Staff Summary for May 19, 2026

2. Marine Protected Area (MPA) Petition 2023-24MPA_AM1

Today's Item **Information ☒** **Action ☐**

Request to shift the nearshore boundary between the Laguna Beach State Marine Conservation Area (SMCA) (No Take) and the Dana Point SMCA southward to the Laguna Beach city limit, thereby increasing the nearshore area within the no-take SMCA.

Summary of Previous/Future Actions

• Received 20 MPA petitions; referred to the Marine Resources Committee and the Department for review	December 2023; February 2024
• Granted or denied all individual actions in the five "bin 1" MPA petitions	December 2024
• Received Department bin 2 petition evaluations for 10 non-tribally led or co-led petitions	April 15-16, 2026
• Received petitioners' presentation and discussed region specific petitioned actions in bin 2 MPA petitions from Del Norte through Monterey counties	April 21, 2026
• Received petitioners' presentation and discussed region specific petitioned actions in bin 2 MPA petitions from San Luis Obispo through Santa Barbara counties, northern Channel Islands, and Santa Barbara Island	May 5-6, 2026
• **Today, receive petitioners' presentation and discuss region specific petitioned actions in bin 2 MPA petitions from Los Angeles through San Diego counties and Catalina Island**	**May 19, 2026**
• Receive Department bin 2 evaluations for five tribally led or co-led petitions	Date to be determined

Background

In November 2023, the Commission received Petition 2023-24MPA, alongside 19 other petitions proposing changes to the state's MPA network and management program. In February 2024, the Commission referred all MPA petitions to the Department for its evaluation and recommendation, while developing and updating guidance over time.

For detailed background information and key documents related to the process leading to this stage — including the companion document to the Department's evaluations for non-tribally led or co-led petitions, the Department's evaluations presentation, and a letter from the California Ocean Protection Council providing input to complement the Department's evaluations — see the *Introduction to Bin 2 MPA Petitions and Evaluation*.

Petition Amendments

Bin 2 petitioners were provided until March 2025 to submit formal amendments to their original petitions for inclusion in the Department's evaluation. This petition was formally amended once by the March 2025 deadline (Exhibit 1: 2023-24MPA_AM1); the amendment affected the

proposed action under this agenda item. The amendment proposed to shift the southern Laguna Beach SMCA (No Take) boundary will follow one east/west latitude line to facilitate a consistent offshore boundary.

Overview of Actions in Petition 2023-24MPA_AM1 Relevant to This Region

This petition, submitted by Mike Beanan of the Laguna Bluebelt Coalition, proposes an action expanding Laguna Beach SMCA (No Take) to better protect nearshore kelp beds and reduce enforcement challenges (action numbers from the Department's evaluation included for reference):

Action 1. Expand the Laguna Beach SMCA (No Take) southward in the nearshore area by shifting its shared boundary with the Dana Point SMCA southward to a line due west of the Laguna Beach city limit, thereby increasing the nearshore no-take area.

Stated Intent

The petitioner proposes that the regulation change "will make enforcement easier and more consistent because it will create continuity within the city, where the same [no-take] rules apply to all beaches" and will protect the kelp forests off the shore of South Laguna because the kelp beds "have been nearly decimated possibly by overharvesting and anchor chain drag and need to be protected". The petitioner notes the importance of "the rocky reef and kelp beds in this particular area…are slightly different…because of the steep drop of the cliffs into the ocean. This creates a unique microhabitat where water nutrients are mixed due to wave refraction off the cliffs." Additionally, the petitioner points to additional protection that will be provided to whale migration routes from the proposed change because "lobster buoy lines likely create a dangerous obstacle for migrating whales, which are protected under the" Marine Mammal Protection Act. See Exhibit 1 for more details.

Public Comments

The Commission has received public comments on MPA petitions continuously since petitions were submitted in late 2023. Staff has compiled into a single packet the comments received for this petition that were included in committee or Commission meeting binders or supplemental handouts from the December 2023 through the May 5-6, 2026 Commission meetings (Exhibit 2). Comments received after the May 5-6, 2026 Commission meeting, but before this meeting's comment deadline, are included as exhibits to this staff summary.

Petition Evaluations

On March 20, 2026, the Department publicly released its evaluations and recommendations for the ten petitions that were not tribally led or co-led, including for Petition 2023-24MPA_AM1 (Exhibit 3). The Department also released a companion document, to offer essential context that is intended to be reviewed before the individual petition evaluations.

In addition, on March 20, 2026 the California Ocean Protection Council (OPC), in its role as policy lead for the MPA network, sent a letter to the Commission outlining its overarching perspectives on the MPA petitions, including the tribally led and co-led petitions (see OPC news release, dated March 20, 2026). OPC indicated that it plans to provide more detailed

input on the bin 2 petitions using a policy lens, intended to complement the Department's evaluations. OPC now anticipates transmitting its evaluation for consideration at the June 2026 Commission meeting.

Today's Meeting

Today, the petitioner will present (Exhibit 4) Petition 2023-24MPA_AM1 as amended, and describe any proposed changes since the March 2025 amendment deadline. This meeting offers petitioners an opportunity to engage in dialogue with the Commission alongside robust public participation.

All meeting participants are encouraged to review the Regional Meeting Expectations and Guidelines (included in the agenda) as a reference for engaging in today's meeting.

Significant Public Comments

A total of 104 comments were received from a wide range of stakeholders, organizations, and elected officials addressing various MPA petitions. A summary table of significant public comments, with links to individual submissions, is provided as Exhibit 4.

Recommendation

Commission staff: Based on the day's discussion, consider what additional information, if any, will be needed to inform a Commission decision on the petition.

Department: Deny, for the reasons detailed in Exhibit 3. In summary:

- The proposed change to expand the Laguna Beach no-take SMCA and thereby reduce the size of the Dana Point SMCA, does not address and enforcement challenge, advance adaptive management recommendations from the MPA Network Decadal Management Review (DMR), address a current or emerging MPA management challenge, or align with the original intent of these MPAs as established during the MLPA Initiative Planning process.
- The proposed change is unlikely to benefit migrating whales or have a biologically meaningful impact on kelp at this location beyond what is already offered by the Dana Point SMCA.
- The proposal would change the boundary so that it no longer aligns with key Feasibility Guidelines, which would likely compromise enforceability.
- The proposed change would also unnecessarily restrict an existing important fishing ground that was deliberately contemplated during the MLPA Initiative planning process.

Exhibits

1. Petition 2023-24MPA_AM1, received November 30, 2023, amended March 14, 2025
2. Packet of comments, received November 2023 through April 30, 2026
   (*Note: This link is to an external document due to file size*)
3. Department evaluation of Petition 2023-24MPA_AM1, received March 20, 2026

4. Petitioner presentation
5. Summary table and compiled public comments, received April 2 through May 11, 2026

Motion (N/A)

State of California – Fish and Game Commission
PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

Tracking Number: (**2023-24MPA-AM1**)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Laguna Bluebelt Coalition
Name of primary contact person: Mike Beanan
Address:
Telephone number:
Email address:

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Authority cited: Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.

3. Overview (Required) -

a. Extend the Laguna Beach SMCA no-take regulation down to the southern border of the City of Laguna Beach. This area is currently covered by the Dana Point SMCA, which only protects tide pool resources, not the offshore kelp beds.

4. Rationale (Required) -

The revised Petition is based upon input from the Orange County Marine Protected Area Collaborative (OCMPAC) and enforcement recommendations from participants. The revised Petition locates the southern No Take SMCA border to follow one East/West latitude line to facilitate a consistent offshore boundary. Laguna Beach has recently taken over enforcement of the South Laguna beaches all the way down to the City border. ~~Right now there is confusion due to the different regulations within one city.~~

This regulation change will make enforcement easier and more consistent because it will create continuity within the city, where the same rules apply to all beaches. All Laguna Beach lifeguards have received MPO training and enforce no-take rules for the

rest of the city beaches. This will result in an increase in outreach and enforcement effectiveness, which supports priority recommendation number 15.

High fishing and lobstering pressure are taking a toll on the remaining kelp beds in South Laguna due to overharvesting and substrate degradation possibly due to anchor chain drag. The Sustainable Fisheries Act of 1996 established new requirements for fishery management councils to identify and describe Essential Fish Habitat and to protect, conserve, and enhance these EFH for the benefit of fisheries. A 2002 update to these EFH regulations allowed fishery management councils to designate Habitat Areas of Particular Concern (HAPCs). HAPCs are considered high priority areas for conservation, management, or research because they are important to ecosystem function, sensitive to human activities, stressed by development, or are rare. The rocky reef and kelp beds in this particular area of South Laguna are slightly different than those in the rest of the city because of the steep drop of the cliffs into the ocean. This creates a unique microhabitat where water nutrients are mixed due to wave refraction off the cliffs.

There are kelp forests offshore in these areas that are desperately needed as habitat. One of the original design considerations for designating MPAs was to "Include within MPAs suitable rocky habitat containing abundant kelp and/or foliose algae" (CMLPA Master Plan for MPAs, Appendix F). ~~When the MPA boundaries were finalized in 2012, the kelp was at its highest extent of coverage since 1967 (see supplemental graph), so the total area of kelp forest was overestimated.~~ The kelp beds off South Laguna have been nearly decimated possibly by overharvesting and anchor chain drag and need to be protected. This, in combination with the potential for additional kelp decline due to warm water and recent wildfire events makes it imperative that we protect as much as possible. The Science Advisory Team (SAT) determined Laguna Beach's MPA to be the minimum size for success.

The Marine Mammal Protection Act also requires action to be taken here. The south end of the no-take SMCA is visible from shore as a line of lobster trap buoys extending out from the cliffs and beach. One MPA watch volunteer reported 223 buoys off of Table Rock beach on 11/8/2023. This represents a virtual "wall" of dangerous trap lines that interrupt whale migration paths. Whales have been seen frequently traveling very close to shore along this stretch of coastline (see supplemental photo of Thousand Steps beach). A December 2019, Men's Journal magazine article stated that in the preceding few weeks Dana Point Boat captains had logged more than 40 sightings of gray whale cow-calf pairs in the shallow coves of Laguna Beach. The lobster buoy lines likely create a dangerous obstacle for migrating whales, which are protected under the MMPA.

Residents in South Laguna support the extension of the no-take SMCA as evidenced by the attached letters of support from the Three Arch Bay Community Services District, Orange County Coastkeeper, Laguna Canyon Conservancy, Laguna Bluebelt Coalition, and the South Laguna Civic Association. They feel that it is not equitable to have only the north and central beaches protected. Please see the attached letters of support. The

Laguna Beach City Council also supports further analysis and participation in the process.

SECTION II: Optional Information

5. Date of Petition: 11/29/2023 AMENDED 03/11/2025

6. Category of Proposed Change

☐ Sport Fishing
☐ Commercial Fishing
☐ Hunting
☒ Other, please specify: MPAs, Section 632.

7. The proposal is to: (*To determine section number(s), see current year regulation booklet or https://govt.westlaw.com/calregs*)

☒ Amend Title 14 Section(s):Westlaw regulations.
☐ Add New Title 14 Section(s): Click here to enter text.
☐ Repeal Title 14 Section(s): Click here to enter text.

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition

Or ☒ Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency:
This should be implemented as soon as possible. Ancient California Gray Whale Migration is currently being altered due to proliferation of nearshore lobster traps and rope buoys at the southern SMCA boundary.

10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

(A) Map of proposed Boundary Adjustment.
(B) Letter of support from the Three Arch Bay Community Services District
(C) Letter of support from the South Laguna Civic Association
(D) Letter of support from the Laguna Bluebelt Coalition
(E) Letter of support from Orange County Coastkeeper
(F) Letter of support from the Laguna Canyon Conservancy
~~(G) Graphic from "Status of the Kelp Beds in 2019: Orange & San Diego Counties. Prepared for the Region Nine Kelp Survey Consortium" by MBC Aquatic Sciences~~
~~(H) Full Report: "Status of the Kelp Beds in 2019"~~
(I) Photo of gray whale at Thousand Steps Beach

~~11.~~ Economic or Fiscal Impacts: Although no socioeconomic data is provided, there may be a fiscal impact on commercial lobster fishers due to reducing their fishing grounds. However, fishing effort will be closer to Dana Point Harbor to save fuel costs and use of ropeless buoys will be encouraged. With removal of lobster buoy lines as migration barriers, whale watching

tours can resume in Laguna Beach ($10 million estimated annual revenues to Dana Point economy). Less anchoring by CPFVs will reduce anchor chain drag damaging local reefs and kelp forests. ~~Estimated resident property values gain an increase of 20% from proximity to a fully protected MPA~~

12. Forms: If applicable, list any forms to be created, amended or repealed:

SECTION 3: FGC Staff Only

Date received: **March 11, 2025**

FGC staff action:

- ☐ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

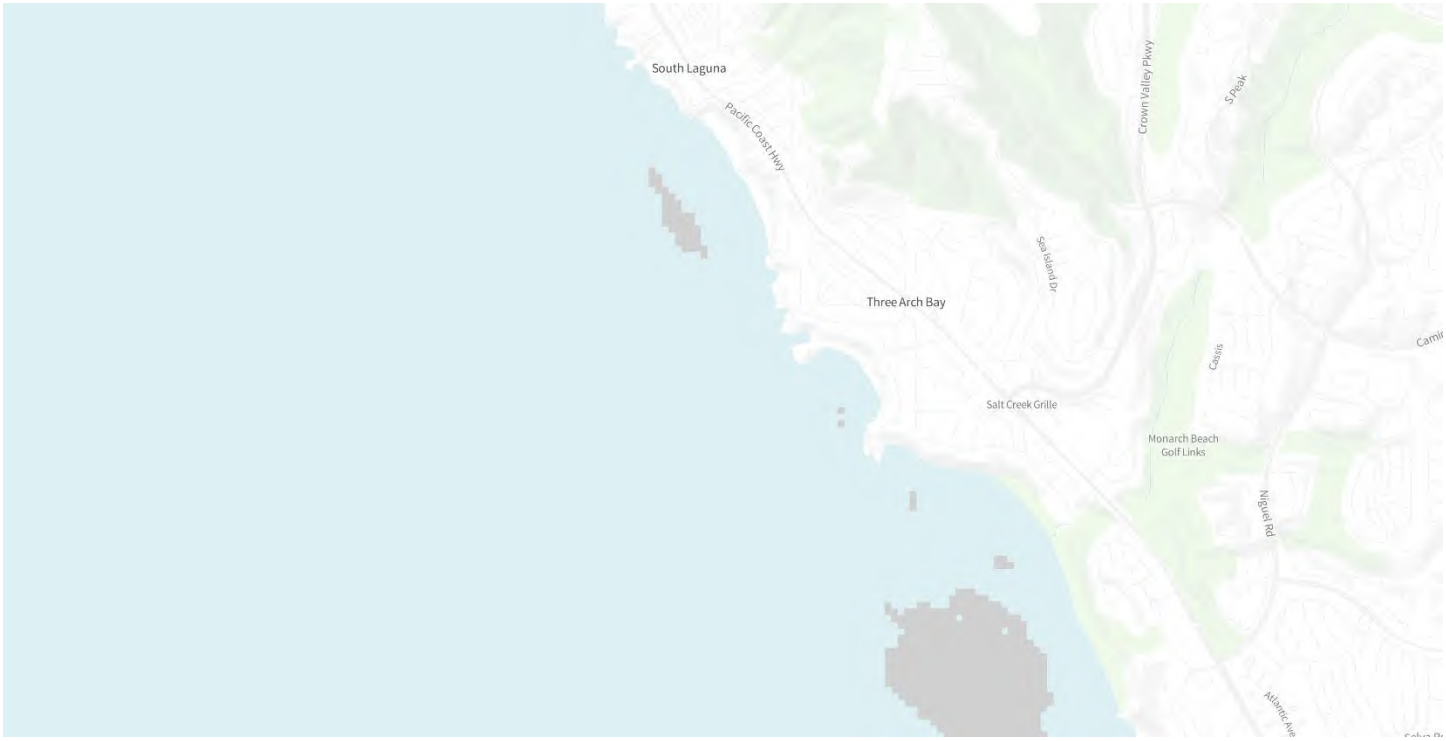
FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition _____

Tracking Number

- ☐ Granted for consideration of regulation change

Proposed SMCA No Take Rocky Kelp Substrate at Thousand Steps Reef – KelpWatch.org



Proposed SMCA No Take Rocky Kelp Substrate at Thousand Steps Reef – KelpWatch.org

California Fish and Game Commission
Marine Resources Committee
fgc@fgc.ca.gov

January 7, 2025

Subject: Revision to Laguna Bluebelt Coalition Petition 2023-24 MPA

Commissioners and Staff,

The Laguna Bluebelt Coalition seeks to revise the southern boundary for Petition 2023-24MPA to a No Take SMCA (State Marine Conservation Area) for citywide enforcement consistency and protection of essential sea life habitat between Palos Verdes and La Jolla MPAs.

The proposed revised No Take SMCA is within the jurisdiction of the City of Laguna Beach and has widespread support from community organizations and the City's Environmental and Sustainability Committee. Community support includes the South Laguna Civic Association, Three Arch Bay Service District, Village Laguna, Laguna Canyon Conservancy, Project O, OC Coastkeeper and many individuals.

The City of Laguna Beach has submitted multiple letters seeking to participate in processing the Laguna Bluebelt Petition. In a December 10, 2024 letter to the Commission, Laguna Beach Mayor Rounaghi emphasized the "City looks forward to reviewing the State's assessment of Petition 2023-24 MPA" and "The City remains committed to actively participate and providing informed input…".

Presently, the southern area of Laguna Beach is inaccurately designated as within the Dana Point SMCA leading to confusion about place names and take regulations. The Petition will simplify the no take regulation for the entire city of Laguna Beach, address inaccurate place names and restore Laguna Beach as the correct jurisdiction for this area. The revised No Take SMCA boundary will be identified by the prominent bluff top outcropping at Three Arch Bay consistent with the Laguna Beach City Limits.

The Petition reflects the MLPA's Adaptive Management Objectives to:

• Protect the structure and function of marine ecosystems • Improve native marine life populations, including those of economic value • Ensure minimal disturbance while allowing for sustainable opportunities for recreation, education and research • Ensure comprehensive representation of all key habitats, including unique habitats • Use learning acquired through administration of the MLPP to adaptively manage the objectives, management measures, enforcement efforts, and scientific guidelines to inform management decisions • MPAs function as a cohesive statewide network

Size and Spacing Considerations

The Science Advisory Team (SAT) spacing requirements determined Laguna Beach is an essential linkage for larval dispersal among Southern California's MPAs. Guidelines set a maximum distance and minimum size for each MPA.

Maximum Shoreline Distance: To ensure the persistence of a suite of species in an MPA network, the maximum distance between MPAs was determined to be within 50 -100 km (31 -62 miles). A network of MPAs 20 km (12 miles) in length met the upper boundary of the preferred size guidelines and led to population persistence for a larger set of movement combinations. With MPAs this large, decreasing spacing produced a more substantial effect. MPAs of 20 km (12 mile) shoreline length protected a much larger range of movement combinations when spaced 50 km (31 miles) apart (51.8%) than when spaced 100 km apart (21.6%). This increase occurred because persistence of populations with large mean larval dispersal was maintained through a network effect, rather than self-persistence. Laguna Beach's MPAs maximum distance are 50 miles from Palos Verdes MPAs and 72 miles from La Jolla MPAs to meet this goal.

In summary, bigger MPAs yield better results for protecting marine life. Laguna Beach is an excellent candidate when you combine community support and the City's present MPA enforcement measures to be able to achieve noteworthy success.

Minimum Alongshore Extent: To best protect adult populations, based on adult neighborhood sizes and movement patterns, Guidelines conclude MPAs should have an alongshore extent of at least 3-6 miles of coastline, and preferably 6-12.5 miles. Larger MPAs would be needed to fully protect marine birds, mammals, and migratory fish. Combined and simplified, the Guideline indicates that MPAs should have a minimum area of 9-18 square miles, or a preferred area of 18-36 square miles.

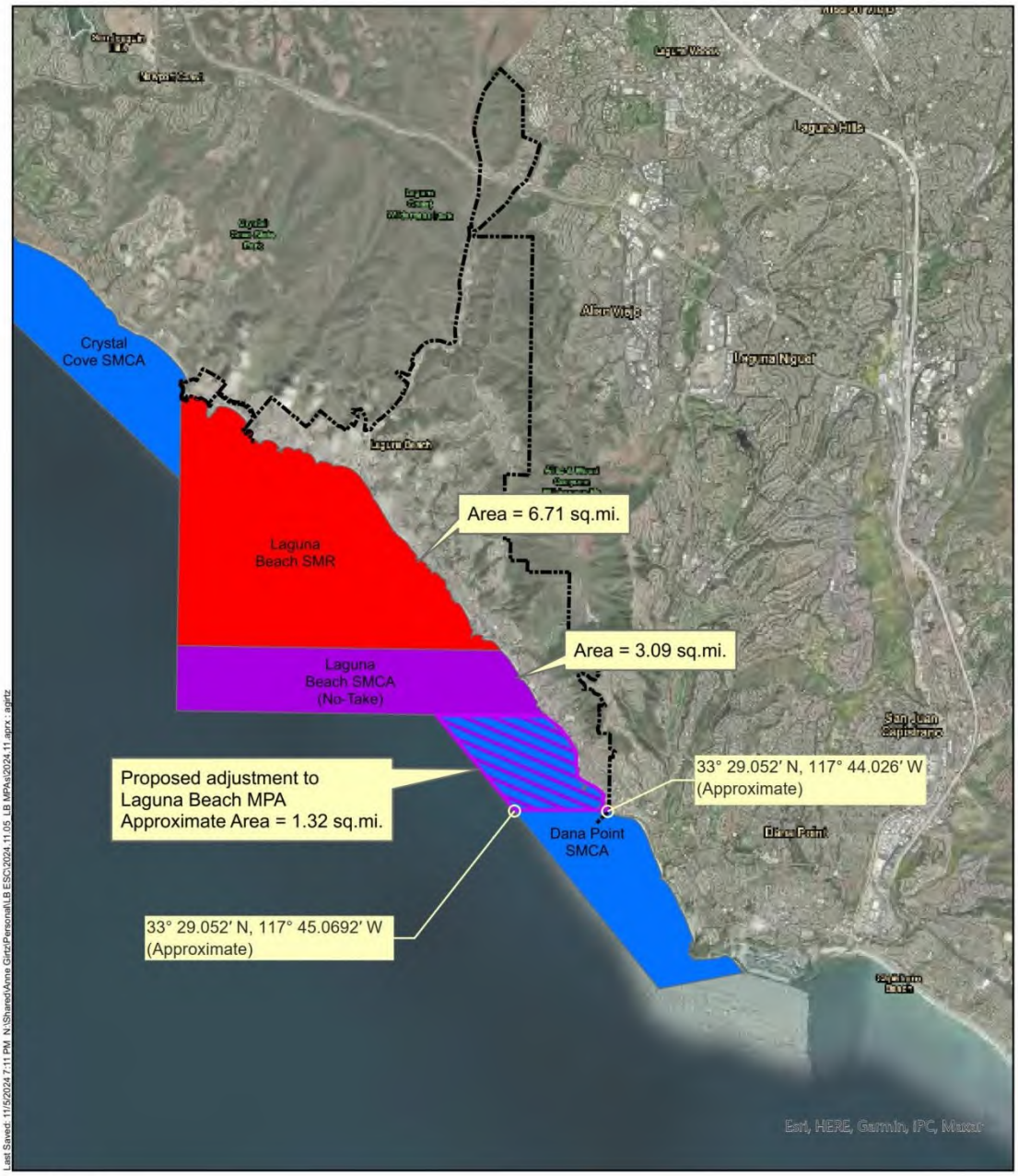
The Revised Petition to include full protection of all of Laguna Beach's MPAs is necessary to comply with SAT Guidelines since, once approved, it will protect 7 miles of coastline slightly within the preferred alongshore extent (6-12 miles). A fully protected Laguna MPA will also grow to 11 square miles, the minimum preferred area (9-18 square miles).

Once approved, the citywide and a fully protected MPA will comply with SAT Guidelines for preferred coastline and size. This will be complimented by local, well-established education and enforcement capabilities to support the continued success for Laguna Beach's MPAs.

Stakeholder Collaboration

The Laguna Bluebelt Coalition, a statewide model for MPA Collaboratives since 2009, has met with key stakeholders through OCMPAC including fishing groups, tribal representatives, game wardens and others to revise Petition 2023-24MPA to accommodate the local lobster fishery. By adjusting the southern SMCA to follow the east/west latitude line at the request of the Dana Point lobster group, placement of lobster traps is facilitated by a consistent GPS latitude line to avoid encroachment into the proposed southern Laguna Beach No Take SMCA.

Revised Boundary Map



Symbology

- City Limits
- SOCWA Effluent Transmission Line
- SOCWA Ocean Outfall
- Proposed Laguna Beach SMCA (No-Take) Adjustment

0 2,500 5,000

Scale in Feet

Figure 1

City of Laguna Beach
Proposed Marine Protected Area Adjustment

Laguna Bluebelt Coalition
MPA Decadal Review

Economic Considerations

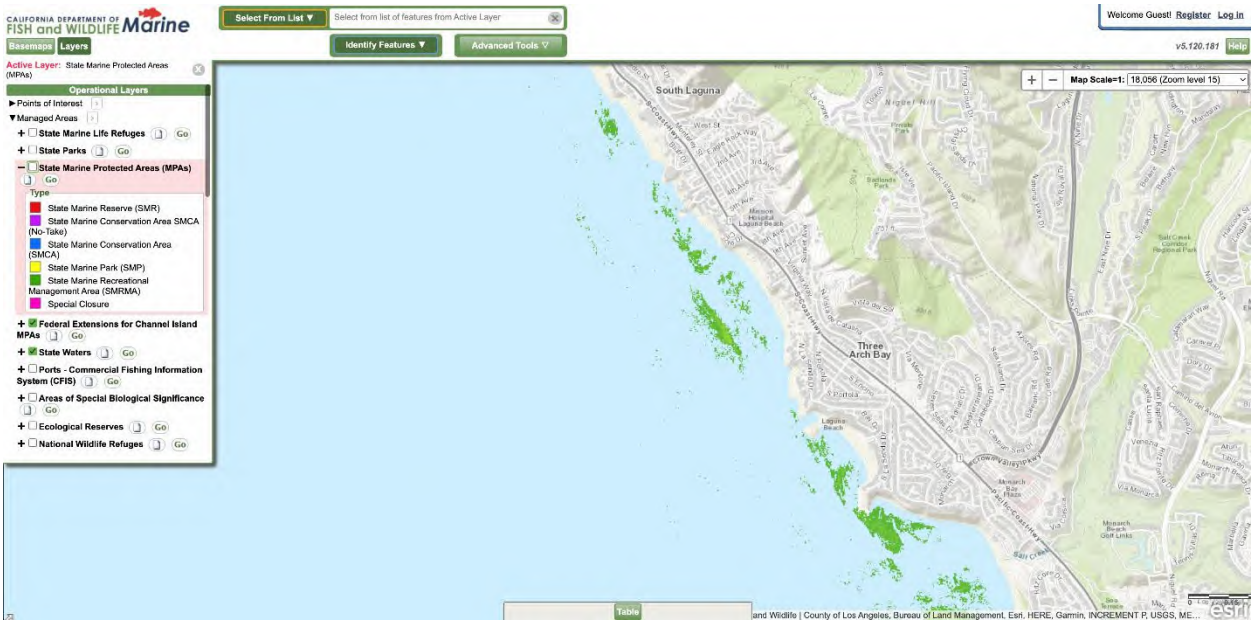
While commercial fishing businesses generally object to MPAs, it is worth noting that Dana Wharf has shifted operations away from fishing to pursue new economic opportunities as the Whale and Dolphin Watching Capital of the World – America's first Whale Heritage Site. The designation of just over 1 square mile of a new No Take SMCA is just a fraction of the present Dana Wharf fishing grounds and will not measurably impact their annual sportfishing and whale tour revenues. Dana Wharf presently operates large fishing grounds spanning hundreds of square miles from Dana Point south to Camp Pendleton and west to Catalina and San Clemente Islands.

See: [The Ultimate Guide To Fishing In Dana Point, CA | Dana Wharf]

Essential Marine Habitats

With steep coastal bluffs, isolated coves and offshore reefs, Laguna Beach's southern coastline provides unique habitats for coastal sea life nurseries. Kelp forests populate local reefs throughout the city while dolphin and whales routinely transit the area for foraging opportunities and annual migration.

Laguna Beach's Essential Kelp Habitat



The City of Laguna Beach has a long ocean tradition and is committed to protecting marine resources. All Marine Safety Lifeguards are qualified as Marine Protection Officers to maintain a robust education and enforcement program.

The Laguna Beach General Plan and Policies recognize the value of coastal resources (see References).

The success of Laguna's Marine Protected Areas over the past 12 years is clear evidence that sea life can be protected and restored in an urban environment. The City's commitment to manage over 6 million visitors continues to educate and motivate compliance with all MPA regulations and policies. Revising

the southern SMCA boundary for full citywide protection will support the community's dedication to achieve the goals and objectives of the State's Marine Life Protection Act.

The Laguna Bluebelt Coalition appreciates the dedicated role of the Fish and Game Commission to serve as a global leader in advancing the State's recovery of sea life for present and future generations.

Mike Beanan
w/Laguna Bluebelt Coalition

Julianne E Steers, Sargo School

References

Laguna Beach General Plan and Policies

Action 1.1.1 Protect natural assets and open-space areas to maintain their role as “carbon sinks.”

Policy 4.1 Policy 4.2 Develop and adopt a program to protect sensitive coastal resources.

Action 4.1.1 Compile an inventory of the City’s coastal resources and prepare a Coastal Resources Protection Program.

Action 4.2.2 Enforce State’s Marine Life Management Act and identified Marine Life Protected areas within the City and local regulations for the protection of marine life and intertidal resources and to conduct educational and outreach programs.

Action 10.7.2 Periodically review the City’s Water Quality Control Ordinance and related policies for protecting marine resources and update as appropriate.

In cooperation with the State Department of Fish and Game, a Marine Preserve was created by the State in 1968 for a portion of the City's shoreline particularly rich in tidepool life. In addition to the Marine Preserve, the State, in conjunction with the City, established an Ecological Reserve in 1974, creating, in essence, a marine sanctuary, or a protected "aquarium".

Policies 2-A Encourage the expansion of the Marine Life Refuges and the designation of particularly unique or ecologically sensitive coastal areas as Ecological Reserves (such as seal and bird rocks), pursuant to the provisions of the State Department of Fish and Game.

2-F Develop a local enforcement program, pending funding availability, consisting of shoreline protection regulations and citation authority for Marine Safety personnel.

2-H Support restoration of offshore kelp beds.

41 Watershed Protection and Restoration Promote the protection and restoration of offshore, coastal, lake, stream or wetland waters and habitats and preserve them to the maximum extent practicable in their natural state. Oppose activities that may degrade the quality of offshore, coastal, lake, stream or wetland waters and habitat and promote the rehabilitation of impaired waters and habitat.

Develop an enforcement program for the protection of marine life resources.

Promote an expanded Marine Life Refuge.

Marine Resources: A small estuary occurs at the mouth of Aliso Creek. As recently as 1976 this estuary supported the Tidewater Goby, a species considered uncommon and declining in numbers due to habitat loss. A resource inventory included in the Orange County Conservation Element identifies the presence of the South Laguna Marine Life Refuge in the South Laguna area. The refuge, near the mouth of Aliso Creek, was given refuge status by the California Fish and Game Commission because the animal

populations in the rocky intertidal habitat had not been subjected to the collecting pressures that had occurred in other areas along the south coast.

From: Mike Beanan <[redacted]>
Sent: Friday, March 14, 2025 10:41 AM
To: FGC <FGC@fgc.ca.gov>
Cc: Ashcraft, Susan@FGC <[redacted]>
Subject: Petition 2023-24-R

Hi,

Please add my comments for the record in evaluating Petition 2023-24-R.

Thank you,

Mike Beanan

Laguna Bluebelt Coalition

Laguna Bluebelt - Working Together for a Healthy Ocean

Working Together for a Healthy Ocean. Support our New Marine ReservesYour support is critical if they are to succeed.

www.lagunabluebelt.com

Mike Beanan, Co-founder, Laguna Beach Coalition

Thank you for including us in the process to evaluate and, hopefully, approve Petition 2023-24-R to protect all of Laguna Beach's Marine Life.

Based upon stakeholder input, we have submitted a Revised Petition offered as a compromise to support and ease near shore enforcement along one, common latitude line. The original petition followed Laguna Beach's City Limits extending southwesterly from the shoreline. This made the determination of the offshore boundary difficult according to participants at a recent stakeholder meeting hosted by the Orange County Marine Protected Area Collaborative in Dana Point. While there is some debate about who made the suggestion, which led to an unfortunate misunderstanding, the revised petition before you is a smaller SMCA No Take than originally requested but still protects kelp and essential fish habitats.

When evaluating the Petitions, I suggest we comply with and enhance the goals of the Marine Management Plan by increasing the coherence and effectiveness in protecting the state's marine life and habitats, marine ecosystems, and marine natural heritage with full citywide protection. Fortunately, Laguna's unique MPAs have dramatically improved

recreational, educational and study opportunities provided by marine ecosystems through coordinated enforcement by Marine Safety Lifeguards, Park Rangers and community volunteers working together to minimize human disturbance. Petition 2023-4-R is consistent with all of the goals for the Marine Management Act and legislative intent of the Marine Life Protection Act of 1999.

I am not unfamiliar with economic challenges. I grew up in a large working class family in Northern California surfing the cold, wild waves while diving for abalone with my brothers off of Gualala and Mendocino or fishing mountain lakes. Leaving high school and to avoid the draft, I joined the Navy, studied navigation and was assigned to SEAL Team One, as a Platoon Sergeant and sent to Vietnam. Turning 21, I got out, worked my way through college and earned a degree in Biology before being hired as Assistant Dean at UC Irvine to manage veteran programs. One of my first projects was a pioneering Handicapped Scuba Project for wheelchair veterans and others…now a worldwide opportunity for the physically challenged community to enjoy and explore underwater wonders.

I continue now to swim and free dive Laguna's remarkable MPAs while traveling and Scuba diving other MPAs. I encourage FGC staff and commissioners to visit and swim Laguna's MPA and see large Sheepshead and robust kelp forests free of sea urchin barrens.

As a Californian, I feel an opportunity and responsibility to protect and restore our natural heritage - an abundant ocean teeming with sea life. Please consider approving the Laguna Bluebelt's Petition 2023-24-R as part of your legacy for California's sea life protection.

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Symbology

- City Limits
- SOCWA Effluent Transmission Line
- SOCWA Ocean Outfall
- Proposed Laguna Beach SMCA (No-Take) Adjustment

N

0 2,500 5,000

Scale in Feet

Figure 1

City of Laguna Beach
Proposed Marine Protected Area Adjustment

Laguna Bluebelt Coalition
MPA Decadal Review

Tim Duong for DanaWharf.com

SOUTH LAGUNA CIVIC ASSOCIATION
P.O. BOX 9668
SOUTH LAGUNA, CA
92652-7639
southlaguna.org

August 29, 2023

Commissioners and Staff,

Since 2012, with the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of Marine Protected Areas as a statewide model of collaboration and appreciates the support of the Fish & Game Commission in that effort.

On the heels of annexation of South Laguna beaches coming under the purview of the City of Laguna Beach on March 1, 2023, we are requesting an expansion of the “No Take SMCA” provisions to extend throughout all Laguna Beach MPAs. In addition to alignment with Laguna Beach’s commitment to the national “30 x 30 Initiative Plan” to conserve 30% of America's land and waters by 2030, a citywide “No Take” provision will provide enforcement consistency and community equity while protecting South Laguna kelp reefs – key to carbon sequestration, rising sea temperatures and attenuating bluff erosion.

Multiple benefits will accompany extending the Laguna Beach No Take MPA from 7.2 to 7.9 miles: from Aliso Beach and Totuava Cove through Three Arch Bay (TAB) southwest to the Laguna Beach city limit, see attached map. TAB has exceptional nursery beds for marine life in its bays that are not protected under our current MPAs. For this reason, coupled with the decimating impacts of over-fishing in the unprotected SMCA along TAB during the past 10 years, the TAB Community Services District requested in May 2023 that California Fish and Wildlife Commission extend the No Take MPA through “the southernmost point of the city of Laguna Beach – Mussel Cove, also known as Three Arch Bay.”

The Laguna Bluebelt Coalition, Laguna Ocean Foundation through their education and outreach programs, the City of Laguna Beach’s Environmental Sustainability Committee, and the enthusiastic 100% support and collaboration of our City Council and Marine Safety Department have enabled us to be strong watchdogs and local stewards of our MPAs. Together, we have focused on habitat restoration, water-quality education, wildlife and resource protection, and networking.

Laguna Beach’s rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. No Take MPAs in Laguna Beach have created increased sea life populations, support an expanding variety of ecotourism recreational opportunities, and have proven to be essential to mitigating decades of over-fishing.

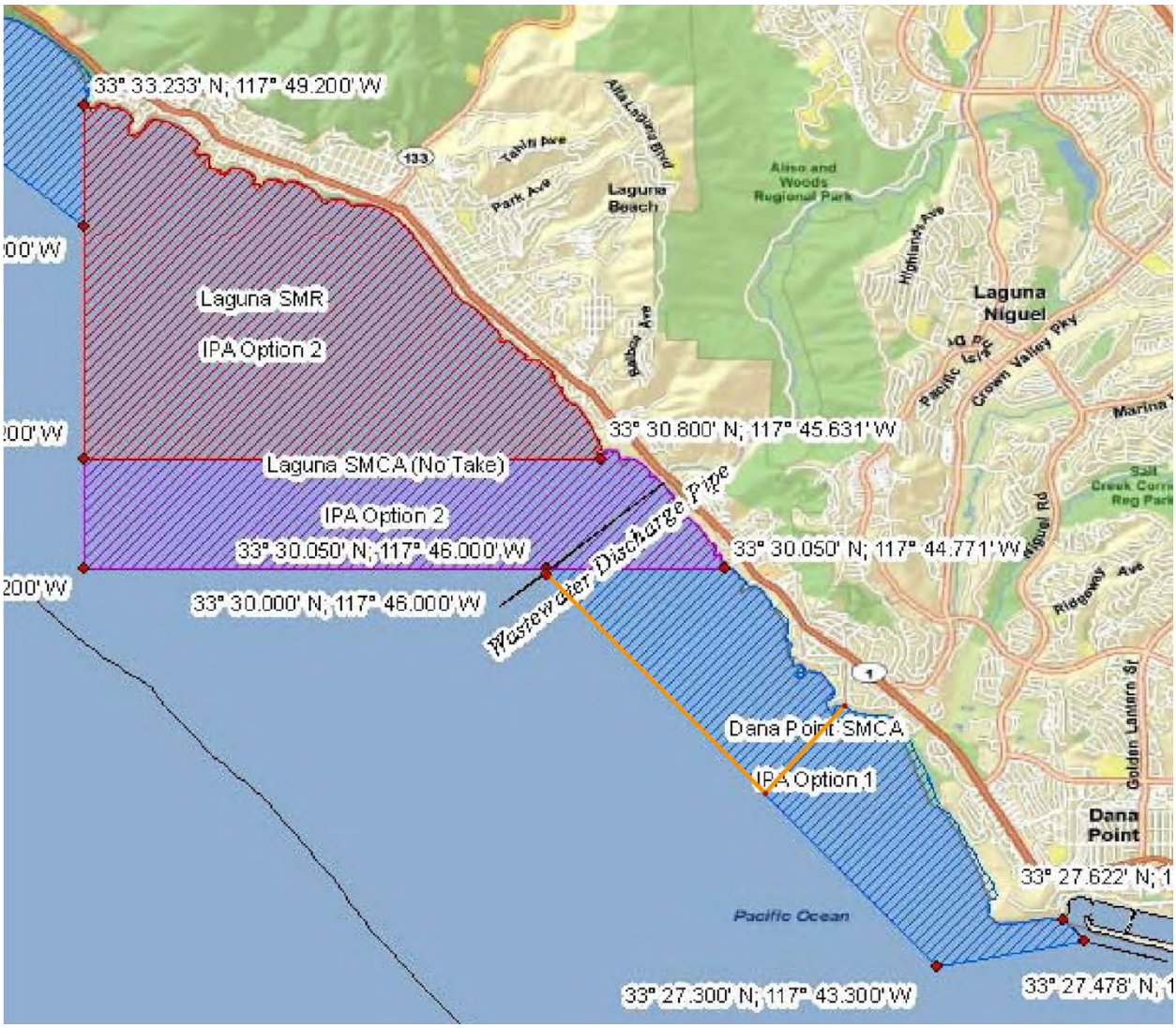
Citywide MPA consistency will further improve ocean water quality by reducing harmful greenhouse gas emissions from fishing boats traveling from Dana Point to Laguna Beach.

Climate change science recognizes the ocean as key to reversing negative anthropogenic climate impacts.

Thank you for your support of Laguna's Marine Protected Areas and for your consideration of an expansion of the network of No Take MPAs citywide which will increase protections to California's sea life populations and habitat value while benefitting us all.

Greg O'Loughlin, President
South Laguna Civic Association

Orange outline indicates the proposed No Take MPA extension to Laguna Beach's southern boundary.



P.O. Box 1383, Laguna Beach, CA 92652 • www.LagunaCanyonConservancy.org

November 22, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via email: fgc@fgc.ca.gov

RE: Support for Extending Laguna Beach's Southern MPA Boundary

Dear Commissioners,

The Board of Directors of the Laguna Canyon Conservancy (LCC) joins with our local environmental colleagues and organizations in support of extending the Marine Protected Areas at the southern end of Laguna Beach.

LCC believes a revision is vital to ensuring an increase in protection of California's sea life populations and ecosystems, as well as enforcing consistency of rules and regulations, along with community equity. It is also important to achieve the City of Laguna Beach's 30 x 30 contribution to protect 30% of the world's coastal marine areas by 2030.

As stewards of our wilderness, we hope the Commission will support the goals and requests of Laguna Beach's environmental groups to expand the network of No Take MPAs citywide and protect our coastal environment for present and future generations to come. Thank you in advance for making this critical step forward.

Laguna Canyon Conservancy is a non-profit, all-volunteer environmental organization founded in 1988 to Save and Protect Laguna Canyon. LCC members have been involved in expanding the South Coast Wilderness nature reserves of Orange County that now include over 22,000 acres of parks, open space, and marine preserves. For more information, please visit: www.LagunaCanyonConservancy.org

Sincerely,

Gayle Waite
President, Laguna Canyon Conservancy

Cc: City Council of Laguna Beach
Jeremy Frimond, Assistant City Manager

March 9, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

RE: Letter of Support for Citywide "No Take"
Marine Protected Areas (SMR and SMCA) in Laguna Beach, Orange County, California

Commissioners and Staff,

With the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of MPAs as a statewide model of collaboration, education and enforcement. To provide citywide enforcement consistency, the Laguna Bluebelt Coalition requests extending "no take" provisions to include all of Laguna Beach's State Marine Conservation Areas (SMCAs) to the southern City Limits.

Laguna Beach's rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. The City of Laguna Beach continues to benefit economically and ecologically from Marine Protected Areas with experienced Marine Protection Officers (MPOs), community vigilance, marine life education and comprehensive fishing restrictions.

The South Laguna SMCA is characterized by steep bluffs and compact coves to create a unique coastal ecology with tide pools, deep rocks and kelp forests. Wave action and backwash energy from bluffs surrounded by offshore kelp forests offers a local mixing zone for marine mammal and sealife foraging. Annual migrations of California Gray Whales often use South Laguna Coves as a rest stop for mothers and calves. Laguna Beach's other No Take MPAs have increased sea life populations and currently support a variety of ecotourism recreational opportunities.

While most of Laguna Beach restricts fishing, South Laguna is a designated State Marine Conservation Area allowing recreational and commercial fishing. Daily, concentrated fishing effort in the South Laguna SMCA has unfortunately contributed to over-fishing during the past ten years by recreational fishers and commercial passenger fishing vessels (CPFVs). Expansion of Laguna Beach's MPAs is essential to mitigate decades of regional over-fishing.

Expanding "No Take" provisions for all City MPAs will contribute to the City's commitment to the national "30 x 30 Initiative Plan" to conserve 30% of America's land and waters by 2030. The March 1, 2023 annexation of South Laguna beach areas by the City of Laguna Beach requires "No Take" provisions for the South Laguna SMCA to provide citywide enforcement consistency and community equity.

Climate change science recognizes the ocean as key to reversing negative anthropogenic climate impacts and the City of Laguna Beach is committed to a Climate Action Plan. Citywide MPA enforcement

consistency will improve ocean water quality by reducing harmful greenhouse gas emissions from commercial fishing boats traveling far from Dana Point to fish in South Laguna.

The City Council proudly supports the Marine Protected Areas and City policies encourage exapnding marine life refuges.

Thank you for your dedicated efforts to protect California's marine life and for considering our request to extend citywide "No Take" protection for all of Laguna Beach's MPAs.

Mike Beanan
Laguna Bluebelt Coalition

https://www.lagunabluebelt.com/

References:

https://www.lagunabeachcity.net/home/showpublisheddocument/8148/637406985535730000

City of Laguna Beach: Tide Pools and Marine Habitats

2A Encourage the expansion of the Marine Life Refuges and the designation of particularly unique or ecologically sensitive coastal areas as Ecological Reserves (such as seal and bird rocks), pursuant to the provisions of the State Department of Fish and Game.

ORANGE COUNTY COASTKEEPER®

3151 Airway Ave, Suite F-110
Costa Mesa, CA 92626
714-850-1965
www.coastkeeper.org

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Support for Laguna Bluebelt Coalition Petition to extend the no-take SMCA to the southern boundary of the City of Laguna Beach

Dear President Sklar and Commissioners,

OC Coastkeeper has the mission to protect swimmable, drinkable, fishable water and promote watershed resilience throughout our region. We have been actively working to support and implement Marine Protected Areas since the passage of the Marine Life Protection Act. We support the Laguna Bluebelt Coalition's petition regarding an extension of the Laguna Beach no-take SMCA boundary to the southern border of the city and urge you to approve this proposed boundary change.

Orange County beaches have some of the most beautiful beaches and coves found anywhere in the world. Visitation is high, and therefore the protection offered by the MPAs is vital. Most of the city is protected by the Laguna Beach State Marine Reserve (SMR) and the Laguna Beach no-take State Marine Conservation Area (SMCA). However, there is a stretch of coastline that lies within the city limits that does not receive the same level of protection. Commercial and recreational fishing is permitted in these waters and residents are alarmed by the amount of fishing and the number of lobster traps that they see regularly. This area of the coastline has not been sufficiently studied to get scientific data on the impact of fishing, but local residents that spend substantial time in the water have noted a decrease in fish in the unprotected area.

These coves support vital kelp forest habitat, which is on the decline across the state. The rocky substrate that supports the kelp as well as the fish and invertebrates that utilize the kelp are impacted by lobster traps and anchors. The kelp is still present, but now fails to reach the surface. We must protect this habitat while it still has the ability to come back.

Another concern in this area is the whale migration route. Whales frequently come in close to the shore through Laguna Beach on their migration to and from the calving and breeding grounds in Baja California. During Lobster season, the whales run into a virtual wall of lobster ropes and buoys, which pose a serious threat to entanglement.

Extension of the no take SMCA boundary south will assist enforcement of MPA regulations by making the entire City of Laguna Beach a no take zone. The City of Laguna Beach has recently taken over management of all of the beaches in the city. Until last summer, the County of Orange was in charge of managing all of the beaches south of Aliso Creek. Now that

beach management is consistent throughout the city, the MPA rules should be consistent as well. This will make it easier for the public to identify where they can and can't fish, and for enforcement officers to do their job.

To help MPA enforcement, protect whales, and preserve the remaining kelp beds, we urge the commission **to extend the no-take SMCA boundary to coincide with the southern boundary of the City of Laguna Beach.** We enthusiastically support California's MPA Network and believe the MPAs are working to preserve biodiversity. In the case of Laguna Beach, the MPA extension will enhance the protection of vital ecosystems and create a more consistent and cohesive enforcement policy.

Sincerely,

Associate Director of Policy and Projects

THREE ARCH BAY
COMMUNITY SERVICES DISTRICT
5 BAY DRIVE, LAGUNA BEACH, CALIFORNIA 92651-6780
(949) 499-4567 FAX: (949) 499-2352

May 1, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

RE: Letter of Support for Laguna Beach City-wide Marine Protected Areas including South Laguna, to the Southern Point of Mussel Cove, Orange County, California

Dear Commissioners,

Since 2012, with the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of Marine Protected Areas (MPAs) as a statewide model of collaboration, education and enforcement. To provide marine protection consistently throughout all of Laguna Beach, the Community Services District of Three Arch Bay supports an extension of marine protection via "no take" Marine Conservation Areas (SMCAs) to the point at the end of Mussel Cove, which is the southern border of Laguna Beach, in the community of Three Arch Bay (TAB).

Laguna Beach's rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. The City of Laguna Beach continues to benefit economically and ecologically from Marine Protected Areas.

Three Arch Bay (TAB), which includes Mussel Cove, in South Laguna's SMCA, is characterized by steep bluffs and compact coves that create a unique coastal ecology with tide pools, deep rocks and kelp forests. Wave action and backwash energy from bluffs surrounded by offshore kelp forests offers a local mixing zone for marine mammal and sea life foraging.

While most of Laguna Beach restricts fishing, the southern end of Laguna Beach was only designated a State Marine Conservation Area, which allows continued recreational and commercial fishing. Unfortunately, the over-fishing during the past ten years by commercial and recreational fishermen, including commercial passenger fishing vessels (CPFVs), has devastated the kelp beds, fish population, and sea life across South Laguna. Expansion of Laguna Beach's MPAs is essential to mitigate decades of regional over-fishing particularly in South Laguna.

Thus, we request that you initiate and vote to provide an extended "no take" Marine Protected Area (SMR and SMCA) Citywide, across Laguna Beach, including South Laguna, to the Southern Point of Mussel Cove, Orange County, California. This would extend the existing marine protections throughout Laguna Beach, including the southernmost point of the city of Laguna Beach – Mussel Cove, also known as Three Arch Bay.

As a community, we are active stewards of our waterways and marine resources, ensuring quality management of our natural resources, and would appreciate the state's support of our efforts by extending the MPA to the Southern end of Laguna Beach.

Thank you,

Gary Rubel
President
Three Arch Bay Community Services District

Cc: City of Laguna Beach
Board Members of the TAB CSD

Original Petition

State of California – Fish and Game Commission
PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

Tracking Number: (_2023-24MPA_)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Laguna Bluebelt Coalition
Name of primary contact person: Mike Beanan
Address:
Telephone number:
Email address:

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Authority cited: Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.

3. Overview (Required) -

a. Extend the Laguna Beach SMCA no-take regulation down to the southern border of the city of Laguna Beach. This area is currently covered by the Dana Point SMCA, which only protects tide pool resources, not the offshore kelp beds.

4. Rationale (Required) -

a. Laguna Beach has recently taken over enforcement of the South Laguna beaches all the way down to the city border. Right now there is confusion due to the different regulations within one city. This regulation change will make enforcement easier and more consistent because it will create continuity within the city, where the same rules apply to all beaches. All Laguna Beach lifeguards have received MPO training and enforce no-take rules for the rest of the city beaches. This will result in an increase in outreach and enforcement effectiveness, which supports priority recommendation number 15.
High fishing and lobstering pressure are taking a toll on the remaining kelp beds in South Laguna due to overharvesting and substrate degradation due to anchor drag. The

Sustainable Fisheries Act of 1996 established new requirements for fishery management councils to identify and describe Essential Fish Habitat and to protect, conserve, and enhance these EFH for the benefit of fisheries. A 2002 update to these EFH regulations allowed fishery management councils to designate Habitat Areas of Particular Concern (HAPCs). HAPCs are considered high priority areas for conservation, management, or research because they are important to ecosystem function, sensitive to human activities, stressed by development, or are rare. The rocky reef and kelp beds in this particular area of South Laguna are slightly different than those in the rest of the city because of the steep drop of the cliffs into the ocean. This creates a unique microhabitat where waters are mixed due to wave refraction off of the cliffs.

There are kelp forests offshore in these areas that are desperately needed as habitat. One of the original design considerations for designating MPAs was to "Include within MPAs suitable rocky habitat containing abundant kelp and/or foliose algae" (CMLPA Master Plan for MPAs, Appendix F). When the MPA boundaries were finalized in 2012, the kelp was at its highest extent of coverage since 1967 (see supplemental graph), so the total area of kelp forest was overestimated. The kelp beds off South Laguna have been nearly decimated by overharvesting and anchor drag and need to be protected. This, in combination with the potential for additional kelp decline due to warm water events makes it imperative that we protect as much as possible.

The Marine Mammal Protection Act also requires action to be taken here. The south end of the no-take SMCA is visible from shore as a line of lobster trap buoys extending out from the cliffs. One MPA watch volunteer reported 223 buoys off of Table Rock beach on 11/8/2023. This represents a virtual "wall" of dangerous trap lines that interrupt whale migration paths. Whales have been seen frequently traveling very close to shore along this stretch of coastline (see supplemental photo of Thousand Steps beach). In 2019, Donna Kalez of Dana Wharf Whale Watching was referenced in a magazine article saying that in the preceding few weeks her captains had logged more than 40 sightings of gray whale cow-calf pairs in the shallow coves of Laguna Beach (Men's Journal). The lobster buoy lines create a dangerous obstacle for migrating whales, which are protected under the MMPA.

Residents in South Laguna support the extension of the no-take SMCA as evidenced by the attached letters of support from the Three Arch Bay Community Services District, Orange County Coastkeeper, Laguna Canyon Conservancy, Laguna Bluebelt Coalition, and the South Laguna Civic Association. They feel that it is not equitable to have only the north and central beaches protected. Please see the attached letters of support.

SECTION II: Optional Information

5. Date of Petition: 11/29/2023

6. Category of Proposed Change

☐ Sport Fishing
☐ Commercial Fishing
☐ Hunting
☒ Other, please specify: MPAs, Section 632.

7. The proposal is to: (*To determine section number(s), see current year regulation booklet or https://govt.westlaw.com/calregs*)

☒ Amend Title 14 Section(s):Westlaw regulations.

☐ Add New Title 14 Section(s): Click here to enter text.

☐ Repeal Title 14 Section(s): Click here to enter text.

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition

Or ☒ Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency:
This should be implemented as soon as possible. Ancient California Gray Whale Migration is currently being altered due to proliferation of nearshore lobster traps and rope buoys at the southern SMCA boundary.

10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

(A) Map of proposed Boundary Adjustment.
(B) Letter of support from the Three Arch Bay Community Services District
(C) Letter of support from the South Laguna Civic Association
(D) Letter of support from the Laguna Bluebelt Coalition
(E) Letter of support from Orange County Coastkeeper
(F) Letter of support from the Laguna Canyon Conservancy
(G) Graphic from "Status of the Kelp Beds in 2019: Orange & San Diego Counties. Prepared for the Region Nine Kelp Survey Consortium" by MBC Aquatic Sciences
(H) Full Report: "Status of the Kelp Beds in 2019"
(I) Photo of gray whale at Thousand Steps Beach

11. Economic or Fiscal Impacts: There would be a fiscal impact on commercial lobster fishers due to reducing their fishing grounds. However, fishing effort will be closer to Dana Point Harbor to save fuel costs and use of ropeless buoys will be encouraged. With removal of lobster buoy lines as migration barriers, whale watching tours can resume in Laguna Beach ($10 million estimated annual revenues to Dana Point economy). Less anchoring by CPFVs will reduce anchor drag damaging local reefs and kelp forests. Estimated resident property values gain an increase of 20% from proximity to a fully protected MPA

12. Forms: If applicable, list any forms to be created, amended or repealed:

Click here to enter text.

