and Objectives (G&O)

- **MPA G&O must be achievable with the MPA design**
- **Evaluation Purpose**
  - Ensure expectations are realistic Intent of evaluation is to help ensure that:
  - Ensure MPAs are successful & advance intent of MLPA Expectations
  - Ensure G&O are best suited to inform monitoring activities
- **Evaluation overview**
  - Criteria based on SAT guidelines and feasibility evaluation
  - Examines compatibility of proposed MPAs with stated G&O
  - Provides recommendations to fix incompatibility

Goals and Objectives Evaluation

Example of content:

Proposed MPA Name	Proposed Regional Goals/ Objectives	Goals and Objectives that Do Not Meet Criteria		Goals and Objectives that Meet Criteria (For Proposed Take Allowances at All LOPs)	Action Alternatives (Options to Align Design and G/O))
		(ONLY Take AT OR ABOVE Moderate-High LOP only is Included]	(Take at all LOP levels are included]		
Point St. George Reef Offshore SMCA	G1: (O-1,O-2) G2: (O-1,O-2,O-4) G3: (O-2,O-3) G4: (O-1) G5: (O-1,O-2,O-3,O-4) G6: (O-1)	G3: (O-2,O-3)	G3: (O-2,O-3)	G1: (O-1,O-2) G2: (O-1,O-2,O-4) G4: (O-1) G5: (O-1,O-2,O-3,O-4) G6: (O-1)	• Provide Clear justification for including Goal 3
Reading Rock SMR	G1: (O-1,O-2,O-3,O-4)	N/A	N/A	All identified meet criteria	N/A
Reading Rock SMCA	G2: (O-4); G3: (O-2,O-3)	N/A	G2: (O-4) G3: (O-2,O-3)	None meet criteria	• Increase LOP to Moderate High or above or • Remove Inappropriate Goals or Objectives

Goals and Objectives Evaluation

Evaluation Outcomes:

- All MPAs identify G&O that match site-level rationale
- 7 MPAs meet criteria for all proposed G&O
- 1 MPA needs some G&O aligned with design
- 9 MPAs do not meet criteria for any proposed G&O

Goals and Objectives Evaluation

- Issues identified:
  - Not adhering to DFG Feasibility Guidelines
  - Not meeting Size and Spacing Guidelines
  - LOP is below Moderate-High
- MPAs that do not meet any goals is largely due to the lower LOP
- If LOP is increased, most assigned goals and objectives would be appropriate and realistically achievable.

Likelihood to Meet Goals of the MLPA

- Evaluation based on:
  - Requirement to meet all MLPA goals across network
  - Potential contribution of individual MPAs
  - Potential contribution of MPA array as a whole

Likelihood to Meet Goals of the MLPA

- Key Findings:
  1. The proposal includes SMRs that meet size guidelines and will contribute to localized ecological goals.

Likelihood to Meet Goals of the MLPA

- Key Findings:
  1. The proposal includes SMRs that meet size guidelines and will contribute to localized ecological goals.
  2. The proposal includes many MPAs that are intended to fulfill MLPA mandates and science guidelines, but provide insufficient protection to succeed
     - 9 of 17 MPAs with LOP ≤ moderate-low

Likelihood to Meet Goals of the MLPA

- Key Findings (cont.):
  3. The proposal's current design would compromise its contribution to the network of MPAs in the rest of the State
     - Many available habitats have unnecessarily large spacing gaps
     - Several available habitats not included in northern bioregion

Likelihood to Meet Goals of the MLPA

- Key Findings (cont.):
  3. The proposal's current design would compromise its contribution to the network of MPAs in the rest of the State
     - Many available habitats have unnecessarily large spacing gaps
     - Several available habitats not included in northern bioregion
  4. The proposal will fall short of achieving its intended goals and objectives and, hence, not achieve the goals of the MLPA

Recommendations

- This proposal would greatly benefit by:
  - Reducing the list of allowed species (reduce complexity)
  - Adjusting boundaries to meet feasibility guidelines (increase public understanding)
  - Improving the LOP to moderate-high or above (improve protections)

Summary

Summary of Likelihood to Meet the Goals of the Act Evaluation (Section III):

- The proposal includes MPAs that are intended to fulfill the mandates set forth by the MLPA, but have insufficient protection due to extensive allowed take
- The proposal falls short of its potential to protect and conserve living marine life and habitat
- From DFG's perspective, in its current form, this proposal would not sufficiently contribute to the network of MPAs established throughout the rest of California