SECTION 3: FGC Staff Only

Date received: 11/29/2023

FGC staff action:

☐ Accept - complete

☐ Reject - incomplete
☐ Reject - outside scope of FGC authority

Tracking Number

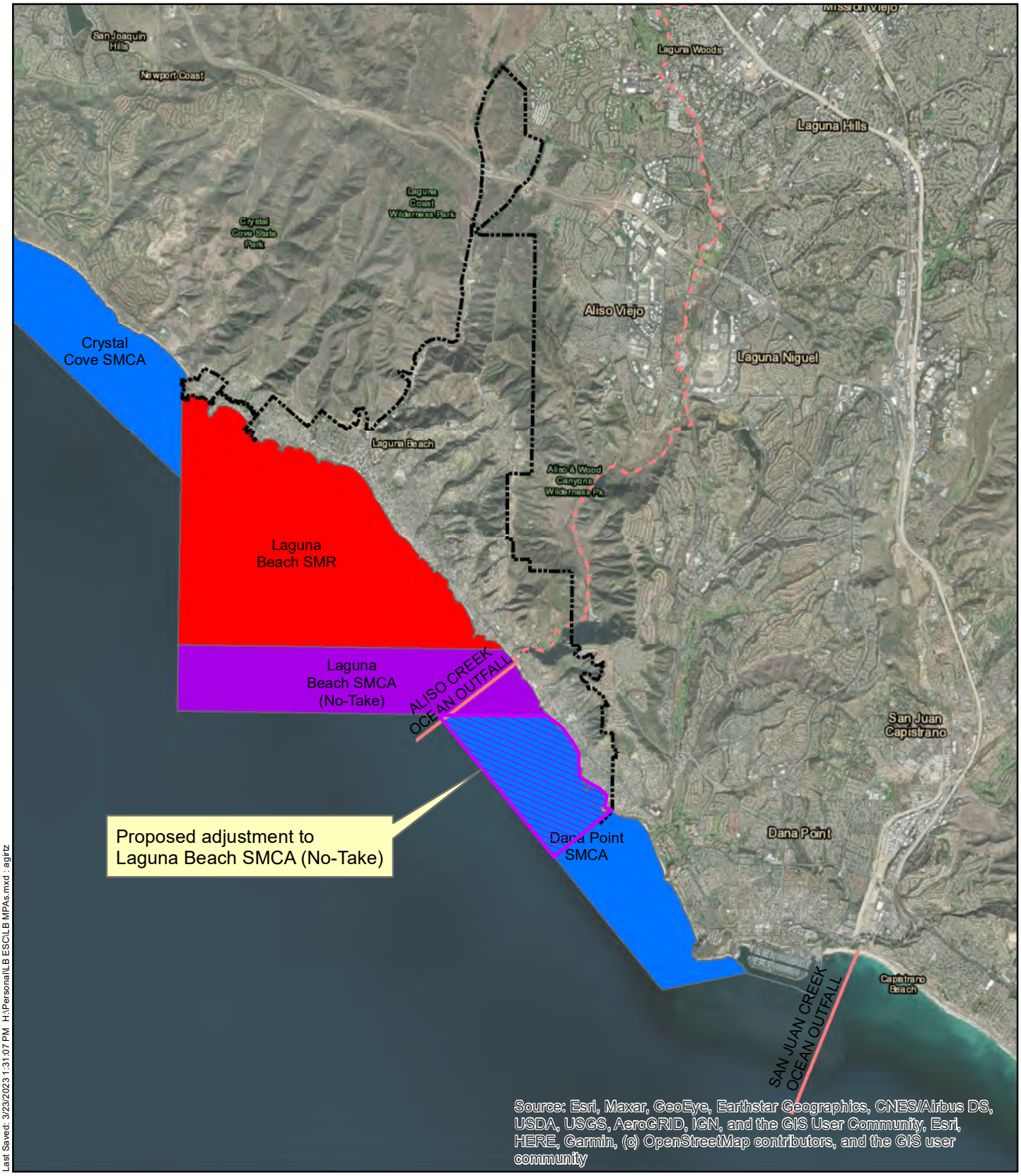
Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:
☐ Denied by FGC
☐ Denied - same as petition _____

Tracking Number

☐ Granted for consideration of regulation change



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Symbology

- City Limits
- SOCWA Effluent Transmission Line
- SOCWA Ocean Outfall
- Proposed Laguna Beach SMCA (No-Take) Adjustment

N

0 2,500 5,000

Scale in Feet

Figure 1

City of Laguna Beach
Proposed Marine Protected Area Adjustment

Laguna Bluebelt Coalition
MPA Decadal Review

Status of the Kelp Beds in 2019:

Orange and San Diego Counties

Prepared for the Region Nine Kelp Survey Consortium

MBC Aquatic Sciences

STATUS OF THE KELP BEDS IN 2019:
Orange and San Diego Counties

Prepared for:

Region Nine Kelp Survey Consortium

Prepared by:

MBC *Aquatic Sciences*
3000 Red Hill Avenue
Costa Mesa, California 92626

August 18, 2020

PROJECT STAFF

Region Nine Kelp Survey Consortium

Robin Gartman (Chair), Ami Latker	City of San Diego Public Utilities Dept.
Lori Rigby, Luke Christian	City of Oceanside
Ralph Ginese	City of Escondido
Tim Sisk	Cabrillo Power LLC, Encina Power Station
Doug Campbell, Jeff Parks	Encina Wastewater Authority
Owni Toma	Fallbrook Public Utility District
Gary Merrill, Rebecca Bray	Genentech
Michelle Powelson	Poseidon Water
Chris Trees, Mike Thornton	San Elijo Joint Powers Authority
Keith Bacon, Amber Baylor	South Orange County Wastewater Authority
Brian Metz	Southern California Edison, SONGS
Nicholas Chapa	U.S. Intl. Boundary & Water Commission

Water Board

Brandi Outwin-Beals, Keith Yaeger	San Diego Regional Water Quality Control Board

MBC *Aquatic Sciences*

Marine Scientists

D.S. Beck	D.J. Schuessler
J.M. Lyons	J.J. Sloan
W.H. Dossett	B.L. Smith
R.H. Moore	J.N. Smith
J.R. Nunez	D.G. Vilas
M.R. Pavlick	T.A.Van Duivenbode
J.L. Rankin	

Cover photograph courtesy of D. J. Schuessler

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EXECUTIVE SUMMARY

Aerial imaging surveys of the 24 giant kelp beds off Orange and San Diego counties were conducted for the Region Nine Kelp Survey Consortium (RNKSC) by MBC Aquatic Sciences on March 31, July 19, September 19, and December 19, 2019. The maximum surface canopy observed during 2019 was quantified from color infrared photos of each kelp bed.

The total kelp canopy throughout Region Nine covered approximately 5.2 km^2 in 2019, a 53% decrease compared to 2018. This was similar to the total kelp canopy coverage recorded in 2016 (5.1 km^2), but considerably larger than the total coverage for 2017 (3.3 km^2), which was the lowest since 2006. More than half of all kelp beds observed in 2018 disappeared in 2019 (10 out of 18), and none reappeared. The La Jolla and Point Loma kelp beds were the largest, accounting for 99% of the total canopy coverage in 2019.

Vessel surveys of all Region Nine kelp beds were scheduled for late 2019, but were not actually conducted until January 7, 15, and 30, 2020. Visual observations indicated that surface canopy was present at North Laguna Beach, Dana Point/Salt Creek, Leucadia Central and South, Encinitas, Solana Beach, La Jolla North and South, and Point Loma North and South. No surface canopy was observed at South Laguna Beach, South Laguna, or from Capistrano Beach through Leucadia North. Subsurface kelp was observed at many kelp bed locations, even those without visible surface canopy. More detailed in-water surveys were conducted by biologist-divers at three kelp bed locations: Dana Point/Salt Creek, Leucadia North, and the Encina Power Plant.

Water temperatures throughout the RNKSC areas generally were warmer than average throughout most of 2019, particularly from September through December. However, lower than normal temperatures were recorded at Newport Pier during most of April, May, and August, and occasionally during March, June, and July. Lower than normal water temperatures were also occasionally recorded at Scripps Pier from February through October, particularly during the months of June, July and August. Daily sea surface temperature (SST) values rarely fell below 14°C, a threshold below which nutrient availability is much greater than at higher water temperatures, at Newport Pier and Scripps Pier, and never fell below this threshold at Oceanside or Point Loma South.

As in previous years, nutrient availability continued to be low in 2019. Upwelling in 2019 (at a location approximately 161 km west of Solana Beach) generally increased each month from January through August, decreasing through December. Upwelling index values in 2019 were much higher than the long-term mean in July and August, but lower in March, May and June. Upwelling was lower from March through June in 2019 compared with the same time period in 2018, which is when surface water temperatures are generally lower and nutrient availability would be increased. Although upwelling between July and September was higher in 2019 than the previous year, this corresponds to when surface water temperatures are highest and nutrient availability would be decreased.

I - INTRODUCTION

Giant kelp (*Macrocystis pyrifera*) beds along most of the southern California mainland coast have been mapped quarterly by the Region Nine Kelp Survey Consortium (RNKSC) since 1983. The RNKSC participants agreed that the monitoring program would be methodologically based upon aerial kelp surveys that were conducted since 1967 by the late Dr. Wheeler J. North.

I.1 - REGION NINE KELP BEDS

The RNKSC program area extends from Abalone Point in northern Laguna Beach in Orange County southward to the U.S./Mexico Border in San Diego County, and recognizes 24 existing or historic kelp beds (Figure 1). Kelp beds associated with harbors, marinas, or hard substrate also are surveyed. Region Nine supports what are usually the two largest kelp beds in southern California, the La Jolla and Point Loma kelp beds. There are eight ocean outfalls located within the geographical area surveyed on behalf of the RNKSC, including three outfalls that are shared by two different agencies (Figure 1).

One of the objectives of the RNKSC program is to answer several basic monitoring questions regarding the status of kelp beds within the region:

1. What is the maximum areal extent of the coastal kelp bed canopy each year?
2. What is the variability of the coastal kelp bed canopy over time?
3. Are coastal kelp beds disappearing? If yes, what are the factors that could contribute to the disappearance?
4. Are new kelp beds forming?

I.2 - KELP BIOLOGY

If spores and suitable rocky substrate are available, giant kelp can quickly colonize surfaces and grow within a wide range of environmental conditions. Giant kelp grows rapidly and becomes reproductive in less than one year, with population dynamics largely driven by changes in the oceanographic environment, such as temperature and nutrient levels. If not removed prematurely by storms or grazers, large vegetative fronds eventually produce a terminal meristem, stop growing, and senesce. Individual fronds usually live no more than four to nine months, and individual kelp can live up to approximately nine years (Schiel & Foster, 2015). Detailed information on kelp biology is presented in Appendix B.

II - MATERIALS AND METHODS

II.1 - KELP DATA COLLECTION

II.1.A - AERIAL SURVEYS

In the early-1960s, when kelp surveys began, the surface area of coastal kelp beds was calculated via aerial photography by the late Dr. Wheeler J. North of the California Institute of Technology (Pasadena). Later MBC continued the surveys using a method following that of Dr. North's, as it provided a consistent approach for comparing kelp bed size (North 2001). MBC has continued to use this same methodology for the Region Nine surveys since inception of the program in 1983.

In 2019, Ecoscan Resource Data conducted quarterly overflights of the coastline on behalf of the RNKSC from Newport Harbor (Orange County) to the U.S./Mexico border (San Diego County). Direct downward-looking photographs of the kelp beds were taken from an aircraft modified by Ecoscan Resource Data to facilitate aerial photography. Approximately 200 to 225 high-contrast digital color and infrared photos were taken during each survey. Prior to each survey, the flight crew assessed the weather, marine conditions, and sun angle to schedule surveys on dates when optimum photos could be captured. The pilot targeted the following conditions:

- Weather: greater than a 15,000' ceiling throughout the entire survey range and wind less than 10 knots,
- Marine: sea/swell less than 1.5 m and tide range less than +1.0' Mean Lower Low Water (MLLW) during the survey,
- Sun angle greater than 30 degrees from vertical.

Aerial surveys were flown on March 31, June 19, September 19, and December 19, 2019 (Table 1). The flight path and data sheets from each quarterly aerial survey are included in Appendix D and photographs from each aerial survey are contained in Appendix E.

II.1.B - VESSEL SURVEYS

A vessel survey is conducted annually to observe all RNKSC kelp beds. The vessel survey for the 2019 survey year was scheduled to occur in December, but was delayed by adverse ocean conditions and was conducted on January 7, 2020 from Imperial Beach to Santa Margarita, on January 15, 2020 from Pendleton Artificial Reef to Capistrano Beach, and on January 30, 2020 from Dana Point to Corona del Mar. During the vessel surveys, biologists visually located each kelp bed by the main surface canopies present, or in the absence of surface kelp, relied upon latitude and longitude coordinates for canopies present during prior years. The presence of subsurface kelp was also recorded via visual observations from the vessel and fathometer readings. During the vessel surveys, more detailed in-water surveys were conducted by biologist-divers at the Dana Point/Salt Creek, Encina Power Plant, and Leucadia North kelp beds. Field data sheets from the vessel surveys are included in Appendix D.

Visual observations of the surface canopy included:

- Extent and density of the bed,
- Tissue color: ranges from pale yellow (indicating poor nutrient uptake) to dark brown (indicating good nutrient intake),
- Frond length on the surface,
- Presence/absence of apical meristems (scimitar = growing tips),
- Extent of encrustations by hydroids or bryozoans,
- Sedimentation on fronds,
- Any evidence of disease, such as holes or black rot,
- Age composition of fronds: young, mature, or senile.

II.2 - KELP DATA ANALYSIS

All photographs were reviewed after each overflight and the canopy surface area of each kelp bed was ranked in size by subjectively comparing the extent of canopy coverage shown in the photographs to the average historical bed size and photographs from previous surveys (Table 2). The ranking scale ranged from 0 for no kelp, 0.5 for minimal kelp, 1 for well below average kelp, 1.5 for somewhat below average kelp, 2 for below average kelp, 2.5 for average kelp, 3 for above average kelp, 3.5 for somewhat above average kelp, and 4 for well above average kelp. These rankings allowed the archiving of the quarterly survey slides for later retrieval and assembly of a digitized photo-mosaic of each kelp bed that represented the greatest areal extent for each survey year. Individual beds in the composite were selected for detailed evaluation and the surface area of all visible kelp canopies in each distinct kelp bed was calculated.

All digital photographs from one of the four surveys that showed the greatest areal coverage were digitally assembled into a composite photo-mosaic that provided a regional view of entire kelp bed areas. Photos of kelp beds that displayed the greatest canopy coverage during a single survey were used to make photo-mosaics. Usually data from one or two surveys were used to for the photo-mosaics to provide the best estimate of maximum canopy coverage for the year. The Photoshop mosaics were then transferred to Geographic Information System (GIS; ArcGIS 10.3.1) to geo-reference them, and placed into specific California Department of Fish and Wildlife (CDFW) geo-spatial shape files. Each mosaic was geo-referenced to match several prominent features (usually more than three) on the map and converted to Universal Transverse Mercator (UTM), or another acceptable coordinate system, and subsequently converted to a geo-referenced JPEG file. Surface canopy areas were calculated using the image classification function, an extension to the ArcGIS program. The kelp beds from the photos were then layered on standard base maps to facilitate inter-annual comparisons. The “Hard Substrate” layer on the base maps (shown as lightly shaded areas on the maps in Appendix A) was obtained through the CDFW Biogeographic Information and Observation System.

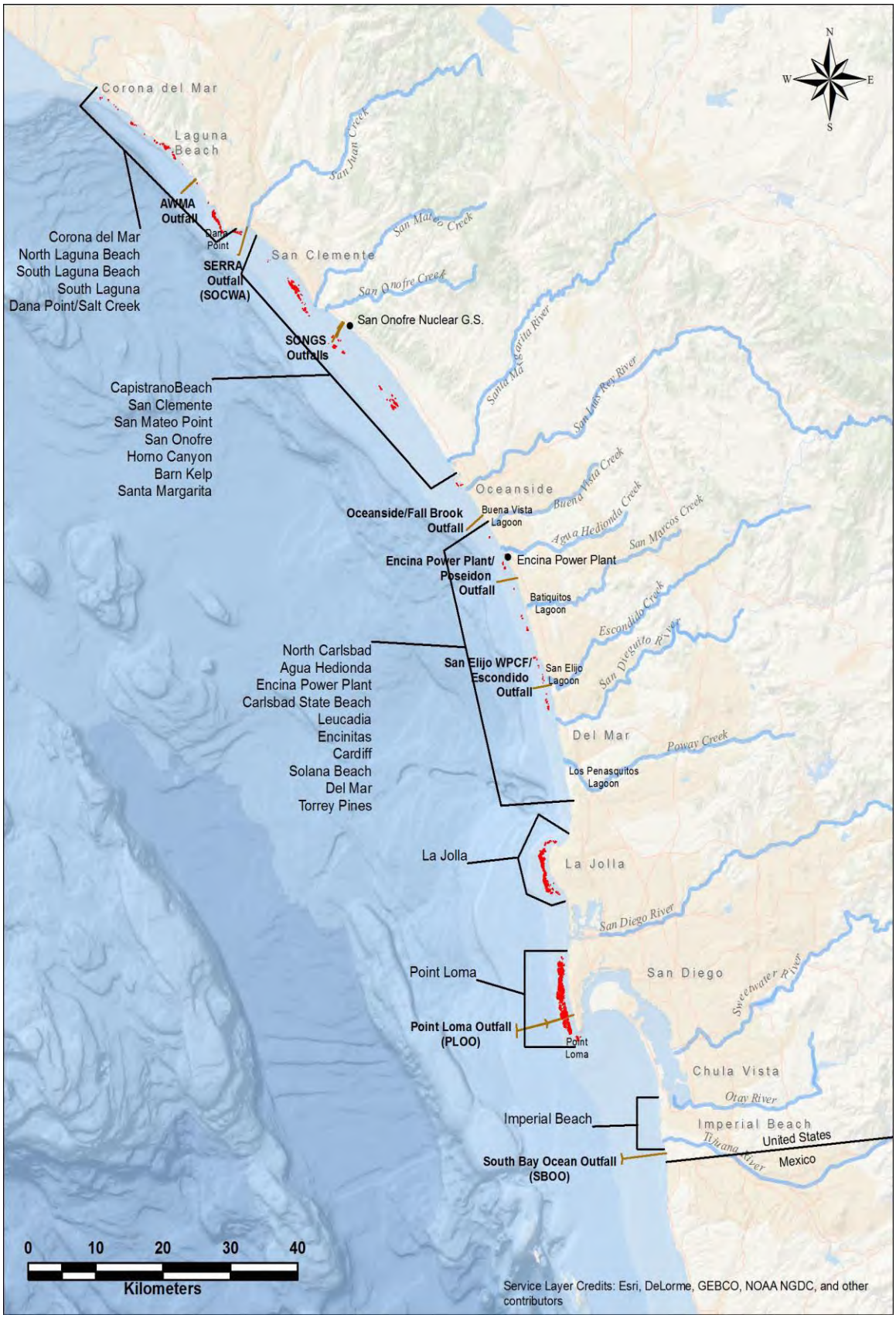


Figure 1. Ocean discharges and kelp beds located within Region Nine kelp survey area.

Table 1. Kelp bed overflights in 2019.

Quarter	Target Date	Actual Date	Comments
1st Quarter	**January to March 2019**	March 31, 2019	Excellent conditions for photos and observations during overflight
2nd Quarter	**April to June 2019**	July 19, 2019	Excellent conditions for photos and observations during overflight (survey delayed due to foggy conditions during month of June)
3rd Quarter	**July to September 2019**	September 19, 2019	Excellent conditions for photos and observations during overflight
4th Quarter	**October to December 2019**	December 19, 2019	Excellent conditions for photos and observations during overflight

The “Average Bed Area Per Year” (ABAPY) was plotted with results from individual beds to compare canopy sizes and patterns of growth/decline to averages for particular regions. Those regions were: CDFW lease bed 9 in Orange County and CDFW lease beds 5, 6, 7, and 8 in San Diego County (Figure 24). Kelp beds off La Jolla (CDFW lease bed 4, Figure 24) and Point Loma (CDFW lease beds 2 and 3, Figure 24) were treated separately because they are typically much larger beds which would dominate the ABAPY if included with the smaller beds, potentially skewing the data presentation and masking any changes occurring in the smaller beds. Each ABAPY was calculated by summing the annual canopy estimates for the relevant beds during each year and dividing the total by the number of beds included.

Table 2. Ranking values of canopy coverage assigned to kelp beds from Newport Harbor to Imperial Beach based on aerial photographs from 2019 Region Nine quarterly overflights.

	2019 Quarterly Overflights			
Kelp Beds	**31 March**	**19 July**	**19 September**	**19 December**
Newport Harbor *	–	–	–	–
Corona del Mar	**0.5**	–	–	–
No. Laguna Beach	0.5	**0.5**	–	0.5
So. Laguna Beach	**0.5**	0.5	–	0.5
South Laguna	–	–	–	–
Salt Creek-Dana Point	–	–	–	–
Dana Marina *	–	–	–	–
Capistrano Beach	–	–	–	–
San Clemente	**1.5**	1.0	–	–
San Mateo Point	**0.5**	–	–	–
San Onofre	0.5	**0.5**	–	–
Pendleton Reefs *	–	–	–	–
Horno Canyon	–	–	–	–
Barn Kelp	–	–	–	–
Santa Margarita	–	–	–	–
Oceanside Harbor *	–	–	–	–
North Carlsbad	–	–	–	–
Agua Hedionda	–	–	–	–
Encina Power Plant	–	–	–	–
Carlsbad State Beach	–	–	–	–
North Leucadia	–	**0.5**	–	–
Central Leucadia	–	–	–	–
South Leucadia	–	–	–	–
Encinitas	–	–	–	–
Cardiff	–	–	–	–
Solana Beach	–	–	–	–
Del Mar	–	–	–	–
Torrey Pines Park	–	–	–	–
La Jolla Upper	0.5	**1.5**	1.0	1.0
La Jolla Lower	2.5	**3.0**	1.0	2.5
Point Loma Upper	3.0	**4.0**	1.5	3.5
Point Loma Lower	3.0	**4.0**	1.5	2.5
Imperial Beach	–	–	–	–

Ranking values: 0.5 = trace or very small amount of kelp present; 1 = well below average;
1.5 = somewhat below average; 2 = below average; 2.5 = average;
3 = above average; 3.5 = somewhat above average; and 4 = well above average.
* = not a designated kelp bed
NI = No Image
"-" = no kelp present
Green highlight = survey utilized to quantify surface canopy area

III - RESULTS

III.1 - SUMMARY

Maps showing the areal extent of RNKSC canopy coverage in 2019 are provided in Appendix A. Tables displaying the historical canopy coverage for Region Nine from 1983 through 2019 are included in Appendix B. Delineation of each kelp bed area is shown in Appendix D. Aerial photographs taken during the four quarterly overflights in 2019 are included in Appendix E.

All kelp beds in the RNKSC region attained maximum surface canopy area for the year during either the March or June surveys (Table 2). The total amount of kelp canopy coverage in the RNKSC region was 5.2 km^2 in 2019, decreasing by 53% from 11.0 km^2 in 2018. In 2019, nine kelp beds displayed surface canopy, compared to 18 kelp beds with surface canopy in 2018 (10 kelp beds disappeared in 2019). No kelp beds increased in size and no new kelp beds reappeared in 2019. . The largest beds in the RNKSC region were the La Jolla and Point Loma kelp beds, with Point Loma being the largest at 3.9 km^2 (Figure 2, Panel A). These two large kelp beds accounted for 99% of the total RNKSC kelp coverage in 2019. In 2019, every kelp bed was less than 10% of the maximum size recorded since 1983, with the exception of La Jolla (26%) and Point Loma (50%) (Figure 2, Panel B). All nine of the kelp beds with visible surface canopy decreased in size in 2019 (Figure 2, Panel C).

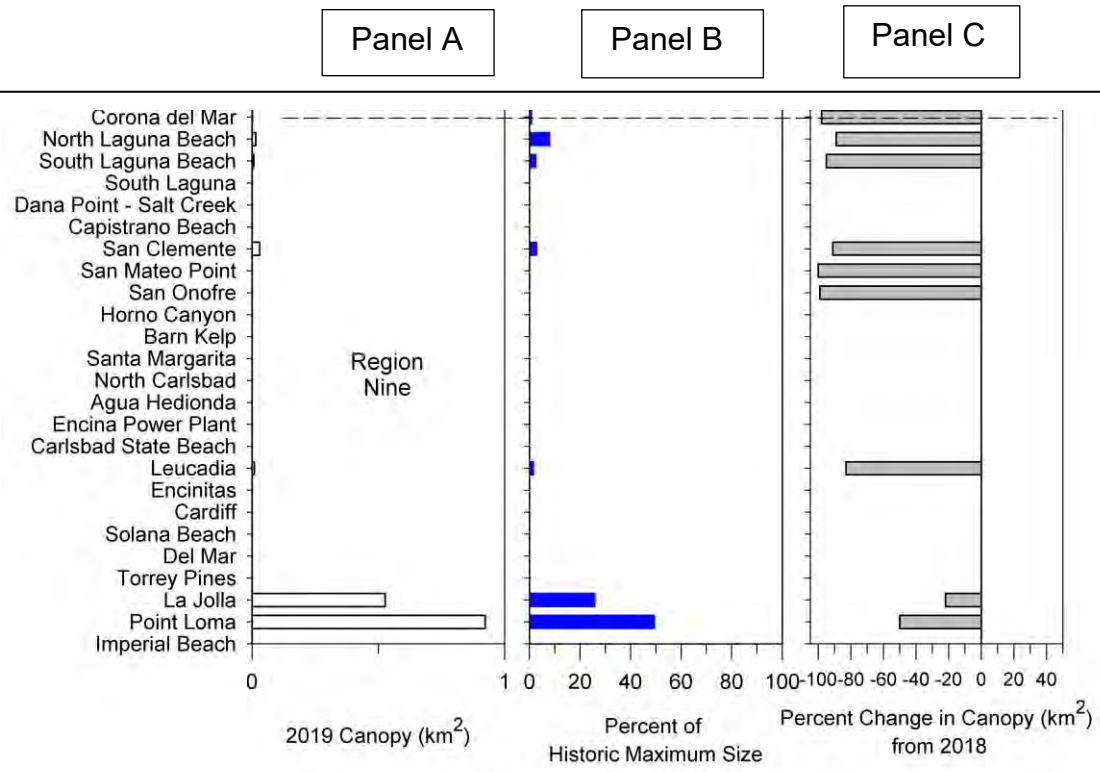
III.2 - SIZE OF KELP BEDS IN REGION NINE

The following is a synopsis of the status of each of the 24 designated individual kelp beds in the Region Nine during the 2019 survey year based upon the quarterly surveys. Information also is presented on several other areas where kelp beds were present. The comparison of canopy coverage between 2018 and 2019 for each kelp bed is presented in Table 3. Historical canopy coverage since 1911 is presented in Appendix B.4. Visual observations of the kelp beds recorded in Table 4 are based on vessel surveys conducted in January 2020. Observations from diver surveys conducted at the Dana Creek/Salt Point, North Leucadia and Encina Power Plant (Cabrillo Energy, Carlsbad) kelp bed areas are also presented in Table 4.

III.2.A - NEWPORT BEACH TO ABALONE POINT, LAGUNA BEACH

Corona del Mar. This kelp bed decreased in size by 98%, from 0.119 km^2 in 2018 to 0.003 km^2 in 2019 (Table 3). The canopy area in 2019 was only 1% of the maximum recorded in 2011 (Appendix B.3; Figure 3).

Downcoast from Newport Harbor, giant kelp grows in several small beds collectively referred to as the Corona del Mar kelp bed, or sometimes called the Newport/Irvine Coast kelp bed. The surface canopy area in 2019 was the smallest recorded since 2005. The decrease in size of this bed in 2019 (Figure 3) was similar to the decline of the Orange County ABAPY.



Note: truncated scale in Panel A: La Jolla canopy area = 1.2 km^2; Point Loma canopy area = 3.9 km^2

Figure 2. Summary of Region Nine kelp canopy coverage in 2019.

III.2.B - ABALONE POINT TO CAPISTRANO BEACH

There are five kelp beds located between Abalone Point and Capistrano Beach. In 2019, all five beds decreased in size (Table 3).

North Laguna Beach/South Laguna Beach. The North Laguna Beach kelp bed decreased in size by 89%, from 0.133 km^2 in 2018 to 0.015 km^2 in 2019 (Table 3). The canopy area in 2019 was 8% of the maximum recorded in 2012. The South Laguna Beach kelp bed decreased in size by 95%, from 0.131 km^2 in 2018 to 0.007 km^2 in 2019. The canopy area in 2019 was only 2% of the maximum recorded in 2013 (Appendix B.4; Figure 3).

The North and South Laguna Beach beds were rarely visible after the early 1990s until 2008, when they reestablished as a result of restoration efforts. The surface canopy areas of the North and South kelp beds in 2019 were the lowest recorded since 2009 and 2007, respectively. The decreases in size of both beds in 2019 (Figure 3) were similar to the decline of the Orange County ABAPY.

During the January 2020 vessel survey (Table 4), the North Laguna Beach surface canopy was estimated at approximately 100 by 150 meters. Tissue color was light to medium yellow, with no encrustation on fronds and only a few apical meristems were observed. The kelp bed

was composed of approximately 39% senile, 60% mature, and 1% young fronds. Subsurface kelp was visible on the fathometer, extending over a larger area than the surface canopy. No surface canopy was observed at South Laguna Beach, but some subsurface kelp was visible on the fathometer.

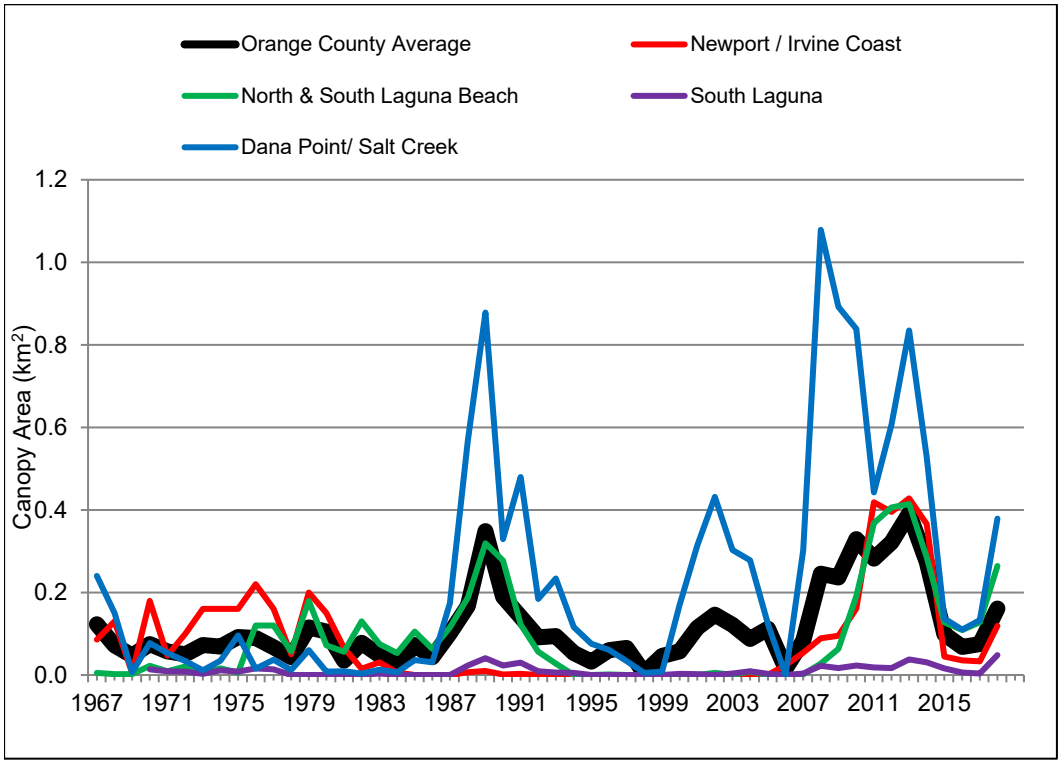


Figure 3. Comparisons between the average Orange County ABAPY and the canopy coverage of the kelp beds from Newport/Irvine Coast (Corona del Mar) to Dana Point/Salt Creek from 1967 through 2019.

South Laguna. This kelp bed disappeared in 2019 (Table 3). This followed 2018, when the surface canopy was the maximum recorded since RNKSC surveys began in 1983 (Appendix B.4; Figure 3).

After nearly disappearing in 2017, the South Laguna kelp bed increased in size by 1,500% in 2018, reaching the highest level observed (0.048 km^2) since RNKSC surveys began), only to decline once again in 2019. This is the first time that no surface canopy was visible since 2006. The decrease in size of this bed was similar to the decline of the Orange County ABAPY.

No surface or subsurface kelp was observed at South Laguna during the January 2020 vessel survey (Table 4).

Dana Point/Salt Creek. This kelp bed disappeared in 2019 (Table 3).

The Dana Point/Salt Creek kelp bed (Appendix A.46) ranged in size from 0.110 to 0.137 km^2 from 2015 to 2017, then increased to 0.379 km^2 in 2018, although it remained well below the levels observed in 2008, 2009, 2010, and 2013 (Figure 3). This also is the first time that no surface canopy was visible since 2006. The decrease in size of this bed in 2019 was similar to the decline in the Orange County ABAPY.

During the January 2020 vessel survey (Table 4), scattered surface canopy was observed at Dana Point/Salt Creek. Tissue color was medium to dark yellow, with less than 25% encrustation on fronds and no apical meristems were observed. The kelp bed was composed of 100% mature fronds.

An in-water survey of the Dana Point/Salt Creek kelp bed was conducted on January 30, 2020. The bottom was composed of approximately 50% boulder, 40% cobble, and 10% sand. In addition to giant kelp, *Laminaria*, *Egregia*, and *Pterogorgia* species of algae were present on the bottom. Kelp fronds were medium yellow in color, with less than 25% encrustation observed. Many sporophylls and juvenile fronds were observed. Fish observed included kelp bass (more than 5), sheepshead (1), and rock wrasses (more than 5).

No kelp was observed along the breakwaters in Dana Point Harbor (Appendix A.47) in 2019. This is not a designated kelp bed.

Capistrano Beach. This kelp bed disappeared in 2019 (Table 3).

This was the first year that surface canopy had not been observed at the Capistrano Beach kelp bed since 2005 (Appendix B.4; Figure 4). The 2019 decrease in size was similar to the decline of the Orange County ABAPY.

During the January 2020 vessel survey, no surface canopy was observed. However, patches of subsurface kelp were visible on the fathometer at depths of 35 to 45 feet (Table 4).

III.2.C - SAN CLEMENTE TO SAN ONOFRE

Three kelp beds are located between San Clemente and San Onofre. All three beds decreased in size in 2019 (Table 3).

San Clemente. This kelp bed decreased in size by 91%, from 0.335 km^2 in 2018 to 0.030 km^2 in 2019 (Table 3). The canopy area in 2019 was only 3% of the maximum recorded in 2013 (Appendix B.4; Figure 4).

The surface canopy area at the San Clemente kelp bed in 2019 was the lowest amount recorded since 2007 (Appendix B.4; Figure 4). The 2019 decrease in size was similar to the decline of the Orange County ABAPY.

Scattered surface canopy was visible during the January 2020 vessel survey. Tissue color was 5% light yellow, 10% medium yellow, and 85% dark yellow, with 30% encrustation on fronds and 25% apical meristems present. The kelp bed was composed of 10% senile, 85% mature, and 5% young fronds (Table 4).

Table 3. Canopy coverage of the Region Nine kelp beds from Laguna Beach to Imperial Beach (kelp beds listed north to south) during 2018 and 2019.

Kelp Bed	2018 (km^2)	2019 (km^2)	Percentage Difference
Newport Harbor	**0.113**	**0**	**Disappeared**
Corona del Mar	**0.119**	**0.003**	**-98%**
North Laguna Beach	**0.133**	**0.015**	**-89%**
South Laguna Beach	**0.131**	**0.007**	**-95%**
South Laguna	**0.048**	**0**	**Disappeared**
Dana Point/Salt Creek	**0.379**	**0**	**Disappeared**
Capistrano Beach	**0.018**	**0**	**Disappeared**
San Clemente	**0.335**	**0.030**	**-91%**
San Mateo Point	**0.083**	**0.0001**	**-100%**
San Onofre	**0.127**	**0.001**	**-99%**
Horno Canyon	**0.008**	**0**	**Disappeared**
Barn Kelp	**0.092**	**0**	**Disappeared**
Santa Margarita	**0**	**0**	**No change**
North Carlsbad	**0.038**	**0**	**Disappeared**
Agua Hedionda	**0**	**0**	**No change**
Encina Power Plant	**0.045**	**0**	**Disappeared**
Carlsbad State Beach	**0**	**0**	**No change**

Table 3 (continued)

Kelp Bed	2018 (km^2)	2019 (km^2)	Percentage Difference
Leucadia	**0.052**	**0.009**	**-83%**
Encinitas	**0.033**	**0**	**Disappeared**
Cardiff	**0.005**	**0**	**Disappeared**
Solana Beach	**0.024**	**0**	**Disappeared**
Del Mar	**0**	**0**	**No change**
Torrey Pines	**0**	**0**	**No change**
La Jolla	**1.566**	**1.227**	**-22%**
Point Loma	**7.920**	**3.923**	**-50%**
Imperial Beach	**0**	**0**	**No change**
TOTAL	**11.037**	**5.213**	**-53%**

San Mateo Point. This kelp bed virtually disappeared, decreasing in size by 100%, from 0.083 km^2 in 2018 to 0.0001 km^2 in 2019 (Table 3). The canopy area in 2019 was less than 0.1% of the maximum recorded in 1989 (Appendix B.4; Figure 4).

The surface canopy area of the San Mateo Point kelp bed in 2019 was the lowest amount recorded since 1998 (Appendix A.50; Figure 4). The 2019 decrease in size was similar to the decline of the Orange County ABAPY.

No surface canopy was observed during the January 2020 vessel survey. Some subsurface individuals were present, approximately 20-feet tall, and one solid patch was observed 0.25 miles south of San Mateo Point (Table 4).

San Onofre. This kelp bed decreased in size by 99%, from 0.127 km^2 in 2018 to 0.001 km^2 in 2019 (Table 3). The canopy area in 2019 was 0.2% of the maximum recorded in 1989 (Appendix B.4; Figure 4).

Table 4. Visual observations of Region Nine kelp beds during January 2020 vessel surveys.

Kelp Bed	Surface Canopy		Subsurface Kelp
	Extent	Appearance	
Corona del Mar	none		none
North Laguna Beach	estimated at 100 x 150 meters	light and medium yellow; 39% senile, 60% mature, 1% young; no encrustation; a few apical meristems	subsurface kelp beyond the edges of the surface canopy
South Laguna Beach	none		some subsurface kelp
South Laguna	none		none
Dana Point/Salt Creek	scattered canopy estimated at 400 x 800 meters	medium and dark yellow; 100% mature; less than 25% encrustation; no apical meristems	**see discussion of dive survey results**
Dana Point Harbor	none		none
Capistrano Beach	none		patches with approximately 15 to 25-feet tall individuals, scattered at approximately 35 to 45-feet depth
San Clemente	scattered kelp canopy	5% light yellow, 10% medium yellow, 85% dark yellow; 10% senile, 85% mature, 5% young; 30% encrustation; 25% apical meristems	scattered individuals approximately 20 to 30 feet tall in patches
San Mateo Point	none		some subsurface kelp, individuals approximately 20-feet tall, 1 solid patch 0.25 miles south of San Mateo Point
San Onofre	none		none
Pendleton Reefs	none		none
Horno Canyon	none		sparse kelp individuals 20 to 30-feet tall
Barn Kelp	none		20 to 30-feet tall kelp individuals, multiple patches at approximately 20 meters depth
Santa Margarita	none		none
North Carlsbad	none		none
Agua Hedionda	none		10-15 individuals on the bottom (two to three patches with up to six individuals)
Encina Power Plant	none		**see discussion of dive survey results**
Carlsbad State Beach	none		none
Leucadia-north	none		**see discussion of dive survey results**
Leucadia-central	surface kelp canopy estimated at 100 x 30 meters	50% light tissue color 50% senile, 45% mature, 5% young	subsurface kelp present with visible apical meristems

Table 4 (continued)

Leucadia-south	surface kelp canopy estimated at 30 x 30 meters	20% light yellow, 70% medium yellow, 10% dark yellow 18% senile, 80% mature, 2% young	subsurface kelp present with visible apical meristems
Encinitas	surface kelp canopy estimated at 100 x 30 meters	10% light yellow, 70% medium yellow, 20% dark yellow 5% senile, 35% mature, 60% young 40% apical meristems	5- to 10-foot kelp individuals on the bottom; two to three patches of 10-40 individuals scattered over approximately 0.35 miles (some reaching to the surface)
Cardiff	none		several single individuals 10-15 feet tall over approximately 0.25 miles
Solana Beach	scattered surface canopy	30% light yellow, 70% dark yellow	scattered individuals at the south end of the bed, 15-20 feet tall to 30-35 feet tall
Del Mar	none		several individuals 2-3 feet tall over approximately 200 meters
Torrey Pines	none		none
La Jolla North	scattered canopy, estimated at 100 to 200 meters in width		visible subsurface kelp
La Jolla South	continuous canopy south to north end, estimated at 100 to 300 meters in width; lower density inshore than offshore	60% light yellow, 40% dark yellow; 5% senile, 95% mature; 60 to 70% encrustation 2 to 5% apical meristems	subsurface kelp at approximately70 feet depth
Point Loma North	continuous canopy south to north end, approximately 200 meters width	50% light yellow, 50% dark yellow; 9% senile, 90% mature, 1% young; no encrustation; 1-2% apical meristems	visible subsurface kelp
Point Loma South	continuous canopy south to north end, estimated at approximately 200 meters in width	100% dark yellow; 1% senile, 98% mature, 1% young; 30% encrustation; 1% apical meristems	scattered kelp just below the surface, heavy encrustation, many apical meristems
Imperial Beach	none		none

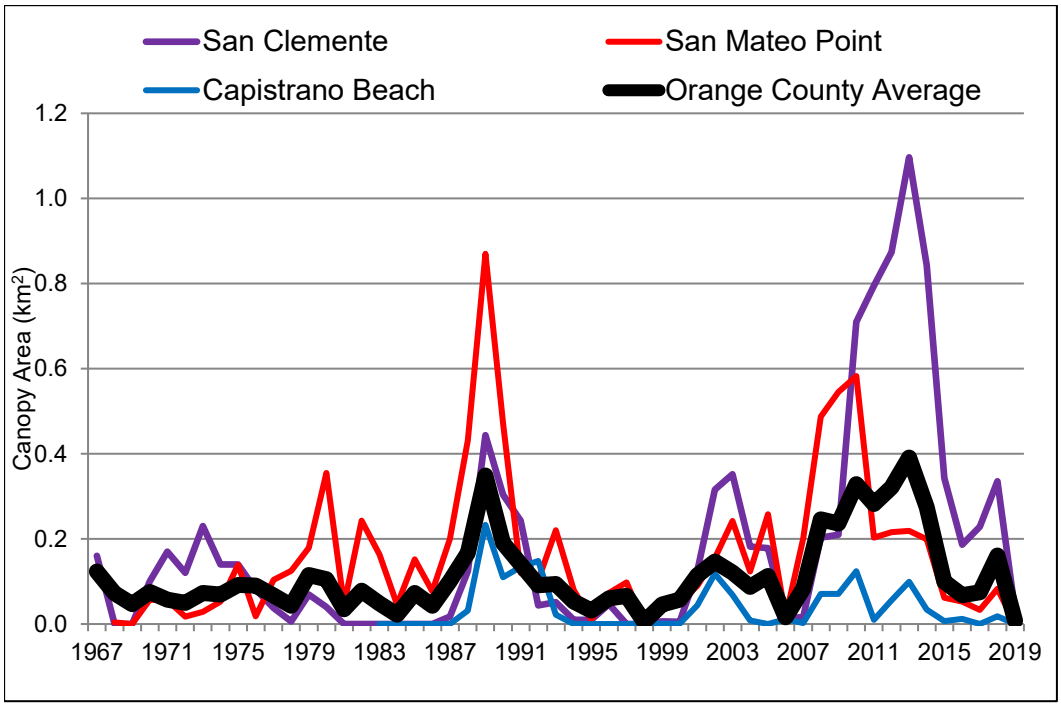


Figure 4. Comparisons between the average Orange County ABAPY and the canopy coverage of the kelp beds from Capistrano Beach to San Mateo Point from 1967 through 2019.

The surface canopy area of the San Onofre kelp bed in 2019 was the lowest amount recorded since 2006 (Appendices A.50 and A.51, Figure 4)). The 2019 decrease was similar to the decline of the San Diego County average ABAPY.

No surface or subsurface kelp was observed during the January 2020 vessel survey (Table 4).

III.2.D - HORNO CANYON TO SANTA MARGARITA RIVER

Three kelp beds are located between Horno Canyon and the Santa Margarita River.

Horno Canyon. This kelp bed disappeared in 2019 (Table 3).

This was the first year that no surface canopy was observed at the Horno Canyon kelp bed since 2011 (Figure 5). The 2019 decrease in size was similar to the decline of the San Diego County ABAPY.

No surface canopy was visible during the January 2020 vessel survey. However, sparse kelp individuals 20 to 20 feet tall were visible on the fathometer (Table 4).

In addition, the Pendleton Artificial Reef (PAR), which is not a designated kelp bed, is just upcoast from Horno Canyon. No surface canopy or subsurface kelp was observed at this location.

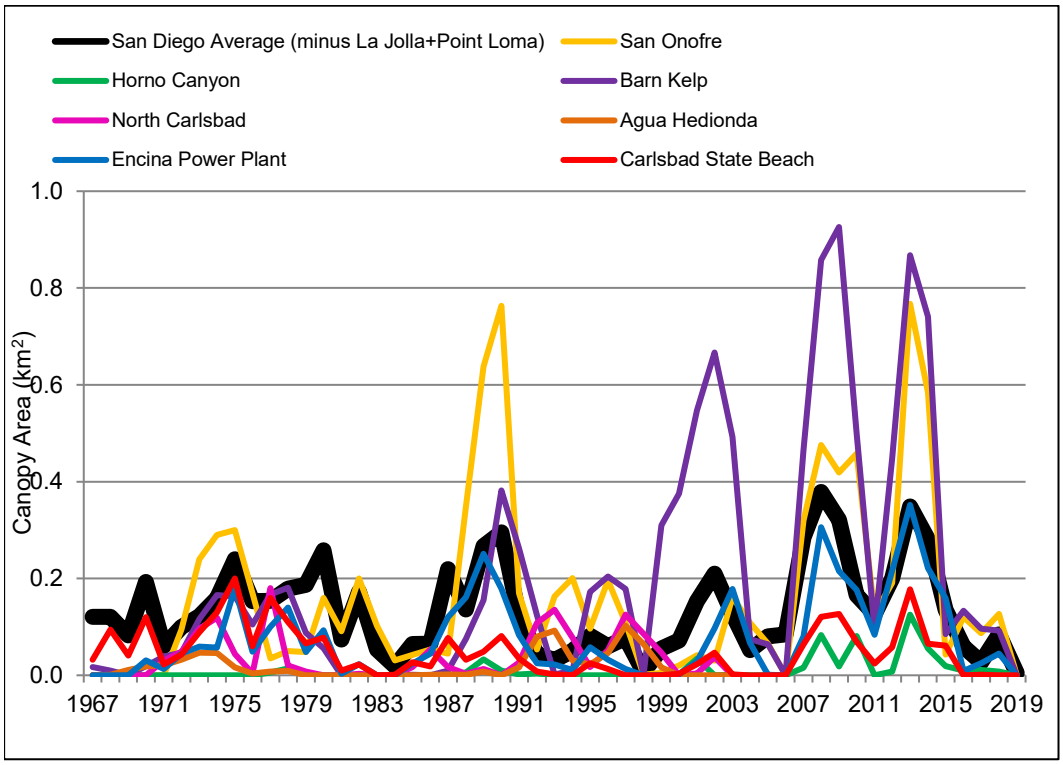


Figure 5. Comparisons between the San Diego average ABAPY and canopy coverage of the kelp beds from San Onofre to Carlsbad State Beach from 1967 to 2019.

Barn Kelp. This kelp bed also disappeared in 2019 (Table 3).

This was the first year that no surface canopy was observed at the Barn Kelp bed since 2006 (Figure 5).

No surface canopy was observed during the January 2020 vessel survey. However, 20- to 30-foot tall kelp individuals were visible on the fathometer in multiple patches at approximately 20 meters depth (Table 4).

Santa Margarita. This kelp bed was not observed during 2019, nor was it visible in 2018 (Table 3).

The Santa Margarita kelp bed is a small bed that occasionally forms a canopy off the Santa Margarita River mouth (Appendix A.56). However, surface canopy has only been observed during one year (2013) since 1993 (Appendix B.4).

No surface canopy or subsurface kelp was visible at Santa Margarita during the January 2020 vessel survey.

No kelp was observed in Oceanside Harbor (Appendix A.57; Table 3) in 2019. This is not a designated kelp bed.

III.2.E - NORTH CARLSBAD TO CARLSBAD STATE BEACH

There are four kelp beds located between North Carlsbad and Carlsbad State Beach. In 2019, three of the beds decreased in size, while the other still was not visible (Table 3).

North Carlsbad. This kelp bed disappeared in 2019 (Table 3).

The North Carlsbad kelp bed is usually comprised of several small beds (Appendices A.58 and A.59). This kelp bed was not observed in 2016 and was very small in 2017, but increased considerably in size in 2018 (21% of the maximum size recorded), before disappearing in 2019 (Appendix B.4; Figure 5).

During the January 2020 vessel survey (Table 4), no surface canopy was observed at the North Carlsbad kelp bed.

Agua Hedionda. This kelp bed was not observed in 2019 (Table 3), nor has it been visible since 2015 (Figure 5).

No surface canopy was observed at the Agua Hedionda kelp bed during the January 2020 vessel survey (Table 4). However, 10 to 15 subsurface individuals were visible on the fathometer in two to three groups of up to six individuals each.

Encina Power Plant. This kelp bed disappeared in 2019 (Table 3).

This was the first time that no surface canopy was observed at the Encina Power Plant kelp bed since 2006 (Appendix A.60, Figure 5)).

No surface canopy was observed at the Encina Power Plant kelp bed during the January 07, 2020 vessel survey (Table 4). Underwater observations were made during a dive survey on the same date. The bottom was composed of flat shale reef, with cobble bottom in some areas. Red alga was the dominant species of algae present. Kelp observed included juvenile individuals; nine new holdfasts were observed. Tissue color of kelp fronds was medium to dark yellow. No encrustation or sediment was observed on the kelp fronds. No fish were observed, but 3 lobsters, 1 white spotted rose anemone (*Urticina eques*), 3 large sea snails (*Kelletia*), 4 turban snails (*Megastraea*), 16 purple sea urchins (*Strongylocentrotus purpuratus*), and 7 red sea urchins (*Mesocentrotus fransciscanus*) were observed on the bottom.

Carlsbad State Beach. This kelp bed was not observed in 2019, nor was it visible in 2018 (Table 3).

The Carlsbad State Beach (Carlsbad State Park) kelp bed (Appendices A.60 and A.61) was very small or absent from 2016 through 2018, before finally disappearing in 2019 (Figure 5).

No surface canopy or subsurface kelp was observed at the Carlsbad State Beach kelp bed during the January 2020 vessel survey (Table 4).

III.2.F - LEUCADIA TO TORREY PINES

Leucadia. This kelp bed decreased in size by 83%, from 0.052 km^2 in 2018 to 0.009 km^2 in 2019 (Table 3). The canopy area in 2019 was only 2% of the maximum recorded in 2013 (Appendix B.4; Figure 6).

The Leucadia kelp bed comprises the North, Central, and South Leucadia kelp beds, which are surveyed as three separate beds because of distinct breaks in the beds (Appendices

A.62 and A.63). In 2013, Leucadia kelp bed increased in size to its highest canopy coverage in the last 30 years (0.541 km^2), but by 2016 had declined to only 6% of the 2013 maximum and had remained small through 2019 (Appendix B.4; Figure 6). In 2019, kelp canopy was observed only in the North bed.

No surface or subsurface kelp was observed at the North Leucadia Bed during the January 2020 vessel survey (Table 4). Surface canopy was observed at the Central Leucadia kelp bed. The surface canopy was present as scattered kelp over an estimated 100 x 30 meter area. Half of the fronds were light in color, half were dark. Approximately 50% of the fronds were senile, 45% mature, and 5% young. Surface canopy also was observed at the South Leucadia kelp bed. The surface canopy was present as scattered kelp over an estimated 30 x 30 meter area. Fronds were approximately 20% light yellow, 70% medium yellow, and 10% dark yellow. Approximately 18% of the fronds were senile, 80% mature, and 2% young. Fronds were approximately one to two meters in length. Apical meristems were observed subsurface.

Underwater observations were made during a dive survey on the same date. The bottom was composed of shale reef and plate rock. The dominant algae species present was *Egregia*. Kelp observed included one juvenile individual and four recruits, as well as a few adult individuals. Tissue color of kelp fronds was medium to dark yellow.

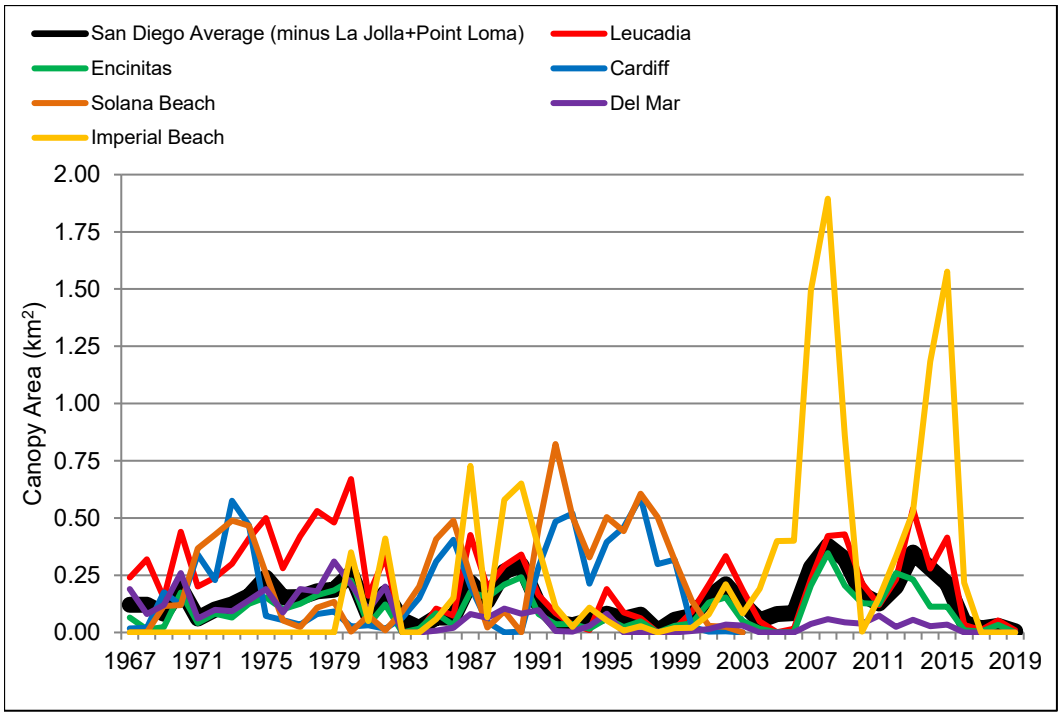


Figure 6. Comparisons between the San Diego average ABAPY and canopy coverage of the kelp beds from Leucadia to Imperial Beach from 1967 to 2019.

Encinitas. This kelp bed disappeared in 2019 (Table 3).

This was the first time that no surface canopy was observed at the Encinitas kelp bed since 2005 (Appendix A.63; Figure 6).

During the January 2020 vessel survey, scattered surface canopy was observed over an estimated 30 x 100 meter area (Table 4). Kelp fronds ranged from light yellow (10%), medium yellow (70%), to dark yellow (20%) in color. Approximately 5% of the fronds were senile, 35% mature, and 60% young. Scattered subsurface kelp was present, consisting of 10 to 40 individuals ranging in height from 5 to 10 feet.

Cardiff. This kelp bed also disappeared in 2019 (Table 3).

This was also the first time that no surface canopy was observed at the Cardiff kelp bed since 2005 (Appendix A.64; Figure 6).

During the January 2020 vessel survey, no surface canopy was visible (Table 4). Subsurface kelp was visible on the fathometer, consisting of several single individuals that were 10- to 15-feet tall over an area of approximately 1,000 feet long.

Solana Beach. This is another kelp bed that disappeared in 2019 (Table 3).

This was the first time that no surface canopy was observed at the Solana Beach kelp bed since 1983 (Appendices A.64 and A.65; Figure 6).

During the January 2020 vessel survey, scattered surface canopy was observed at the Solana Beach kelp bed (Table 4). Kelp fronds were approximately 30% light yellow and 70% dark yellow in color. Scattered subsurface kelp was observed visually and/or on the fathometer, with individuals ranging in height from 15 to 35 feet.

Del Mar. This kelp bed was not observed in 2019, nor was it visible in 2018 (Table 3).

The Del Mar kelp bed (Appendices A.66 and A.67) is typically one of the smallest beds in Region Nine. No surface canopy has been observed at the Del Mar kelp bed since 2015(Appendices A.66 and A.67; Figure 6).

No surface canopy was observed at the Del Mar kelp bed during the January 2020 vessel survey (Table 4). Subsurface kelp was visible on the fathometer as 2- to 3-foot tall individuals over an area of approximately 200 meters.

Torrey Pines. This kelp bed was not observed in 2019, nor was it visible in 2018 (Table 3).

Torrey Pines kelp bed appeared as a small trace of kelp during La Niña conditions in 1988 and 1989. It reappeared in 2006 with a canopy area of 0.010 km^2 with scattered giant kelp concentrations approximately 1.5 km, 3.5 km, and 5 km north of Scripps Pier. Small canopies were observed in various locations in the area from 2008 through 2013, but this bed was not observed from 2014 through 2019 (Appendices A.67 and A.68).

No surface canopy or subsurface kelp was visible during the January 2020 vessel survey (Table 4).

III.2.G - LA JOLLA

La Jolla. This kelp bed decreased in size by only 22%, from 1.566 km^2 in 2018 to 1.227 km^2 in 2019 (Table 3). The canopy area in 2019 was 26% of the maximum recorded in 1989 (Appendix B.4; Figure 7).

La Jolla kelp bed is composed of two canopies: northern La Jolla and southern La Jolla. Between southern La Jolla and Upper Point Loma (offshore Mission Bay), nearshore habitat is mostly sand and kelp does not grow in this area (Appendices A.70 and A.71). The La Jolla kelp bed decreased in size considerably from 2013 through 2017, resulting in the smallest canopy size since 2006. After more than doubling in size in 2018, the La Jolla kelp bed decreased in size by approximately 20% in 2019 (Appendices A.68 through A.70; Figure 7).

During the January 2020 vessel survey, the La Jolla North kelp bed surface canopy was scattered, covering an estimated area approximately 100 to 200 meters wide (Table 4). Subsurface kelp was visible on the fathometer. The La Jolla South kelp bed surface canopy was continuous from the south to north end, ranging from 100 to 300 meters in width. The density of the surface canopy was lower inshore than offshore. Tissue color was 60% light yellow and 40% dark yellow, with 2 to 5% apical meristems, and the fronds had 60 to 70% encrustation. The kelp bed was composed of approximately 5% senile and 95% mature fronds. Subsurface kelp was visible on the fathometer at a depth of approximately 70 feet.

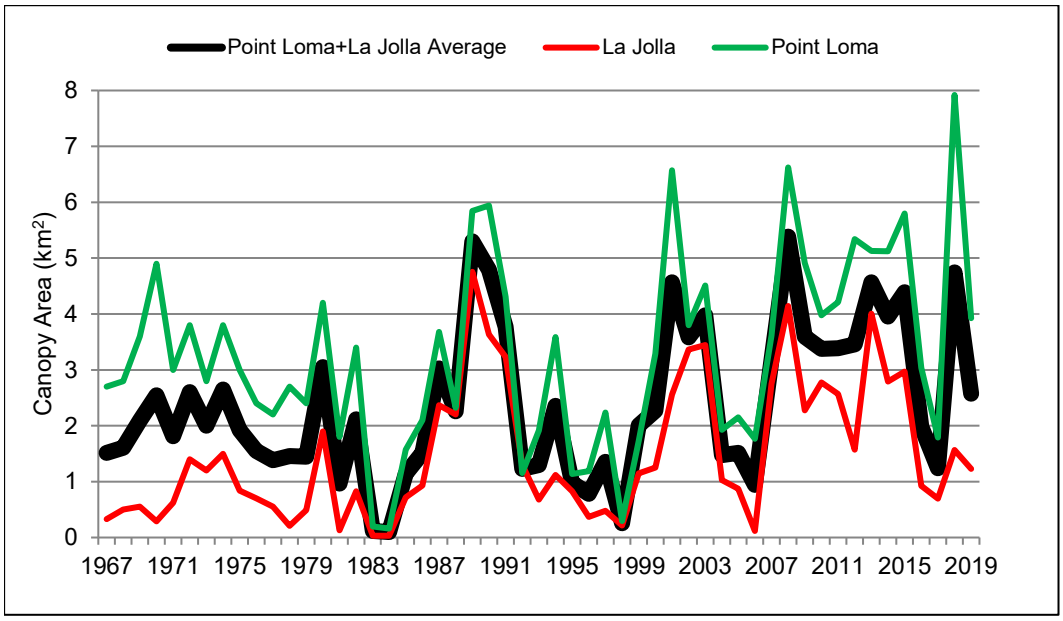


Figure 7. Comparisons between the Point Loma/La Jolla Average ABAPY and canopy coverage of the La Jolla and Point Loma kelp beds from 1967 to 2019.

III.2.H - POINT LOMA TO CORONADO BEACH

Point Loma. This kelp bed decreased in size by 50%, from 7.920 km^2 in 2018 to 3.923 km^2 in 2019 (Table 3). The canopy area in 2019 was 50% of the maximum recorded in 2018 (Appendix B.4; Figure 7).

The Point Loma kelp bed comprises many, usually contiguous, kelp canopies ranging from depths of 5 to greater than 30 meters during years with sufficient nutrients. *Pelagophycus porra* is prevalent beyond about 30 meters depth at Point Loma (Turner et al. 1968). It is the largest bed in Region Nine. The canopy at Point Loma maintained a relatively large size (more than 5 km^2) from 2013 through 2015. However, decreases in 2016 and 2017 resulted in the smallest sizes measured since 2006. In 2018, the Point Loma kelp bed increased in size considerably, reaching the maximum size observed since RNKSC surveys began in 1983. Even with the decrease in size observed in 2019, this kelp bed remains larger than in 2016 or 2017 (Appendices A.71 through A.74; Figure 7).

During the January 2020 vessel survey, the surface canopy was continuous from the south to the north end at the Point Loma North kelp bed, and was estimated at approximately 200 meters in width (Table 4). Tissue color was 50% light yellow and 50% dark yellow, with no encrustation on the fronds and 1 to 2% apical meristems. Subsurface kelp was visible on the fathometer. A continuous surface canopy from the south to the north end also was visible at the Point Loma South kelp bed, and also was estimated at approximately 200 meters in width. Tissue color was 100% dark yellow, with 30% encrustation of the fronds and 1% apical blades. The kelp bed was composed of approximately 1% senile, 98% mature and 1% young fronds. Scattered kelp was observed just below the surface, with heavy encrustation of the fronds and many apical meristems.

III.2.I - CORONADO BEACH TO U.S./MEXICO BORDER

No kelp was observed at Coronado Beach (Appendix A.76) or Silver Strand (Appendix A.77), which are not designated kelp beds, during aerial overflights or during the January 2020 vessel survey.

Imperial Beach. This kelp bed was not observed in 2019, nor was it visible in 2018 (Table 3).

The surface canopy area of the Imperial Beach kelp bed has fluctuated considerably from year to year, reaching its highest levels in 2008 and 2015 (Appendices A.79 and A.80; Figure 6). No surface canopy was observed in 2017 for the first time since 1998, nor was it visible in 2018 or 2019.

No surface or subsurface kelp was visible at the Imperial Beach kelp bed during the January 2020 vessel survey (Table 4).

IV – DISCUSSION

IV.1 - REGION NINE KELP BEDS

One objective of the RNKSC program is to answer several basic monitoring questions regarding the status of kelp beds within the region:

1. What is the maximum areal extent of the coastal kelp bed canopy each year?
    - the total kelp canopy covered 5.2 km^2 in 2019.
2. What is the variability of the coastal kelp bed canopy over time?
    - the total kelp canopy decreased in size in 2019 by 53% (from 11.0 km^2 to 5.2 km^2);
    - none of the kelp beds increased in size in 2019
    - all 18 kelp beds with visible surface canopy present in 2018 decreased in size in 2019
3. Are coastal kelp beds disappearing? If yes, what are the factors that could contribute to the disappearance?
    - 10 kelp beds disappeared in 2019: South Laguna, Dana Point/Salt Creek, Capistrano Beach, Horno Canyon, Barn Kelp, North Carlsbad, Encina Power Plant, Encinitas, Cardiff, and Solano Beach. Higher than normal sea surface temperatures and low nutrient availability could have contributed to the disappearance of these 10 kelp beds.
    - Six other kelp beds continued to display no surface canopy in 2019: Santa Maragarita and Torrey Pines, which disappeared in 2014; Agua Hedionda and Del Mar, which disappeared in 2016; Imperial Beach, which disappeared in 2017, and Carlsbad, which disappeared in 2018. Above average sea surface temperatures and low nutrient availability may have contributed to the continued absence of surface canopy at these six kelp beds.
4. Are new kelp beds forming?
    - No kelp beds reappeared in 2019.

The total kelp canopy in Region Nine covered approximately 5.2 square kilometers in 2019, which was similar to the total kelp canopy recorded in 2016 (5.1 square kilometers), but larger than the total for 2017 (3.3 square kilometers), the lowest amount of total kelp canopy since 2006 (Table 5, Figure 8). The largest kelp beds were the La Jolla and Point Loma kelp beds, which accounted for 99 percent of the total canopy coverage in 2019. The surface canopy areas of the La Jolla and Point Loma beds were at 26% and 50% of the maximum extent recorded since 1983. However, all of the other kelp beds were at 10% or less of their maximum size (Figure 2), and most were at their lowest levels in years (Solano Beach canopy area was the smallest since 1983, San Mateo Point was the smallest since 1998, and others were the smallest since 2005 to 2009).

Vessel surveys of all Region Nine kelp beds were conducted in January 2020. Visual observations indicated that kelp canopy was present at North Laguna Beach and Dana Point/Salt Creek, but no surface canopy was observed at South Laguna Beach, South Laguna, or from Capistrano Beach to Leucadia North. Surface canopy was also present at Leucadia Central, Leucadia South, Encinitas, Solana Beach, La Jolla, and Point Loma. Subsurface kelp was observed at many bed locations, even those without visible surface canopy. In-water surveys conducted in January 2020 at three kelp beds, Dana Point/Salt

Creek, Leucadia North, and Encina Power Plant, recorded limited numbers of giant kelp individuals on the bottom at each location.

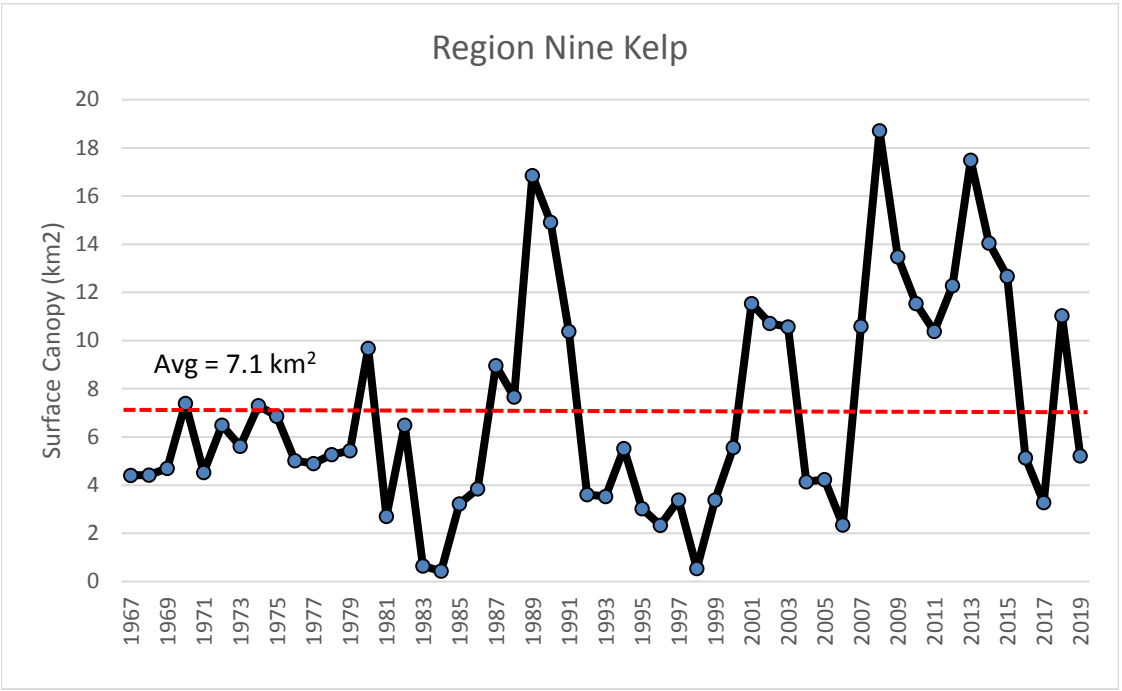


Figure 8. Combined canopy coverage of all kelp beds off Orange and San Diego Counties from 1967 through 2019.

IV.2 - ENVIRONMENTAL VARIABLES

The productivity and growth of giant kelp forests along the west coast of the United States has been shown to be limited by dissolved inorganic nitrogen, mainly in the form of nitrate (Wheeler and North, 1980; Zimmerman and Kremer, 1984). In the upper ocean (depths less than 200 meters), nitrate concentrations were strongly dependent on density and temperature (Kamykowski and Zentara, 1986). However, temperature apparently accounted for less than half of the variability in canopy area or density of giant kelp within the California Current System (CCS) (North et al, 1993; Tegner et al, 1996). Seawater density has been shown to predict nitrate concentrations in nearshore southern California ocean waters better than temperature, and has been utilized to identify the relative contributions of nitrate concentrations within the CCS from different source waters, primarily including subarctic water, upwelled undercurrent water, subtropical water, and surface runoff (Lynn and Simpson, 1987; Parnell et al, 2010).

Table 5. Canopy coverage (km^2) of the kelp beds from Laguna Beach to Imperial Beach (kelp beds listed from north to south) from 2009 through 2019.

Kelp Bed	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
N Laguna Beach	0.093	0.147	0.192	0.142	0.120	0.080	0.074	0.096	0.133	0.015
S Laguna Beach	0.098	0.221	0.214	0.273	0.165	0.048	0.035	0.032	0.131	0.007
South Laguna	0.023	0.018	0.017	0.038	0.031	0.016	0.006	0.003	0.048	-
Dana Pt/Salt Crk	0.839	0.442	0.607	0.835	0.528	0.137	0.110	0.133	0.379	-
Capistrano Beach	0.124	0.010	0.056	0.099	0.034	0.007	0.012	0.0004	0.018	-
Total F&W 9	1.178	0.838	1.086	1.385	0.879	0.287	0.237	0.264	0.709	0.022
San Clemente	0.710	0.795	0.874	1.097	0.843	0.343	0.187	0.229	0.335	0.031
San Mateo Point	0.583	0.203	0.216	0.219	0.199	0.062	0.053	0.033	0.083	0.0001
San Onofre	0.458	0.127	0.191	0.767	0.584	0.043	0.120	0.087	0.127	0.001
Total F&W 8	1.750	1.124	1.281	2.083	1.627	0.449	0.359	0.349	0.545	0.032
Horno Canyon	0.081	-	0.008	0.125	0.055	0.019	0.010	0.011	0.008	-
Barn Kelp	0.500	0.095	0.442	0.868	0.741	0.085	0.133	0.096	0.092	-
Santa Margarita	-	-	-	0.080	-	-	-	-	-	-
Total F&W 7	0.581	0.095	0.450	1.073	0.795	0.104	0.143	0.107	0.100	0.000
North Carlsbad	0.078	0.017	0.052	0.125	0.086	0.047	-	0.004	0.038	-
Agua Hedionda	0.031	0.022	0.046	0.102	0.065	0.016	-	-	-	-
Encina Power Plant	0.176	0.084	0.216	0.352	0.221	0.159	0.009	0.025	0.045	-
Carlsbad St. Bch	0.069	0.024	0.058	0.178	0.065	0.061	-	0.001	-	-
Total F&W 6	0.354	0.147	0.372	0.757	0.437	0.282	0.009	0.031	0.083	0.000
Leucadia	0.215	0.119	0.232	0.541	0.279	0.414	0.033	0.010	0.053	0.009
Encinitas	0.128	0.124	0.260	0.231	0.112	0.113	0.009	0.003	0.033	-
Cardiff	0.213	0.395	0.459	0.590	0.299	0.318	0.024	0.003	0.005	-
Solana Beach	0.328	0.504	0.442	0.606	0.504	0.316	0.138	0.029	0.024	-
Del Mar	0.038	0.074	0.024	0.056	0.027	0.034	-	-	-	-
Torrey Pines	0.003	0.031	0.034	0.081	-	-	-	-	-	-
Total F&W 5	0.925	1.247	1.452	2.106	1.221	1.195	0.204	0.045	0.114	0.009
La Jolla F&W 4	2.776	2.565	1.569	4.006	2.790	2.968	0.927	0.694	1.566	1.227
Point Loma F&W 3&2	3.977	4.212	5.340	5.127	5.121	5.806	3.037	1.787	7.920	3.924
Imperial Beach F&W 1	0.004	0.152	0.333	0.526	1.183	1.576	0.217	-	-	-
TOTAL	11.545	10.379	11.882	17.064	14.053	12.667	5.134	3.277	11.037	5.213

Red denotes warm-water years, **blue** denotes cold-water years, and neutral years are in **black**

"-" = no canopy area

IV.2.A - WATER TEMPERATURE

Sea surface water temperature (SST) data is discussed below and has been used as a surrogate for nutrient availability (water temperature is inversely related to nutrient availability). Although there appears to be good evidence that seawater density also can be used as a surrogate, and in some cases, may predict nutrient availability better than temperature (Parnell et al 2010), long-term measurements of density were not available for broad areas of Region Nine. In contrast, nearshore temperature measurements have been ongoing for decades, resulting in readily accessible data sets.

Oceanographic data from shore stations, data buoys, and thermistor strings were used to determine potential effects on kelp bed extent during the study year. These data sources included:

- Water temperature data from automated shore stations at Newport Pier and Scripps Pier. At these locations, automated samplers measured conductivity, temperature, and fluorometry at a frequency of one to four minutes. Samplers were mounted at a depth of 2 meters MLLW at Newport Pier, and at 5 meters MLLW at Scripps Pier. These data were made available in real time via the Southern California Coastal Ocean Observation System (SCCOOS) website (**www.sccoos.org**).
- Water temperature data from the National Data Buoy Center (NDBC) for Oceanside and Point Loma South were available in real time via the NDBC website (**www.ndbc.noaa.gov**). These data buoys recorded water temperature, and wave height, period, and direction at least every 30 minutes (frequency varies for each buoy) from approximately one meter below the waterline.
- Water temperature data were provided by the City of San Diego's Ocean Monitoring Program from a thermistor string approximately 3.8 kilometers west-northwest of Point Loma in 60 meters of water (City of San Diego 2019). Sensors were placed at four-meter intervals from near the sea surface to a depth of 54 meters MLLW.
- Water temperature data were also provided by Orange County Sanitation District from a thermistor mooring located approximately eight kilometers offshore (-118.02220, 33.57620) and upcoast of the outfall in 60 meters of water (Orange County Sanitation District, 2020).

Sea surface temperatures (SST) from Newport Pier, Oceanside, Scripps Pier, and Point Loma South, as well as the Scripps Pier long-term harmonic mean, are presented in Figure 9. Graphs of SST values at each of these individual locations are presented in Appendix C.

Water temperatures throughout the RNKSC region were generally warmer than average throughout most of 2019, particularly from September through December (Figure 9). However, lower than normal temperatures were recorded at Newport Pier during most of April, May, and August, as well as occasionally during March, June, and July. Lower than normal water temperatures were also recorded at Scripps Pier at times from February through October, particularly during the months of June, July and August. Water temperatures at Oceanside and Point Loma South were lower than normal occasionally during the months of February through August and in October, but less frequently than at Newport Pier or Scripps Pier. Daily SST values rarely fell below 14ºC,a threshold below

which nutrient availability is increased (Schiel and Foster, 2015)) at Newport Pier and Scripps Pier, but never fell below this threshold at Oceanside or Point Loma South. Overall, the pattern of SST values in 2019 was similar to 2018.

Unfortunately, while SST data were available at several locations in the RNKSC region, sub-surface water temperature data were not as extensive or readily available.

Temperature monitoring accomplished via a thermistor string deployed off Point Loma in 2019 was limited since data for temperatures at the surface down to approximately 15 meters depth were missing from January through August. In September and October, water temperatures were warm in the upper 15 meters of the water column. From November through mid-December, water temperatures were warm to depths up to 50 meters (Figure 10).

Temperature monitoring, also accomplished via a thermistor string deployed offshore of Orange County, was limited since all data from January through August were missing, due to the inability by Orange County Sanitation District personnel to service the mooring due to the COVID pandemic. From June through October, water temperatures in the upper water column from 1 to 10 meters depth were warmer (approximately 17 to 23^{o}C) than at lower depths from 15 to 60 meters (approximately 11 to 16.5 ^{o}C). In November and December, water temperatures were cool throughout the water column (Figure 11).

The number of days with SST values <14°C increased slightly in 2019 at Newport Pier (from 1 to 6 days) and decreased slightly at Scripps Pier (from 12 to 5 days) (Figure 12). These values were well below the long-term mean (1994-2018) for Newport Pier (52 days) and lower than the long-term mean for Scripps Pier (16 days). This continues the trend observed over the past several years, as the number of days with water temperatures <14°C has been lower than usual since 2014.

The number of days with water temperatures >18°C in 2019 increased slightly at Newport Pier (from 137 to 146 days), but the number of days with water temperatures >16°C and >20°C decreased (from 254 to 235 days, and from 69 to 61 days, respectively (Figure 9). At Scripps Pier, the number of days with warm temperatures decreased for all three thresholds in 2019. Overall, the pattern of unusually warm SST values observed since 2014 has continued.

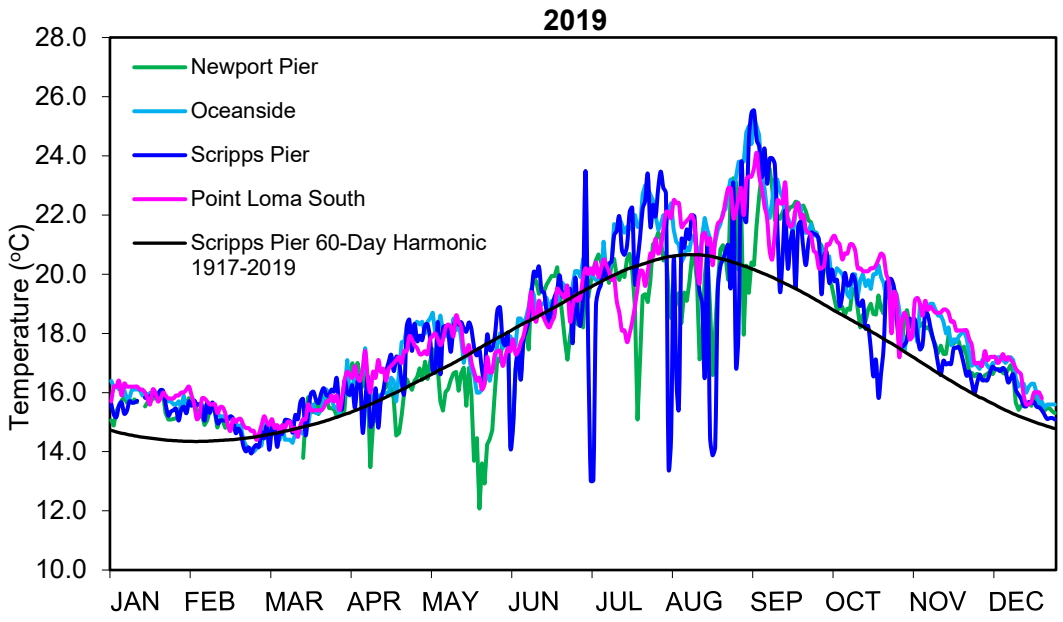


Figure 9. Daily sea surface temperatures (SSTs) at Newport Pier, Oceanside, Scripps Pier, and Point Loma South for 2019, and the long-term harmonic mean for Scripps Pier SIO 60-Day Harmonic calculated from 1917 through 2019). Source: Southern California Coastal Ocean Observation System (SCCOOS) (www.sccoos.org) and National Data Buoy Center (NDBC) (www.ndbc.noaa.gov).

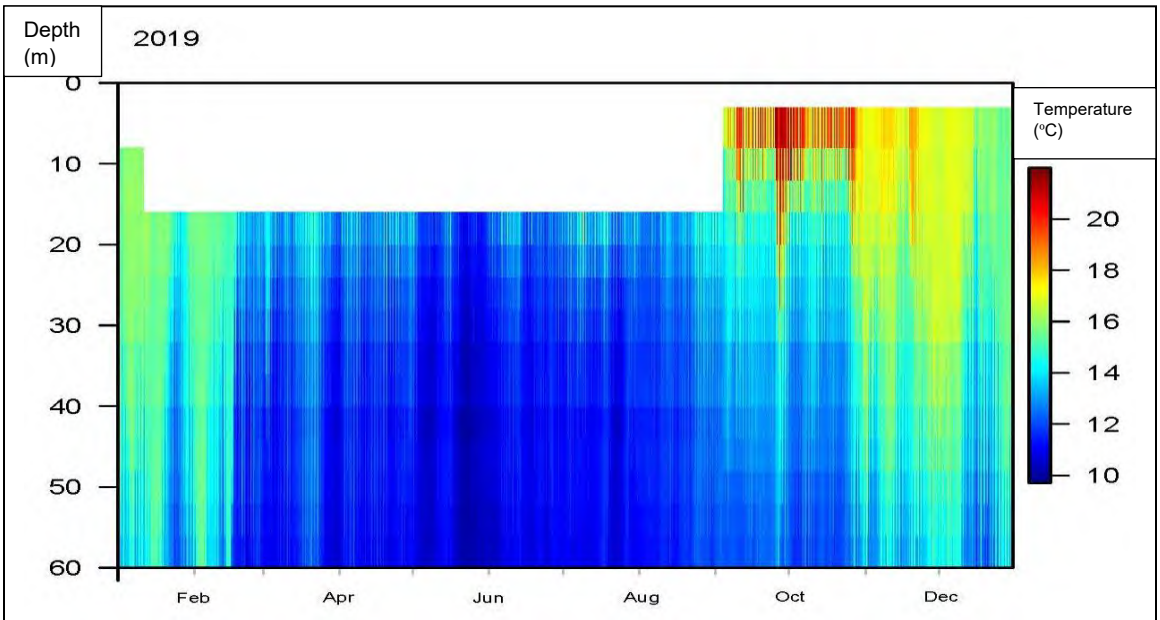


Figure 10. Temperatures (°C) throughout the water column (near surface to a depth of 60 m) off Point Loma during 2019. Source: City of San Diego, 2020.

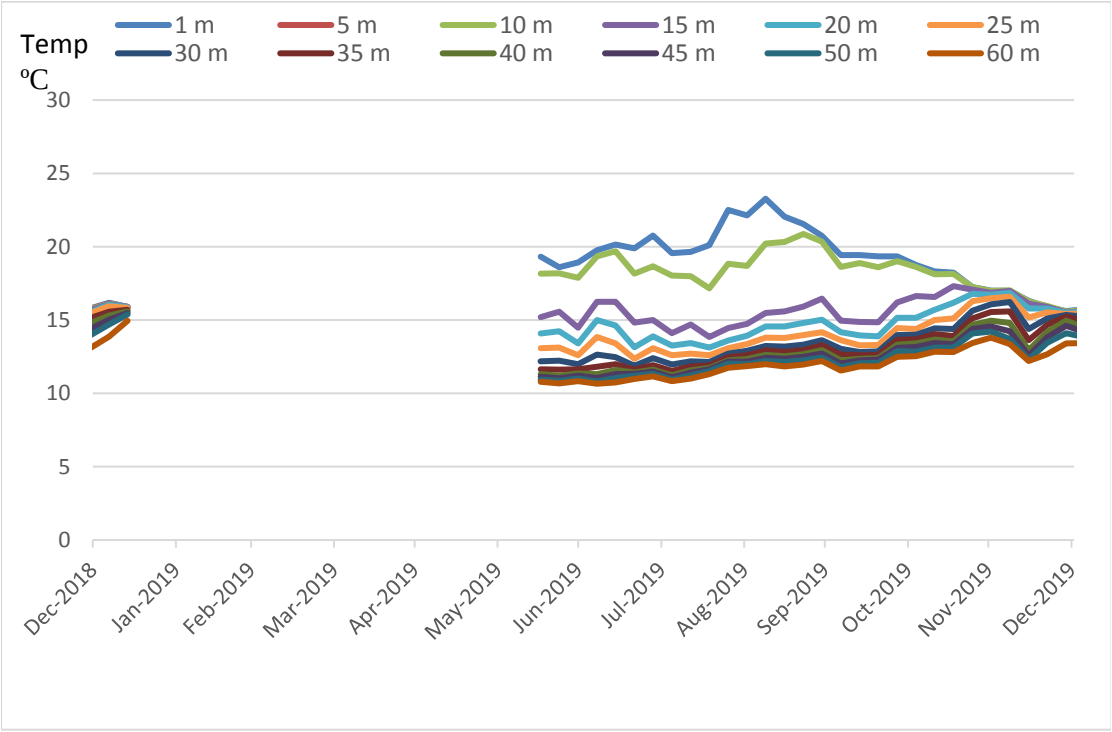


Figure 11. Temperatures (°C) throughout the water column (near surface to a depth of 60 m) off Orange County during 2019. Source: Orange County Sanitation District, 2020.

IV.2.B - NUTRIENTS

The Nutrient Quotient (NQ) Index described by North and MBC (2001) provides a useful indicator of the amount of nitrate that is theoretically available for uptake by kelp (in micrograms-per-gram per-hour) (Haines and Wheeler 1978; Gerard 1982). This method allows for an inter-annual comparison of the nutrients available to kelp, making it possible to pinpoint those years when nutrients were either abundant or depleted, and to establish possible temporal trends.

This index is calculated for the 12-month period from July 1 through June 30 (i.e., the 2019 NQ Index values shown on Figure 13 corresponded to the period from July 1, 2019 to June 30, 2020). The NQ Index was calculated for each of four locations (Newport Pier, Oceanside, Scripps Pier, and Point Loma) by averaging the early-morning SST values at each station for each of the 12 months, assigning a point score to each monthly SST average (1 point if the average falls between 16.01 and 17.00°C, 2 points if between 15.01 and 16.00°C, 4 points if between 14.01 and 15.00°C, 8 points if between 13.01 and 14.00°C, and 14 points if between 12.01 and 13.00°C. The NQ for the 12-month period was the sum of the monthly point scores.

The NQ calculations for four locations in Region Nine in 2019/2020 are shown in Table 7. The 2019/2020 NQ Index was calculated to be 8 for Newport Pier, 7 for Oceanside, 7 for

Scripps Pier, and 6 for Point Loma (Table 7). The NQ Indices for all four locations were slightly lower in 2019 than the previous year (Figure 13). This continues the pattern of below average NQ Index levels observed since 2013.

The size of kelp beds in 2019 were likely influenced by the 2018/2019 NQ Index (covering the period from July 2018 through June 2019), since the maximum extent of surface canopy at all of the Region Nine kelp beds occurred in March or June. Although nutrient availability appeared to be similar in 2018 and 2019 based on the NQ Index, the size of the kelp beds in Region Nine decreased considerably in 2019. Upwelling was lower in 2019 than in 2018 during the months of March, May, and June, which may have reduced nutrient availability in 2019, resulting in decreased surface canopy coverage. Overall, the pattern of low nutrient availability observed since 2013 has continued.

The nutrient climate has shifted from waters with sufficient nitrate prior to the 1976/1977 regime shift, to depleted conditions thereafter (Parnell et al. 2010). The sensitivity of kelp canopies to nutrient limitation appeared to have increased after 1977 and was evident by the strong correlation of seawater density (δ_t) and density of giant kelp (Parnell et al. 2010). Unfortunately, density data were not available throughout the RNKSC region. The NQ index recorded during the 1997/1998 El Niño indicated a particularly bad year for kelp beds in the Southern California Bight. During that season, NQ values ranged from 3 to 11. In contrast, during 1988/1989, a year in which kelp beds reached their maximum extents in several decades, NQ values ranged from 27 to 39 (Figure 13). The variability in SSTs and nutrients was driven by prevailing flow characteristics and bathymetric features that resulted in periodic upwelling along the rocky shores of the coastline, particularly at the Dana Point, La Jolla, and Point Loma kelp beds.

Table 6. Comparison of mean temperature from 1994 through 2019 versus annual mean temperature from 2011 through 2019 at Newport Pier, and Scripps Pier.

		Annual Mean SST (°C)								
	Mean SST (°C) (1994–2018)	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**
Newport Pier	**16.7**	15.9	16.6	16.7	18.0	18.4	17.8	17.8	17.9	17.6
Scripps Pier	**17.7**	15.7	16.6	17.0	18.8	18.9	17.7	17.9	18.6	17.8

Note: red cells indicate years above the long-term mean, white cells indicate years equivalent to the mean, and blue cells indicate years below the long-term mean.

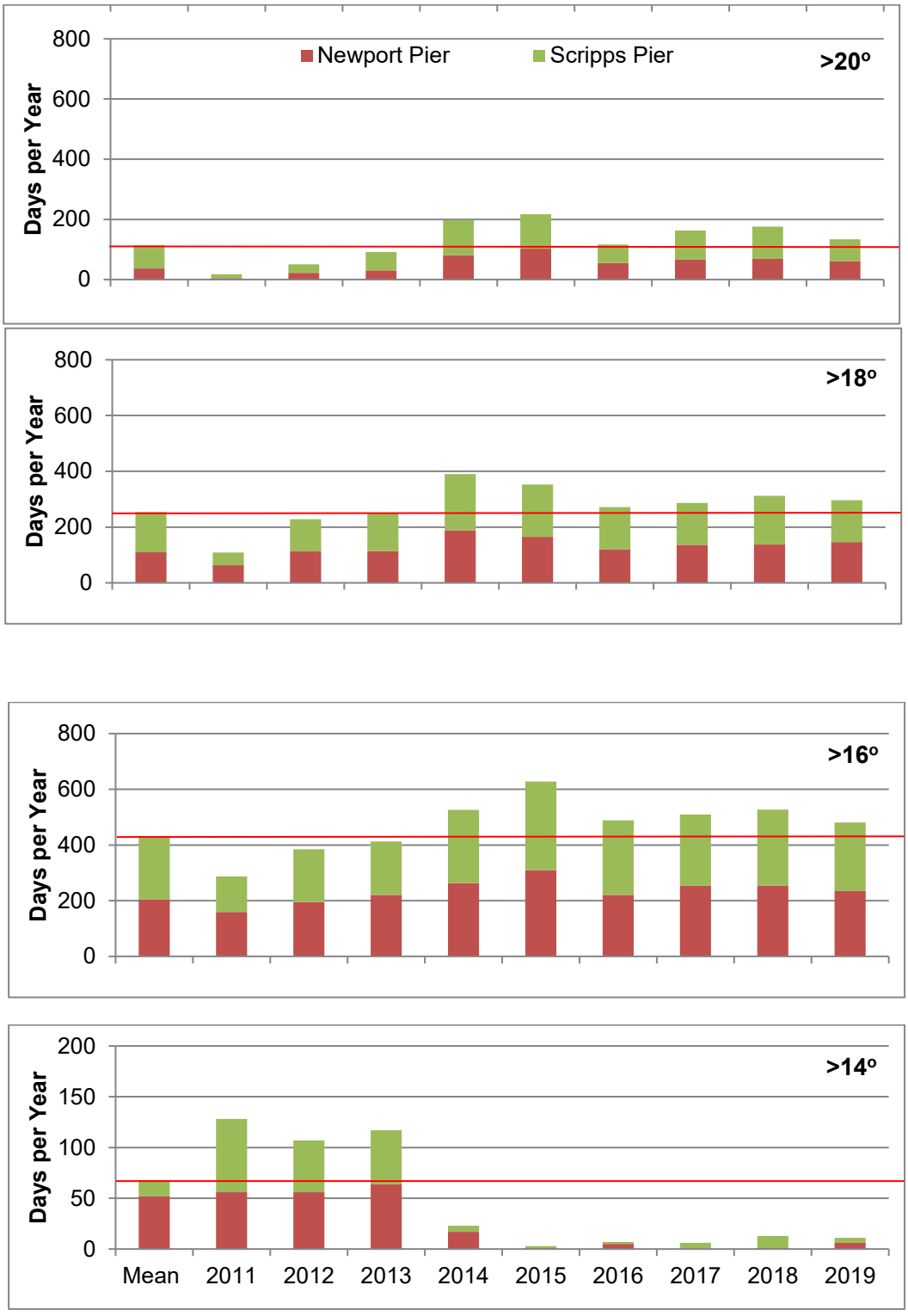


Figure 12. Number of days with SSTs >20°C, >18°C, >16°, and <14°C at Newport Pier and Scripps Pier from 2011 to 2019, and the mean from 1994 to 2018 (red line).

Table 7. Nutrient Quotient calculations for period from July 2019 to June 2020.

Sites	Monthly Average Temperature Ranges (°C) (Weighting Factor Per Month)					Total Nutrient Quotient (Calculation Formula)
	12.01 to 13.00 (14 pts)	13.01 to 14.00 (8 pts)	14.01 to 15.00 (4 pts)	15.01 to 16.00 (2 pts)	16.01 to 17.00 (1 pt)	
Newport Pier				Jan 2020 Feb 2020 Mar 2020	Dec 2019 Apr 2020	(4 pts x 0) + (2 pts x 3) + (1 pt x 2) = 8
Oceanside				Jan 2020 Feb 2020	Dec 2019 Mar 2020 Apr 2020	(4 pts x 0) + (2 pts x 2) + (1 pt x 3) = 7
Scripps Pier				Jan 2020 Feb 2020	Dec 2019 Mar 2020 Apr 2020	(4 pts x 0) + (2 pts x 2) + (1 pt x 3) = 7
Point Loma				Jan 2020 Feb 2020	Dec 2019 Mar 2020	(4 pts x 0) + (2 pts x 2) + (1 pt x 2) = 6

IV.2.C – UPWELLING

The frictional stress of equatorial wind on the ocean's surface, combined with the effect of the earth's rotation, causes water in the surface layer to move away from the western coast of continental land masses. This offshore moving water is replaced by water which upwells, or flow toward the surface, from depths of 50 to 100 meters or more. Upwelled water is cooler and saltier than the original surface water, and typically has much greater concentrations of nutrients, such as nitrates, phosphates and silicates, that are key to sustaining biological production.

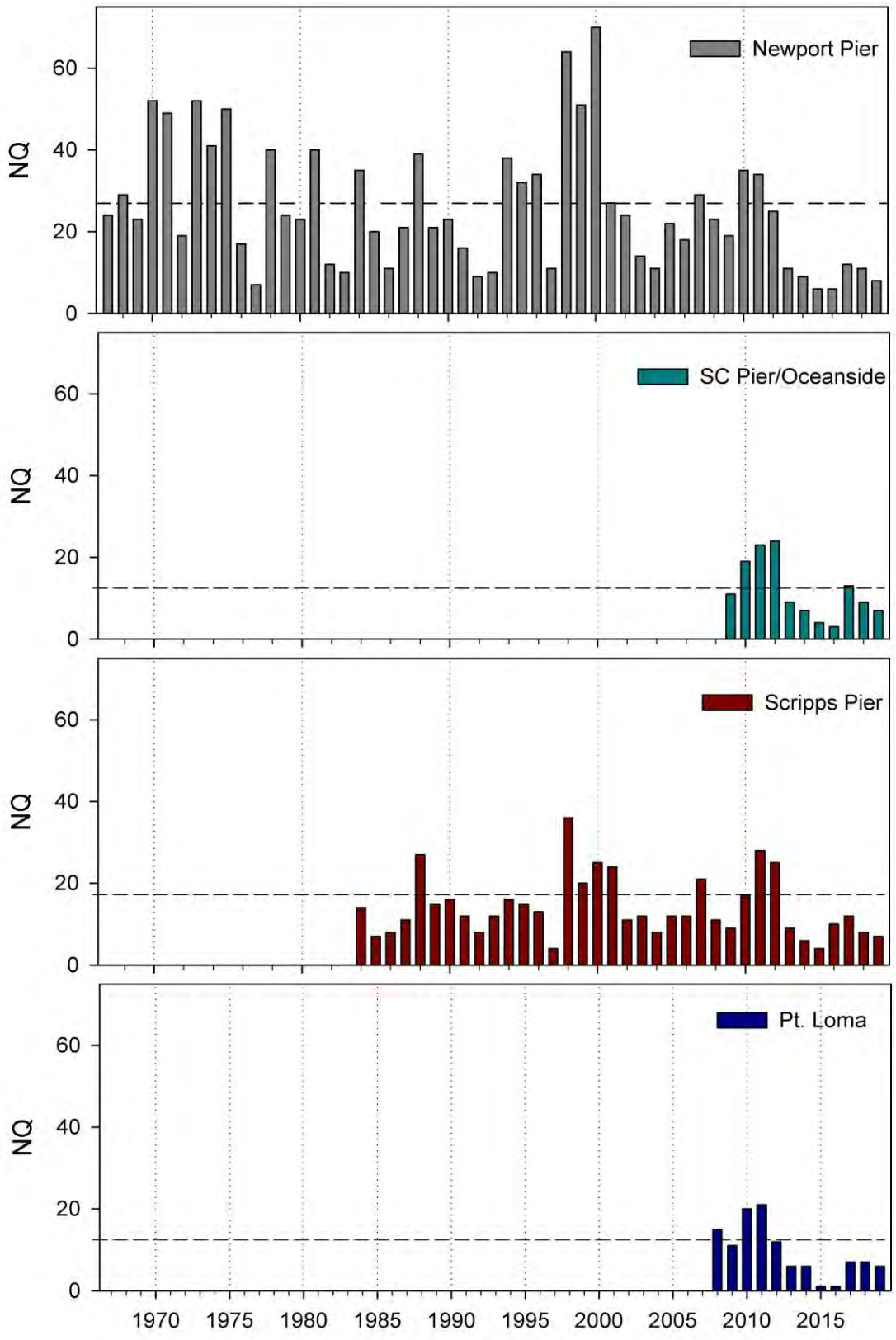


Figure 13. Nutrient Quotient (NQ) values in Region Nine, 1967 to 2019 (dotted line = long-term mean for site).

The upwelling index in 2019 (at a location approximately 161 km west of Solana Beach) generally increased each month from January through August, then decreased through December (Figure 14 A). The Upwelling Anomaly Index demonstrates that upwelling in 2019 was much higher than the long-term mean (1946-2018) during the months of July and August, but lower than usual during March, May, and June (Figure 14 B). The monthly PFEL Upwelling Index was lower in 2019 than during 2018 for the months of March, April, May and June (Figure 15), when surface water temperatures generally were lower and more nutrients would be available. However, upwelling was higher in 2019 than the previous year during the months of July, August, and September. Unfortunately, this corresponded to the period of the year when surface water temperatures were highest and nutrient availability was lowest.

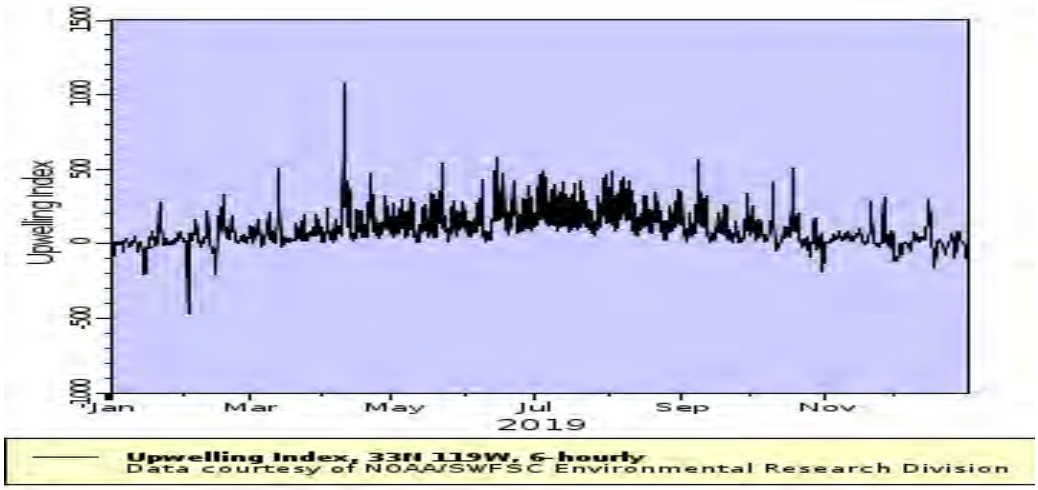
IV.2.D - ENVIRONMENTAL INDICES

The ENSO is the most important coupled ocean-atmosphere phenomenon affecting inter-annual climate variability. ENSO can be monitored via the Multivariate ENSO Index (MEI), which is based on a suite of six variables observed over the tropical Pacific Ocean (sea-level pressure, zonal and meridional components of the surface wind, the sea surface temperature, the surface air temperature, and the total cloudiness fraction of the sky) (**https://www.esri.noaa.gov/psd/enso/mei/**). Negative values of the MEI represented the cold ENSO phase (i.e., La Niña), while positive MEI values represented the warm ENSO phase (El Niño).

The North Pacific Gyre Oscillation (NPGO) is a climatic pattern that is based on sea surface height variability in the Northeast Pacific Ocean. The NPGO was significantly correlated with fluctuations of salinity, nutrients, and chlorophyll-*a* measured in long-term observations in the California Current and Gulf of Alaska. Fluctuations in the NPGO were driven by regional and basin-scale variations in wind-driven upwelling and horizontal advection, which were the fundamental processes controlling salinity and nutrient concentrations. Nutrient fluctuations drove concomitant changes in phytoplankton concentrations and may have resulted in similar variability in higher trophic levels (**http://www.o3d.org/npgo/**).

The Pacific Decadal Oscillation (PDO) is a long-lived El Niño-like pattern of Pacific climate variability. The PDO and ENSO had similar spatial climate fingerprints but exhibited very different behavior in time. While twentieth century PDO events typically persisted for 20 to 30 years, typical ENSO events tended to persist for only 6 to 18 months. A “cool” PDO regime persisted from 1890 through 1924 and again from 1947 through 1976, while a “warm” PDO regime dominated from 1923 through 1946 and from 1977 through the mid-1990s. Warm eras correlated with enhanced coastal ocean biological productivity in Alaska and inhibited productivity off the west coast of the United States, while cold PDO eras produced the opposite (**http://research.jisao.washington.edu/pdo**). Causes for PDO fluctuations are not currently known.

A



B

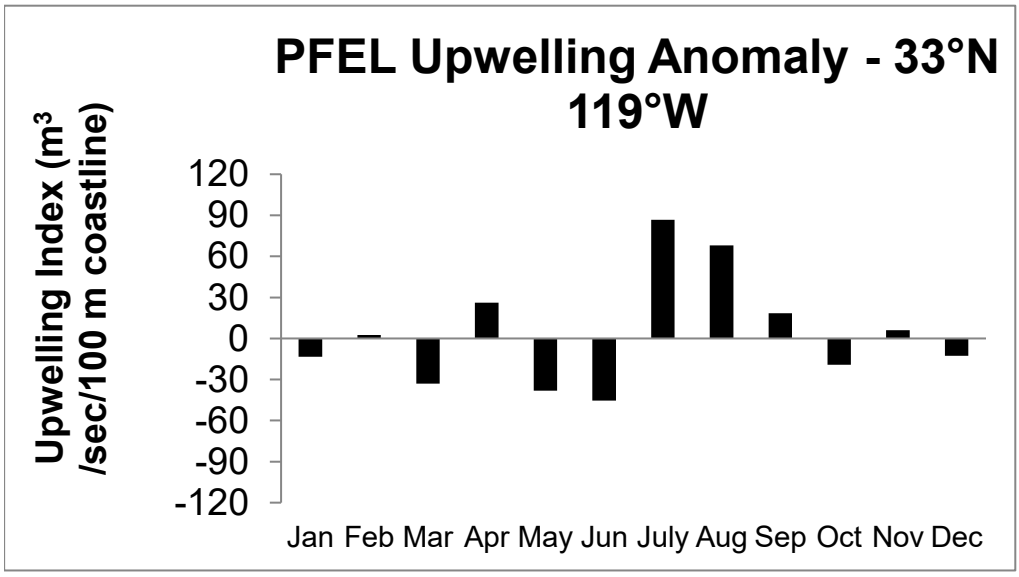


Figure 14. (A) Daily Upwelling Index (UI) at 33°N 119°W for 2019. (B) UI anomaly at 33°N 119°W in 2019 (compared to 71-year monthly mean from 1946 through 2018) (positive values indicate upwelling greater than long-term mean; negative values indicate upwelling less than long-term mean). Source: http://www.pfeg.noaa.gov/products/PFEL/modeled/indices/upwelling/NA).

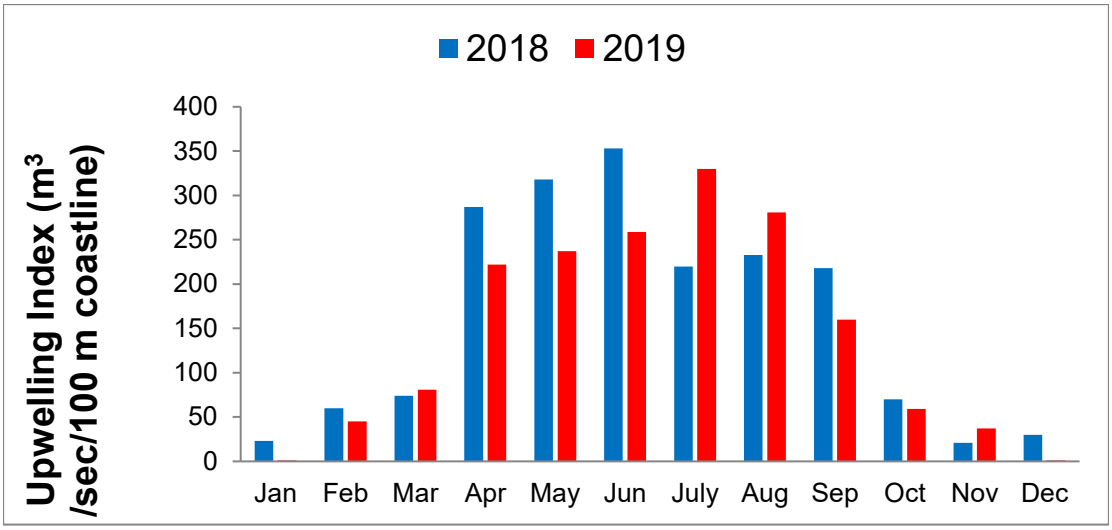


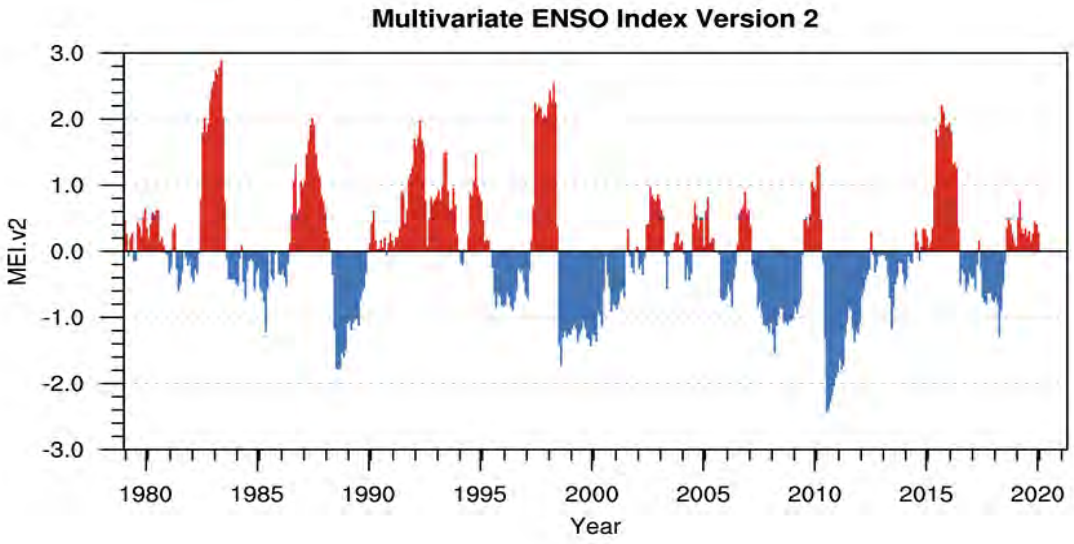
Figure 15. Monthly PFEL upwelling index at 33°N 119°W for 2018 and 2019. Source: http://www.pfeg.noaa.gov/products/PFEL/modeled/indices/upwelling/NA).

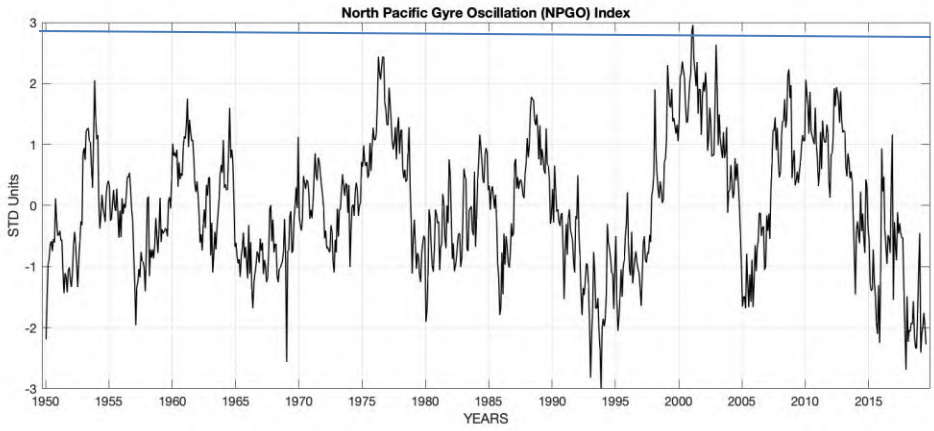
The MEI and PDO changed phase about the same time in 2014; the MEI transitioned from negative to positive in April 2014, and the PDO became positive in January 2014 (Figure 26; Mantua 2017; and NOAA-ESRL 2018). The MEI transitioned back to negative in September 2016 but became positive from April through August 2017 before transforming to negative for the remainder of the year (Figure 16). The MEI continued to be negative in early 2018 but shifted to positive in May and continued to be positive throughout 2019, indicating a warm ENSO phase which probably was unfavorable for kelp growth. The PDO remained positive since 2014, but index values indicated that more neutral conditions were present in 2018. However, higher values were recorded in 2019, also indicating a warm ocean regime which probably was unfavorable to kelp (Figure 16). The NPGO changed from positive to negative in October 2013 and has stayed negative for most of the time since then (although it was positive for five months in 2016). NPGO values were strongly negative throughout all of 2017, 2018, and 2019 (Figure 16; Di Lorenzo 2017). The PDO transition to positive indicated warmer temperatures in the North Pacific, while the NPGO transition to negative was indicative of lower productivity along the coast (Di Lorenzo et al. 2008; Leising et al. 2015), conditions that would be expected to adversely affect kelp beds.

IV.2.E - WAVE HEIGHTS

Sea and swell height data from Coastal Data Information Program (CDIP) data buoys located off Oceanside and Point Loma were available in real time via the CDIP website (**http://www.cdip.ucsd.edu**).

The directions of swells off Oceanside and Point Loma in 2019 were very similar to 2018 (Table 8). Off Oceanside, waves approached from the south-southwest (202.5°) approximately 43% of the time in 2019, from the south (180°) approximately 17% of the time, and from the west (270°) approximately 14% of the time (Table 8, Figure 17). Offshore of Point Loma, waves were from the south-southwest (202.5°) about 29% of the time, from the west about 26% of the time, and from the south (180°) approximately 17% of the time.





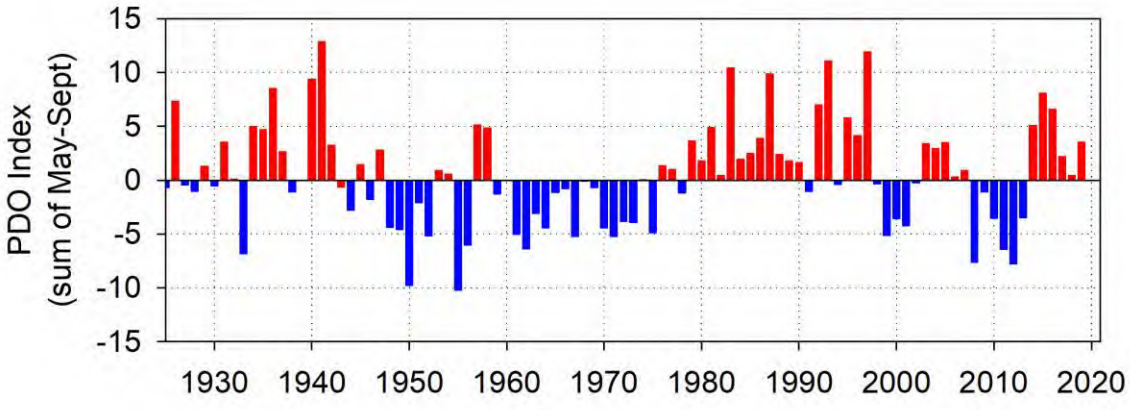


Figure 16. The Multivariate Enso Index (MEI), the North Pacific Gyre Oscillation Index (NPGO), and the Pacific Decadal Oscillation Index (PDO).

Table 8. Direction of swells in 2019. Source: http://cdip.ucsd.edu.

Direction	Oceanside	Pont Loma South
West (270°)	14%	26%
South (180°)	17%	17%
West-southwest (247.5°)	10%	7%
South-southwest (202.5°)	46%	29%
Southwest (225°)	13%	10%
West-northwest (292.5°)	2%	10%

High-energy waves that negatively affect kelp beds usually are low-frequency, high-amplitude waves approaching from the west. Wave heights at Oceanside (CDIP Buoy 045) only exceeded four meters on one date in 2019 (4.2 m on May 22) (Table 9). Wave heights were not as high as in 2018, when waves exceeded four meters in late February and late November/early December and reached a maximum of 4.9 m on both occasions (MBC 2019). Waves originated primarily from the south and south-southwest (Table 11), which would tend to have less effect on kelp beds than waves originating from the west. Waves exceeding three meters were rarely recorded throughout the year.

Waves originated from the west at Point Loma South (CDIP Buoy 191) approximately one-fourth of the time in 2019. The largest waves (five meters or more) were recorded on April 10 (5.3 meters), May 23 (5.0 meters), and November 21 (5.5 meters). However, none of these waves were as large as those recorded in 2018, which exceeded six meters in early January (maximum of 7.5 meters), mid-January, mid-February, and late November/early December (MBC 2019). Waves larger than four meters were recorded on fewer occasions in 2019 than in 2018.

The storms that occurred from March 12 through 14 produced large wave heights (Table 9) and large nearshore swells were evident along the coastline from Oceanside to San Diego on March 13, 2019 (Figure 18), although the largest waves were observed offshore. The storms that occurred from April 10 through 13 also produced large swells along the coastline from Oceanside to San Diego, but once again the largest waves were offshore (Figure 19). Similar conditions were produced by the storms that occurred on May 22 and 23 (Figure 20).

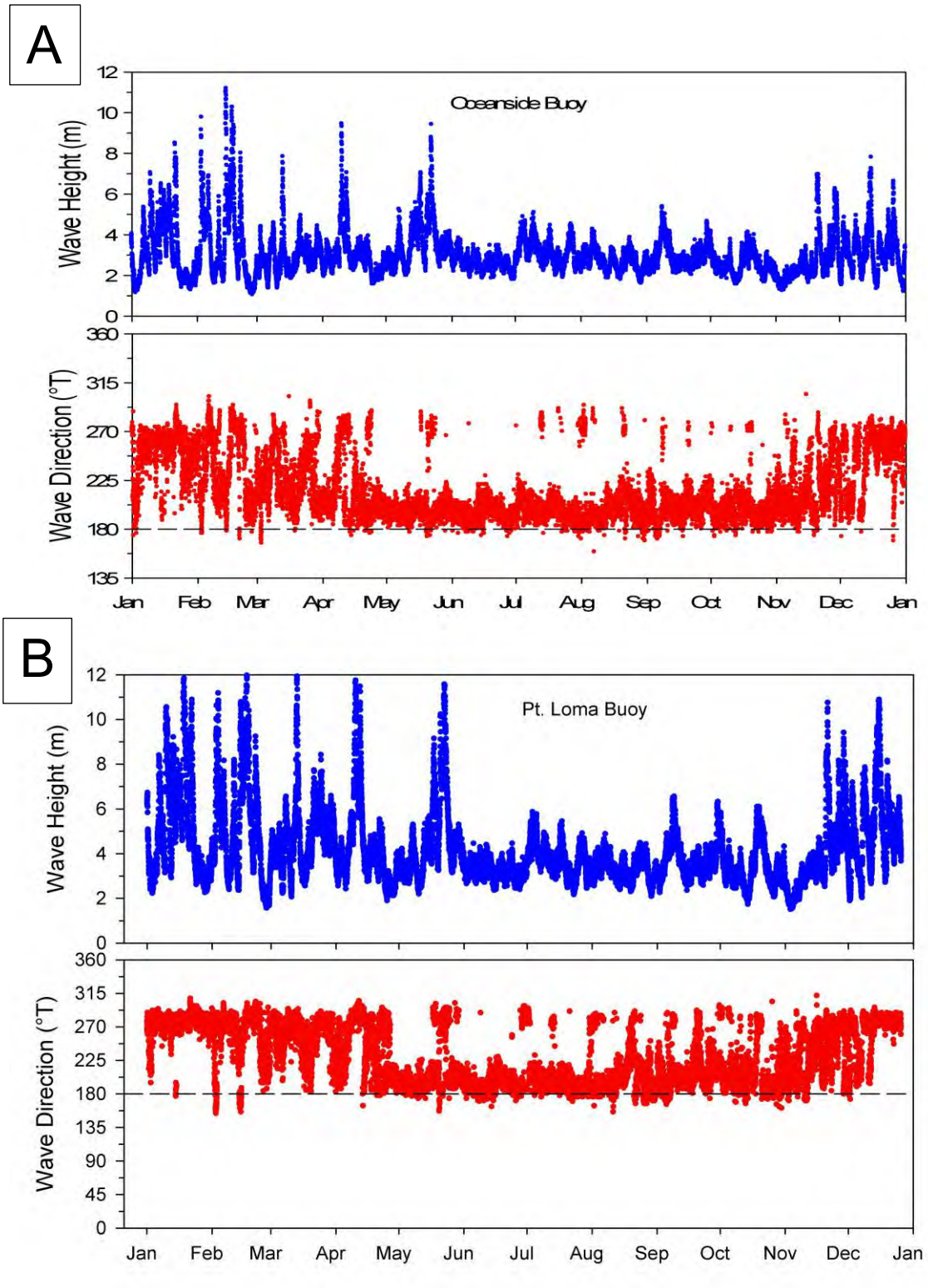


Figure 17. Wave height (blue) and direction (red) at: A) Oceanside Buoy and B) Point Loma Buoy from January through December 2019.

IV.2.F - RAINFALL

Periods of sustained high turbidity in southern California waters often result from high rainfall. Rainfall data for Costa Mesa and San Diego are shown in Figure 21.

The total amount of rainfall in 2019 was a little higher than normal for Costa Mesa (12.6 inches versus the long-term average of 11.4 in). Rainfall was much higher than normal during the months of February and December, lower than normal in January, March, April, September and October, and close to normal during November. Total rainfall in 2019 was approximately 50% higher than normal for San Diego (15.3 in versus the long-term average of 10.1 in). Rainfall in San Diego was higher than normal during the months of January, February, May, November, and December, but lower than normal during the months of March, April, September, and October.

These low rainfall levels were unlikely to generate any extended periods of high turbidity and would not be expected to have affected kelp beds in 2019.

Table 9. Large waves in 2019.

Date	Oceanside (maximum height in meters)	Point Loma South (maximum height in meters)
February 22	---	3.3
March 5	---	3.0
March 7/8/9	---	3.4/3.1/---
March 12/13/14	---/3.1/---	3.7/4.2/4.1
March 20/21/22/23/24	---/---/---/---/---	3.3/3.7/3.3/3.0/3.6
March 26/27	---/---	3.2/3.1
March 30	---	3.1
April 7/8	---/---	3.1/3.1
April 10/11/12/13	---/---/3.9/---	5.3/3.3/4.8/3.3
April 21/22	---/---	3.0/3.0
May 7	---	3.0
May 16/17/18	3.2/3.8/---/	---/---/3.4

Note: “---" indicates maximum wave height was less than 3.0 meters

Table 9 (continued). Large waves in 2019.

Date	Oceanside (maximum height in meters)	Point Loma South (maximum height in meters)
May 20	---	4.8
May 22/23	4.2/3.2	---/5.0
July 17	---	3.1
September 9	---	3.1
October 1	---	3.0
October 18/19	---/---	3.5/3.3
November 21	3.6	5.5
November 26	---	3.4
November 28/29	3.7/3.4	4.1/3.3
December 3	---	3.4
December 8	---	3.7
December 12/13/14/15/16/17	---/---/3.0/---/---/---	3.0/3.7/3.4/5.2/4.5/3.3
December 19/20/21	---/---/---	3.3/3.0/3.1
December 25/26	---/3.6	3.2/---

Note: “---" indicates maximum wave height was less than 3.0 meters

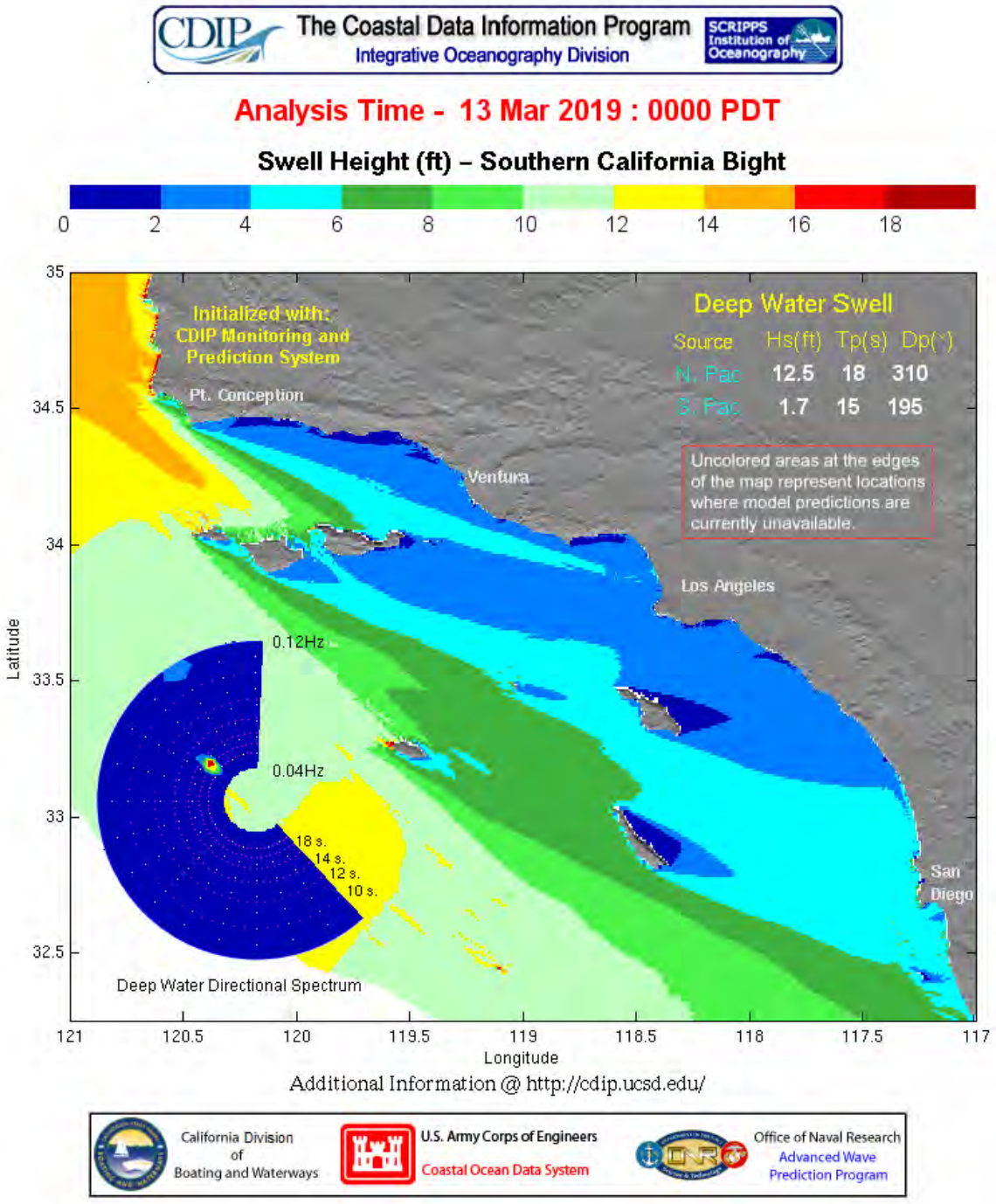


Figure 18. Swell height and direction in the Southern California Bight on March 13, 2019. Source: Coastal Data Information Program (CDIP), http://cdip.ucsd.edu/.

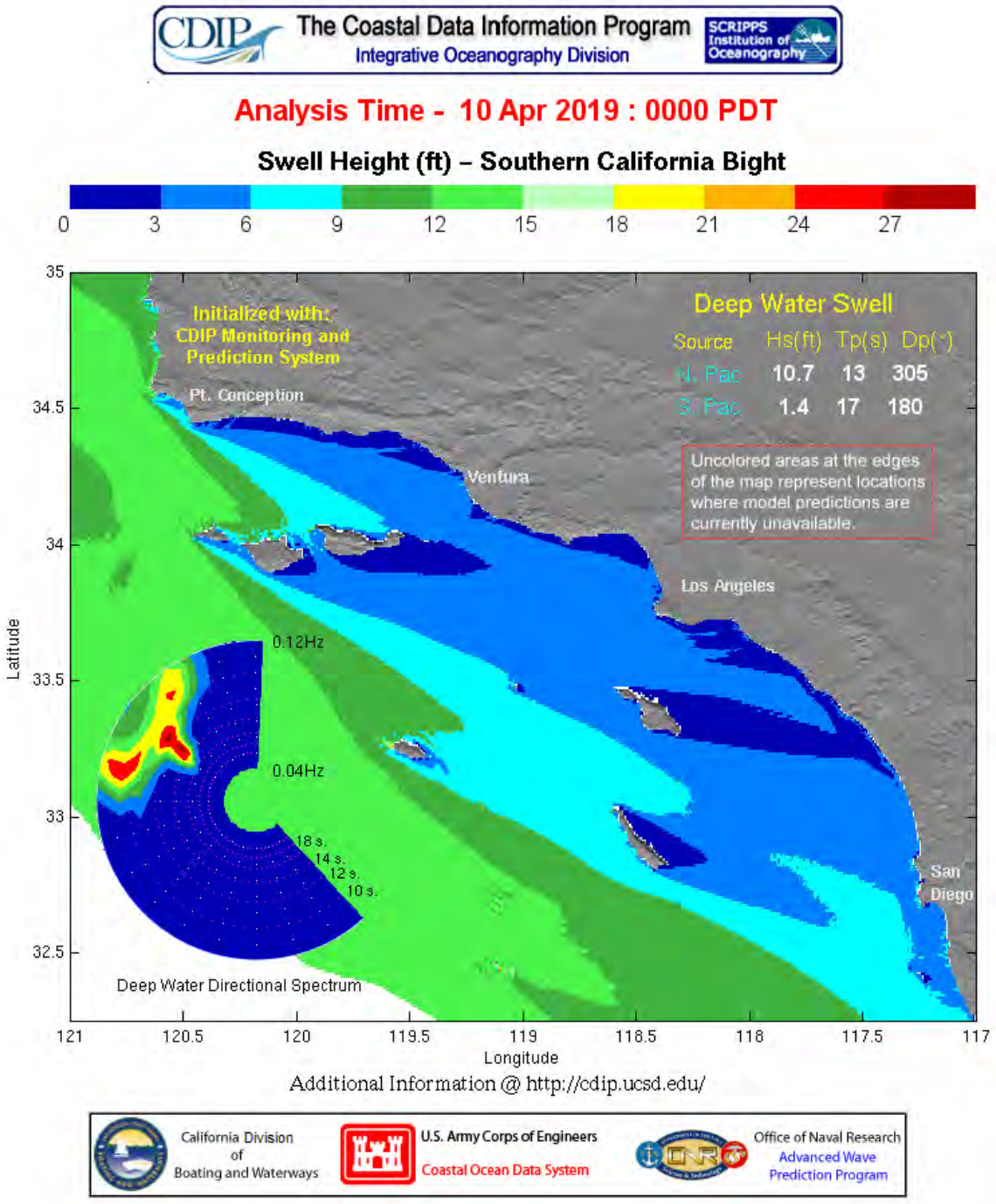


Figure 19. Swell height and direction in the Southern California Bight on April 10, 2019. Source: Coastal Data Information Program (CDIP), http://cdip.ucsd.edu/.

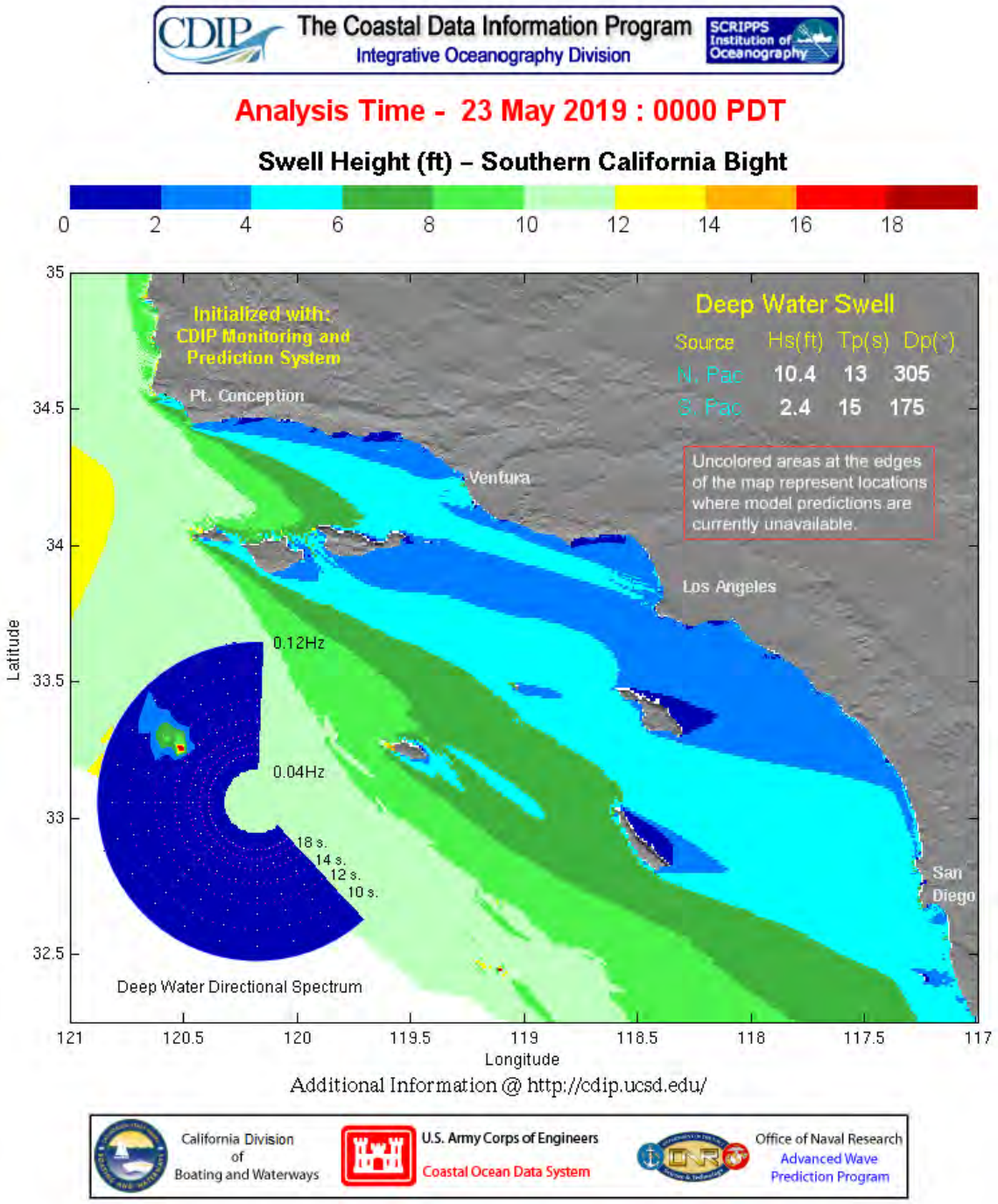


Figure 20. Swell height and direction in the Southern California Bight on May 23, 2019. Source: Coastal Data Information Program (CDIP), http://cdip.ucsd.edu/.

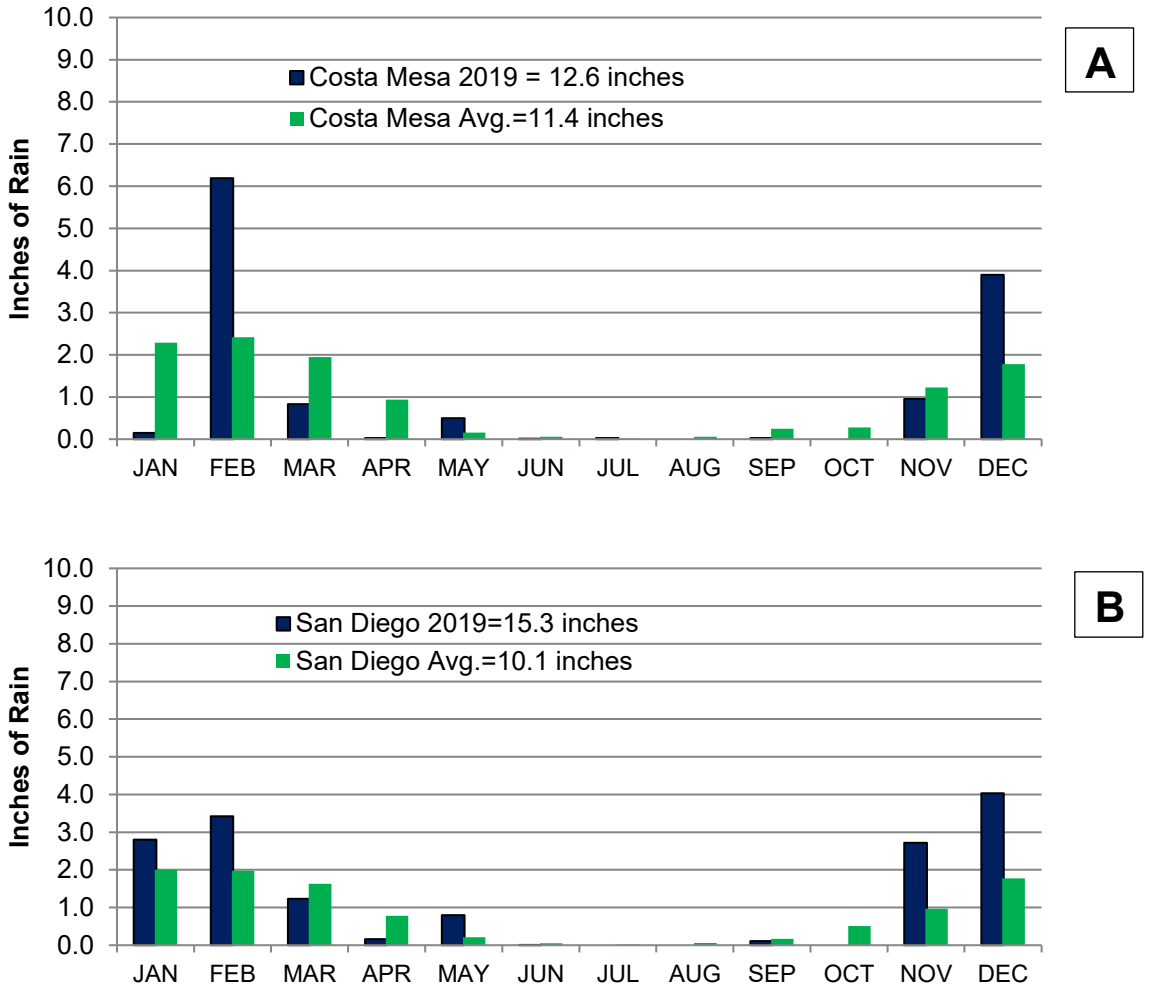


Figure 21. Monthly 2019 rainfall and average monthly rainfall recorded for (A) Costa Mesa, and (B) Lindbergh Field (San Diego).

IV.2.G - PHYTOPLANKTON

Harmful Algal Bloom (HAB) data were available in real time for certain locations via the SCCOOS website (**www.sccoos.org**).

Two phytoplankton groups associated with harmful algal blooms *Pseudo-nitzschia seriata* group and *Pseudo-nitzschia delicatissima* group were only recorded at Newport Pier during June 2019 (Figure 22 A and B). Domoic acid, a toxin produced by these groups, was not recorded at this location at any time throughout 2019. High concentrations of the *Pseudo-nitzschia seriata* group were recorded at Scripps Pier during April and June 2019, while high concentrations of the *Pseudo-nitzschia delicatissima* group were found throughout the year (March, April, June, September, October, and December) (Figure 23 A and B). However, domoic acid was not recorded at this location any time in 2019.

High concentrations of phytoplankton can effectively exclude light from all but the shallowest depths, which could limit photosynthetic activity at depth and may have been responsible for a portion of the severe impacts on the kelp bed resources observed in 2005 and 2006 (Gallegos and Jordan 2002, Gallegos and Bergstrom 2005). However, the concentrations recorded in 2019 appear unlikely to have impacted kelp beds.

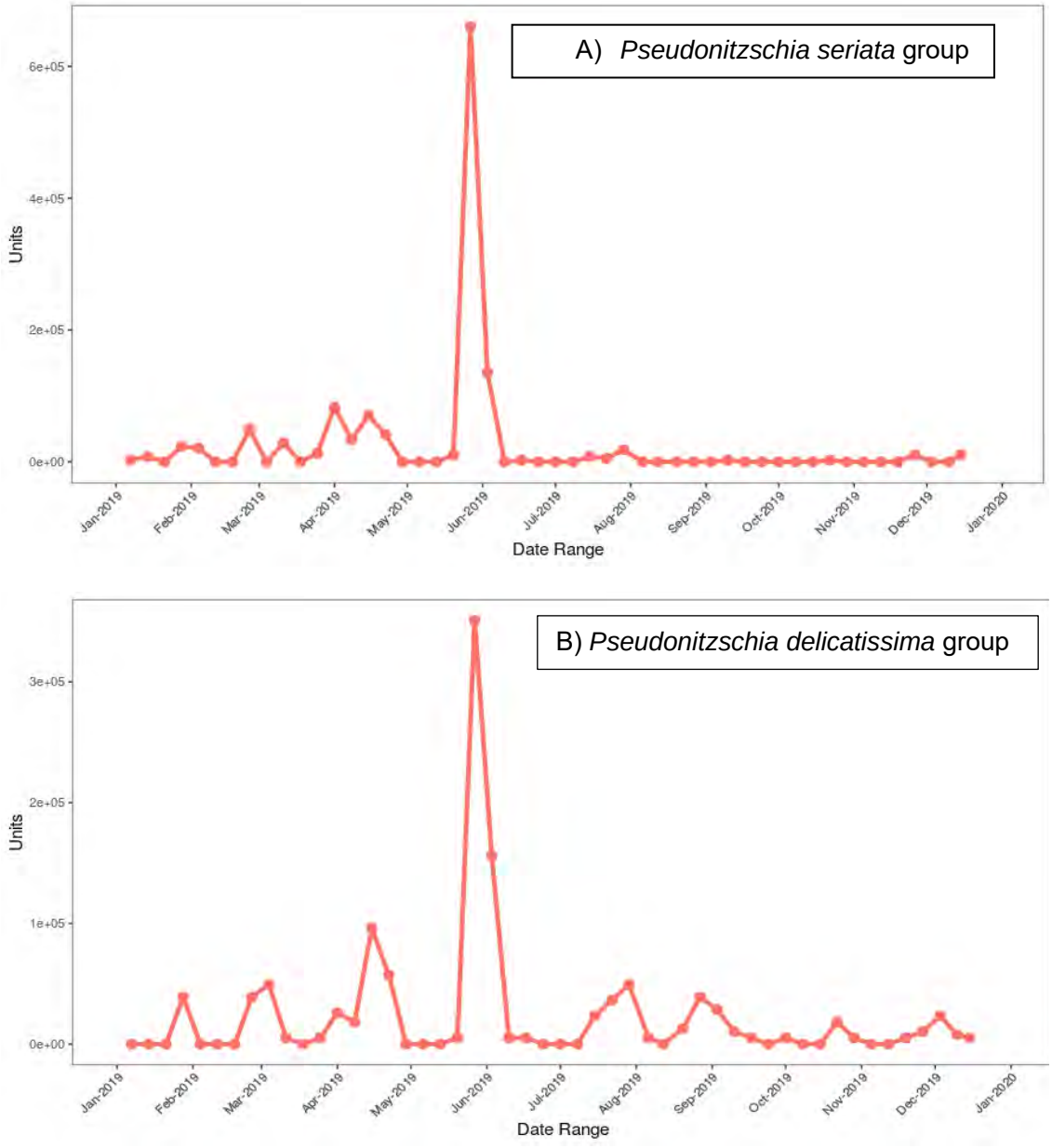


Figure 22. Phytoplankton Concentrations at Newport Pier in 2019.

Source: https://sccoos.org/harmful-algal-bloom/

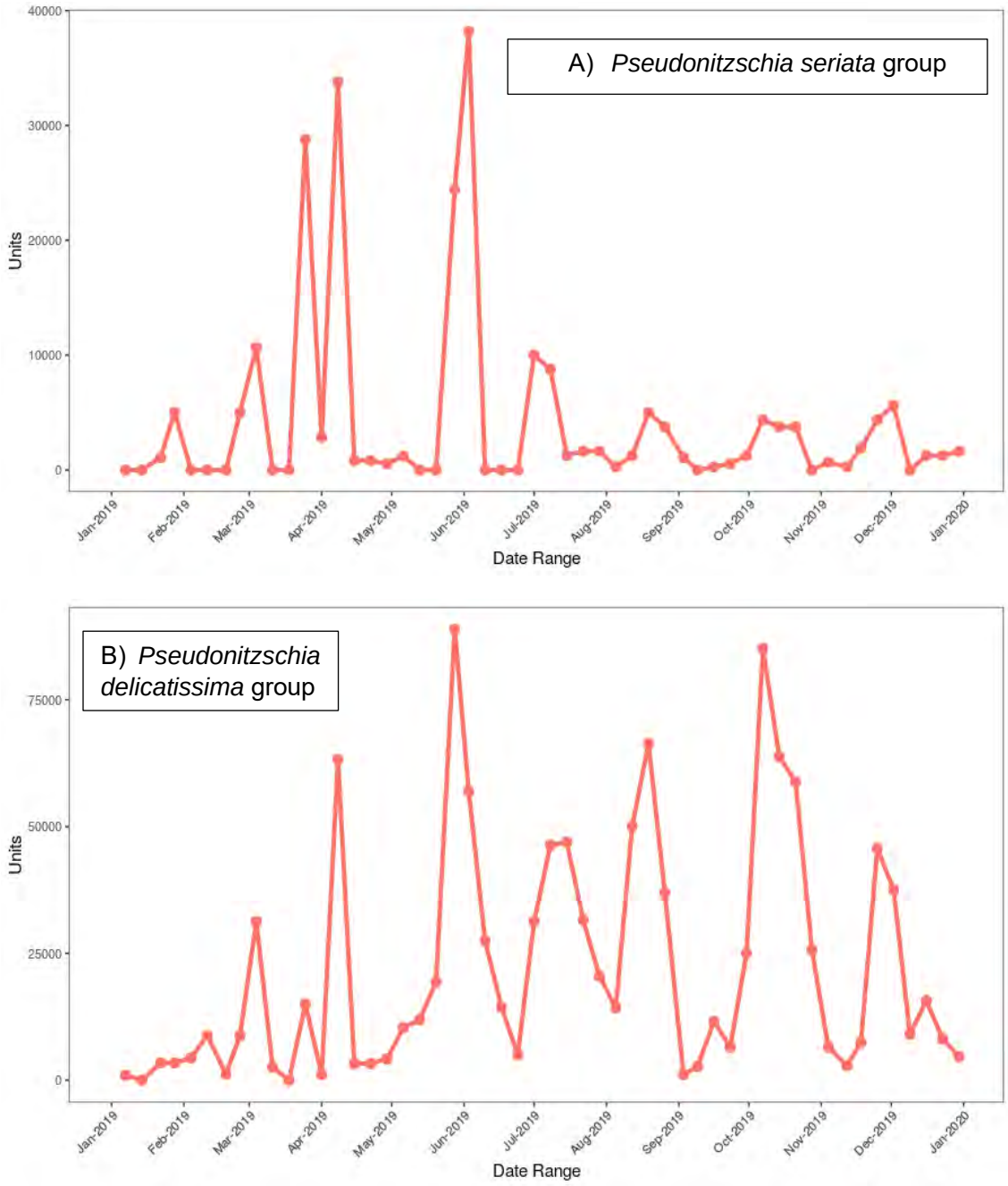


Figure 23. Phytoplankton Concentrations at Scripps Pier in 2019.

Source: https://sccoos.org/harmful-algal-bloom/

IV.3 - KELP RESTORATION

The Orange County Giant Kelp Restoration Project began in 2002 with an aim to restore historical giant kelp forests along the Orange County Coastline via outreach and education. Orange County Coastkeeper worked with volunteers to grow, plant, and monitor giant kelp in northern Orange Country. Restoration sites, control sites, and a reference site were chosen in Crystal Cove State Park (Newport Beach), Heisler Park (Laguna Beach) and Salt Creek (Dana Point). Volunteers working with marine biologist Nancy Caruso also removed sea urchins that had overpopulated kelp reefs, relocating them to deeper water.

Beginning in 2002, the kelp beds at San Clemente were enhanced by the placement of approximately 50 small artificial reefs (each measuring 40 m x 40 m) on barren sand at depths of about 12 to 15 m. Kelp immediately recruited to these reefs, and canopies in the shape of small squares were visible during most of the aerial surveys of 2002 and 2003. In early 2008, Southern California Edison (SCE) added additional reef material (covering 0.712 km^2 in total) and kelp recruited to the new reefs in late 2008. However, SCE determined that the 174-acre San Clemente reef was only sustaining approximately half the volume of fish required by its 1991 agreement with the California Coastal Commission. In February 2019, the Coastal Commission approved the SCE proposal to construct an additional 210-acre kelp reef to expand the existing 174-acre Wheeler North Reef. SCE proposed to place 175,000 tons of quarried rock in 23 new polygons north and inshore of the existing reef. The expansion project was scheduled to begin in July 2019 and is expected to be completed in 2020.

IV.4 - KELP HARVESTING

CDFW has designated 87 administrative kelp beds located offshore of California's mainland coast and surrounding the Channel Islands. These kelp beds contain giant kelp (*Macrocystis*) or bull kelp (*Nereocystis*), or a combination of both. As of November 2016, each kelp bed falls within one of the following management categories:

Open	Available to harvest by all commercial kelp harvesters	33 kelp beds
Leasable	Available to harvest by commercial kelp harvesters until an exclusive lease is granted by the California Fish and Wildlife Commission, then only available to lessee	28 kelp beds (5 are currently leased)
Lease only	Commercial harvest of kelp is prohibited unless an exclusive lease is granted by the California Fish and Wildlife Commission	3 kelp beds
Closed	Commercial harvest of kelp is prohibited	18 kelp beds

Approximately 41% of the State's kelp beds have been designated as available for leasing, while approximately 38% have been designated as available for kelp harvest by any licensed kelp harvester (ensuring that smaller kelp harvesters have access to kelp and are not shut

out by lease agreements). Approximately 21% of kelp beds are closed to kelp harvesting, as harvest has been deemed too potentially disruptive to the environment.

All commercial harvesters of marine algae must purchase an annual commercial kelp harvester license and abide by commercial algae harvest regulations (California Code of Regulations, Title 14, Sections 165 and 165.5). Eelgrass (*Zostera* species) and surfgrass (*Phyllospadix* species) are prohibited from commercial harvest. There currently are no provisions for the commercial harvest of other large kelps, such as elk kelp (*Pelagophycus*), feather boa kelp (*Egregia*), or members of the genus *Pterygophora*. Members of the genera *Porphyra*, *Laminaria*, *Monostrema*, and other aquatic plants utilized fresh or preserved as human food are classified as edible seaweeds. Agar-bearing marine algae are defined as members of the genera *Gelidium*, *Pterocladia*, *Gracilaria*, *Iridaea*, *Gloiopeltis*, and *Gigartina*. Edible and agar algae harvesting are governed by regulations.

Kelp harvesters may not cut attached giant and bull kelp at a depth greater than four feet below the sea surface at the time of cutting, may not allow cut kelp to escape from harvest, must weigh and report the amount harvested, and must pay a royalty to the State for each wet ton of kelp harvested. A Commission-approved Kelp Harvest Plan is required for kelp bed lease holders and for the mechanical harvest of kelp in all locations where harvest is allowed.

CDFW is currently reviewing its Management Policies and Harvest Methods guidance document and is drafting several proposed new regulations governing commercial harvest of wild kelp and algae (Rebecca Flores-Miller, pers. comm.). There is no timetable to bring these proposed regulations to the CDFW Commission for adoption during 2020, due to a shortage of staff resources during the COVID 19 pandemic. In the near future, CDFW also plans to review its Royalty Rates and License Fees schedule for commercial harvesters. The royalty rates for kelp were established 24 years ago at $1.71 per wet ton, and the rates for edible seaweed and agar were established 35 years ago at $24 and $17 per wet ton, respectively.

Recreational harvest of marine algae for personal use is permitted in California. Those harvesting for personal use must abide by the regulations governing the recreational harvest. The daily bag limit for recreational harvesters of marine algae is 10 pounds wet weight in the aggregate. Commonly harvested kelp and marine algae include bull kelp (*Nereocystis luetkeana*), giant kelp (*Macrocystis pyrifera*), grapestone or Turkish washcloth (*Mastocarpus papillatus*), bladderwrack (*Fucus distichus*), kombu (*Laminaria setchellii*), wakame (*Alaria marginata*), sea cabbage or sweet kombu (*Saccharina sessilis*), bladder chain kelp or sea fern (*Stephanocystis osmundacea*), nori *Pyropia* spp.), and sea lettuce (*Ulva* species).

Recreational harvesters are prohibited from harvesting or disturbing eelgrass (*Zostera* spp.), surfgrass (*Phyllospadix* spp.), and sea palm (*Postelsia palmaeformis*). Marine aquatic plants may not be cut or harvested in state marine reserves. Regulations may prohibit cutting or harvesting of marine aquatic plants within state marine conservation areas and state marine parks (California Code of Regulations, Title 14, Section 632b).

The administrative kelp bed status in the Region Nine study area is shown in Figure 24. Kelp areas 1 and 2 are open, 3 is leased, 4, 5, and 6 are leasable (except for portions that are closed within marine protected areas), 7, 8, and 9 are open (except for portions of 9 that are closed within marine protected areas), and 10 is closed.

Commercial marine algae harvest data are shown in Figure 25 for the period from 1931 to 2019 (**https://www.wildlife.ca.gov/Conservation/Marine/Kelp/Commercial-Harvest**). The annual harvest exceeded 100,000 metric tons in the 1950s, 1960s and 1970s, but declined considerably in the early 1980s. The annual harvest again exceeded 100,000 metric tons in the early 1990s, but subsequently declined. Since 2006, the annual harvest has been relatively low (fewer than 5,000 metric tons per year).

Table 10 shows how the RNKSC kelp bed designations correspond to the State of California's administrative lease kelp bed designations. Multiple RNKSC kelp beds fall within each of lease areas 5 through 9. Lease area 4 contains the La Jolla kelp bed, lease areas 2 and 3 contain the Point Loma kelp bed, and lease area 1 contains the Imperial Beach kelp bed.

In March 2018, Knocean Sciences (Dallas, Texas) applied to the California Department of Fish and Wildlife (CDFW) to renew its existing Kelp Bed No. 3 lease issued in July 2013. Bed No. 3 extends from the southern tip of Point Loma to the south jetty of Mission Bay, and covers an area of 2.58 m^2. Knocean Sciences proposed to harvest a maximum of 200 tons per year of giant kelp during the first two years of the five-year lease renewal, and 2,000 tons per year during years three through five. As part of the renewal process, Knocean Sciences proposed a royalty bid to the Fish & Game Commission of $3.00 per wet ton of kelp harvested. Knocean Sciences planned to harvest giant kelp from May through November via mechanical harvesting from vessels specially modified for this purpose. The lease renewal was approved by CDFW in June 2018. CDFW subsequently authorized Dr. Matthew Edwards, San Diego State University, to perform research activities involving giant kelp in Kelp Bed No. 3 (August 2018).

Kelp harvesting peaked in the 1970s, exceeding 150,000 metric tons per year in some years (Figure 25). However, kelp harvesting has been relatively low (fewer than 5,000 metric tons per year) since 2006. It is unlikely that this low amount of kelp harvesting has had any impact on the health of the kelp beds in Region Nine.

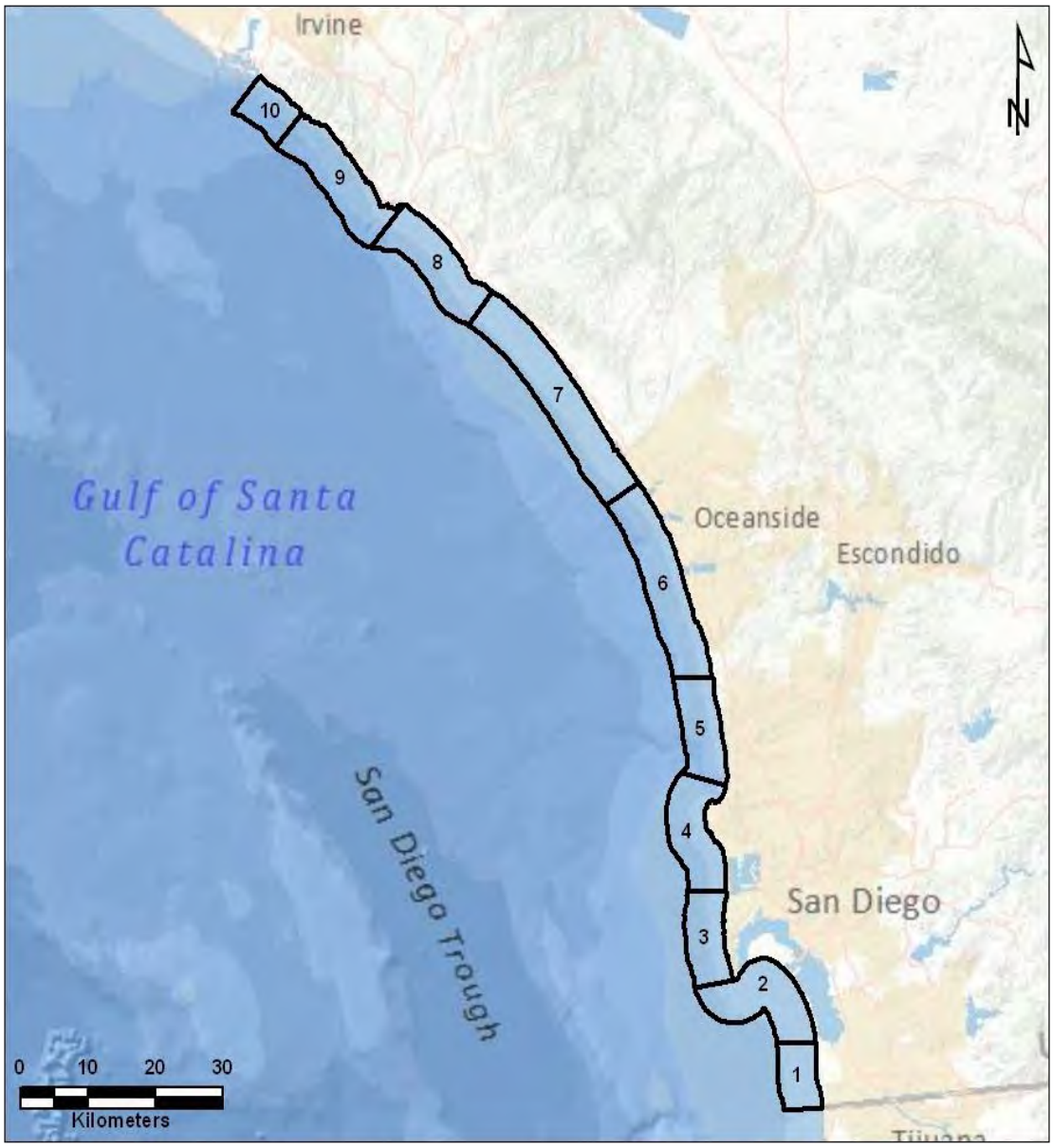


Figure 24. Administrative kelp bed lease areas in the Region Nine study area.

Source: California Department of Fish and Wildlife (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=134676&inline).

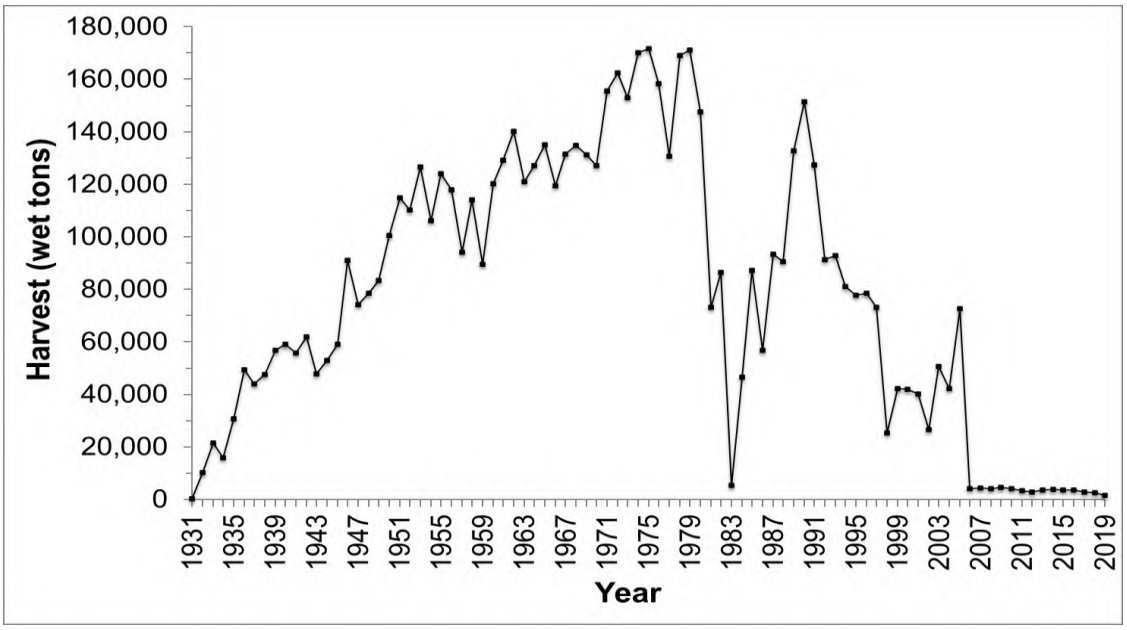


Figure 25. Commercial kelp harvest landings for giant and bull kelp from 1931 through 2019. Source: California Department of Fish and Wildlife (https://www.wildlife.ca.gov/Conservation/Marine/Kelp/Commercial-Harvest).

Table 10. Region Nine kelp bed designations compared to California Department of Fish and Wildlife kelp bed designations.

F & W Lease Area	Region Nine Kelp Bed Designations
Bed 1	Imperial Beach
Beds 2 and 3	Point Loma
Bed 4	La Jolla
Bed 5	Leucadia, Encinitas, Cardiff, Solana Beach, Del Mar, Torrey Pines
Bed 6	North Carlsbad, Agua Hedionda, Encina Power Plant, Carlsbad State Beach
Bed 7	Horno Canyon, Barn Kelp, Santa Margarita
Bed 8	San Clemente, San Mateo Point, San Onofre
Bed 9	North Laguna Beach, South Laguna Beach, South Laguna, Dana Point/Salt Creek, Capistrano Beach

V - UPDATE TO PRESENT

The first aerial survey for 2020 was conducted on April 15, 2020. Little or no kelp surface canopy was observed throughout most of Region Nine. However, the La Jolla Lower and Point Loma kelp beds were extensive, although surface canopy was lower than the maximum observed in 2019 (except for lower Point Loma, which was similar). The second aerial survey was conducted on July 5, 2020. Once again, little or no kelp surface canopy was observed throughout most of the region.

VI - CONCLUSIONS

Total combined kelp surface canopy decreased substantially (by 53%) in 2019 in Region Nine. More than half of the kelp beds observed in 2018 disappeared in 2019 (10 out of 18), while none reappeared. The total kelp canopy in Region Nine covered approximately 5.2 km^2 in 2019, similar to the total amount recorded in 2016 (5.1 km^2), but larger than the total for 2017 (3.3 km^2), which was the lowest amount of total kelp canopy since 2006. The largest beds were the La Jolla and Point Loma kelp beds, accounting for 99% of the total canopy coverage in 2019.

Water temperatures throughout the RNKSC areas generally were warmer than average throughout most of 2019, particularly from September through December. However, lower than normal temperatures were recorded at Newport Pier during most of April, May, and August, as well as at times during March, June, and July. Lower than normal water temperatures also were recorded at Scripps Pier at times from February through October, particularly during the months of June, July and August. Daily sea surface temperature values rarely fell below 14^{o}C (a threshold below which nutrient availability is much greater than at higher water temperatures) at Newport Pier and Scripps Pier, and never fell below this threshold at Oceanside or Point Loma South.

Nutrient availability continued to be low in 2019. Upwelling in 2019 (at a location approximately 161-km west of Solana Beach) generally increased each month from January through August, then decreased through December. Upwelling in 2019 was much higher than the long-term mean during the months of July and August, but lower during March, May and June. Upwelling was lower in 2019 than during 2018 for the months of March, April, May and June, when surface water temperatures generally were lower and nutrient availability would be increased. Although upwelling was higher in 2019 than the previous year during the months of July, August, and September, this corresponded to the period of the year when surface water temperatures were highest and nutrient availability would be decreased.

VII - REFERENCES

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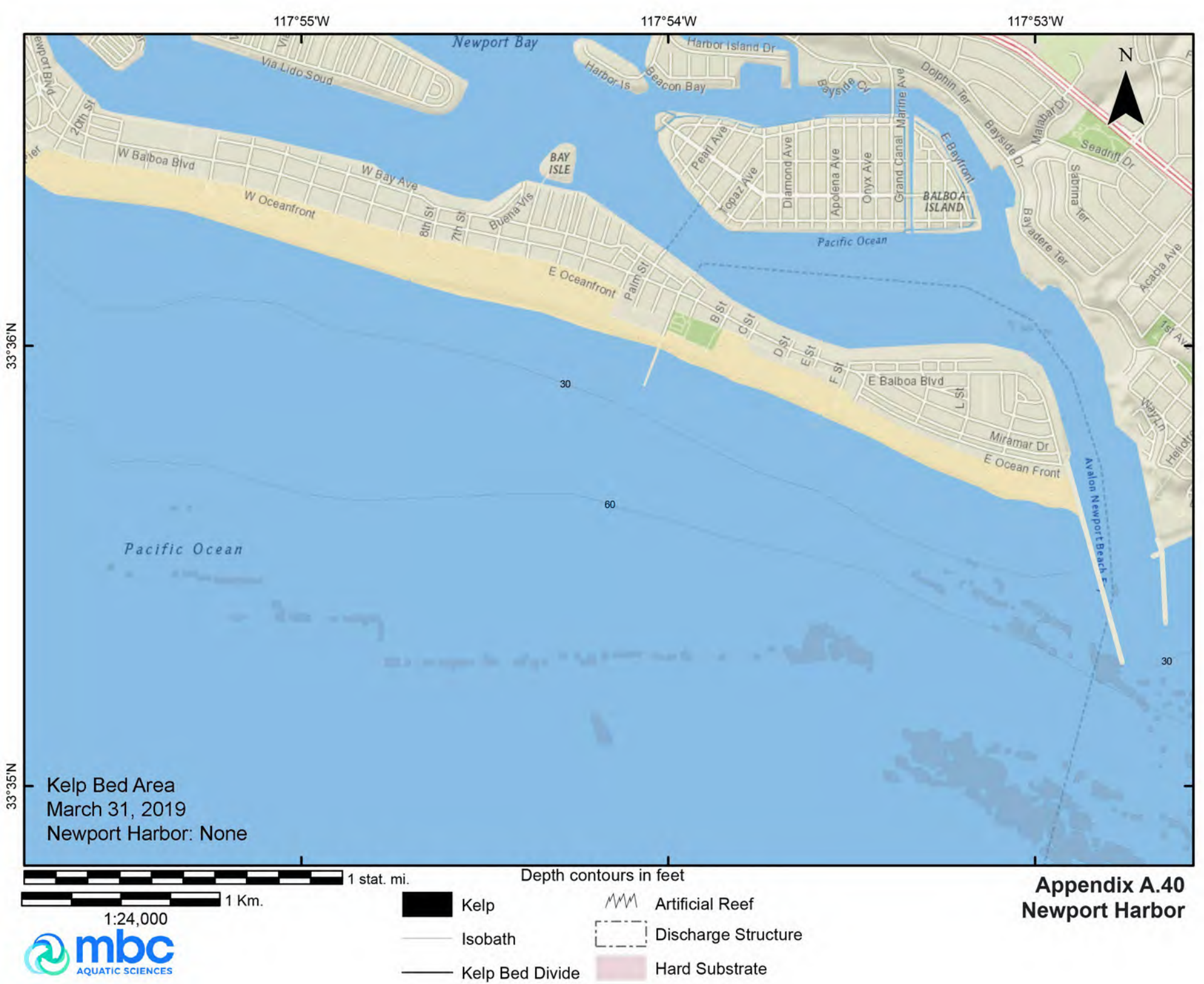
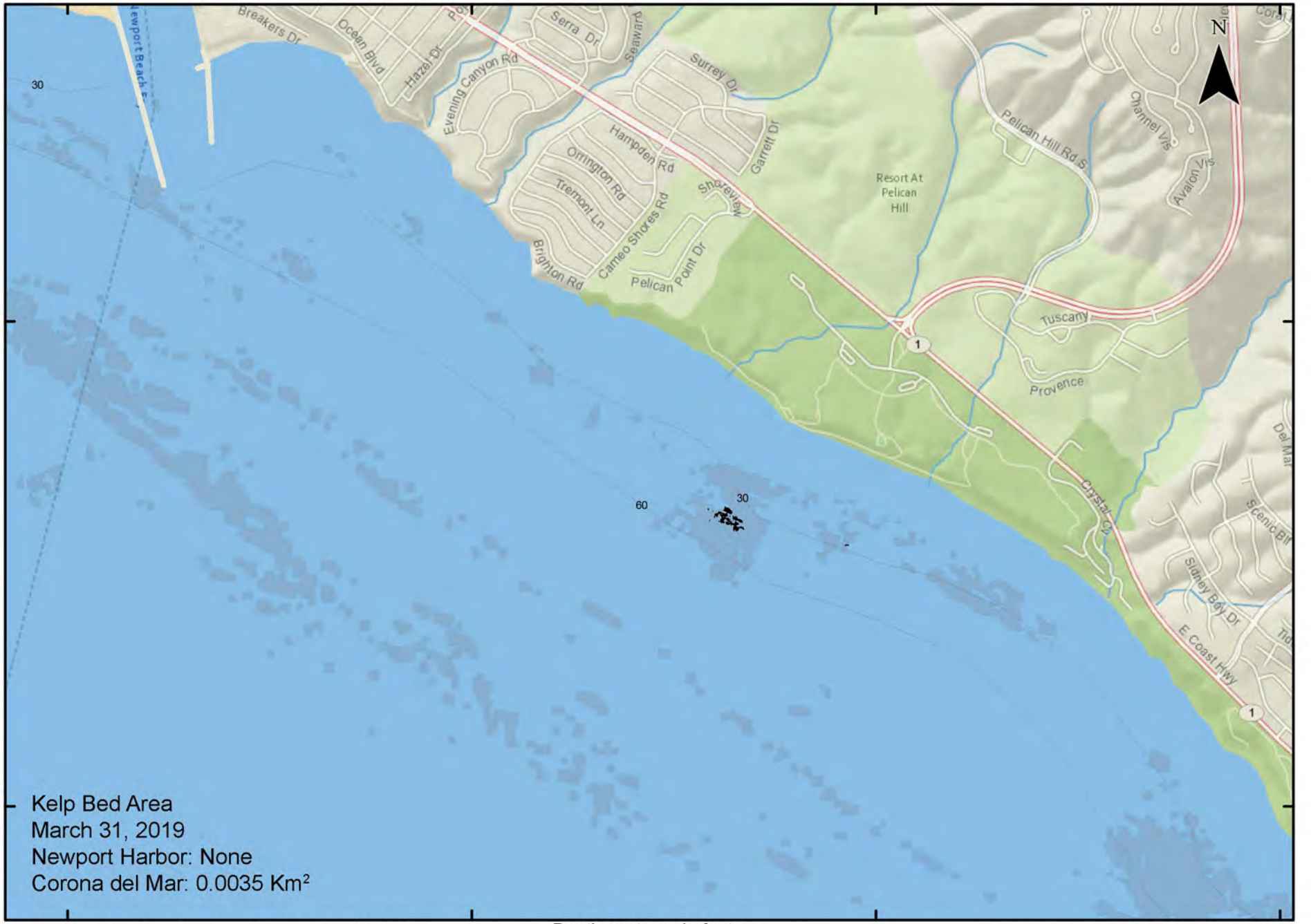
PERSONAL COMMUNICATIONS

Flores-Miller, R. 2020. Rebecca Flores-Miller, California Department of Fish and Wildlife, Environmental Scientist. Commercial Kelp and Other Marine Algae Outreach Meeting, June 2, 2020.

APPENDIX A

Kelp Canopy Maps


117°55'W
117°54'W
117°53'W
33°36'N
33°35'N
N
Newport Bay
Via Lido Soud
Harbor Island Dr
Harbor Is
Beacon Bay
Bayside Cv
Dolphin Ter
Malabar Dr
Seadrift Dr
Sabrina Ter
Bayside Dr
Bayadere Ter
Acacia Ave
1st Ave
Grand Canal
Marine Ave
E Bayfront
Pearl Ave
Topaz Ave
Diamond Ave
Apolena Ave
Onyx Ave
BALBOA ISLAND
Pacific Ocean
BAY ISLE
W Balboa Blvd
W Bay Ave
W Oceanfront
20th St
6th St
7th St
Buena Vis
E Oceanfront
Palm St
B St
C St
D St
E St
F St
E Balboa Blvd
L St
Miramar Dr
E Ocean Front
Avalon Newport Beach
Wayth
30
60
Pacific Ocean
Kelp Bed Area
March 31, 2019
Newport Harbor: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc
AQUATIC SCIENCES
Appendix A.40
Newport Harbor



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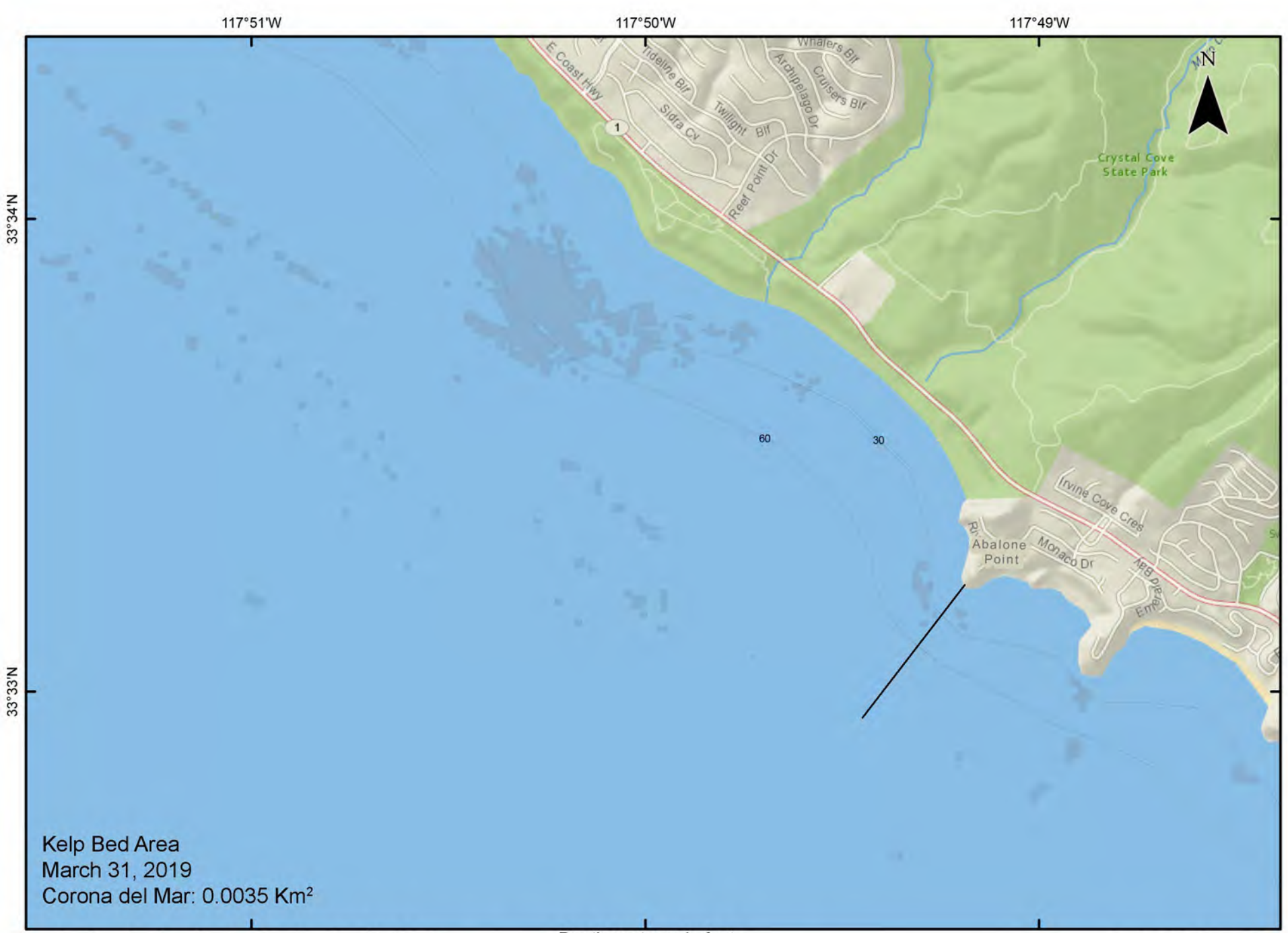
Appendix A.41
Corona del Mar North



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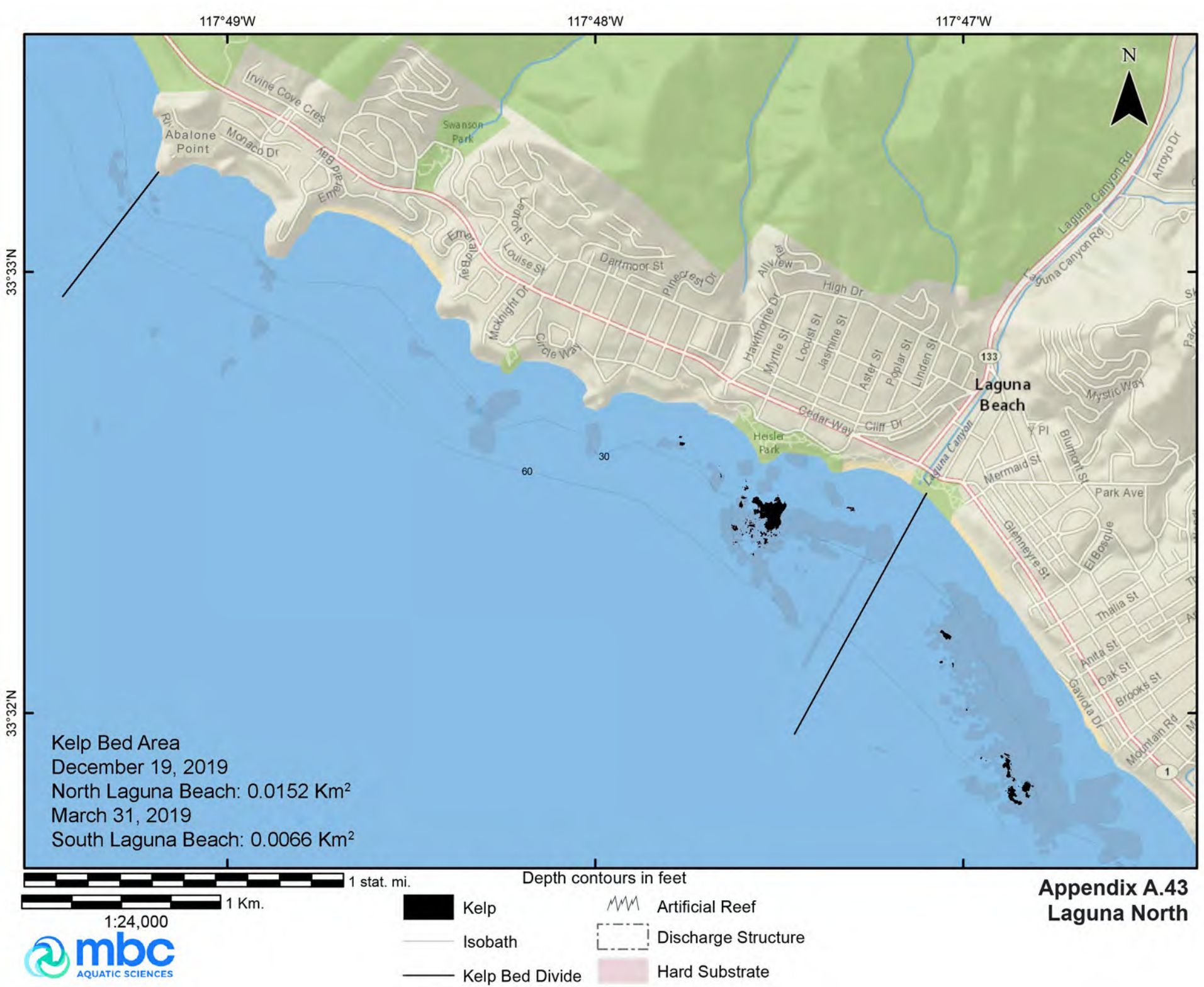
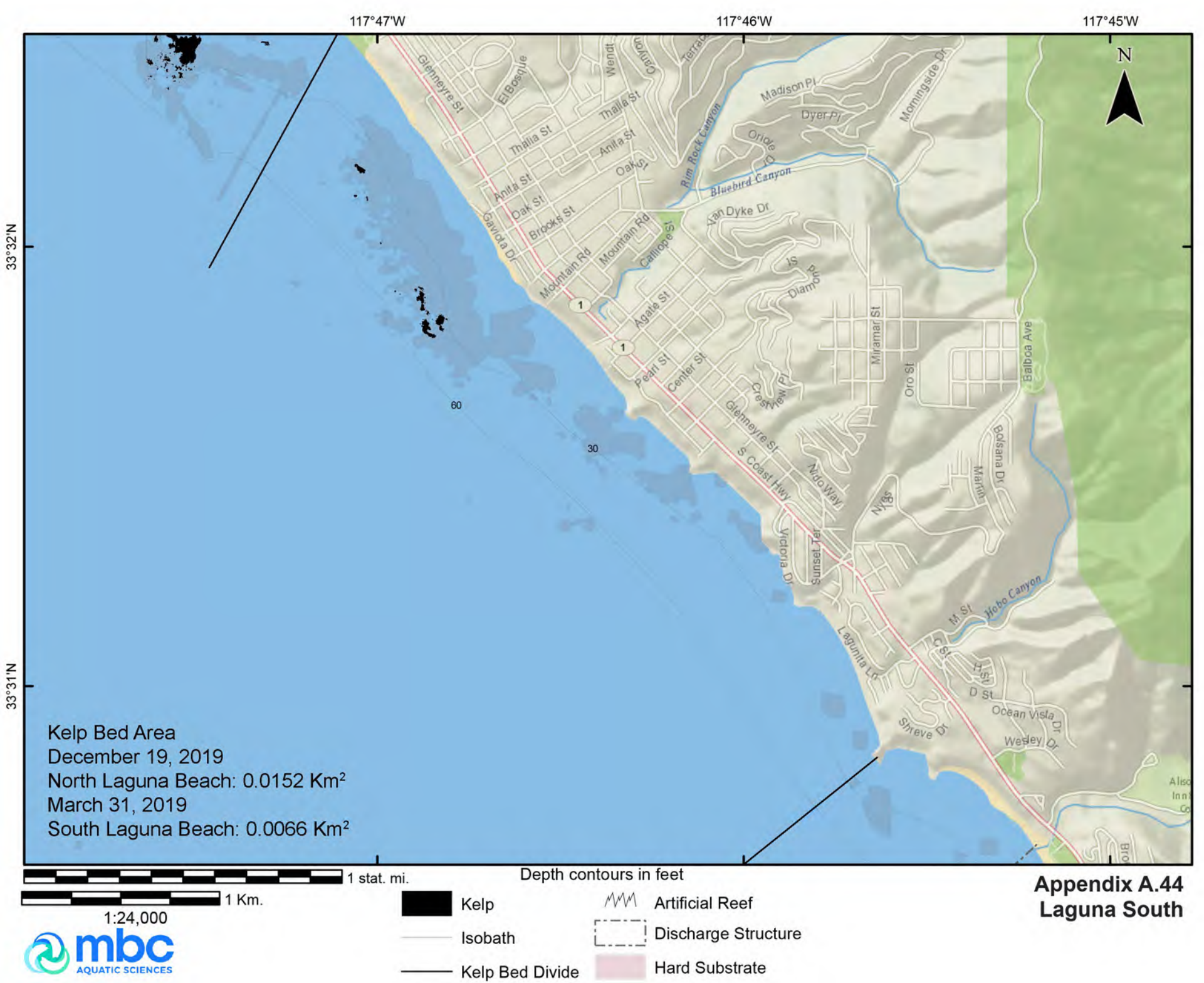
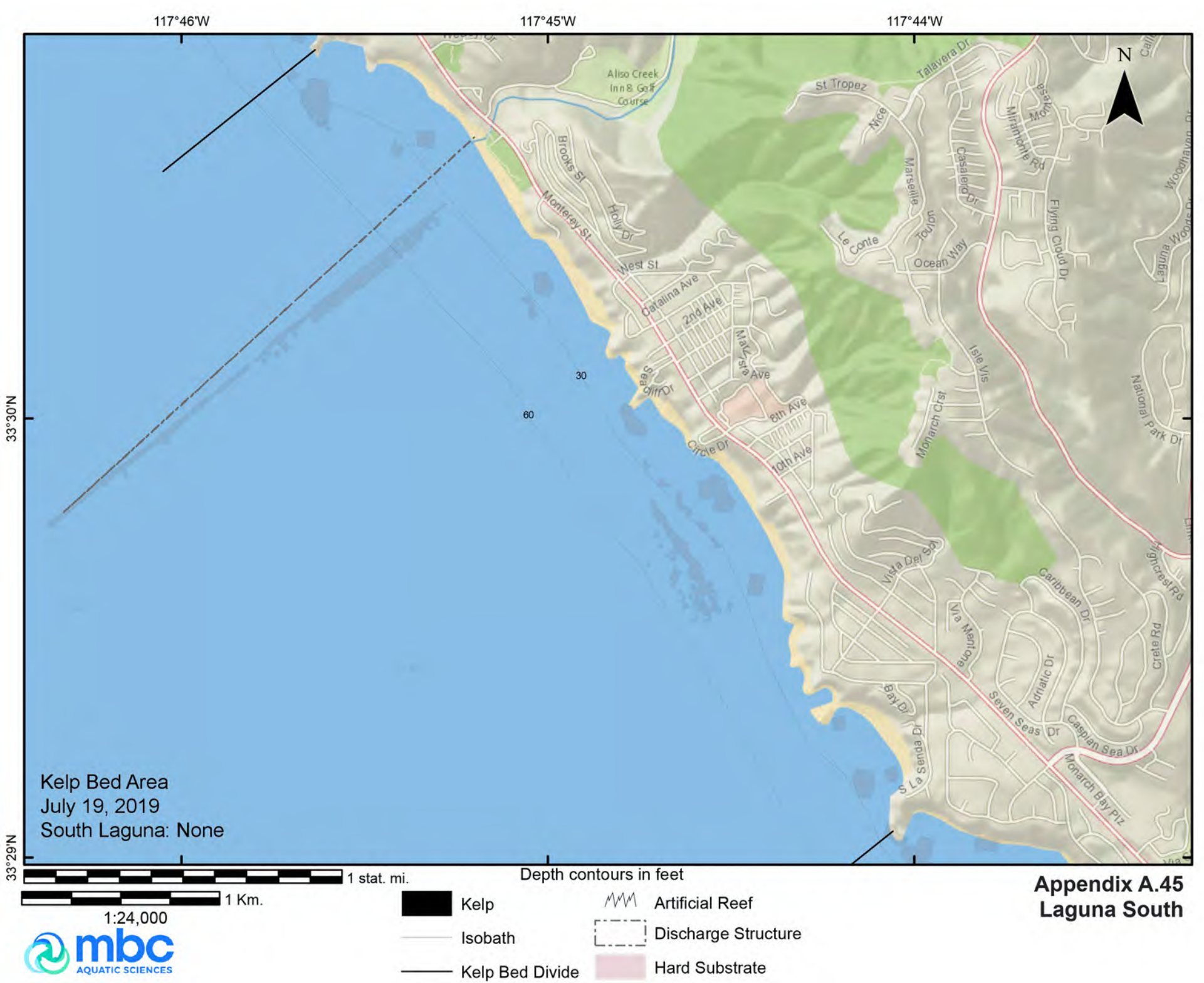
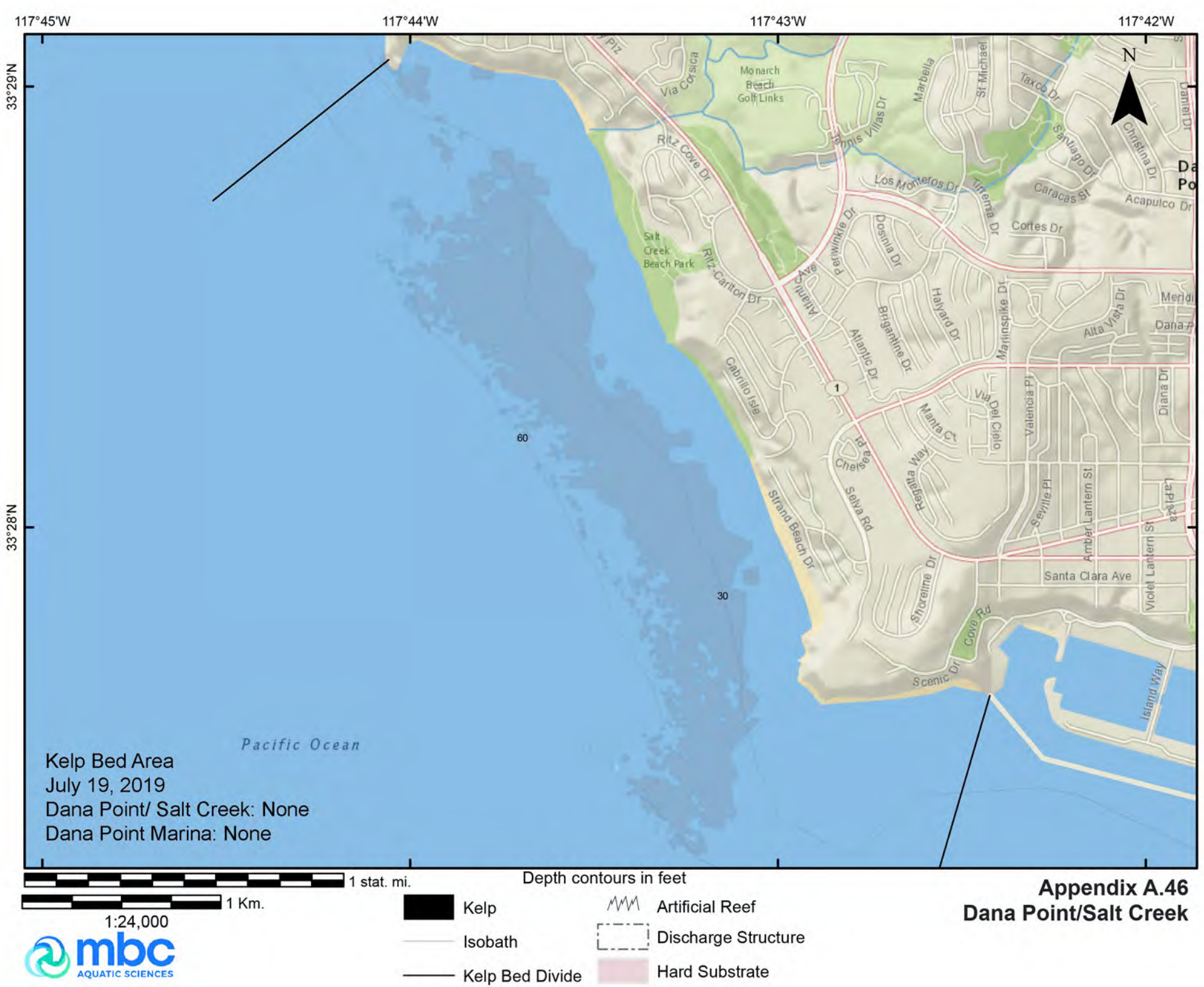
Appendix A.42
Corona del Mar South

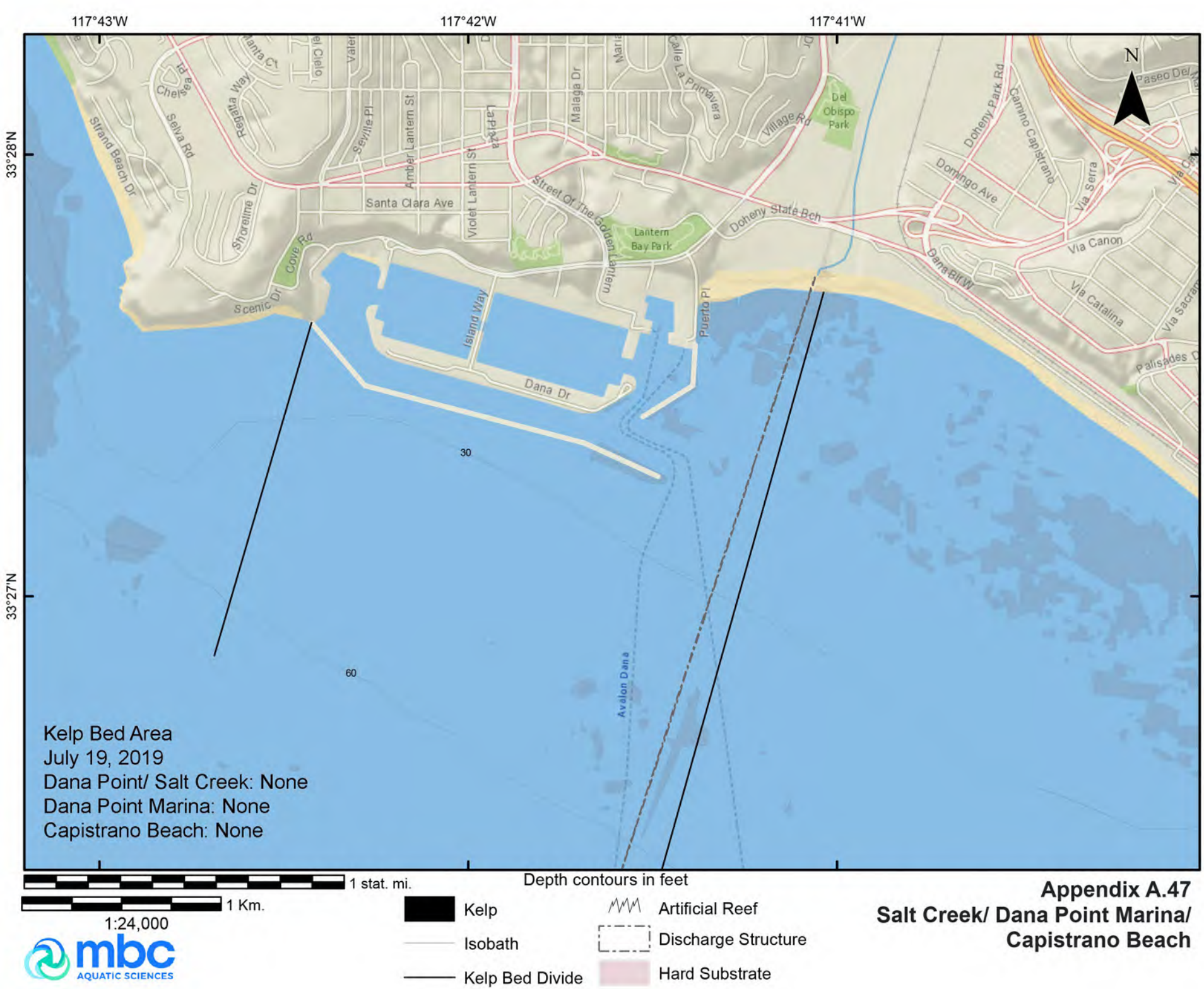

117°49'W
117°48'W
117°47'W
33°33'N
33°32'N
N
Irvine Cove Cres
Abalone Point
Monaco Dr
Emerald Bay
Swanson Park
Laguna Canyon Rd
Arroyo Dr
Dartmoor St
Pinecrest Dr
Allview
High Dr
Hawthorne Dr
Myrtle St
Locust St
Jasmine St
Aster St
Poplar St
Linden St
Mystic Way
Cedar Way
Cliff Dr
Heisler Park
Laguna Beach
133
Laguna Canyon
Mermaid St
Blumont St
Park Ave
Glenneyre St
El Bosque
Thalia St
Anita St
Oak St
Brooks St
Mountain Rd
Gaviota Dr
1
30
60
Kelp Bed Area
December 19, 2019
North Laguna Beach: 0.0152 Km²
March 31, 2019
South Laguna Beach: 0.0066 Km²
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.43
Laguna North

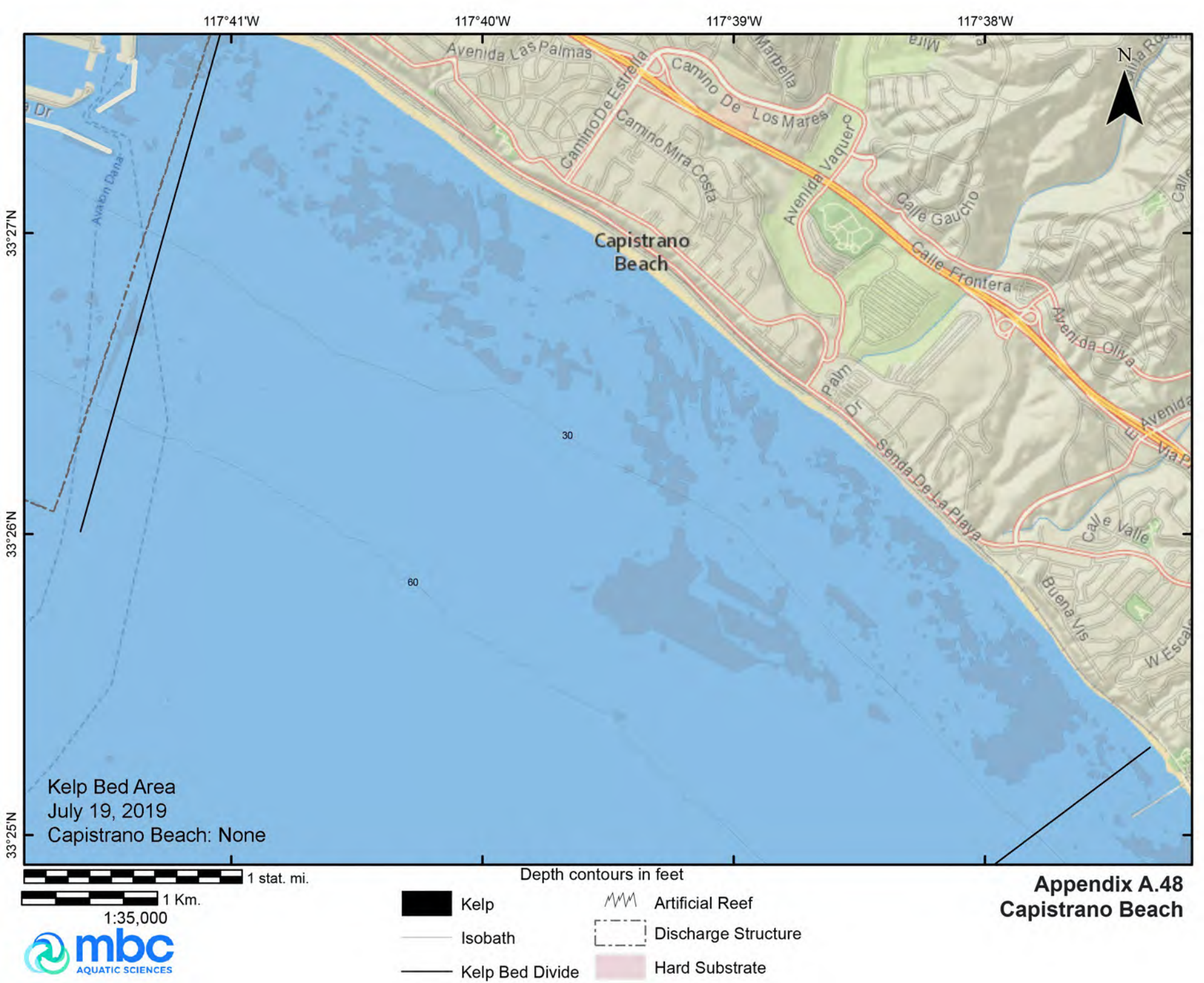


Appendix A.44
Laguna South

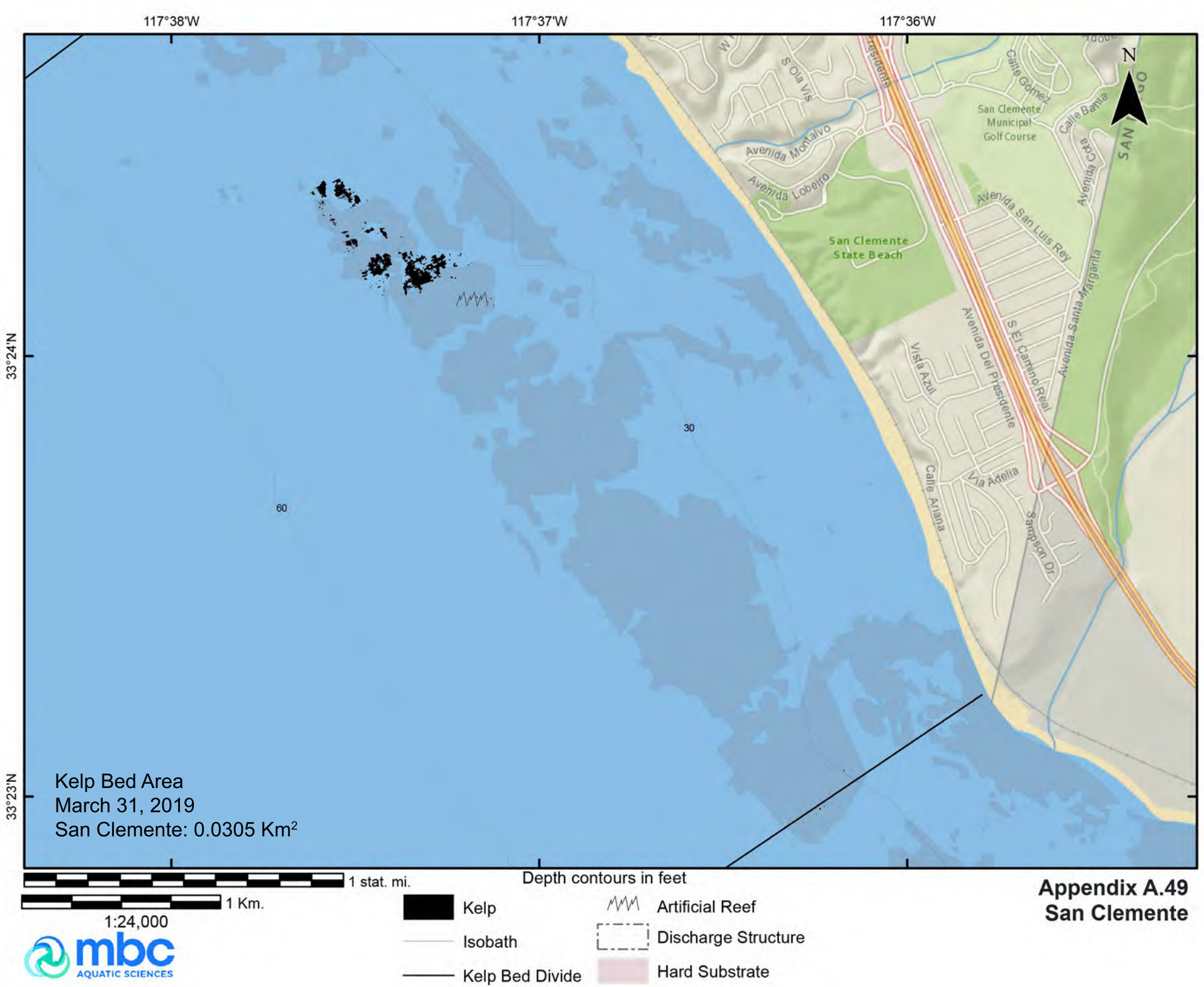

117°46'W
117°45'W
117°44'W
33°30'N
33°29'N
N
Aliso Creek Inn & Golf Course
St Tropez
Talavera Dr
Nice
Marseille
Toulon
Casaleid Dr
Miramonte Rd
Flying Cloud Dr
Woodhaven Dr
Laguna Woods Dr
Le Conte
Ocean Way
Brooks St
Monterey St
Holly Dr
West St
Catalina Ave
2nd Ave
Main St
Ave
Isle Vis
Monarch Crst
National Park Dr
Sea Cliff Dr
8th Ave
Circle Dr
10th Ave
30
60
Vista Del Sol
Caribbean Dr
Highcrest Rd
Via Mentone
Adriatic Dr
Crete Rd
Bay Dr
Seven Seas Dr
Caspian Sea Dr
S La Senda Dr
Monarch Bay Plz
Kelp Bed Area
July 19, 2019
South Laguna: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.45
Laguna South

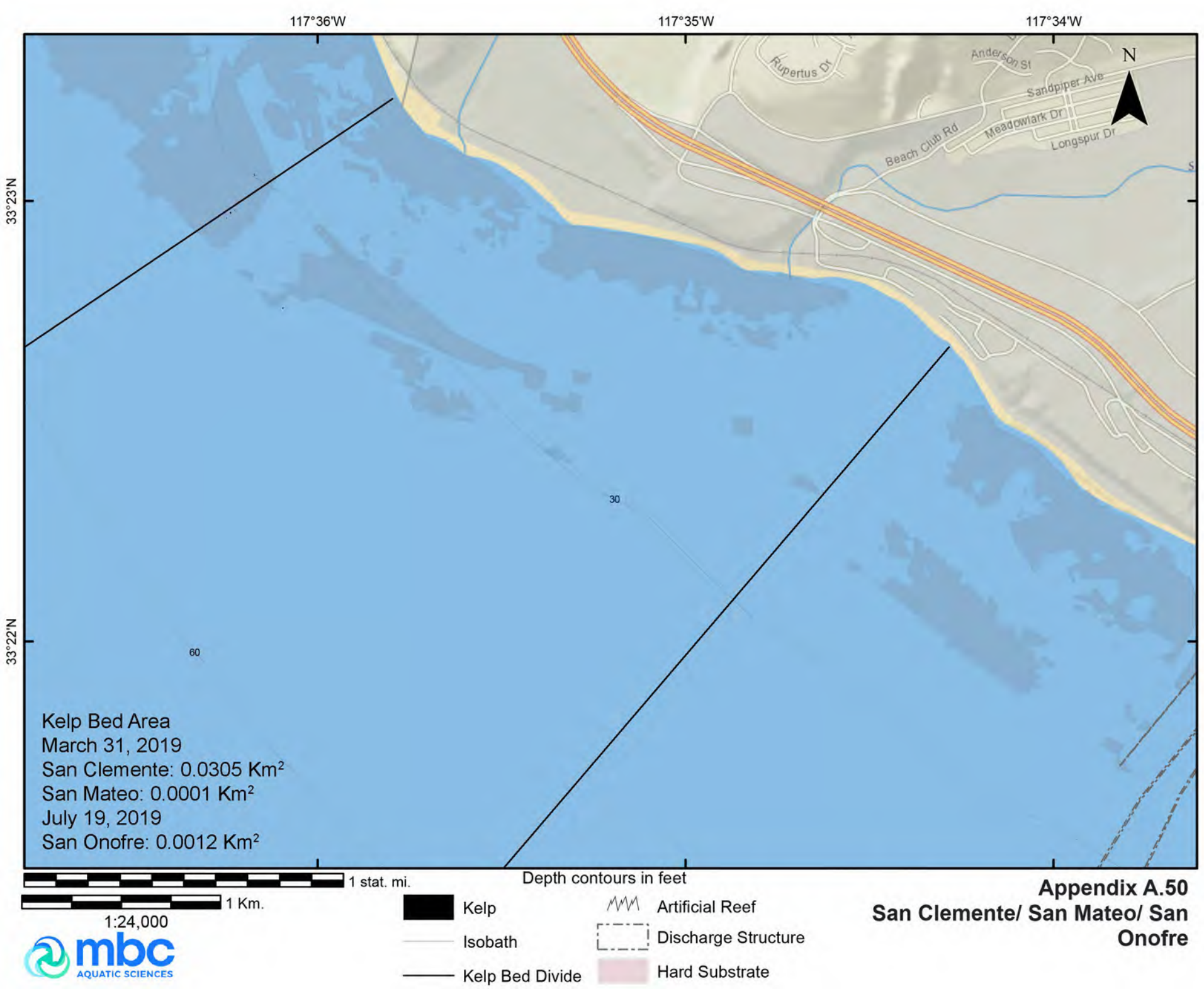

117°45'W
117°44'W
117°43'W
117°42'W
33°29'N
33°28'N
N
Monarch Beach Golf Links
Via Corsica
Ritz Cove Dr
Tennis Villas Dr
Marbella
St Michael
Taxco Dr
Santiago Dr
Christina Dr
Daniel Dr
Los Monteros Dr
Tiferma Dr
Caracas St
Acapulco Dr
Cortes Dr
Salt Creek Beach Park
Ritz-Carlton Dr
Periwinkle Dr
Dosinia Dr
Atlantic Ave
Halyard Dr
Martinspike Dr
Alta Vista Dr
Brigantine Dr
Atlantic Dr
Cabrillo Isle
1
Via Del Cielo
Manta Ct
Valencia Pl
Diana Dr
Regatta Way
Seville Pl
Amber Lantern St
Violet Lantern St
Selva Rd
Strand Beach Dr
Santa Clara Ave
Shoreline Dr
Cove Rd
Scenic Dr
Island Way
60
30
Pacific Ocean
Kelp Bed Area
July 19, 2019
Dana Point/ Salt Creek: None
Dana Point Marina: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.46
Dana Point/Salt Creek


117°43'W
117°42'W
117°41'W
33°28'N
33°27'N
N
Strand Beach Dr
Selva Rd
Regatta Way
Seville Pl
Amber Lantern St
Violet Lantern St
Malaga Dr
Calle La Primavera
Village Rd
Del Obispo Park
Doheny Park Rd
Camino Capistrano
Paseo De
Domingo Ave
Via Serra
Santa Clara Ave
Street Of The Golden Lantern
Lantern Bay Park
Doheny State Bch
Via Canon
Dana Bltvd
Via Catalina
Via Sacra
Palisades
Shoreline Dr
Cove Rd
Scenic Dr
Island Way
Puerto Pl
Dana Dr
30
60
Avalon Dana
Kelp Bed Area
July 19, 2019
Dana Point/ Salt Creek: None
Dana Point Marina: None
Capistrano Beach: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.47
Salt Creek/ Dana Point Marina/
Capistrano Beach

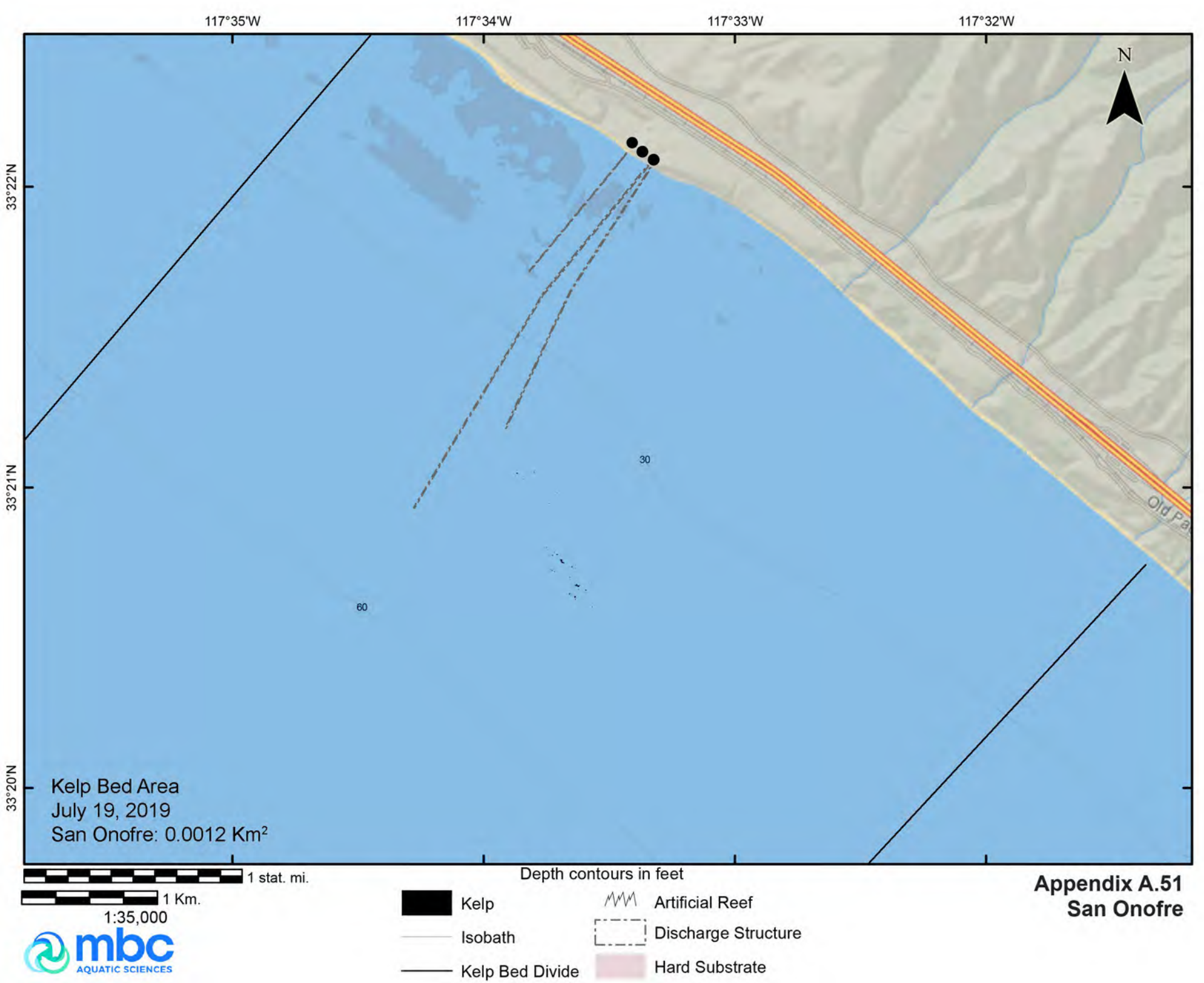


Appendix A.48
Capistrano Beach

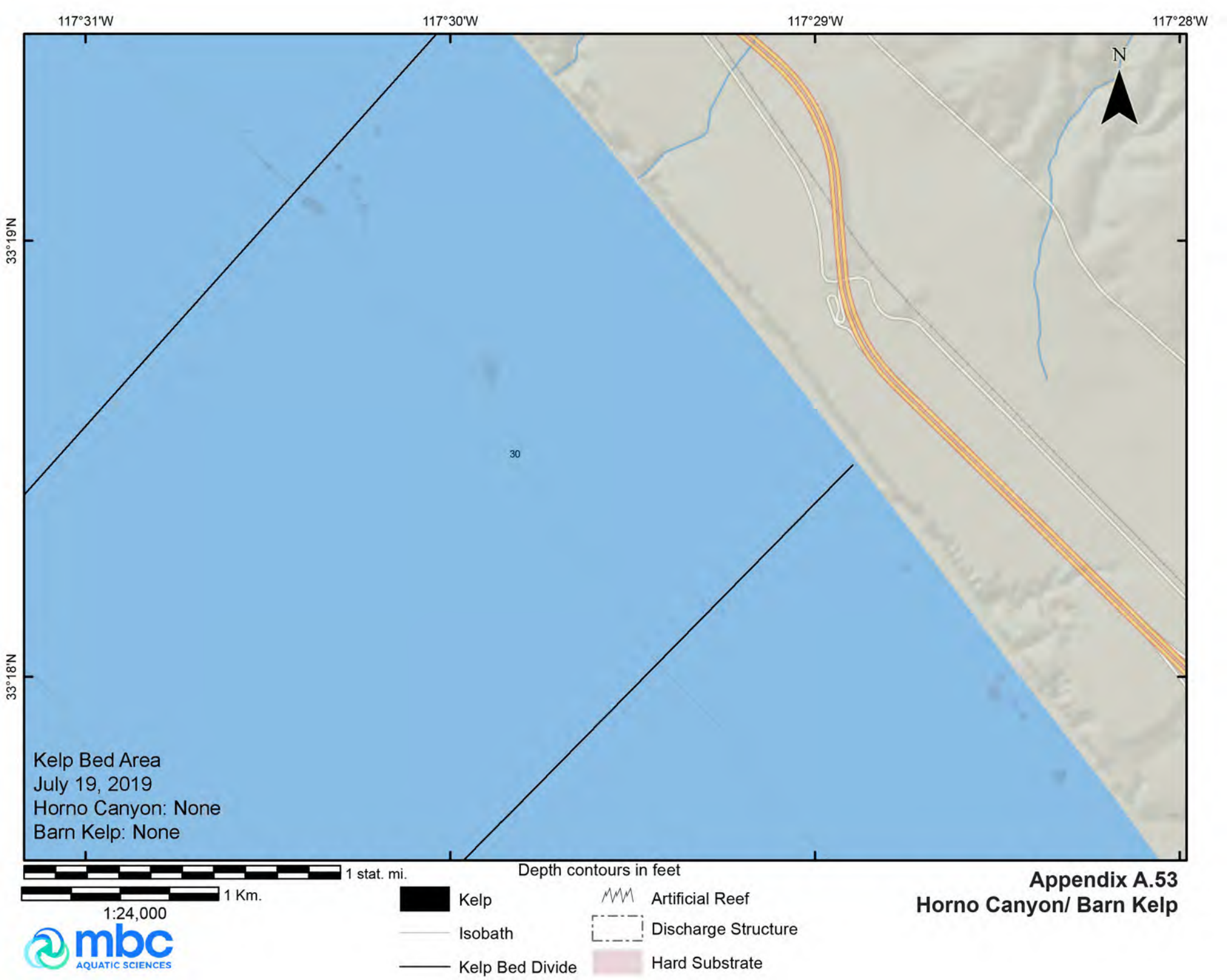

117°38'W
117°37'W
117°36'W
33°24'N
33°23'N
N
San Clemente Municipal Golf Course
San Clemente State Beach
Avenida Montalvo
Avenida Lobeiro
Avenida San Luis Rey
Avenida Del Presidente
Avenida Santa Margarita
Calle Ariana
Vista Azul
Via Adelita
Sampson Dr
Calle Gomez
Calle Bania
Avenida Cabo
S El Camino Real
30
60
Kelp Bed Area
March 31, 2019
San Clemente: 0.0305 Km²
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.49
San Clemente

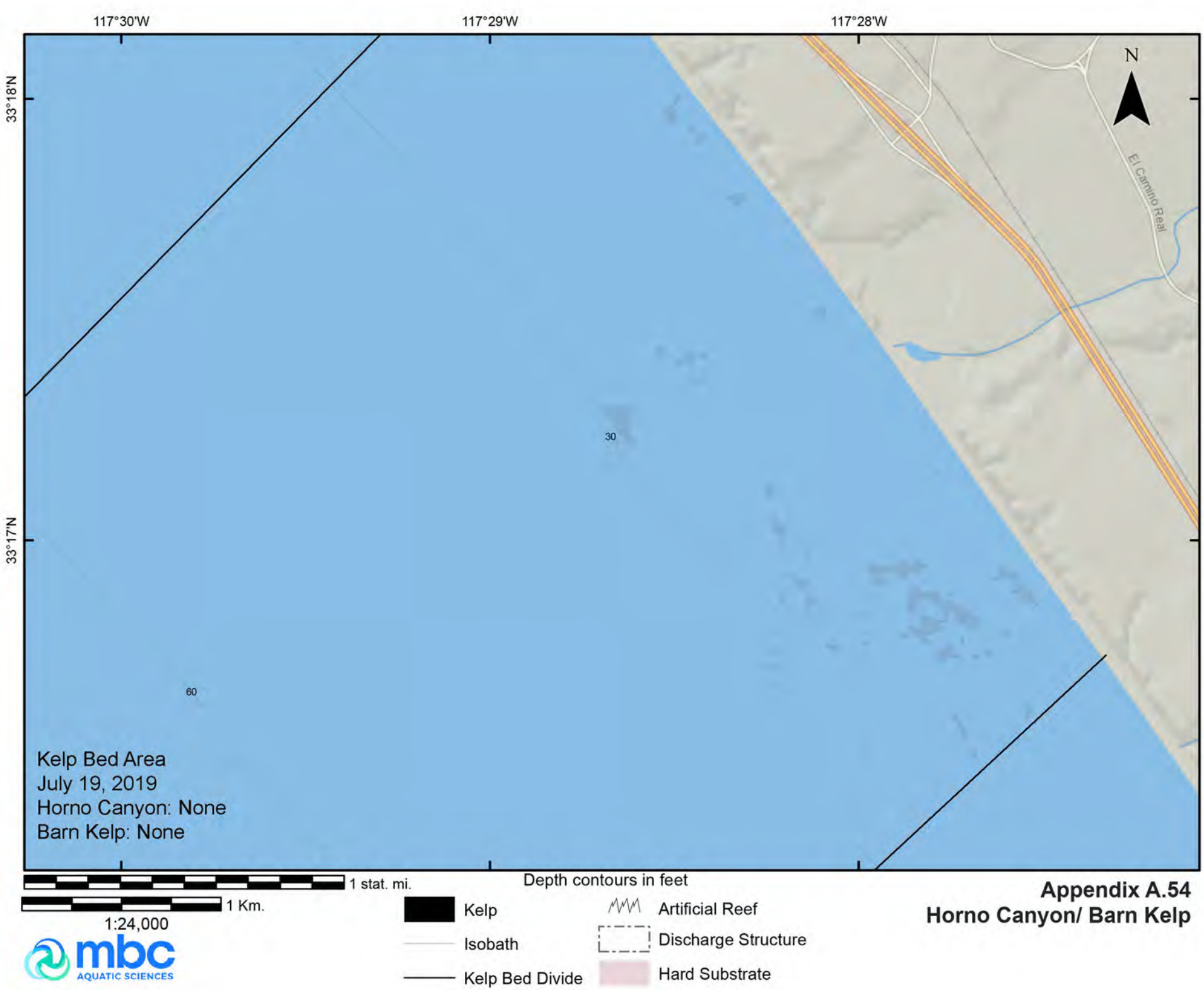


Appendix A.50
San Clemente/ San Mateo/ San Onofre

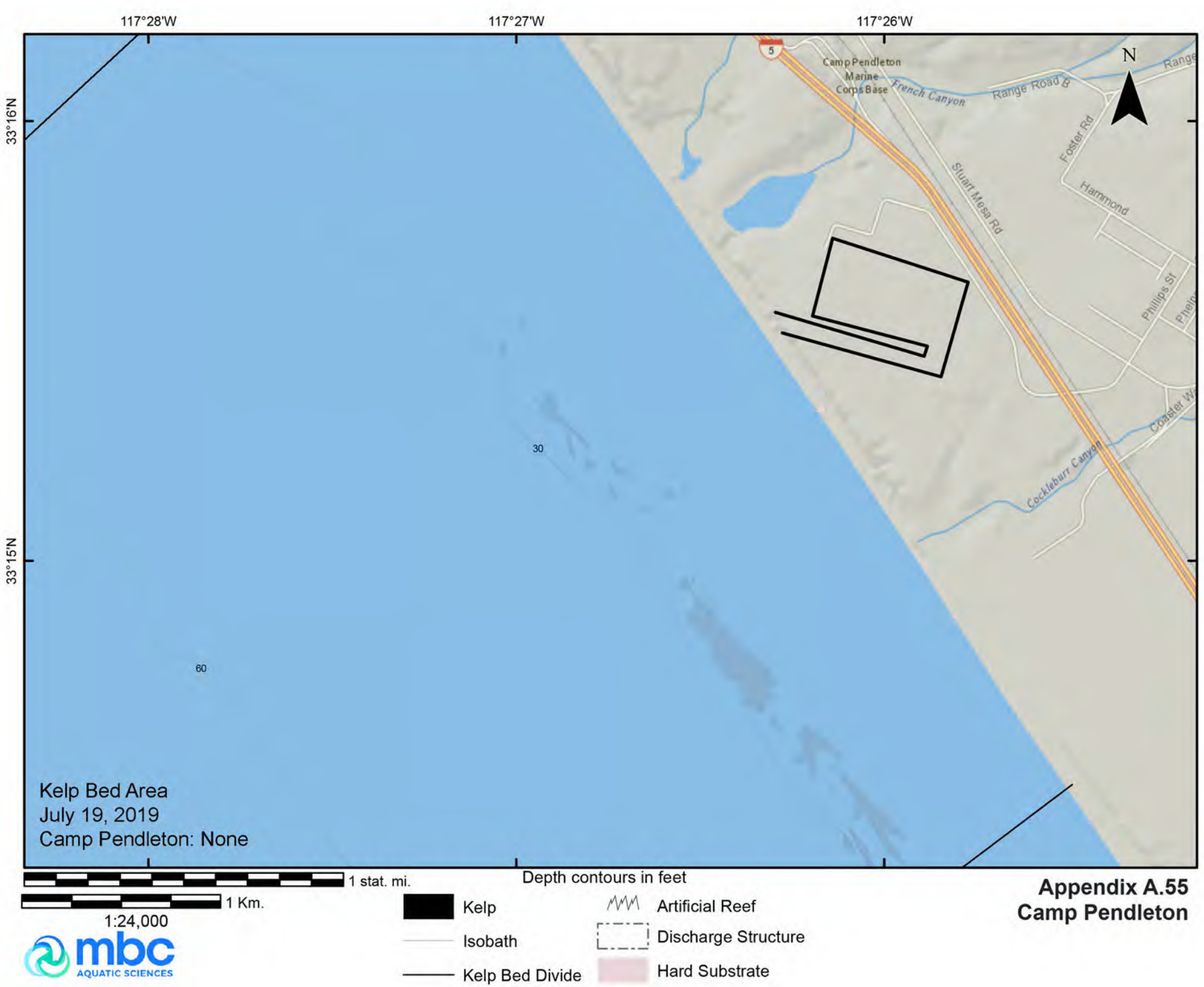

117°35'W
117°34'W
117°33'W
117°32'W
33°22'N
33°21'N
33°20'N
N
30
60
Old Pa
Kelp Bed Area
July 19, 2019
San Onofre: 0.0012 Km²
1 stat. mi.
1 Km.
1:35,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc
AQUATIC SCIENCES
Appendix A.51
San Onofre

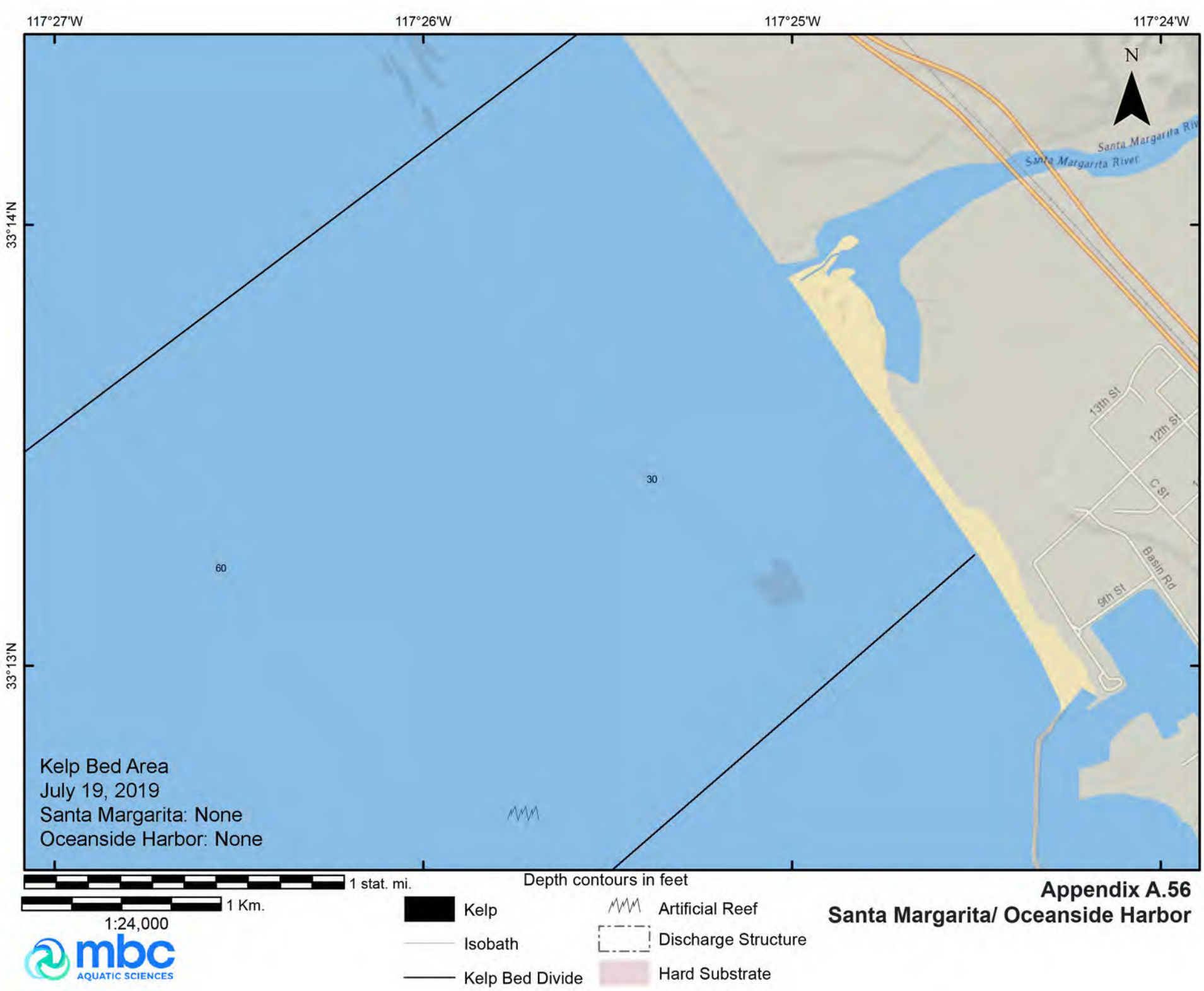
117°32'W
117°31'W
117°30'W
33°20'N
33°19'N
N
30
60
cific Ocean
Pendleton
Artificial Reef
Kelp Bed Area
July 19, 2019
Pendleton Reefs: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc
AQUATIC SCIENCES
Appendix A.52
Pendleton Reef

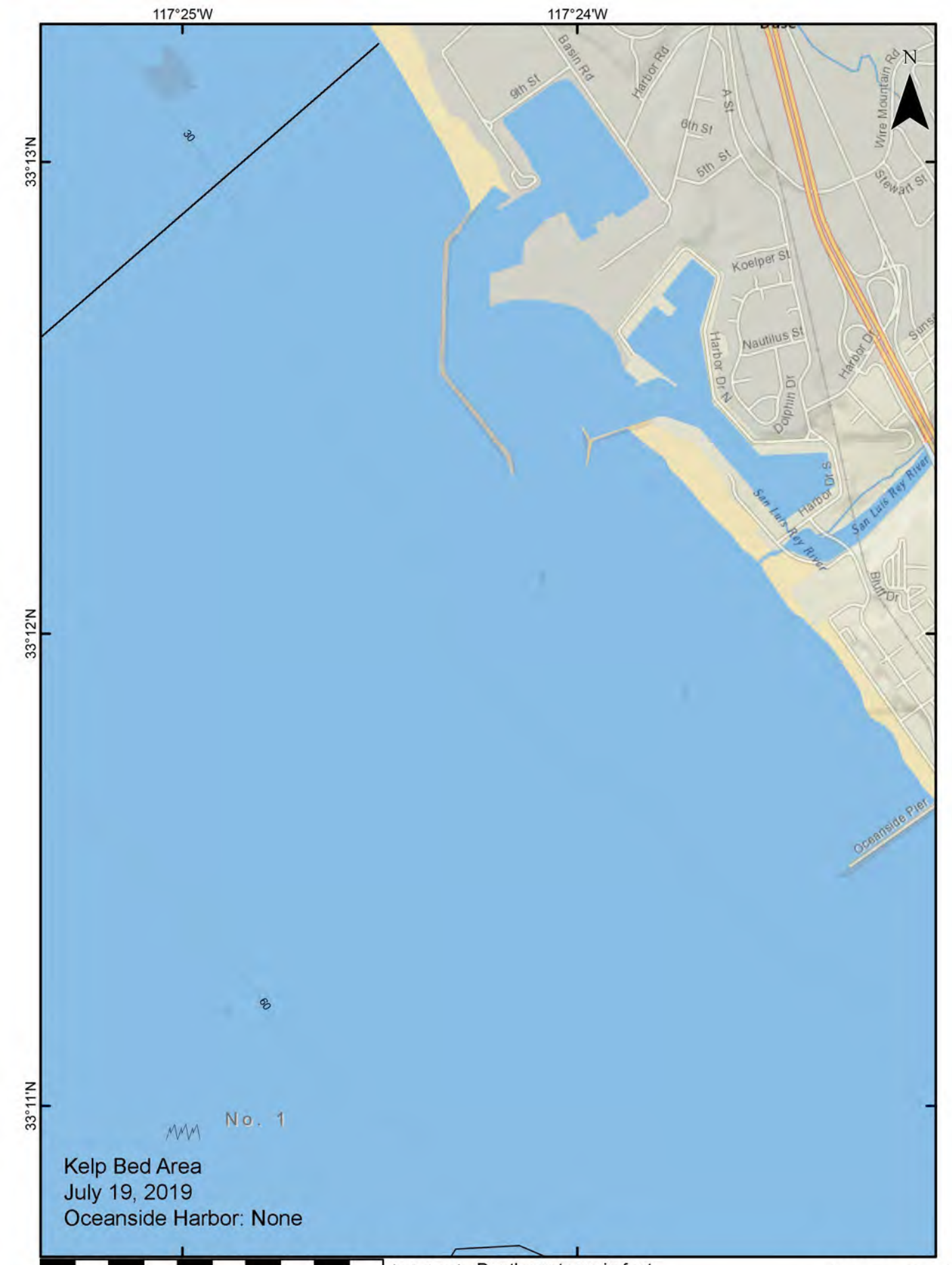

117°31'W
117°30'W
117°29'W
117°28'W
33°19'N
33°18'N
N
30
Kelp Bed Area
July 19, 2019
Horno Canyon: None
Barn Kelp: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc
AQUATIC SCIENCES
Appendix A.53
Horno Canyon/ Barn Kelp



Appendix A.54
Horno Canyon/ Barn Kelp


117°28'W
117°27'W
117°26'W
33°16'N
33°15'N
N
5
Camp Pendleton Marine Corps Base
French Canyon
Range Road B
Foster Rd
Stuart Mesa Rd
Harmond
Phillips St
Cocklaburr Canyon
30
60
Kelp Bed Area
July 19, 2019
Camp Pendleton: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.55
Camp Pendleton

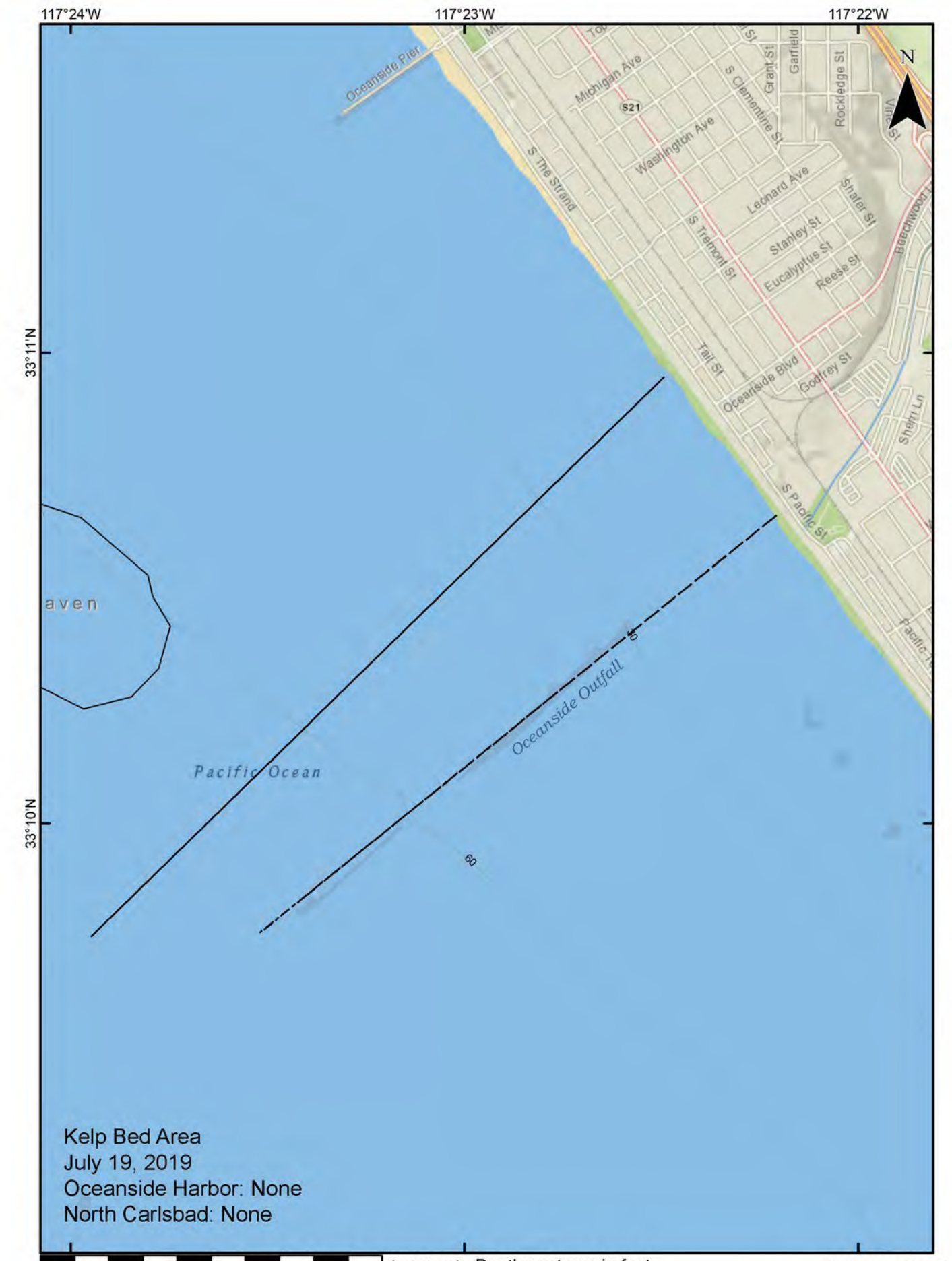

117°27'W
117°26'W
117°25'W
117°24'W
33°14'N
33°13'N
N
Santa Margarita River
13th St
12th St
C St
Basin Rd
9th St
30
60
Kelp Bed Area
July 19, 2019
Santa Margarita: None
Oceanside Harbor: None
1 stat. mi.
1 Km.
1:24,000
Depth contours in feet
Kelp
Isobath
Kelp Bed Divide
Artificial Reef
Discharge Structure
Hard Substrate
mbc AQUATIC SCIENCES
Appendix A.56
Santa Margarita/ Oceanside Harbor



Appendix A.57
Oceanside Harbor and Pier

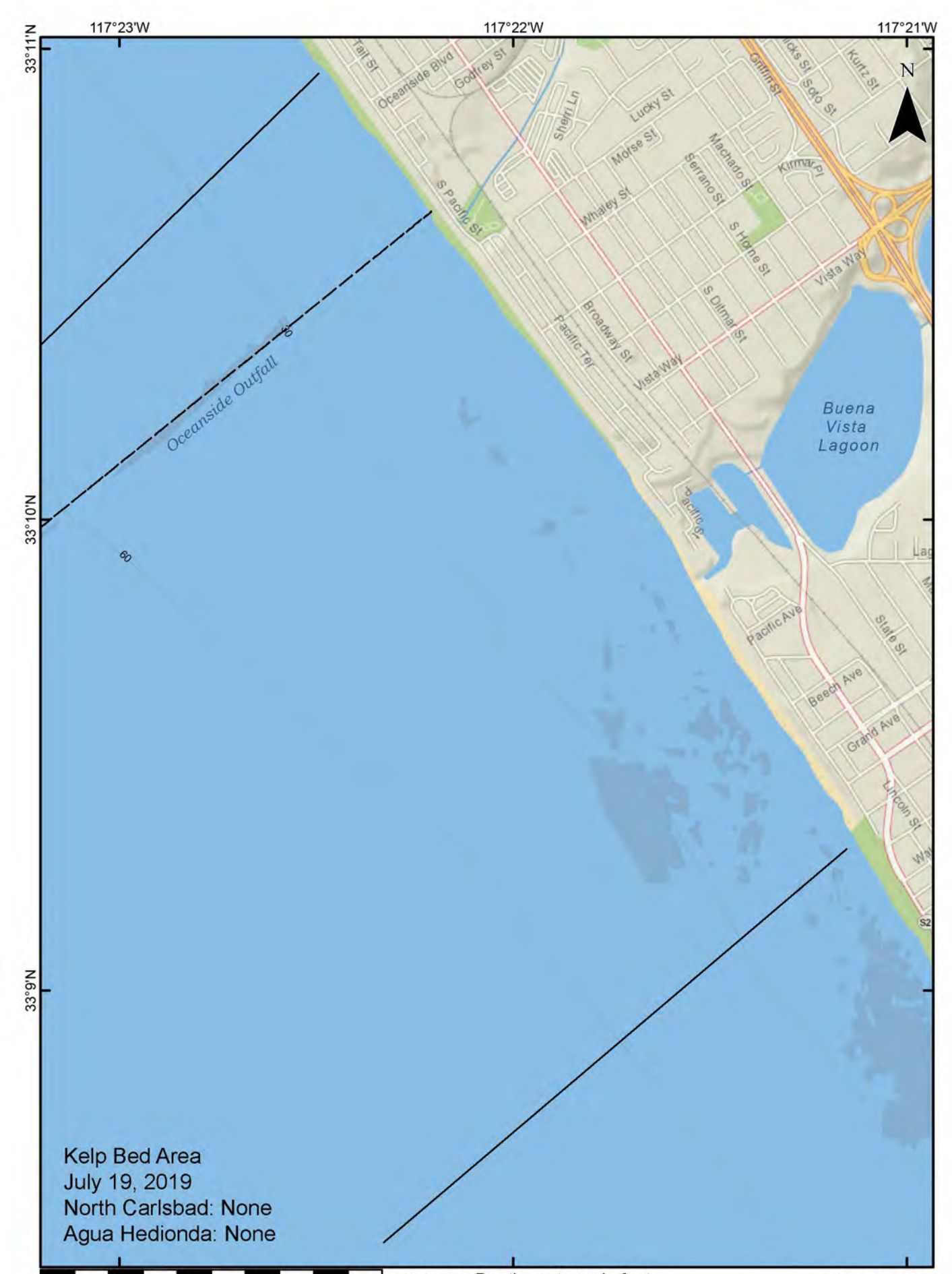
mbc AQUATIC SCIENCES

Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate



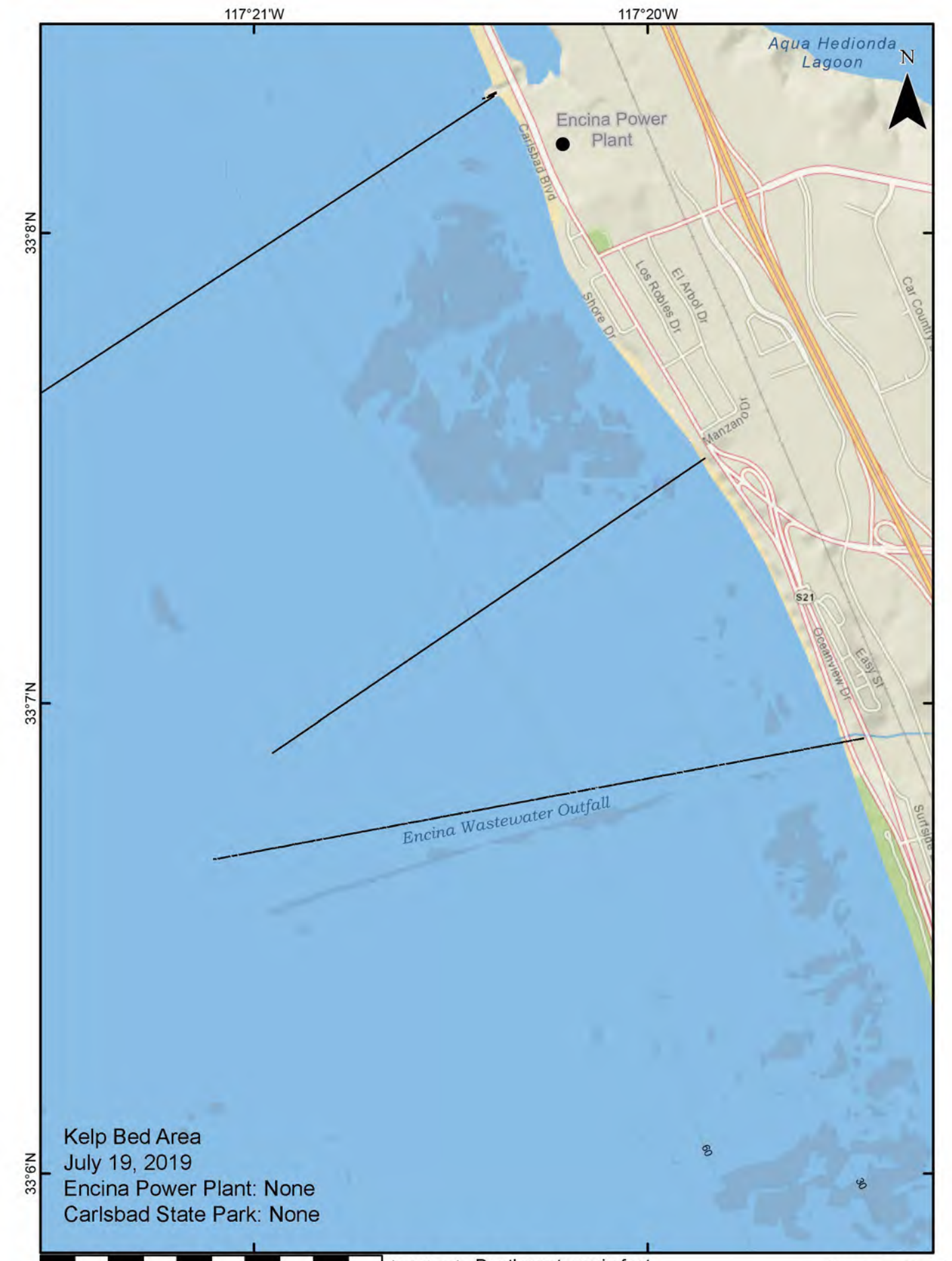
Appendix A.58
Oceanside Harbor/ Pier/ North Carlsbad

mbc AQUATIC SCIENCES



mbc AQUATIC SCIENCES

Appendix A.59
North Carlsbad/
Buena Vista Lagoon/
Agua Hedionda

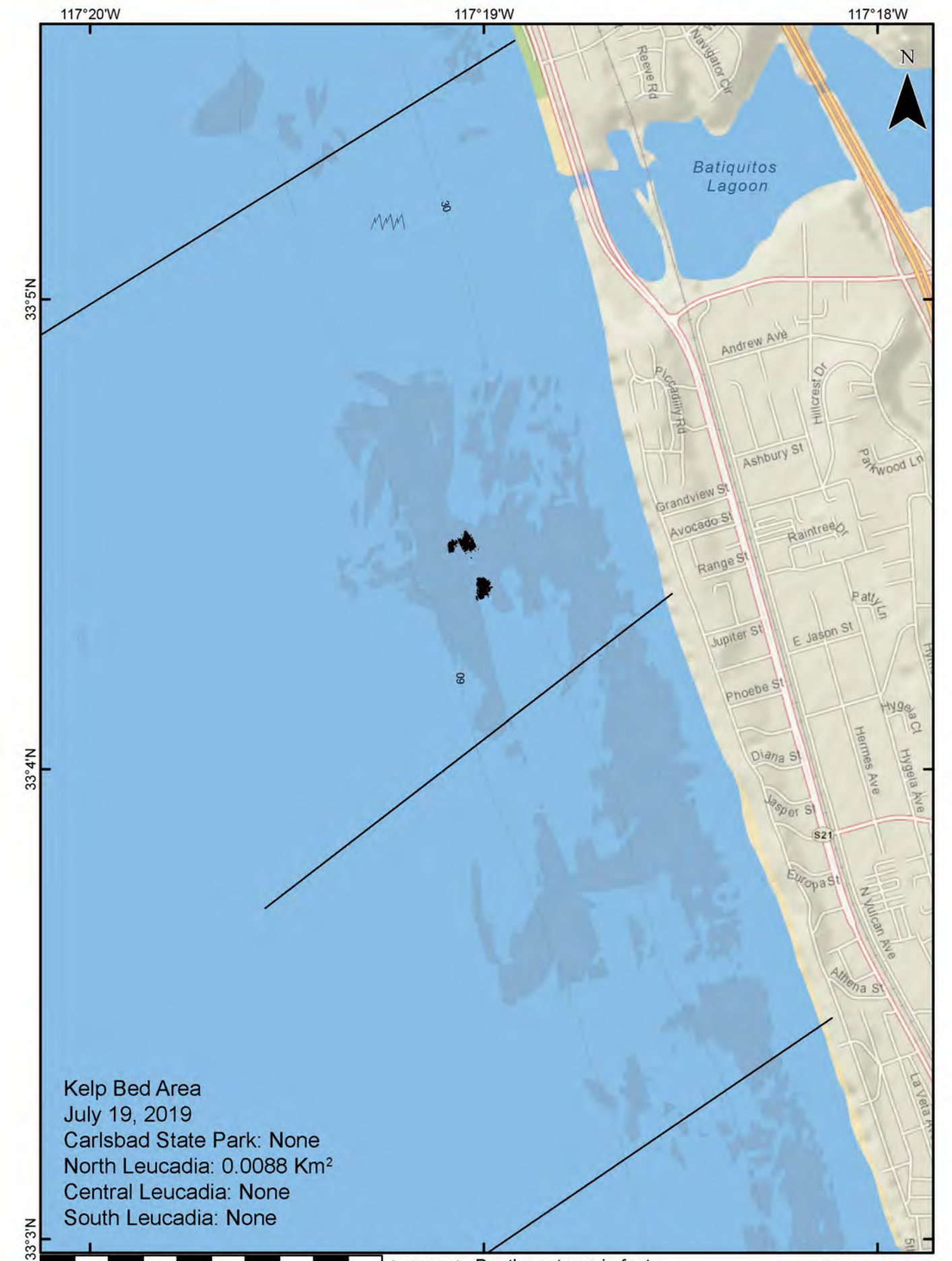


Appendix A.60
Encina Power Plant/
Carlsbad State Park

mbc AQUATIC SCIENCES

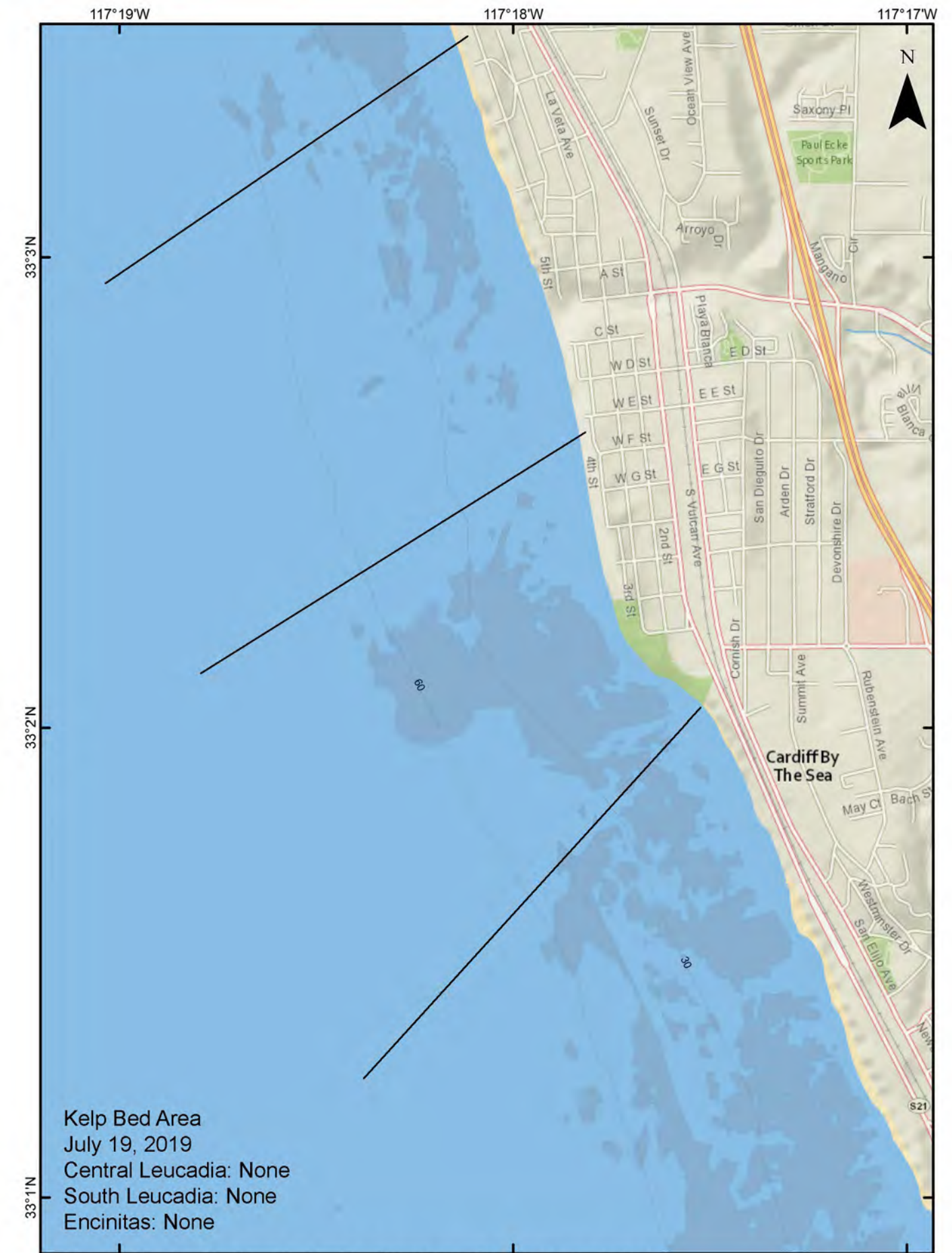
Appendix A.61
Encina Power Plant/
Carlsbad State Park

mbc AQUATIC SCIENCES

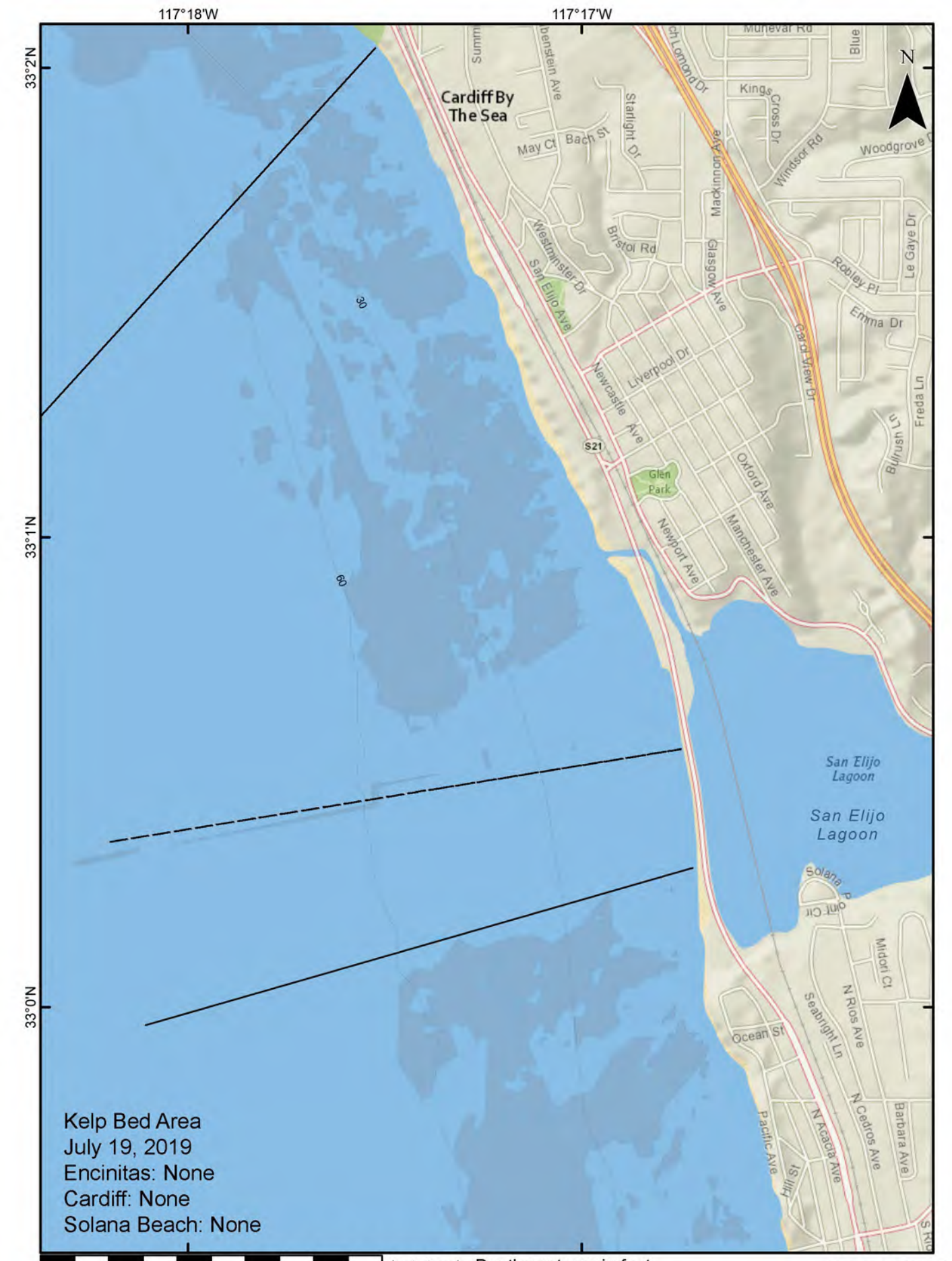


Appendix A.62
Leucadia (North, Central, South)

mbc AQUATIC SCIENCES

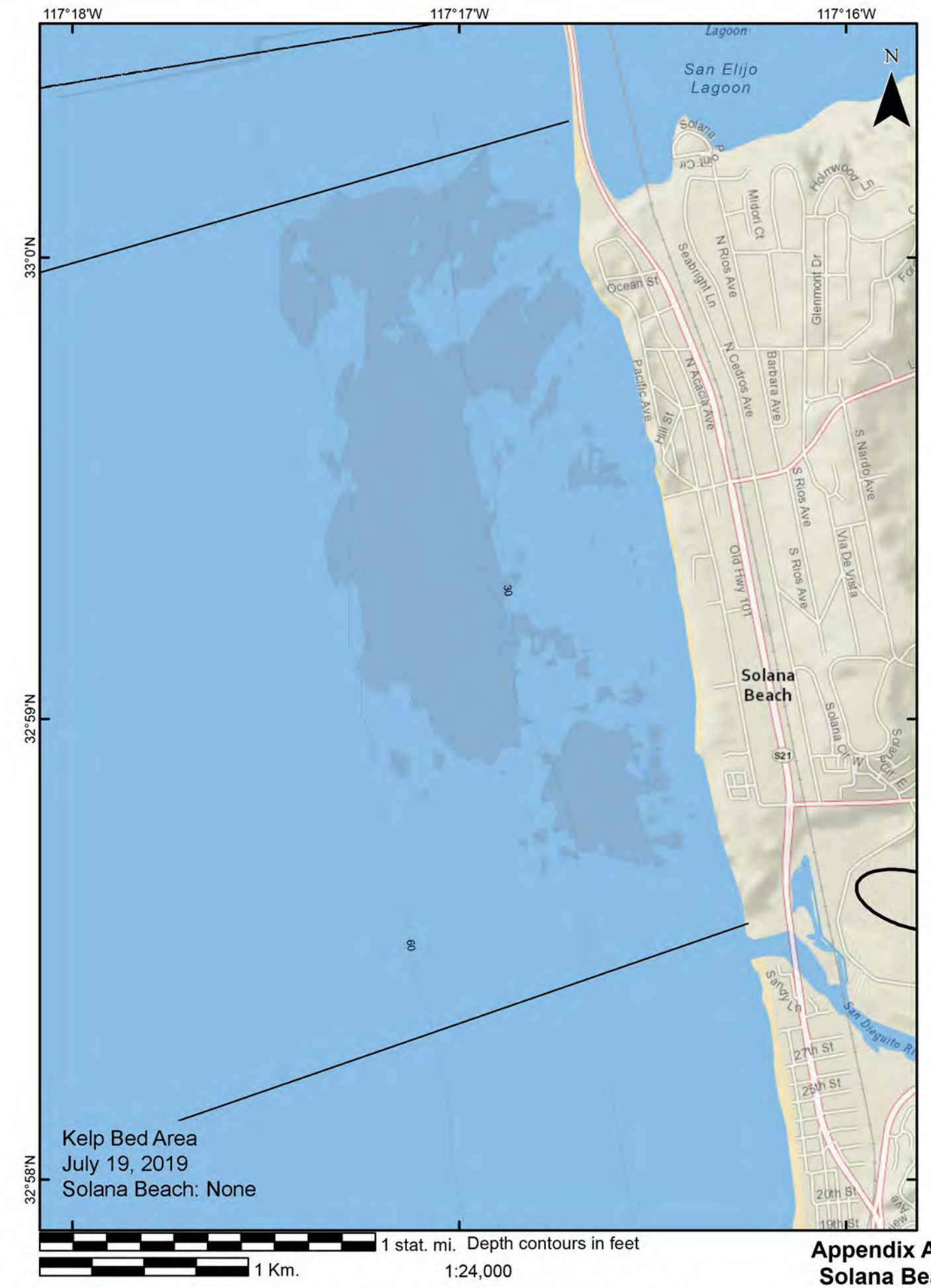


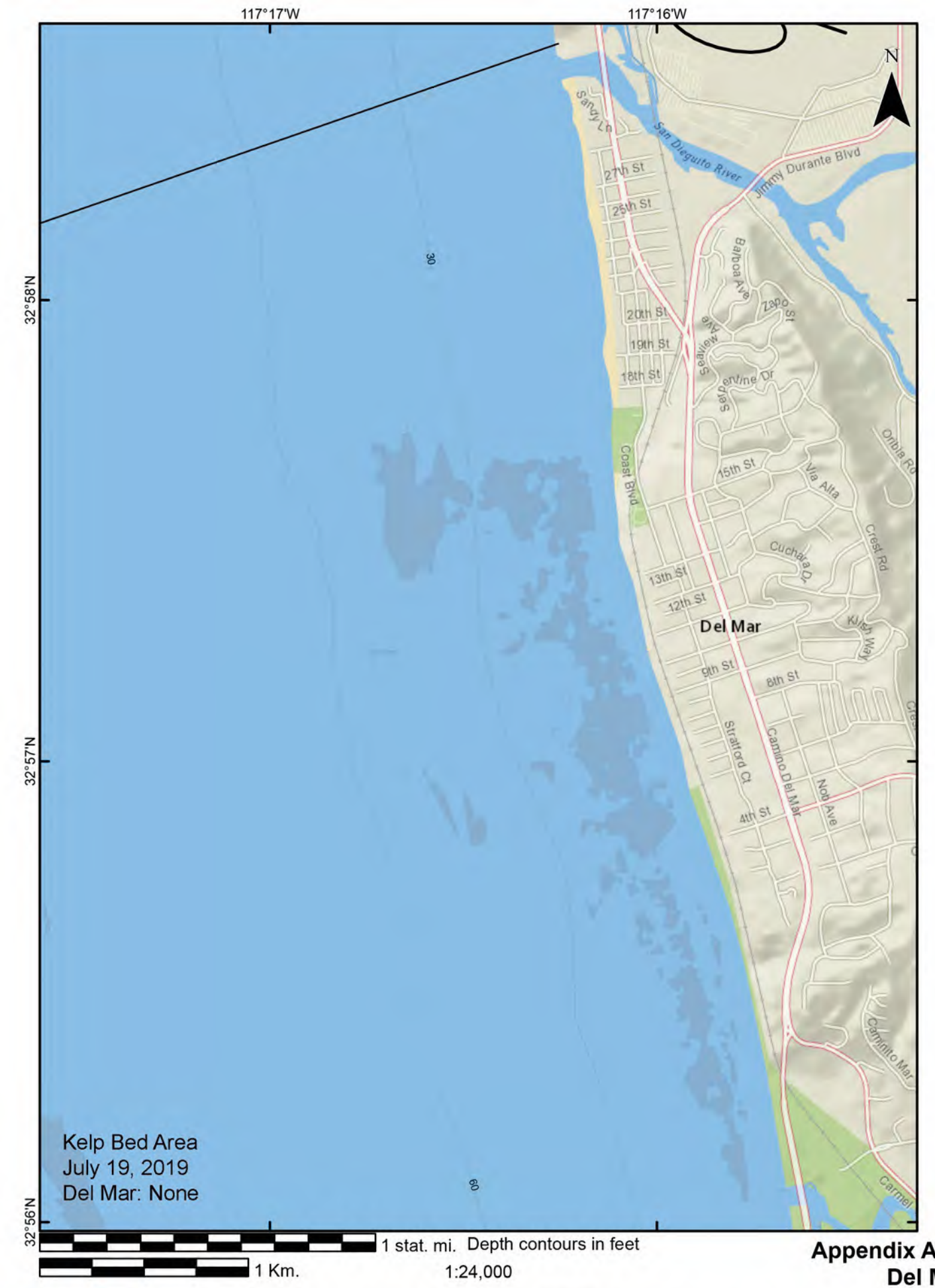
Appendix A.63
Leucadia (Central and South)/ Encinitas/ Cardiff



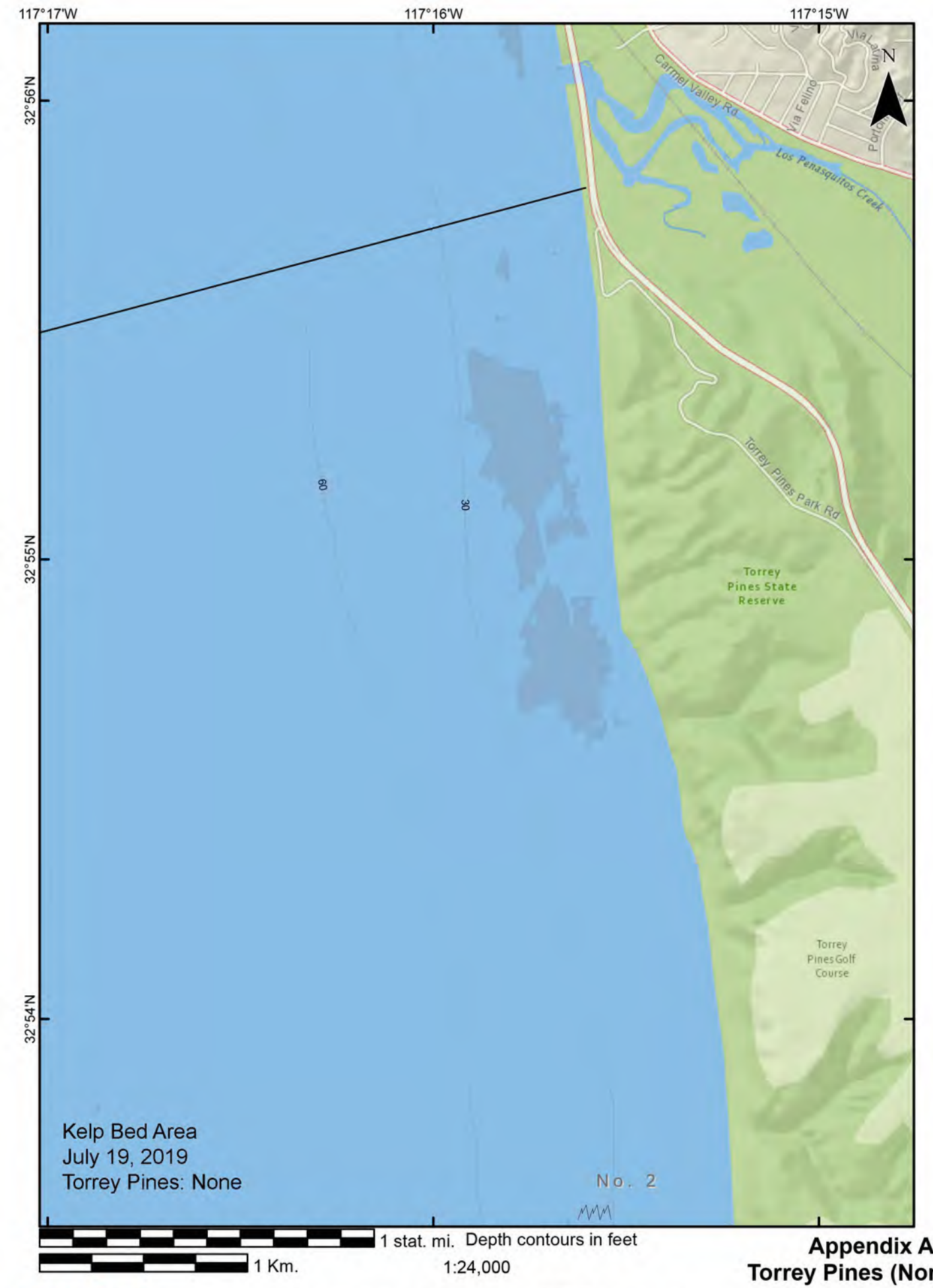
Appendix A.64
Encinitas/ Cardiff/ Solana Beach

mbc AQUATIC SCIENCES


117°18'W
117°17'W
117°16'W
33°0'N
32°59'N
32°58'N
N
Lagoon
San Elijo Lagoon
Solana Pl
Cmt Cir
Holmwood Ln
Midori Ct
N Rios Ave
Seabright Ln
Glenmont Dr
Ocean St
Pacific Ave
1st St
N Acacia Ave
N Cedros Ave
Barbara Ave
S Nardo Ave
S Rios Ave
Via De Vista
Old Hwy 101
Solana Beach
S21
Solana Ct W
Solana Cir E
30
60
Sandy Ln
San Dieguito Rv
27th St
26th St
20th St
19th St
Kelp Bed Area
July 19, 2019
Solana Beach: None
1 stat. mi.
1 Km.
Depth contours in feet
1:24,000
Appendix A.65
Solana Beach
mbc AQUATIC SCIENCES
Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate



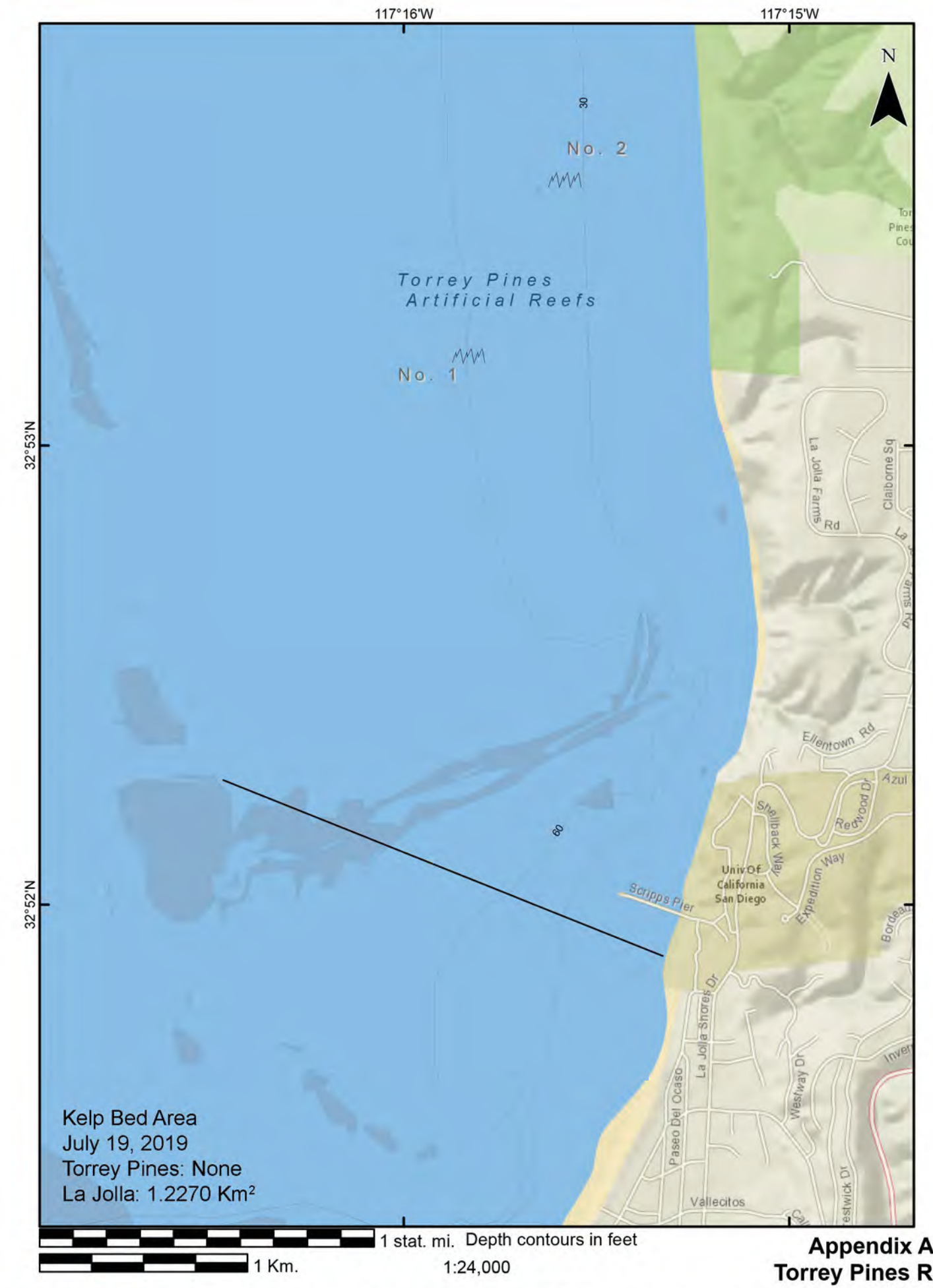
Appendix A.66
Del Mar



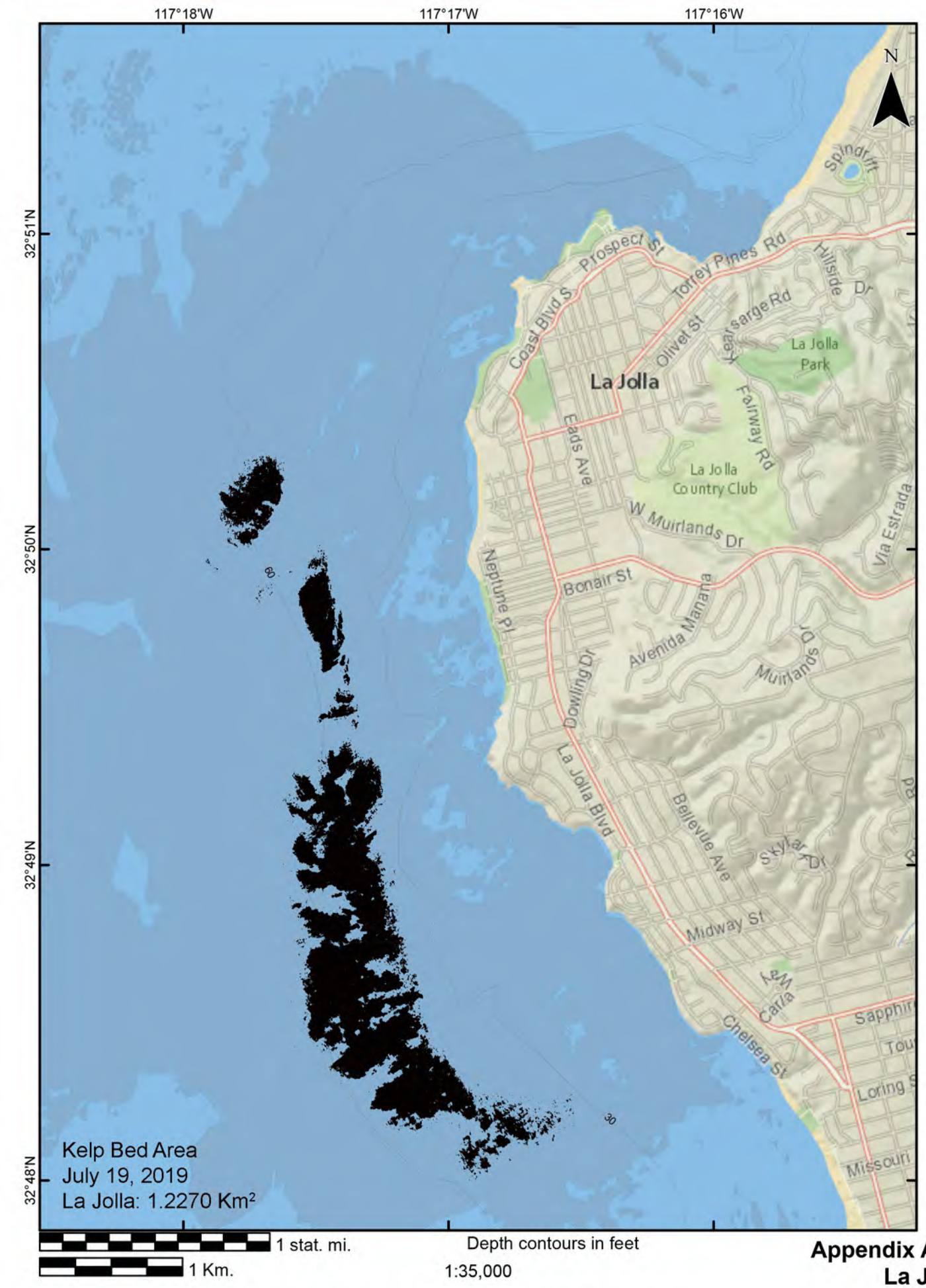
Appendix A.67
Torrey Pines (North)

mbc AQUATIC SCIENCES

Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate



Appendix A.68
Torrey Pines Reef (South)



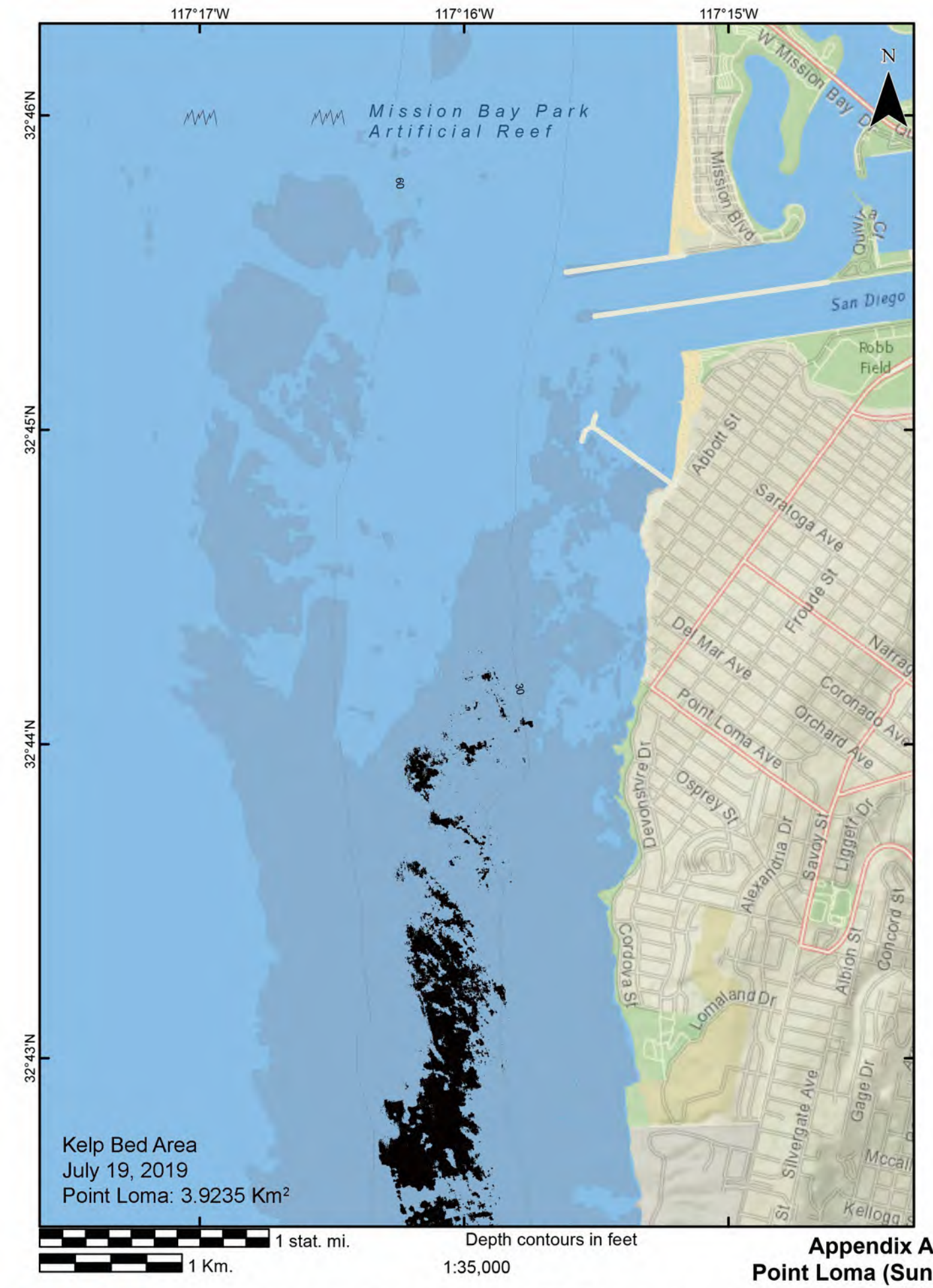
Appendix A.69
La Jolla

mbc AQUATIC SCIENCES

Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate

Appendix A.70
La Jolla/ Mission Bay

mbc AQUATIC SCIENCES

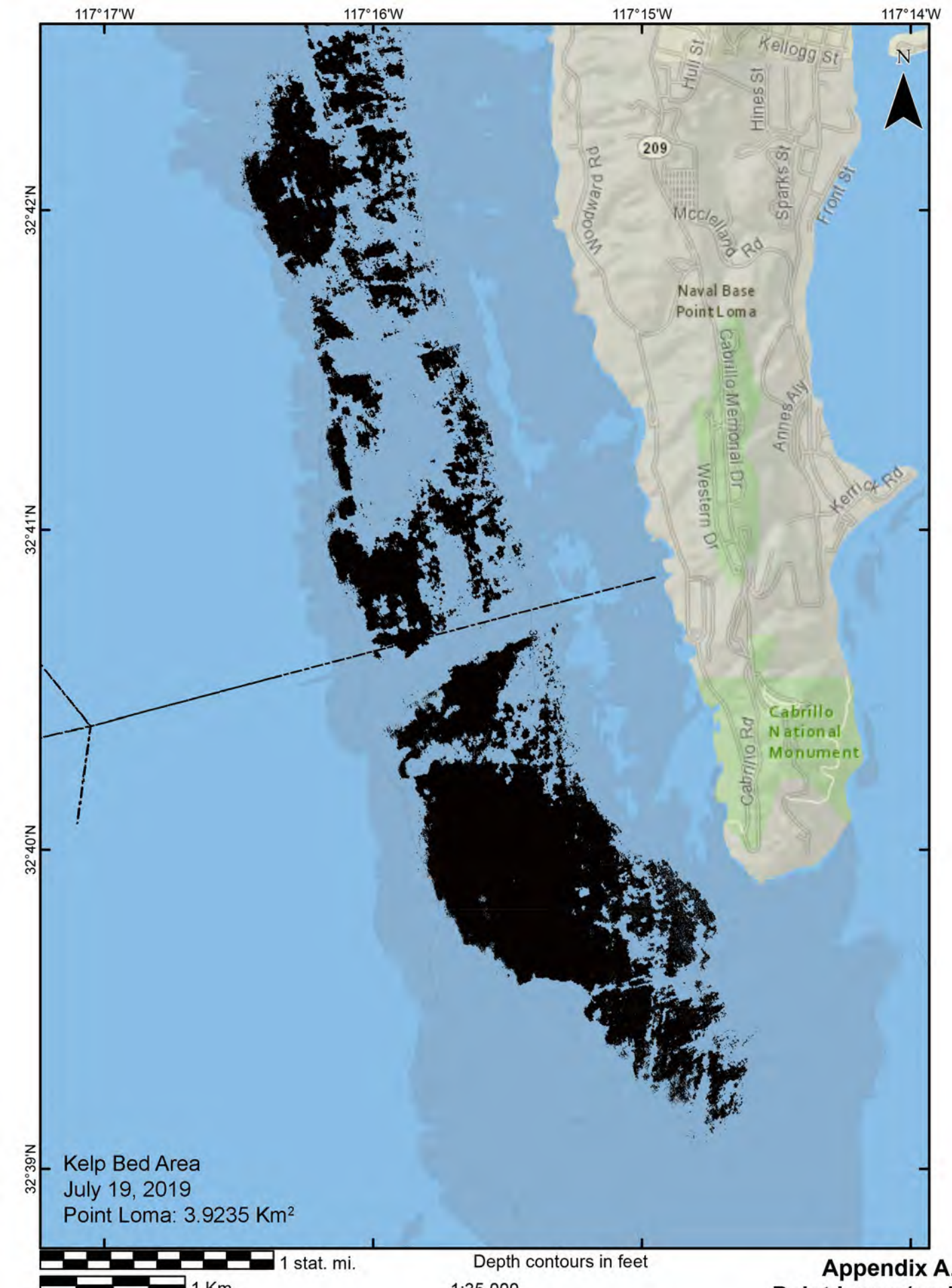


Appendix A.71
Point Loma (Sunset Cliffs)

mbc AQUATIC SCIENCES

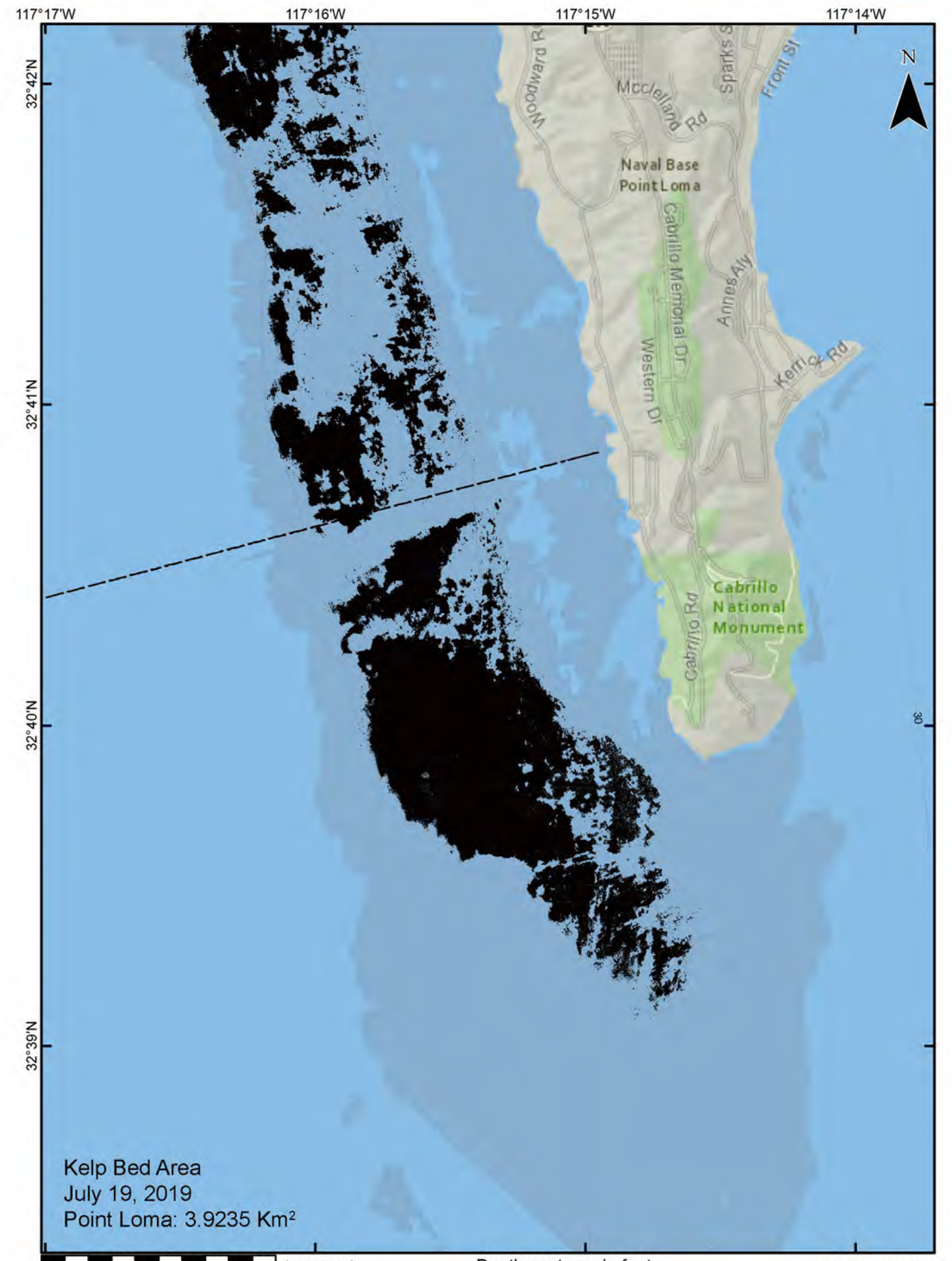
Kelp 2018 | Artificial Reef | Discharge Structure

Isobath | Kelp Bed Divide | Hard Substrate



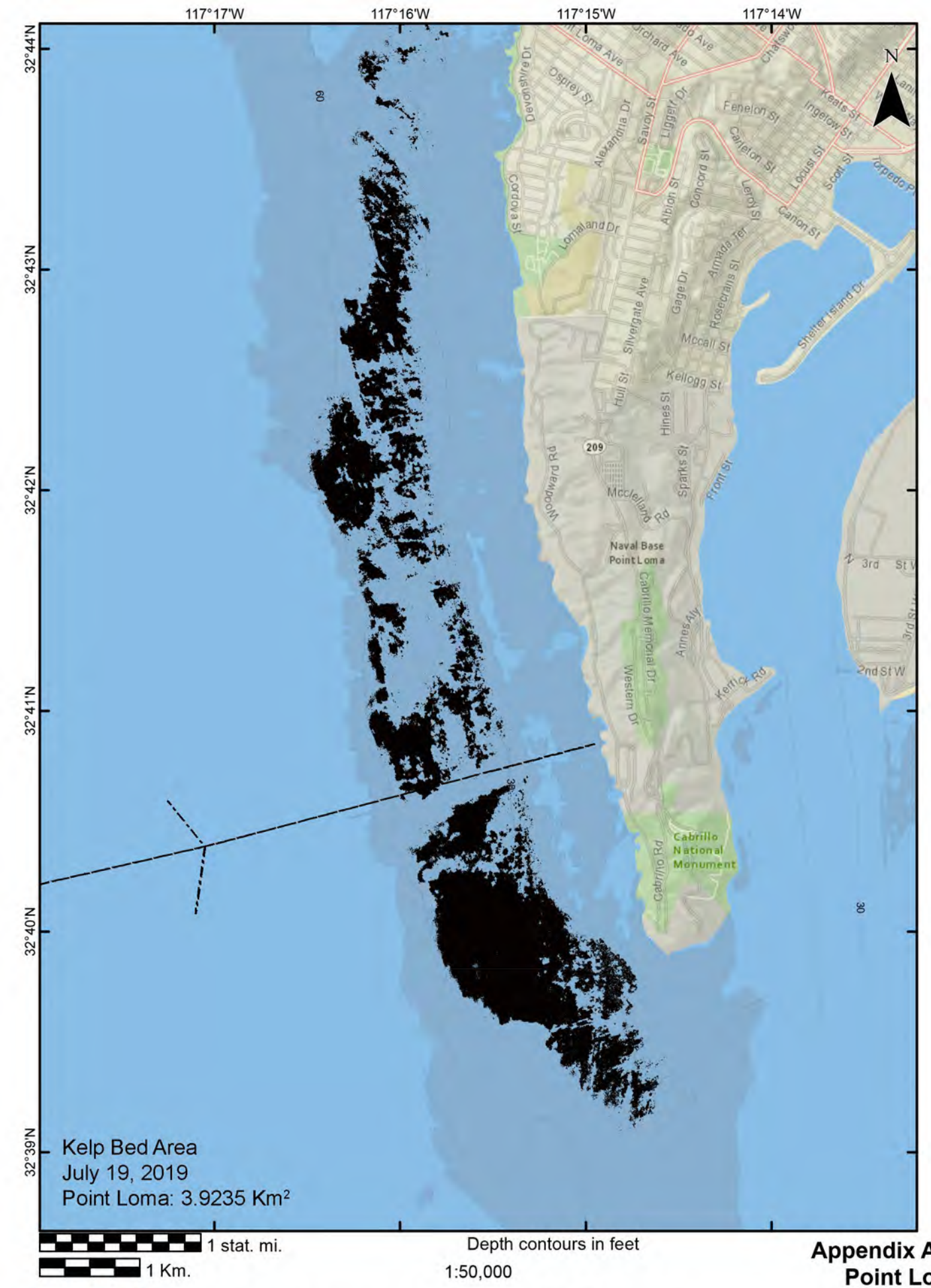
mbc AQUATIC SCIENCES

Appendix A.72
Point Loma (end of peninsula)



Appendix A.73
Point Loma (bay entrance)

mbc AQUATIC SCIENCES



Appendix A.74
Point Loma

mbc AQUATIC SCIENCES

Appendix A.75
Coronado (North Island Naval Air Station)

Appendix A.76
Coronado Beach/
Silver Strand (North)

mbc AQUATIC SCIENCES

Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate

Appendix A.77
Coronado Beach/
Silver Strand
(Central)

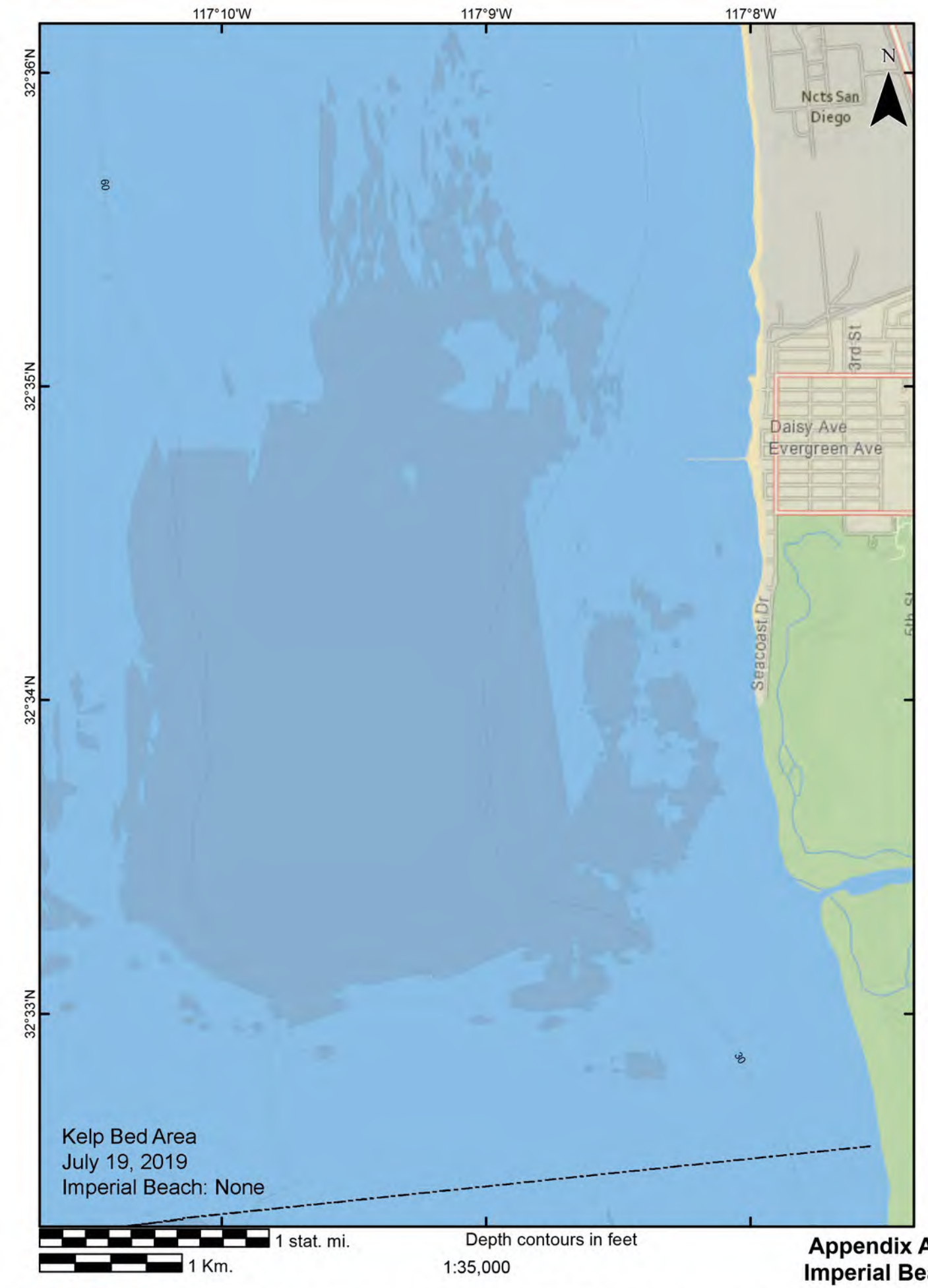
mbc AQUATIC SCIENCES

Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate

Appendix A.78
Imperial Beach

mbc AQUATIC SCIENCES

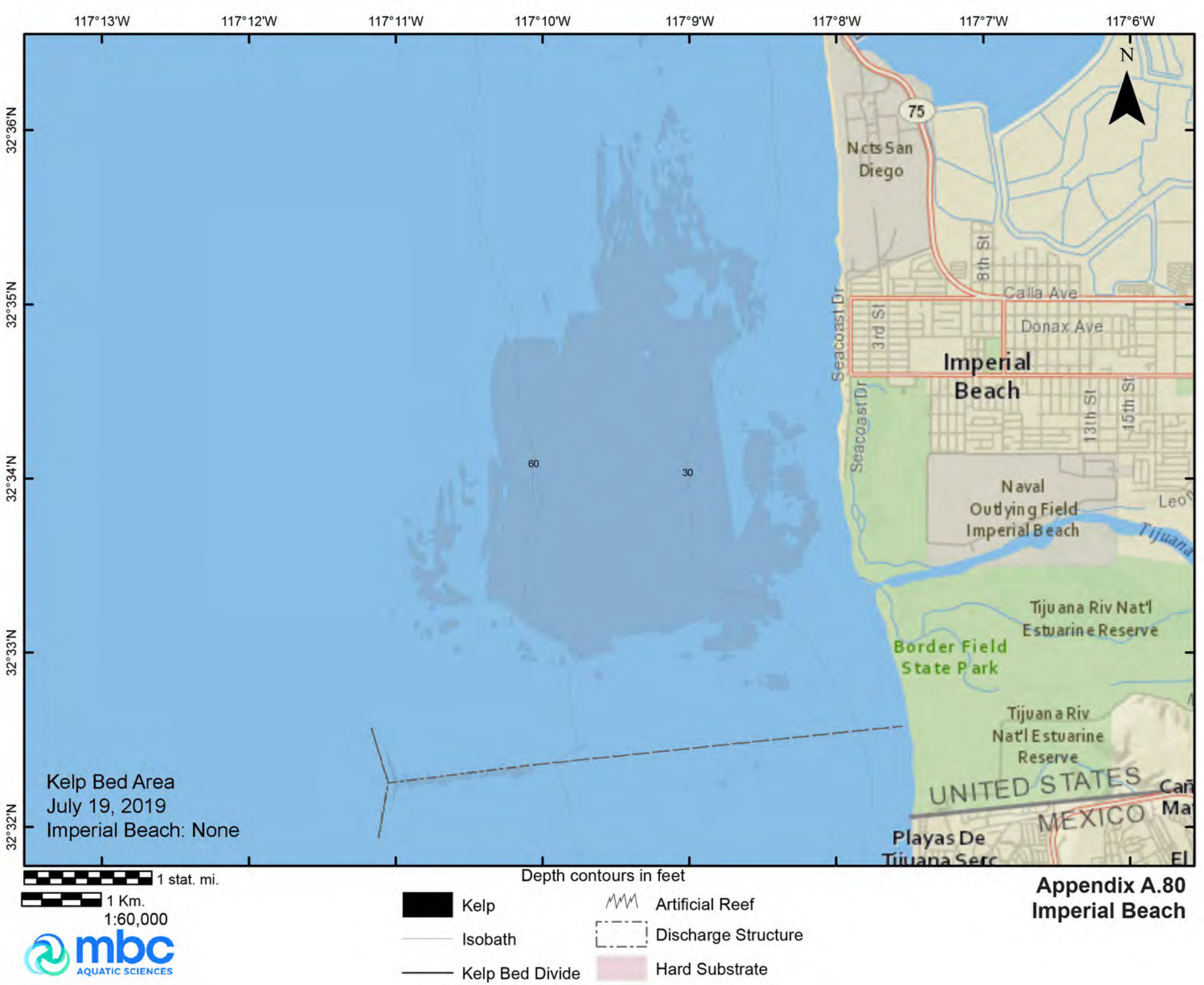
Kelp 2018
Isobath
Artificial Reef
Kelp Bed Divide
Discharge Structure
Hard Substrate



Appendix A.79
Imperial Beach

mbc AQUATIC SCIENCES

Kelp 2018
Artificial Reef
Discharge Structure
Isobath
Kelp Bed Divide
Hard Substrate



Appendix A.80
Imperial Beach

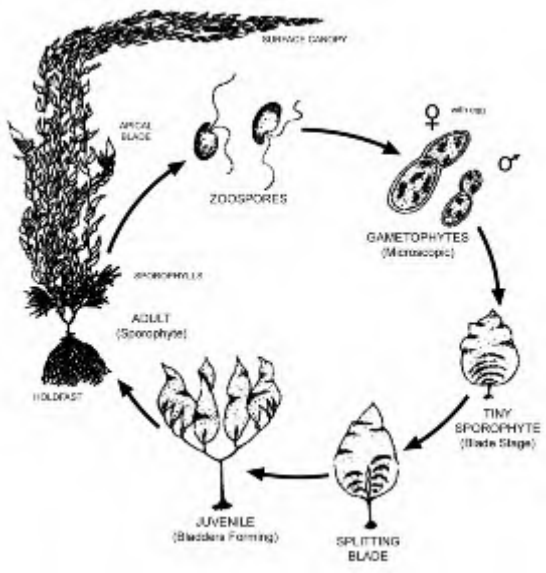
APPENDIX B

Life History of Giant Kelp
Historical Kelp Surveys
Crandall's Maps

LIFE HISTORY OF GIANT KELP

Kelp consists of a number of species of brown algae, of which 10 are typically found from Point Conception to the Mexican Border (the Southern California Bight [SCB]). Compared to most other algae, kelp species can attain remarkable size and long life span (Kain 1979; Dayton 1985; Reed et al. 2006). Along the central and southern California coast, giant kelp *Macrocystis pyrifera* is the largest species colonizing rocky (and in some cases sandy) subtidal habitats, and is the dominant canopy-forming kelp. Giant kelp is a very important component of coastal and island communities in southern California, providing food and habitat for numerous animals (North 1971; Patton and Harmon 1983; Dayton 1985; Foster and Schiel 1985). Darwin (1860) noted the resemblance of the three-dimensional structure of giant kelp stands to that of terrestrial forests. Because of its imposing physical presence, giant kelp biology and ecology have been the focus of considerable research since the early 1900s. Much effort was expended in the early years deciphering its enigmatic life history (Neushul 1963; North 1971; Dayton 1985; Schiel and Foster 1986; Witman and Dayton 2001; Reed et al. 2006). Giant kelp commonly attains lengths of 15 to 25 m and can be found at depths of 30 m. In conditions of unusually good water clarity, giant kelp may even thrive to depths of 45 m (Dayton et al. 1984).

Giant kelp may form beds wherever suitable substrate occurs, typically on rocky, subtidal reefs (North 1971). Such substrate must be free of continuous sediment intrusion. Giant kelp beds can form in sandy-bottom habitats protected from direct swells where individuals will attach to worm tubes; this occurs along portions of the Santa Barbara coastline (Bedford 2001). Like terrestrial plants, algae undergo photosynthesis and therefore require light energy to generate sugars. For this reason, light availability at depth is an important limiting factor to giant kelp growth. Greater water clarity normally occurs at the offshore islands, and as a result, giant kelp is commonly found growing there in depths exceeding 30 m. Along the mainland coast, high biological productivity, terrestrial inputs and nearshore mixing result in greater turbidity and hence lower light levels. Consequently, giant kelp generally does not commonly grow deeper than 20 m along the coastal shelf, although exceptional conditions off San Diego produce impressively large beds that can grow vigorously beyond 30 m.



Appendix B.1 Life cycle for giant kelp.

Giant kelp has a complex life cycle and undergoes a heteromorphic alternation of generations, where the phenotypic expression of each generation does not resemble the generation before or after it (Appendix B.1). The stage of giant kelp that is most familiar is the adult canopy-forming diploid sporophyte generation. Sporophyll blades at the base of an adult giant kelp release zoospores, especially in the presence of cold, nutrient-rich waters. These zoospores disperse into the water column and generally settle a short distance from the parent sporophyte (Reed et al. 1988). Within three weeks, the zoospores mature into microscopic male and female gametophytes that in turn produce sperm and eggs. This second generation does not resemble the sporophyte. The life cycle is completed when fertilization of the gametophyte egg develops into the adult sporophyte

stage. Successful completion of the life cycle relies on the persistence of favorable conditions throughout the process.

Giant kelp grows in groups called forests because erect bundles of fronds (stipes and blades) resemble tree trunks, and spreading canopies at the sea surface represent the stems and leaves (Dawson and Foster 1982). *Macrocystis* anchors to rocks (or occasionally in sand) by a holdfast, and new fronds, comprised of stipes and attached blades, grow up to the sea surface at rapid rates. Giant kelp is known as a biological facilitator (Bruno and Bertness 2001), where its three-dimensional structure and the complexity of its holdfast provides substrate, refuge, reduction of physical stress, and a food source for many fishes (Carr 1989) and invertebrates (Duggins et al. 1990). Stands of giant kelp can also affect flow characteristics in the nearshore zone, and enhance recruitment (Duggins et al. 1990), thus increasing animal biomass. For these reasons, giant kelp is also of great importance to sport and commercial fisheries.

HISTORICAL KELP SURVEYS

Giant kelp bed size and health are known to be highly variable but there has been a downward trend in canopy coverage since the inception of surveying in 1911 (Crandall 1912). In 1911, a mapping expedition of canopy-forming kelps along most of the Pacific coast was conducted to determine the amount of potash (potassium carbonate, an essential ingredient in explosives at the time) potentially available from the kelp. Using rowboats, compass, and sextants to triangulate positions, U.S. Army Captain William Crandall produced one of the most complete surface density kelp maps of the west coast of North America. Using this methodology, all of the existing kelp beds in the Central Region and Region Nine areas were mapped and these measurements have been used to define a baseline for southern California kelp beds (Appendices B.2, B.3, and B.4).

Despite the value of Crandall's maps, the accuracy of his measurements was questioned (Hodder and Mel 1978 [SAI 1978], Neushul 1981). These authors contended that measurement errors might have resulted from using a rowboat and triangulations from shore to compute the bed perimeters, particularly on very large beds such as Palos Verdes, Point Loma, and La Jolla. Although Crandall's ability to accurately triangulate a position was adequate, his measurements of large beds resulted from fewer fixed points and estimation of the area between points. Modern aerial surveys reveal numerous holes and a fair degree of patchiness in such beds. Crandall's estimates did not account for these natural gaps and therefore the 1911 survey probably overestimated the size of these larger beds. Given this ambiguity, Crandall's measurements should be viewed qualitatively rather than as quantitative estimates comparable to aerial survey data taken since the 1920s. However, the data are a very good approximation to use as a baseline. Anecdotal reports from area stakeholders reported by Cameron (1915) indicate kelp beds in 1911 were in fairly poor condition compared to previous years.

Although the historical El Niño Southern Oscillation (ENSO) index suggests that the five years prior to 1911 were favorable to the kelp, the Pacific Decadal Oscillation (PDO) (another environmental metric that has historical data extending back to that period) is in agreement with Cameron's 1915 statement. While the PDO is a poor predictor of oceanographic conditions in the Southern California Bight (Di Lorenzo et al. 2008), it does correlate with sea surface temperature (SST). Therefore, it provides some insight into the local hydrographic conditions at the time. The annual mean PDO was slightly negative between 1909 and 1911, before transitioning to a warm phase from 1912 through 1915. This is suggestive, but not conclusive, of lower nutrient concentrations in 1912–1915 that would result in poor kelp growth. To add further credibility to the premise that beds were larger than current trends would indicate, aerial photos of Palos Verdes kelp beds taken in 1928 (measured by North in 1964) found the area to be more than 10% larger than Crandall reported in 1911.

In 1964, Dr. Wheeler North, working for the State Water Quality Control Board (1964), re-measured Crandall's Palos Verdes charts and found the 2.66 square nautical miles (Nm^2 [9.12 km^2]) Crandall reported to be very similar to his measurement of 2.42 Nm^2, but North's measurement did not include much of Malaga Cove (that added an additional 0.130 Nm^2 of kelp to the Palos Verdes beds), resulting in North's measurement of about 2.55 Nm^2 (Appendices B.5-B.11; Crandall Maps).

Due to the large sizes reported by Crandall, Neushul (1981) assumed there was a scaling error, re-measured the maps, and calculated a value that was 10% less than Crandall's original measurement. However, Neushul (1981) wrote that his measurements resulted in

Appendix B.2 Kelp beds of the California coast as described by Crandall in 1911.

Crandall Sheet (Map in report) No.	Kelp Bed No.	Density	Bed Name 2013	Area Square Nautical Miles	Area Square Statute Miles	Area Square Kilometers
Sheet 52		Medium	Imperial Beach	0.287	0.3801	0.9844
Sheet 18	1	Very Heavy.	Point Loma	5.400	7.1516	18.5226
	2	Very Heavy.	La Jolla	2.300	3.0461	7.8893
Sheet 17	3	Medium	Del Mar	0.240	0.3178	0.8232
		N. Present	No Solana Beach	0.000	0.0000	0.0000
		N. Present	No Cardiff	0.000	0.0000	0.0000
	4	Medium	Encinitas 30% (0.970)	0.291	0.3854	0.9982
	4	Medium	Leucadia 50% (0.970)	0.485	0.6423	1.6636
	4	Medium	Carlsbad St Bch 20%	0.194	0.2569	0.6654
	5	Medium	Encina Power	0.125	0.1655	0.4288
	5	Medium	Agua Hedionda	0.125	0.1655	0.4288
	6	Medium	Carlsbad	0.140	0.1854	0.4802
	7	Medium	Santa Margarita	0.250	0.3311	0.8575
	8	Thin	Barn Kelp	0.370	0.4900	1.2691
	9	Thin	Barn Kelp	0.080	0.1059	0.2744
	10	Thin	Barn Kelp	0.260	0.3443	0.8918
	11	Thin	Horno Canyon	0.050	0.0662	0.1715
	12	Thin	San Onofre	0.110	0.1457	0.3773
	13	Thin	San Onofre	0.130	0.1722	0.4459
	14	Thin	San Onofre	0.060	0.0795	0.2058
	15	Thin	San Mateo	0.360	0.4768	1.2348
Sheet 14, 15, and 16	16	Thin	San Clemente	0.060	0.0795	0.2058
	17	Medium	Capistrano	0.240	0.3178	0.8232
	18	Medium	Doheny	0.220	0.2914	0.7546
	19	Medium	Dana Point/Salt Creek	0.340	0.4503	1.1662
		N. Present	Laguna Beach	0.000	0.0000	0.0000
	20	Medium	Corona Del Mar	0.220	0.2914	0.7546
	21	Medium	Cabrillo to Port Bend	0.760	1.0065	2.6069
	22	Thin	Portuguese Bend	0.100	0.1324	0.3430
	23	Thin	Point Vicente, PV	0.070	0.0927	0.2401
	24	Medium	PV Pt to Flat Rk, PV	1.600	2.1190	5.4882
	25	Medium	Malaga Cove, PV	0.130	0.1722	0.4459
Chart 13	1	Thin	Sunset Beach	0.280	0.3708	0.9604
	2	Thin	Topanga (50%)	0.005	0.0066	0.0172
	2	Thin	Las Tunas (50%)	0.005	0.0066	0.0172
	3	Thin	Big Rock	0.005	0.0066	0.0172
	4	Thin	Las Flores	0.004	0.0053	0.0137
	5	Thin	La Costa	0.006	0.0079	0.0206
		N. Present	Malibu Point	0.000	0.0000	0.0000
	6	Thin	Puerco/Amarillo (10%)	0.100	0.1324	0.3430
	6	Thin	Latigo Canyon (13%)	0.130	0.1722	0.4459
	6	Thin	Escondido Wash (17%)	0.170	0.2251	0.5831
	6	Thin	Paradise Cove (40%)	0.400	0.5297	1.3720
Chart 13	6	Thin	Point Dume (20%)	0.200	0.2649	0.6860
	7	Thin	Lechuza (33%)	0.037	0.0485	0.1255
	7	Thin	Pescador/Piedra (67%)	0.073	0.0971	0.2515
	8	Medium	Nicolas Canyon (33%)	0.367	0.4855	1.2575
	8	Medium	Leo Carillo (67%)	0.733	0.9712	2.5153
		N. Present	Deer Crk	0.000	0.0000	0.0000
Totals				17.512	23.192	60.068

only slight improvements from what Crandall measured: "*The smaller areas obtained by measurements from more recent maps of southern California kelp beds probably reflect both a slight increase in mapping precision over Crandall's methods, and an actual decrease in size."* In 2004, Crandall's original maps of Palos Verdes were re-measured by MBC Applied Environmental Sciences (MBC) using computer-aided spatial estimation software (including Malaga Cove), and the resulting area (2.57 Nm^2) was about 3% smaller but very similar to that reported by Crandall (2.66 Nm^2). Therefore, the actual sizes of the beds that Crandall

reported were probably relatively accurate because the areal survey extent and configuration he reported was subsequently confirmed from contemporary charts (Hodder and Mel 1978, Neushul 1981).

Thus, Crandall's kelp bed areas are retained as the baseline estimate, and the total regional area was probably larger from 1928–1934 than the area Crandall measured in 1911. Based on the sizes of the Palos Verdes beds in 1928 (9.912 km^2) and La Jolla kelp beds in 1934 (8.161 km^2) from aerial photos that North measured in 1964 (SWQCB 1964), the bed sizes were well above Crandall's measurements of 9.124 km^2 (2.66 Nm^2) for Palos Verdes (including the bed at Malaga Cove) and 7.889 km^2 (2.3 Nm^2) for La Jolla. This lends credence to Cameron's comment that kelp harvesters reported that the beds were at minimal levels at the time of Crandall's survey, and suggests even larger losses have occurred over time (Cameron 1915).

The next complete kelp survey of the southern California region was not undertaken until 1955. By that time, the beds in the Central Region had decreased greatly (to 6.750 km^2), and were only 36% of that recorded in 1911 (18.815 km^2). Beds in Region Nine were similarly reduced to 40% (16.310 km^2) of the 1911 total of 41.563 km^2. The most significant loss during this period was that of Sunset Kelp (offshore of Santa Monica); Sunset Kelp covered almost 1.0 km^2 in 1911, but was very small by 1955. The Sunset kelp bed remained small or completely missing through the intervening years, and the Palos Verdes beds were also small, having decreased sometime after 1945. By 1947, the Palos Verdes beds were only 3.6 km^2, and further to 1.5 km^2 by 1953. During an aerial survey conducted in 1963, kelp canopies were in very poor condition, with Palos Verdes covering only 0.180 km^2 and the La Jolla and Point Loma beds covering only 0.9 km^2. Exceptionally good conditions in 1967 resulted in a total of 7.856 km^2 of kelp canopy coverage in the Central Region, but this was only about 42% of the estimate from 1911. Palos Verdes kelp beds south of Point Vicente were missing, but north of Point Vicente, they totaled almost 1.0 km^2. In Region Nine, similar results were observed in 1967 with the La Jolla/Point Loma kelp beds covering 3.03 km^2 and the total for the region only 4.4 km^2. La Jolla kelp bed was only about 0.330 km^2 in 1967, and it stayed small until after 1975, when it became a consistently large kelp bed (over 1 km^2) through most of the next four decades.

Restoration activities began in 1974 by the Kelp Habitat Improvement Project. At that time, the Palos Verdes beds were only 0.015 km^2. In 1975, after restoration, those beds began increasing and covered 4.6 km^2 during the exceptionally favorable conditions in 1989 (North and Jones 1991). The impetus provided by the 1989 La Niña resulted in almost 6 km^2 of kelp canopy in the Central Region and more than 16 km^2 in Region Nine, but kelp coverage decreased to less than one-third of these totals during the subsequent two decades. In 2009 (Central) and 2008 (Region Nine), favorable conditions again increased canopy totals to about 6.5 km^2 in the Central Region and 18.7 km^2 in Region Nine, larger than they had been since 1967 and 1955, respectively (Appendices B.3 and B.4).

The Imperial Beach kelp bed south of San Diego measured 0.984 km^2 in 1911, and was never again measured to be larger than about 0.727 km^2 for the rest of the century (occurring in 1987, Appendix B.4). However, by the end of 2007, Imperial Beach kelp bed measured 1.493 km^2 (Appendix B.4, MBC 2011b), almost 50% greater than what Crandall measured, lending further credence to Cameron's (1915) statement that beds were in poor condition in 1911 compared to earlier years. It therefore follows that the Palos Verdes, La Jolla, and Point Loma kelp beds of Central and Region Nine prior to 1911 were likely much larger than they are today.

As these measurements indicate, most of the beds remain smaller than those of a century ago. Ongoing surveys attempt to determine what environmental factors have changed in the intervening years to cause such large declines.

Appendix B.3 Historical canopy coverage of the kelp beds from Laguna Beach to Imperial Beach from 1911 through 2019. Values represent an estimate of coverage utilizing varying methods over the years.

	Canopy Area (km²)											
Kelp Bed	**1911**	**1934**	**1941**	**1955***	**1959***	**1963***	**1967**	**1970**	**1975**	**1980**	**1983**	**1984**
North Laguna Beach	Tr	ND	ND	p	0.160	ND	0.001	0.011	0.003	0.036	0.035	0.025
South Laguna Beach	Tr	ND	ND	p	ND	ND	0.001	0.011	0.003	0.036	0.040	0.028
South Laguna	Tr	ND	ND	p	0.180	0.020	—	0.014	0.008	—	0.004	-
Dana Point-Salt Creek	1.166	ND	ND	p	p	p	0.240	0.077	0.096	0.008	0.013	0.007
Capistrano Beach	1.578	ND	ND	p	p	p	0.080	0.050	0.070	0.020	—	—
Total F&W 9	2.744	—	—	2.020	0.340	0.020	0.322	0.163	0.180	0.100	0.092	0.060
San Clemente	0.206	ND	ND	6.310	3.710	0.010	0.080	0.050	0.070	0.020	—	—
San Mateo Point	1.235	ND	ND	p	p	p	—	0.057	0.140	0.360	0.163	0.045
San Onofre	1.029	ND	ND	p	p	p	—	—	0.300	0.160	0.102	0.031
Total F&W 8	2.470	—	—	6.310	3.710	0.010	0.080	0.107	0.510	0.540	0.265	0.076
Horno Canyon	0.172	ND	ND	ND	ND	ND	—	—	—	—	—	—
Barn Kelp	2.435	ND	ND	1.370	ND	0.130	0.017	0.019	0.160	0.056	—	—
Santa Margarita	0.858	ND	ND	ND	ND	ND	—	—	—	—	—	—
Total F&W 7	3.465	—	—	1.370	—	0.130	0.017	0.019	0.160	0.056	—	—
North Carlsbad	0.480	ND	ND	2.620	2.520	1.180	0.009	0.060	0.100	0.120	—	—
Agua Hedionda	0.429	ND	ND	p	p	p	—	0.006	0.036	0.019	—	0.001
Encina Power Plant	0.429	ND	ND	p	p	p	—	0.025	0.144	0.074	—	0.002
Carlsbad State Beach	0.499	ND	ND	p	p	p	0.032	0.120	0.200	0.078	—	—
Total F&W 6	1.837	—	—	2.620	2.520	1.180	0.041	0.211	0.480	0.291	—	0.003
Leucadia	1.996	ND	ND	p	p	p	0.240	0.440	0.500	0.670	0.001	0.002
Encinitas	0.832	ND	ND	p	p	p	0.065	0.173	0.153	0.228	—	0.016
Cardiff	ND	ND	ND	0.340	0.400	0.160	0.125	0.337	0.297	0.442	0.018	0.021
Solana Beach	ND	ND	ND	p	p	p	0.290	0.490	0.560	0.690	—	0.001
Del Mar	0.823	ND	ND	p	p	p	0.190	0.260	0.190	0.210	—	—
Torrey Pines	—	—	—	—	—	—	—	—	—	—	—	—
Total F&W 5	3.651	—	—	0.340	0.400	0.160	0.910	1.700	1.700	2.240	0.019	0.040
La Jolla F&W 4	7.889	8.161	7.847	1.660	6.490	0.640	0.330	0.290	0.840	1.900	0.032	0.034
Point Loma F&W 3&2	18.523	11.465	8.286	1.990	0.610	0.240	2.700	4.900	3.000	4.200	0.200	0.160
Imperial Beach F&W 1	0.984	ND	ND	ND	ND	ND	—	—	—	0.350	—	—
TOTAL	41.563	19.626	16.133	16.310	14.070	2.380	4.400	7.390	6.870	9.327	0.608	0.373

NOTE: * = Incomplete Data; Tr = Trace <100 m^2 ; ND = No Data; p = part of above value; "— " = 0

red = warm year El Nino; **blue** = cold year La Nina; **black** = neutral year

Sources: 1934, 1941 from SWQCB (1964); 1955, 1959, 1963 from Neushul (1981); MBC (2007b-2012b, 2013-2017).

Appendix B.3 (Cont.).

Kelp Bed	Canopy Area (km²)											
	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
North Laguna Beach	0.028	0.022	0.028	0.042	0.055	0.034	0.029	—	—	—	—	0.001
South Laguna Beach	0.077	0.041	0.087	0.145	0.264	0.243	0.093	0.056	0.028	—	—	—
South Laguna	—	—	—	0.023	0.041	0.023	0.030	0.009	0.006	0.005	—	—
Dana Point-Salt Creek	0.036	0.031	0.174	0.568	0.878	0.329	0.480	0.184	0.234	0.116	0.076	0.061
Capistrano Beach	—	—	—	0.032	0.233	0.110	0.134	0.148	0.022	—	—	—
Total F&W 9	0.141	0.094	0.289	0.810	1.471	0.739	0.766	0.397	0.290	0.121	0.076	0.062
San Clemente	—	—	0.017	0.124	0.444	0.304	0.243	0.044	0.051	0.010	0.010	0.047
San Mateo Point	0.152	0.077	0.200	0.432	0.870	0.472	0.120	0.103	0.220	0.080	0.010	0.073
San Onofre	0.042	0.053	0.045	0.348	0.638	0.763	0.170	0.053	0.163	0.201	0.096	0.196
Total F&W 8	0.194	0.130	0.262	0.904	1.952	1.539	0.533	0.200	0.434	0.291	0.116	0.316
Horno Canyon	—	—	—	0.006	0.033	0.010	0.018	0.040	—	—	—	—
Barn Kelp	—	—	—	0.008	0.116	0.382	0.262	0.124	0.002	0.010	0.172	0.204
Santa Margarita	—	—	—	—	—	—	0.049	0.009	—	—	—	—
Total F&W 7	—	—	—	0.014	0.149	0.392	0.329	0.173	0.002	0.010	0.172	0.204
North Carlsbad	—	—	0.031	0.049	0.096	0.119	0.044	0.004	0.018	0.020	0.008	—
Agua Hedionda	0.011	0.018	0.021	0.032	0.047	0.046	0.016	0.004	0.012	0.004	0.008	0.009
Encina Power Plant	0.024	0.045	0.120	0.161	0.251	0.179	0.083	0.025	0.022	0.011	0.058	0.032
Carlsbad State Beach	0.027	0.018	0.077	0.032	0.049	0.081	0.035	0.008	0.002	0.011	0.025	0.013
Total F&W 6	0.062	0.081	0.249	0.274	0.443	0.425	0.178	0.041	0.054	0.046	0.099	0.054
Leucadia	0.104	0.074	0.426	0.197	0.291	0.341	0.163	0.084	0.035	0.010	0.189	0.087
Encinitas	0.083	0.032	0.177	0.153	0.209	0.241	0.080	0.036	0.037	0.016	0.061	0.023
Cardiff	0.176	0.120	0.340	0.229	0.575	0.468	0.072	0.054	0.034	0.080	0.092	0.026
Solana Beach	0.115	0.120	0.367	0.427	0.488	0.466	0.257	0.053	0.023	0.108	0.134	0.003
Del Mar	0.008	0.021	0.081	0.063	0.104	0.082	0.097	0.006	0.003	0.029	0.082	—
Torrey Pines	—	—	—	Tr	Tr	—	—	—	—	—	—	—
Total F&W 5	0.486	0.367	1.391	1.069	1.667	1.598	0.669	0.233	0.132	0.243	0.558	0.139
La Jolla F&W 4	0.720	0.930	2.369	2.200	4.755	3.632	3.230	1.301	0.681	1.119	0.824	0.371
Point Loma F&W 3&2	1.570	2.100	3.682	2.322	5.842	5.943	4.310	1.153	1.917	3.589	1.134	1.187
Imperial Beach F&W 1	0.058	0.150	0.727	0.067	0.579	0.651	0.370	0.111	0.025	0.108	0.053	0.008
TOTAL	3.173	3.702	8.242	7.593	16.279	14.268	10.015	3.498	3.510	5.419	3.032	2.341

Appendix B.3 (Cont.).

Kelp Bed	Canopy Area (km²)											
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
North Laguna Beach	—	—	—	—	—	—	0.0004	—	—	—	—	0.002
South Laguna Beach	—	—	—	—	—	0.005	0.0002	0.008	—	—	0.001	0.025
South Laguna	—	—	—	0.003	0.002	<0.001	0.004	0.009	0.003	—	0.004	0.023
Dana Point-Salt Creek	0.034	0.005	0.080	0.170	0.314	0.432	0.303	0.278	0.123	—	0.302	1.068
Capistrano Beach	—	—	<0.001	<0.001	0.044	0.118	0.069	0.008	—	0.011	0.002	0.071
Total F&W 9	0.034	0.005	0.080	0.173	0.359	0.555	0.376	0.303	0.126	0.011	0.309	1.189
San Clemente	—	—	0.006	0.005	0.124	0.316	0.352	0.182	0.178	0.014	0.016	0.203
San Mateo Point	0.098	—	0.051	0.050	0.090	0.155	0.242	0.123	0.258	0.016	0.201	0.487
San Onofre	0.108	<0.001	0.005	0.020	0.041	0.030	0.162	0.109	0.065	—	0.320	0.476
Total F&W 8	0.206	—	0.062	0.075	0.255	0.501	0.755	0.414	0.501	0.030	0.536	1.166
Horno Canyon	—	—	—	0.002	0.034	—	0.001	—	—	—	0.015	0.083
Barn Kelp	0.178	—	0.310	0.375	0.547	0.667	0.492	0.075	0.064	—	0.466	0.858
Santa Margarita	—	—	—	—	—	—	—	—	—	—	—	—
Total F&W 7	0.178	—	0.310	0.377	0.581	0.667	0.494	0.075	0.064	—	0.481	0.941
North Carlsbad	—	0.003	—	—	0.017	0.053	0.017	0.003	0.013	—	0.026	0.108
Agua Hedionda	—	—	—	—	—	<0.001	0.002	0.001	0.008	—	0.016	0.080
Encina Power Plant	0.013	—	—	0.002	0.029	0.097	0.178	0.067	0.001	—	0.081	0.306
Carlsbad State Beach	—	—	—	0.003	0.023	0.047	0.002	0.0001	—	—	0.064	0.121
Total F&W 6	0.013	0.003	—	0.005	0.069	0.197	0.199	0.070	0.023	—	0.187	0.615
Leucadia	0.062	—	0.015	0.090	0.209	0.334	0.185	0.048	0.001	0.016	0.233	0.421
Encinitas	0.048	—	0.029	0.040	0.131	0.153	0.050	0.016	—	0.002	0.205	0.346
Cardiff	0.031	0.016	0.063	0.150	0.309	0.405	0.202	0.045	—	0.004	0.286	0.484
Solana Beach	0.073	0.009	0.091	0.200	0.407	0.488	0.245	0.022	0.093	0.0003	0.457	0.823
Del Mar	Tr	0.004	—	0.006	0.015	0.035	0.030	—	—	—	0.037	0.057
Torrey Pines	—	—	—	—	—	—	—	—	—	0.010	—	0.001
Total F&W 5	0.214	0.029	0.198	0.486	1.071	1.415	0.712	0.131	0.094	0.032	1.218	2.133
La Jolla F&W 4	0.478	0.215	1.146	1.250	2.555	3.366	3.444	1.029	0.873	0.117	2.750	4.145
Point Loma F&W 3&2	2.235	0.295	1.725	3.290	6.574	3.799	4.509	1.924	2.152	1.767	3.616	6.623
Imperial Beach F&W 1	0.027	—	0.019	0.020	0.078	0.210	0.083	0.191	0.400	0.400	1.493	1.895
TOTAL	3.385	0.547	3.540	5.676	11.542	10.710	10.572	4.136	4.233	2.358	10.591	18.706

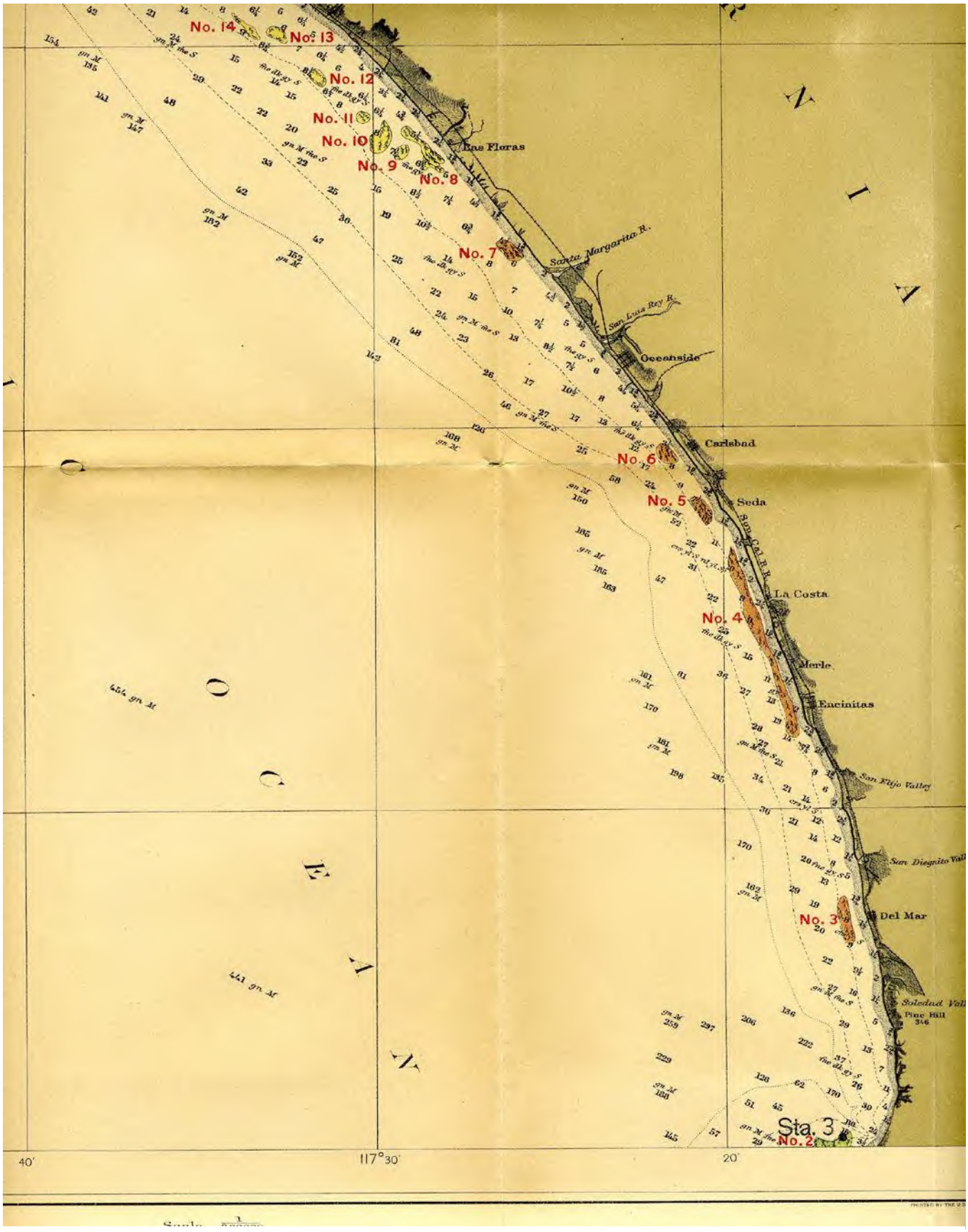
Appendix B.3 (Cont.).

Kelp Bed	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
North Laguna Beach	0.005	0.093	0.147	0.192	0.142	0.120	0.080	0.074	0.096	0.133	0.015
South Laguna Beach	0.058	0.098	0.221	0.214	0.273	0.165	0.048	0.035	0.032	0.131	0.007
South Laguna	0.017	0.023	0.018	0.017	0.038	0.031	0.016	0.006	0.003	0.048	—
Dana Point-Salt Creek	0.892	0.839	0.442	0.607	0.835	0.528	0.137	0.110	0.133	0.379	—
Capistrano Beach	0.071	0.124	0.010	0.056	0.099	0.034	0.007	0.012	0.0004	0.018	—
Total F&W 9	1.043	1.178	0.838	1.086	1.385	0.879	0.287	0.237	0.264	0.709	0.022
San Clemente	0.210	0.710	0.795	0.874	1.097	0.843	0.343	0.187	0.229	0.335	0.031
San Mateo Point	0.545	0.583	0.203	0.216	0.219	0.199	0.062	0.053	0.033	0.083	0.0001
San Onofre	0.419	0.458	0.127	0.191	0.767	0.584	0.043	0.120	0.087	0.127	0.001
Total F&W 8	1.174	1.750	1.124	1.281	2.083	1.627	0.449	0.359	0.349	0.545	0.032
Horno Canyon	0.018	0.081	—	0.008	0.125	0.055	0.019	0.010	0.011	0.008	—
Barn Kelp	0.926	0.500	0.095	0.442	0.868	0.741	0.085	0.133	0.096	0.092	—
Santa Margarita	—	—	—	—	0.080	—	—	—	—	—	—
Total F&W 7	0.944	0.581	0.095	0.450	1.073	0.795	0.104	0.143	0.107	0.100	0.000
North Carlsbad	0.135	0.078	0.017	0.052	0.125	0.086	0.047	—	0.004	0.038	—
Agua Hedionda	0.092	0.031	0.022	0.046	0.102	0.065	0.016	—	—	—	—
Encina Power Plant	0.215	0.176	0.084	0.216	0.352	0.221	0.159	0.009	0.025	0.045	—
Carlsbad State Beach	0.127	0.069	0.024	0.058	0.178	0.065	0.061	—	0.001	—	—
Total F&W 6	0.569	0.354	0.147	0.372	0.757	0.437	0.282	0.009	0.031	0.083	0.000
Leucadia	0.429	0.215	0.119	0.232	0.541	0.279	0.414	0.033	0.010	0.053	0.009
Encinitas	0.205	0.128	0.124	0.260	0.231	0.112	0.113	0.009	0.003	0.033	—
Cardiff	0.520	0.213	0.395	0.459	0.590	0.299	0.318	0.024	0.003	0.005	—
Solana Beach	0.505	0.328	0.504	0.442	0.606	0.504	0.316	0.138	0.029	0.024	—
Del Mar	0.044	0.038	0.074	0.024	0.056	0.027	0.034	—	—	—	—
Torrey Pines	0.0004	0.003	0.031	0.034	0.081	—	—	—	—	—	—
Total F&W 5	1.703	0.925	1.247	1.452	2.106	1.221	1.195	0.204	0.045	0.114	0.009
La Jolla F&W 4	2.274	2.776	2.565	1.569	4.006	2.790	2.968	0.927	0.694	1.566	1.227
Point Loma F&W 3&2	4.909	3.977	4.212	5.340	5.127	5.121	5.806	3.037	1.787	7.920	3.924
Imperial Beach F&W 1	0.861	0.004	0.152	0.333	0.526	1.183	1.576	0.217	—	—	—
TOTAL	13.476	11.545	10.379	11.882	17.064	14.053	12.667	5.134	3.277	11.037	5.213

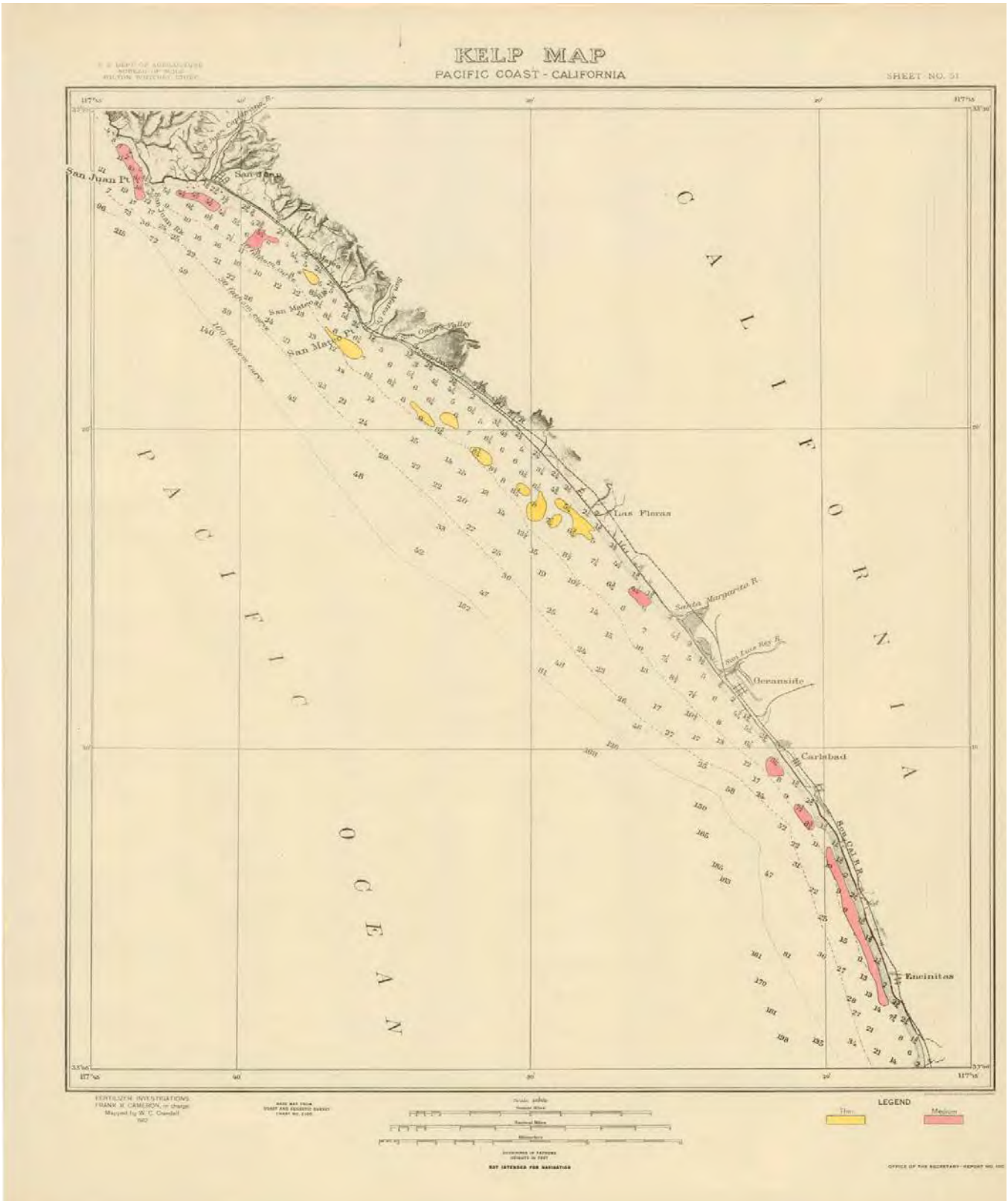
Appendix B.4 Crandall's 1911 kelp survey Deer Creek to Ballona Creek.

Appendix B.5 Crandall's 1911 kelp survey Palos Verdes to Los Angeles Harbor.

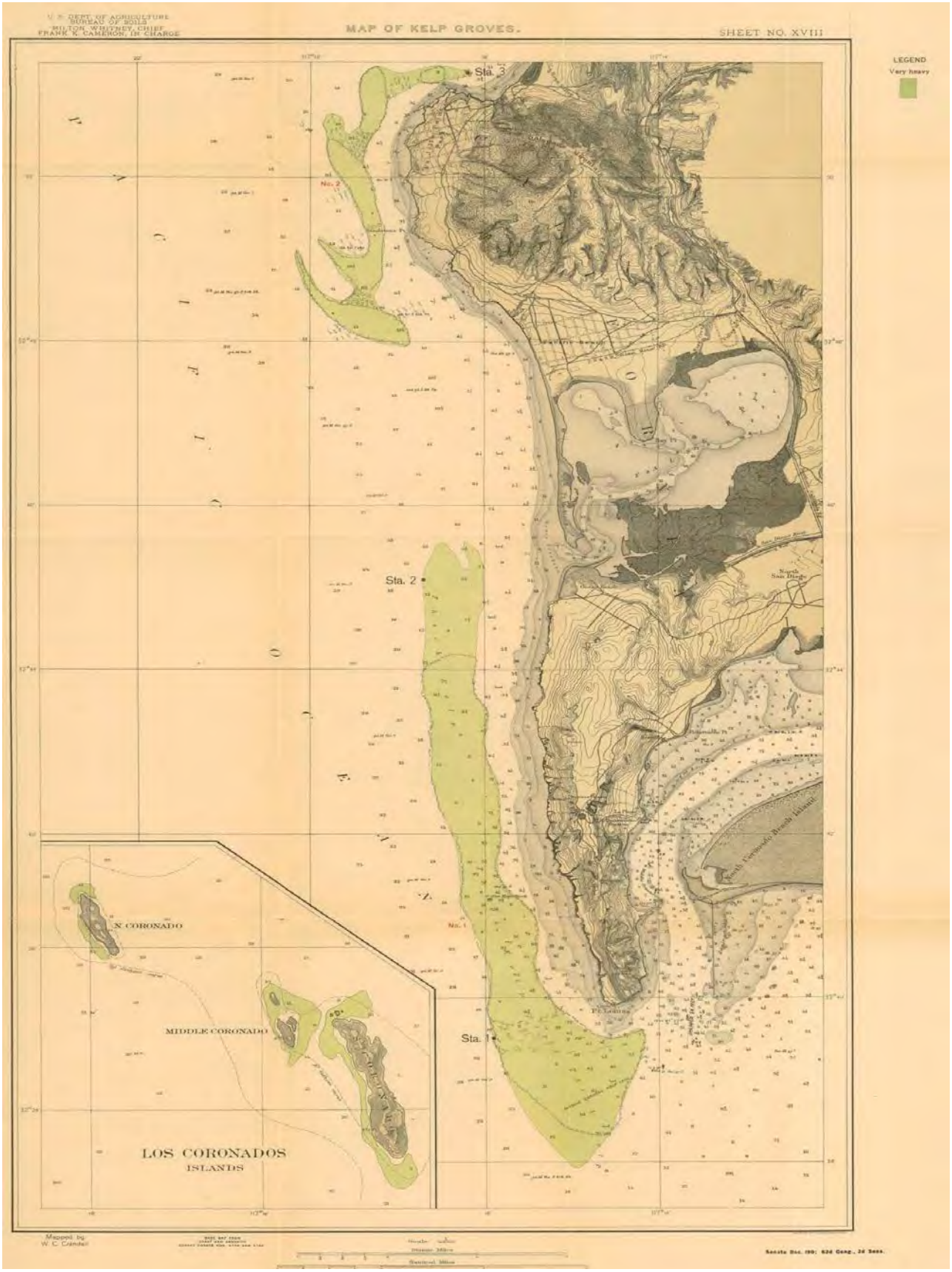
Appendix B.6 Crandall's 1911 kelp bed survey Newport to San Onofre.



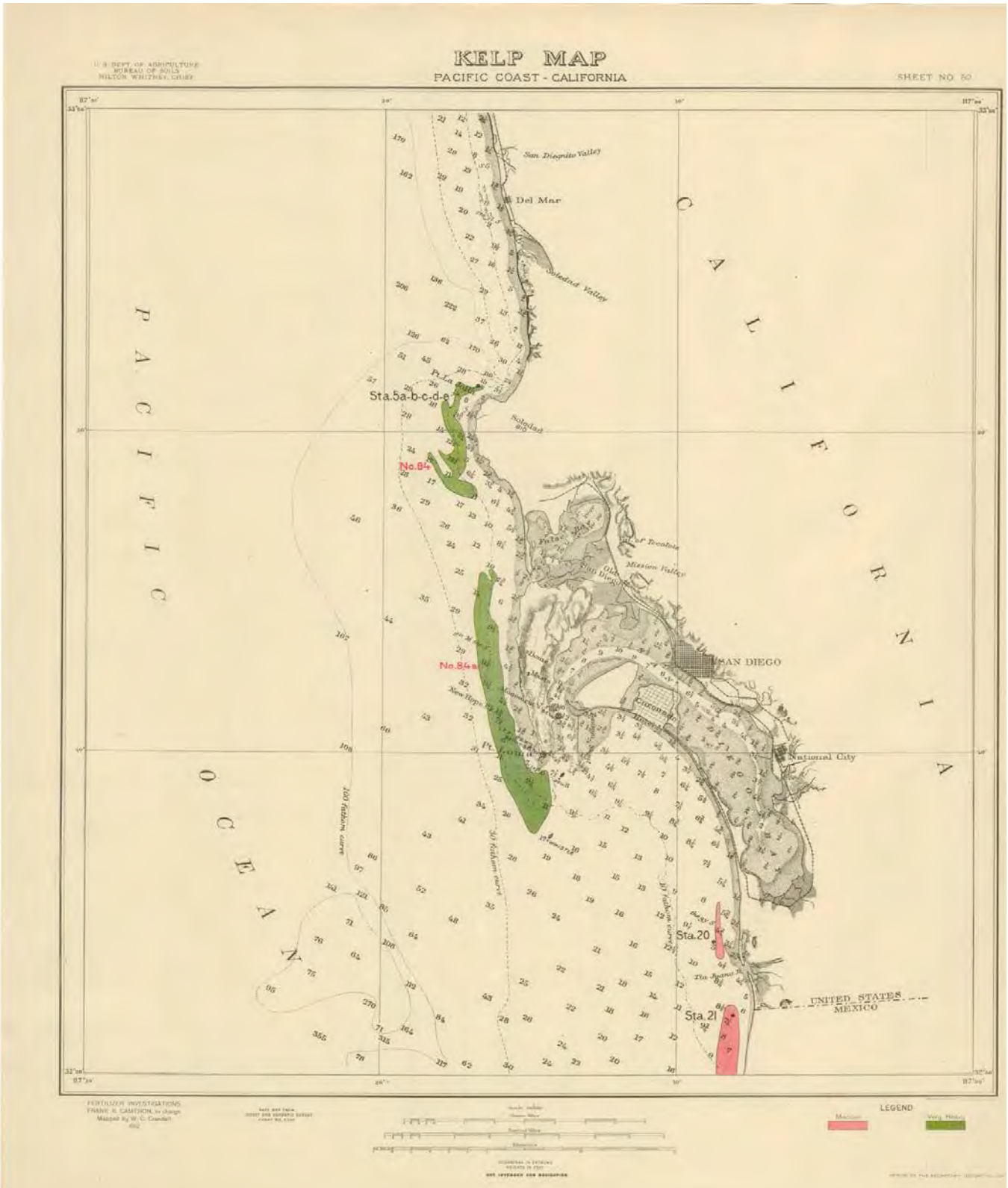
Appendix B.7 Crandall's 1911 kelp bed survey San Onofre to Del Mar.



Appendix B.8 Crandall's 1911 kelp bed survey San Juan to Encinitas.



Appendix B.9 Crandall's 1911 kelp bed survey La Jolla to Point Loma.

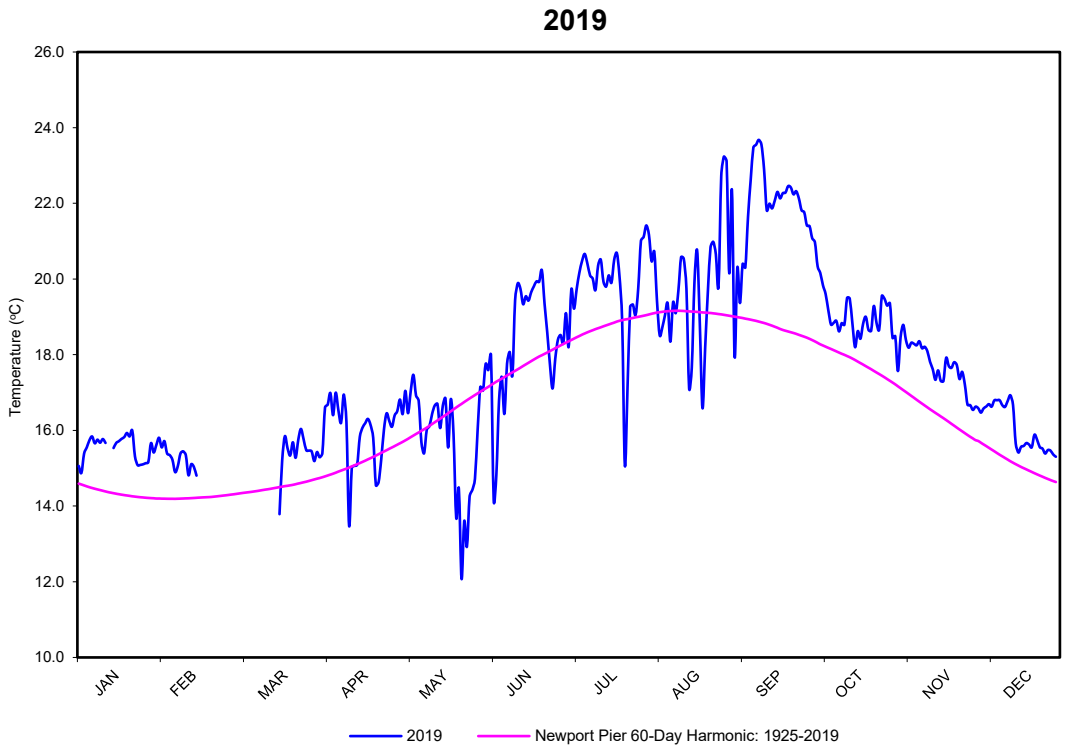


Appendix B.10 Crandall's 1911 kelp bed survey La Jolla to Imperial Beach.

APPENDIX C

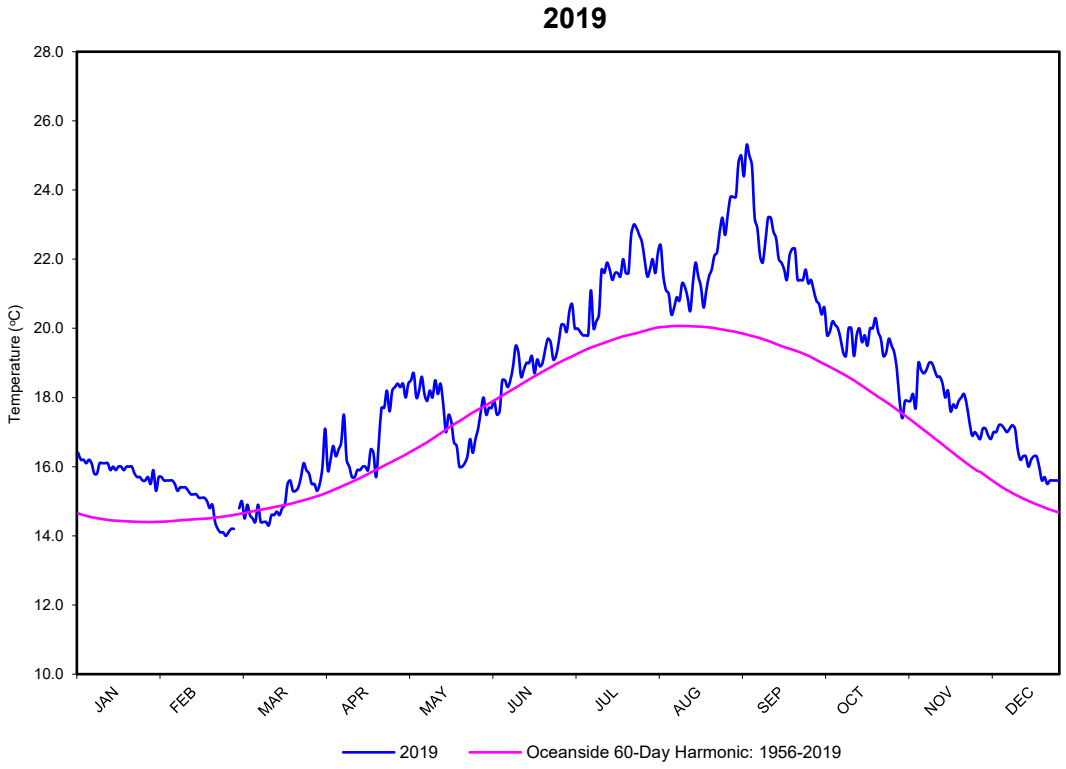
Sea Surface Temperatures

Newport Pier
Sea Surface Temperature



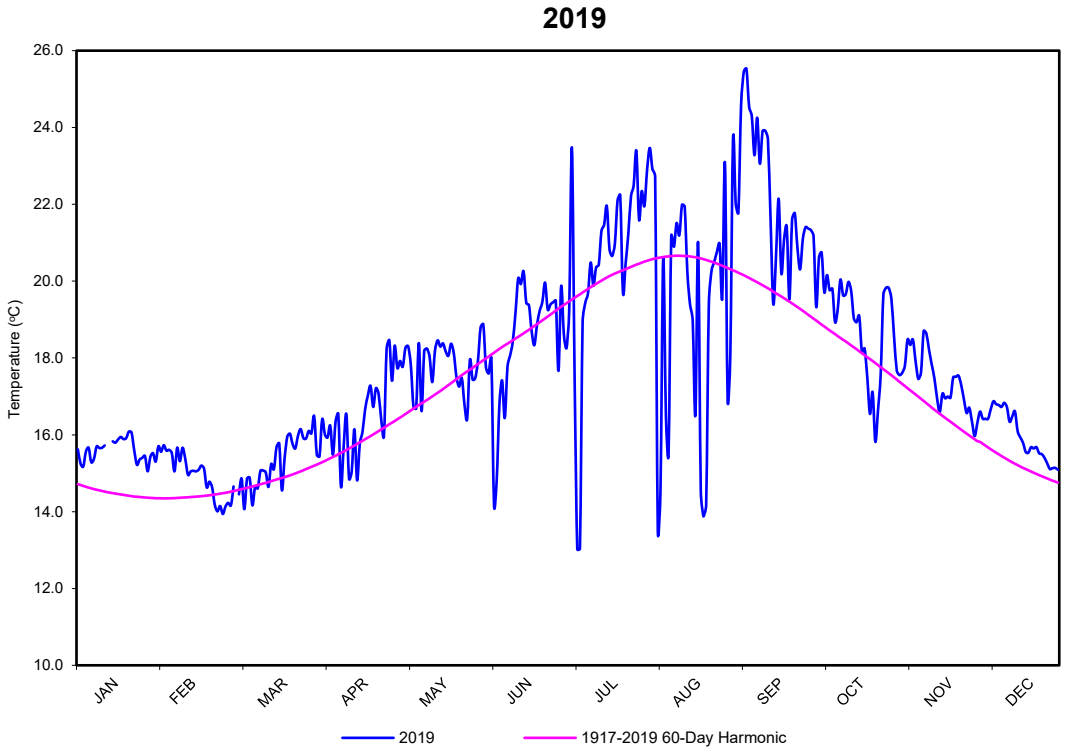
Appendix C.1 Daily sea surface temperatures (SST) at Newport Pier for 2019.

Oceanside
Sea Surface Temperature



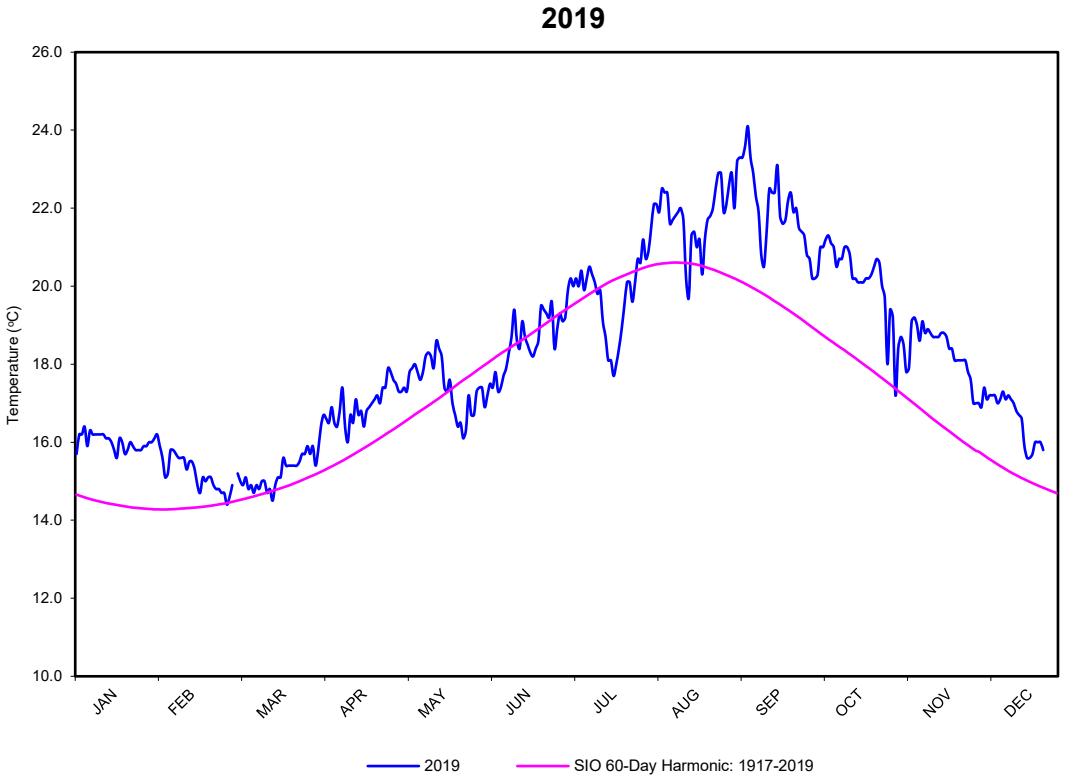
Appendix C.2 Daily sea surface temperatures (SST) at Oceanside for 2019.

Scripps Pier
Sea Surface Temperature



Appendix C.3 Daily sea surface temperatures (SST) at Scripps Pier for 2019.

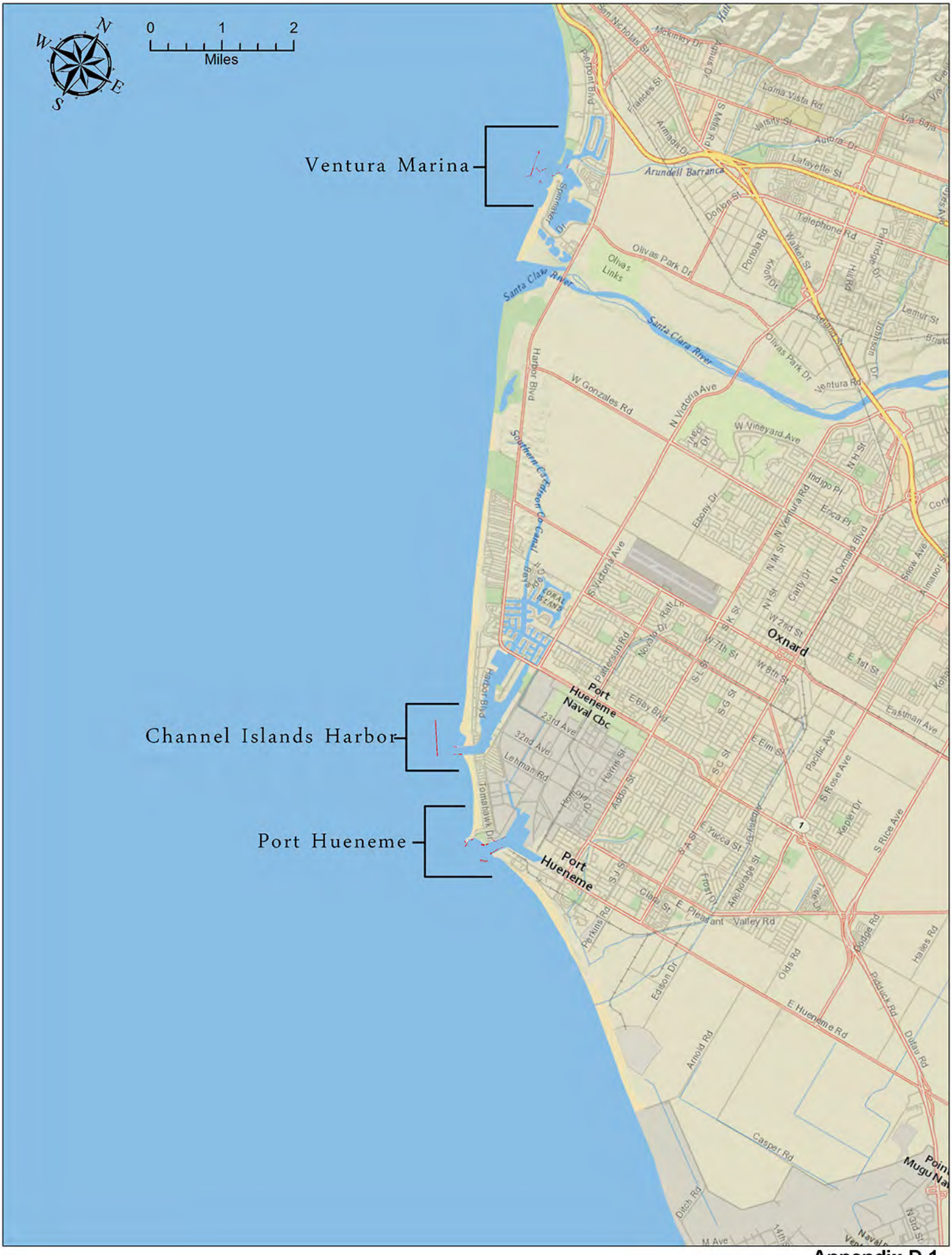
Point Loma South
Sea Surface Temperature



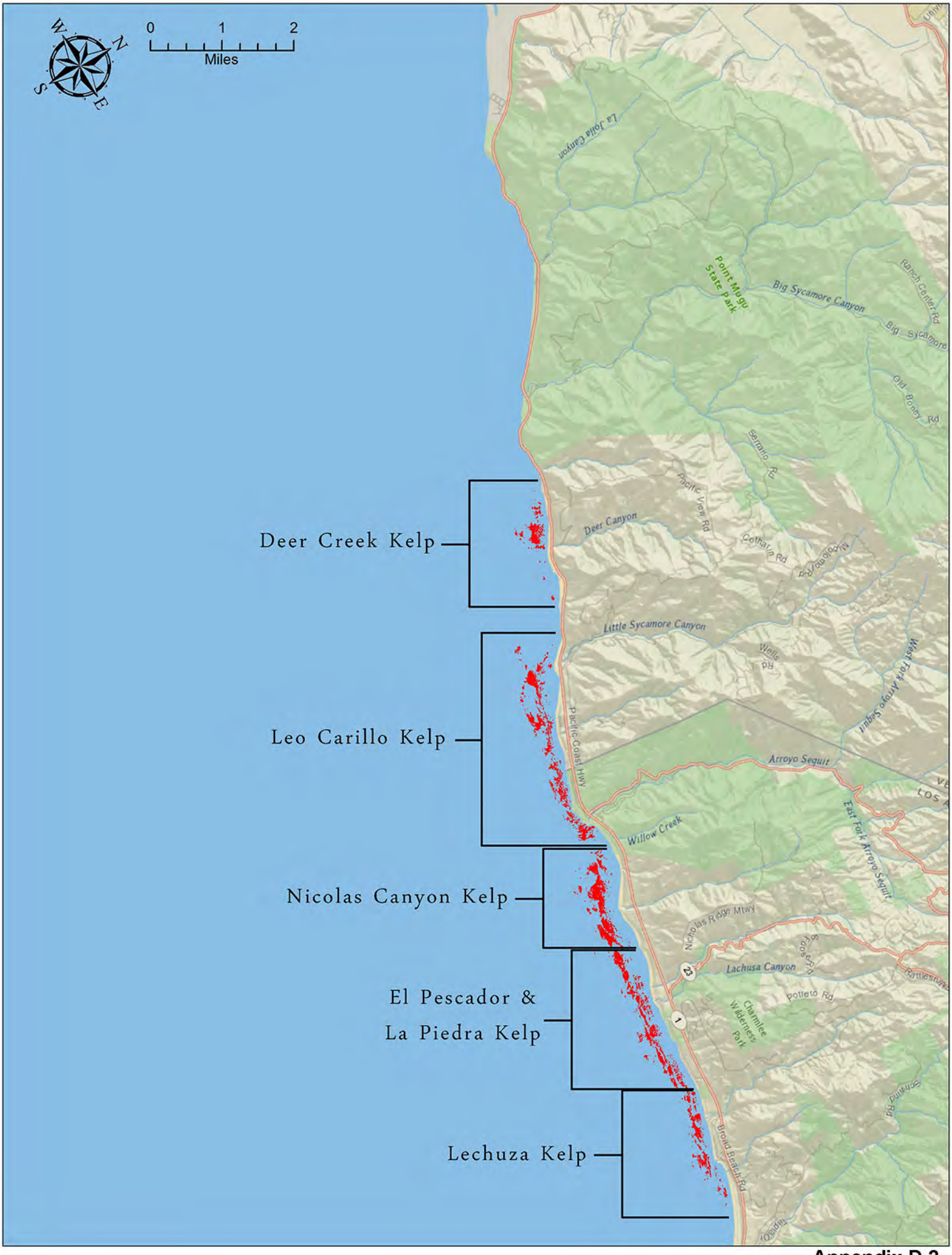
Appendix C.4 Daily sea surface temperatures (SST) at Point Loma South for 2019.

APPENDIX D

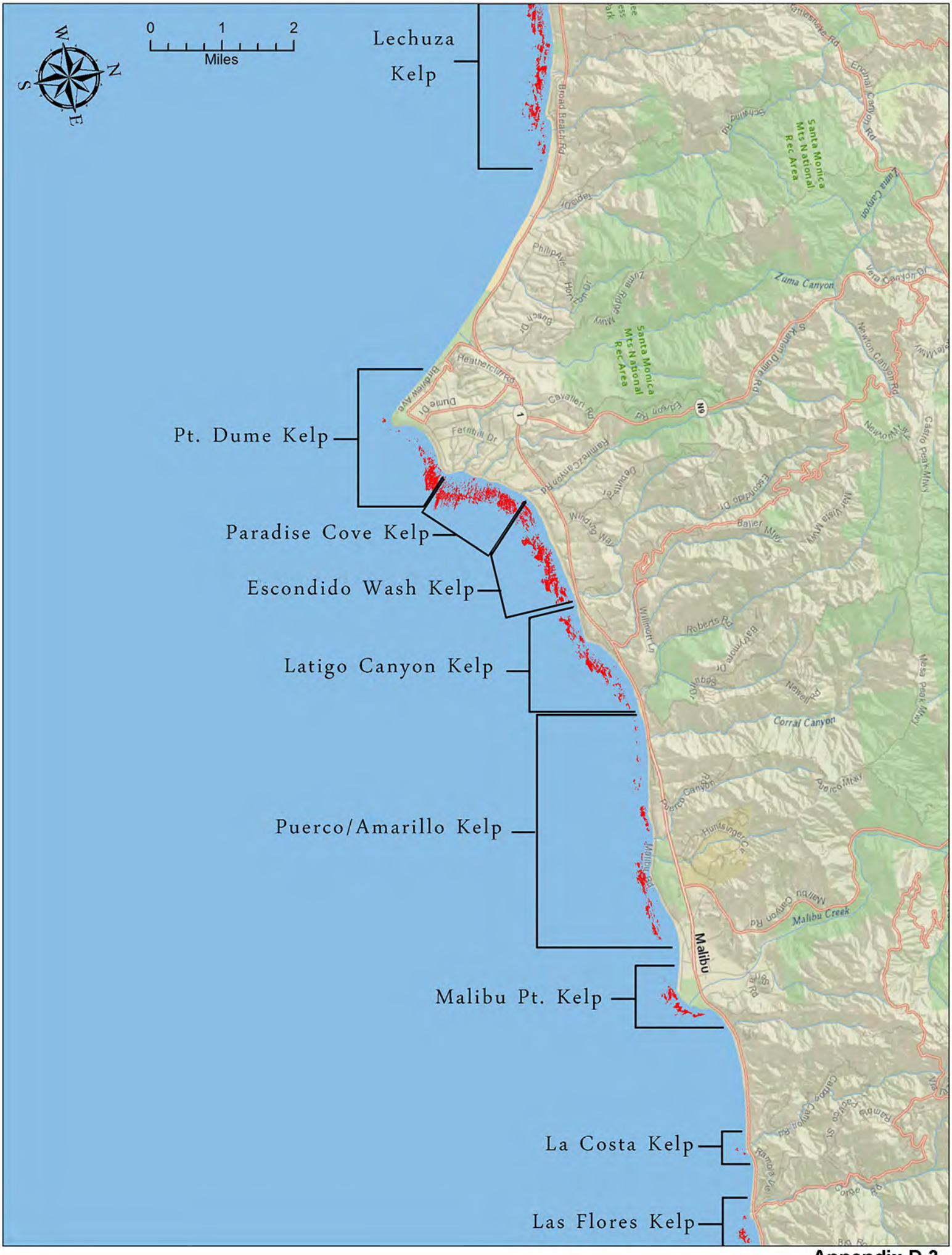
Flight Path
Flight Data Reports
Field Data Sheets


N
W
E
S
0
1
2
Miles
Ventura Marina
Channel Islands Harbor
Port Hueneme
Oxnard
Port Hueneme Naval Cbc
Port Hueneme
Santa Clara River
Santa Clara River
Southern Cal Edison Co Canal
Harbor Blvd
W Gonzales Rd
N Victoria Ave
S Victoria Ave
W Vineyard Ave
Olivas Park Dr
Olivas Links
Ventura Rd
Telephone Rd
Walker St
Lafayette St
Arundell Barranca
Donlon St
Spinnaker Dr
Pierpont Blvd
Mckinley Dr
San Nicholas St
Frances St
Armada Dr
S Ames Rd
Loma Vista Rd
Varsity St
Aurora Dr
Via Baja
Ponola Rd
Johnson Dr
Lemur St
Indigo Pl
Erica Pl
Ebony Dr
N H St
N M St
N Ventura Rd
N Oxnard Blvd
Carly Dr
Snow Ave
W 2nd St
W 7th St
W 8th St
E 1st St
Eastman Ave
Pacific Ave
S Rose Ave
S Rice Ave
Keppler Dr
E Elm St
E Yucca St
E Pleasant Valley Rd
E Hueneme Rd
Dodge Rd
Halies Rd
Olds Rd
Pleasant Valley Rd
Edison Dr
Arnold Rd
Casper Rd
Ditch Rd
Dutau Rd
Pleasant Valley Rd
Perkins Rd
Anchorage St
Frost Dr
Clara St
Addor St
Harris St
Homoya Dr
Tomahawk Dr
Lehman Rd
32nd Ave
23rd Ave
E Bay Blvd
Pattee Ave
Novato Dr
Raft Ln
S L St
S G St
S C St
S A St
S F St
M Ave
14th St
Naval
Point Mugu Na

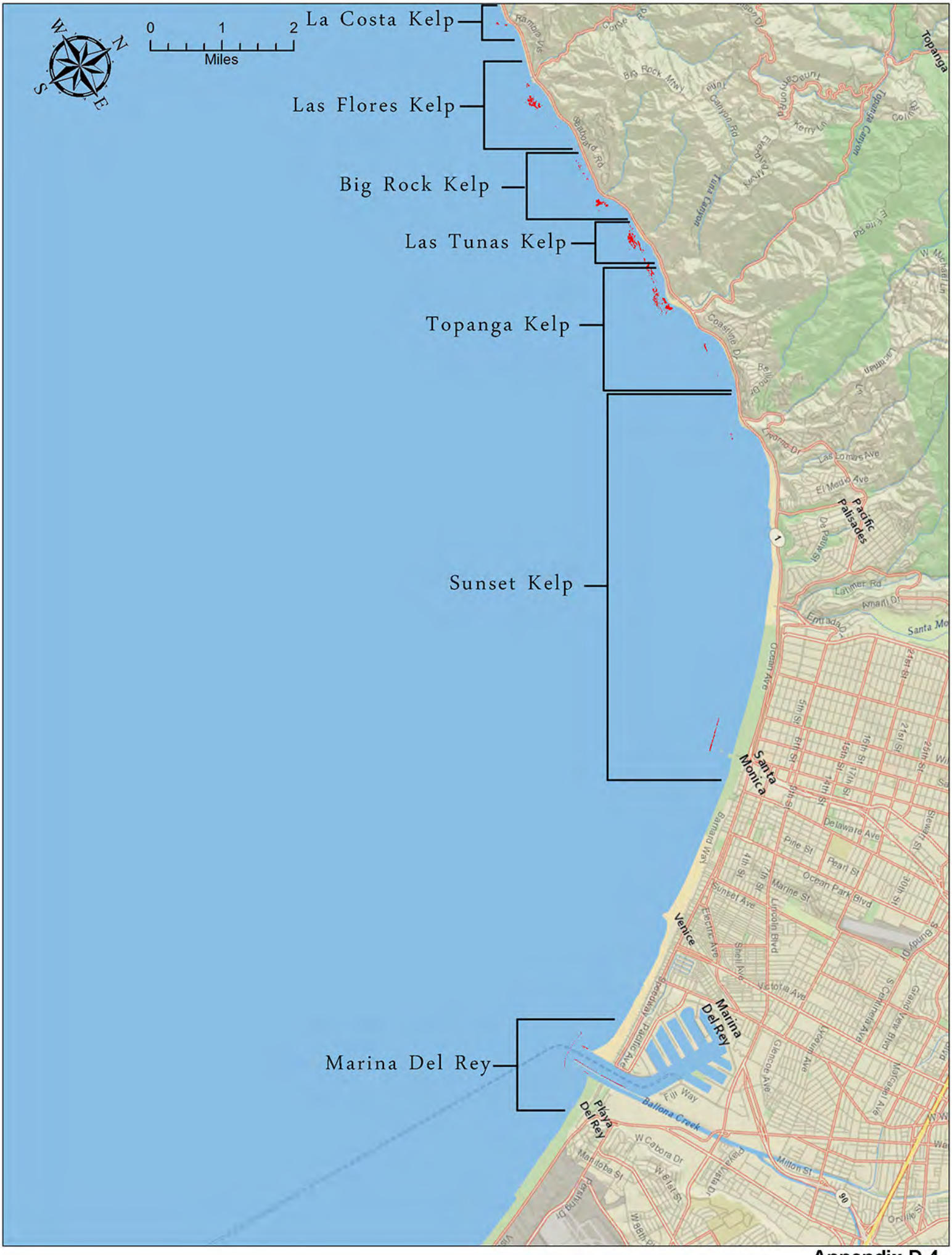
Appendix D.1


0
1
2
Miles
W
N
S
E
Deer Creek Kelp
Leo Carillo Kelp
Nicolas Canyon Kelp
El Pescador &
La Piedra Kelp
Lechuza Kelp
La Jolla Canyon
Point Mugu
State Park
Big Sycamore Canyon
Ranch Center Rd
Big Sycamore
Old Boney Rd
Sarrano Rd
Pacific View Rd
Deer Canyon
Cotharin Rd
Little Sycamore Canyon
Wells Rd
West Fork Arroyo Sequit
Pacific Coast Hwy
Arroyo Sequit
Willow Creek
East Fork Arroyo Sequit
Nicholas Ridge Mtwy
Lachusa Canyon
Potrero Rd
Rattlesnake
Charmlee
Wilderness
Park
Schmitz Rd
Broad Beach Rd
Tapia Dr

Appendix D.2


W
N
S
E
0
1
2
Miles
Lechuza Kelp
Pt. Dume Kelp
Paradise Cove Kelp
Escondido Wash Kelp
Latigo Canyon Kelp
Puerco/Amarillo Kelp
Malibu Pt. Kelp
La Costa Kelp
Las Flores Kelp
Broad Beach Rd
Santa Monica Mts National Rec Area
Zuma Canyon
Heathercliff Rd
Dume Dr
Cliffview Dr
Cavalieri Rd
Fernhill Dr
Ramirez Canyon Rd
Escondido Dr
Roberts Rd
Willmont Ln
Blackwater Dr
Newell Rd
Corral Canyon
Puerco Canyon Rd
Huntsinger Dr
Malibu Canyon Rd
Malibu Creek
Malibu
Mesa Peak Mtwy
Castro Peak Mtwy
Newton Canyon Rd
Kanan Dume Rd
Zuma Ridge Mtwy
Latigo Canyon Rd
Corbin Rd
Big Rock Mesa Rd

Appendix D.3


La Costa Kelp
Las Flores Kelp
Big Rock Kelp
Las Tunas Kelp
Topanga Kelp
Sunset Kelp
Marina Del Rey
0
1
2
Miles
N
S
E
W
Topanga
Pacific Palisades
Santa Monica
Venice
Marina Del Rey
Playa Del Rey
Ballona Creek

Appendix D.4

N
W
E
S
0
1
2
Miles
Marina del Rey
Hyperion Treatment Plant
Scattergood Generating Station
Chevron Refinery
El Segundo Generating Station
King Harbor, Redondo Beach
Venice
Marina Del Rey
Ballona Creek
Playa Del Rey
El Segundo
Los Angeles Int'l Airport
Manhattan Beach
Hermosa Beach
Redondo Beach
Hawthorne
Lawndale

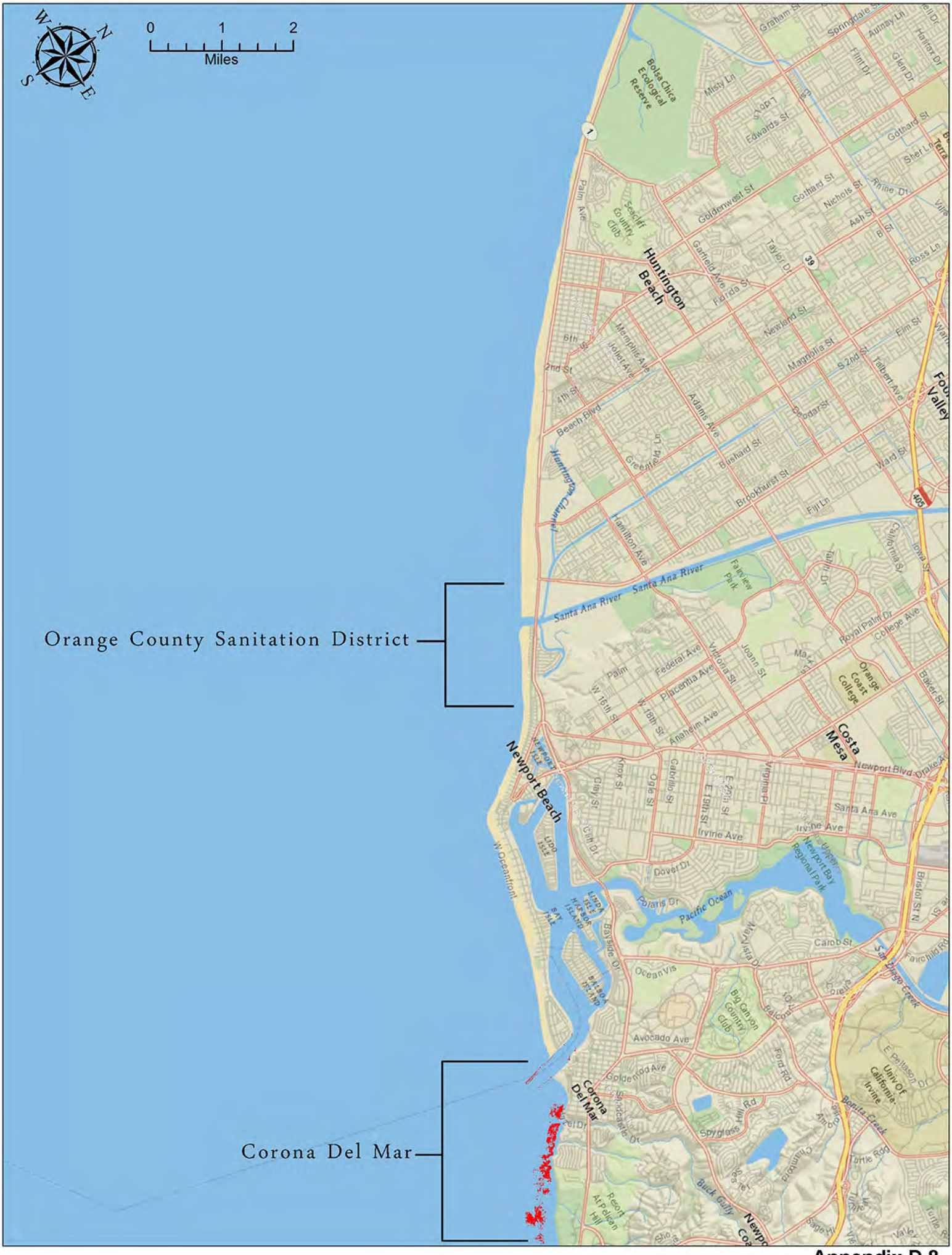
Appendix D.5

0
1
2
Miles
King Harbor
Palos Verdes IV
Palos Verdes III
Palos Verdes II
Palos Verdes I
Cabrillo Kelp
Hermosa Beach
Redondo Beach
Torrance
Rancho Palos Verdes
Palos Verdes Peninsula
Palos Verdes Estates
Rolling Hills Estates
Rolling Hills
Lomita
Harbor City
Wilmington
San Pedro
Los Angeles Harbor
Paseo Del Mar
Hawthorne Blvd
Pacific Coast Hwy
Anaheim St
Torrance Municipal Airport
Defense Fuel Supply Point San Pedro

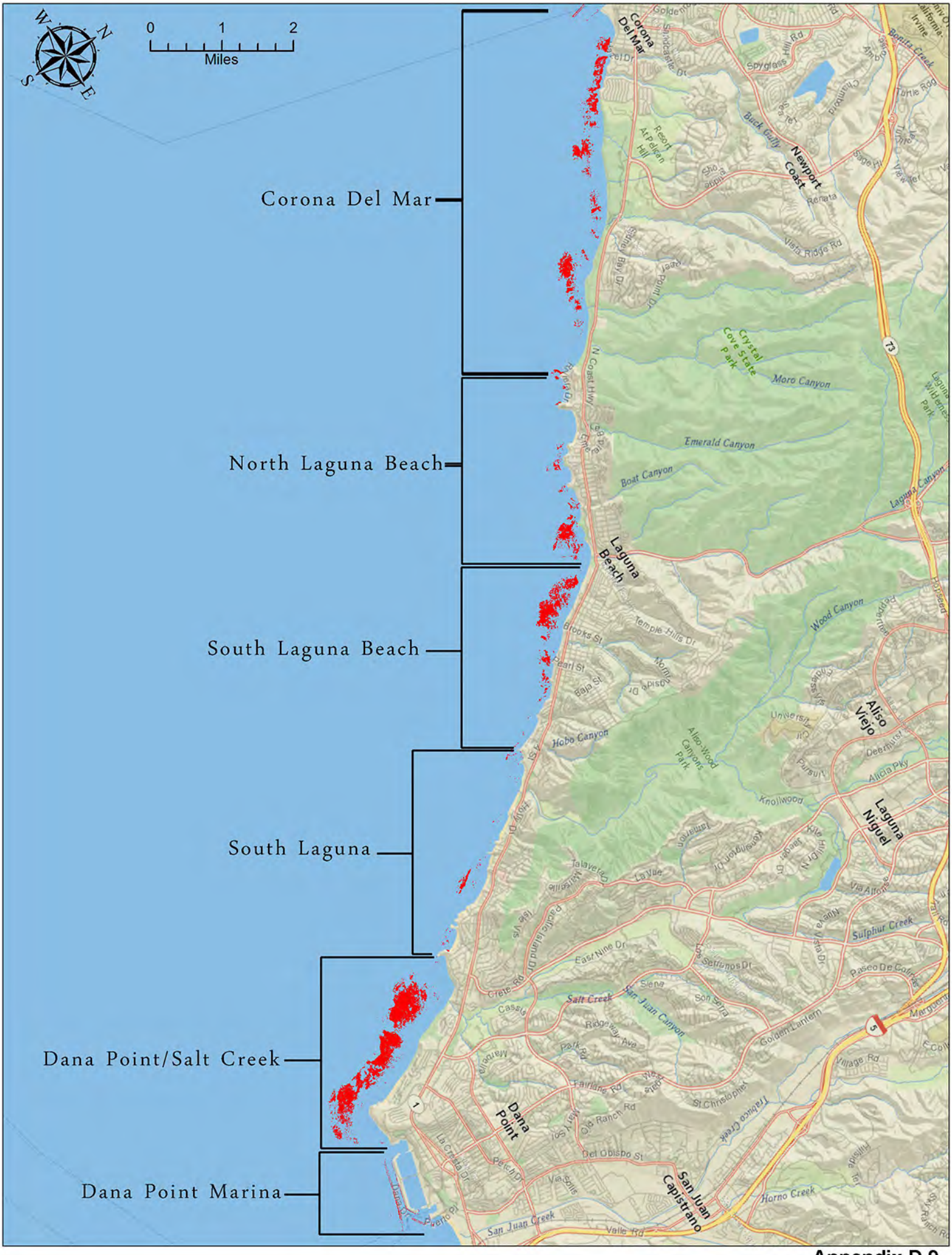
Appendix D.6

0
1
2
Miles
POLA/POLB
Los Angeles Harbor
Long Beach Harbor
Long Beach Harbor
Pacific Ocean
San Pedro
Wilmington
Seal Beach
Surfside
Sunset Beach
Los Angeles River

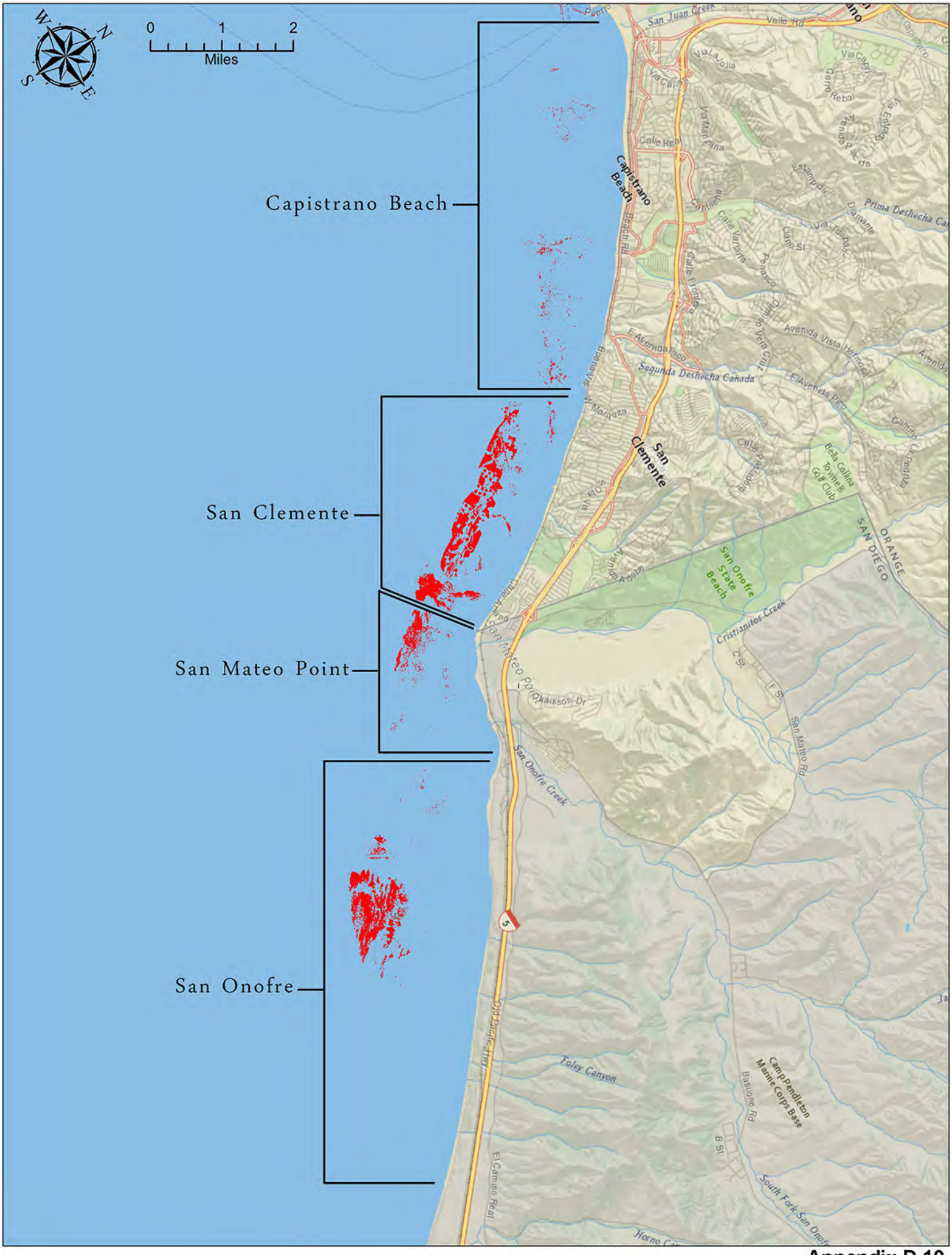
Appendix D.7


0
1
2
Miles
Orange County Sanitation District
Corona Del Mar
Huntington Beach
Newport Beach
Costa Mesa
Corona Del Mar
Santa Ana River
Pacific Ocean

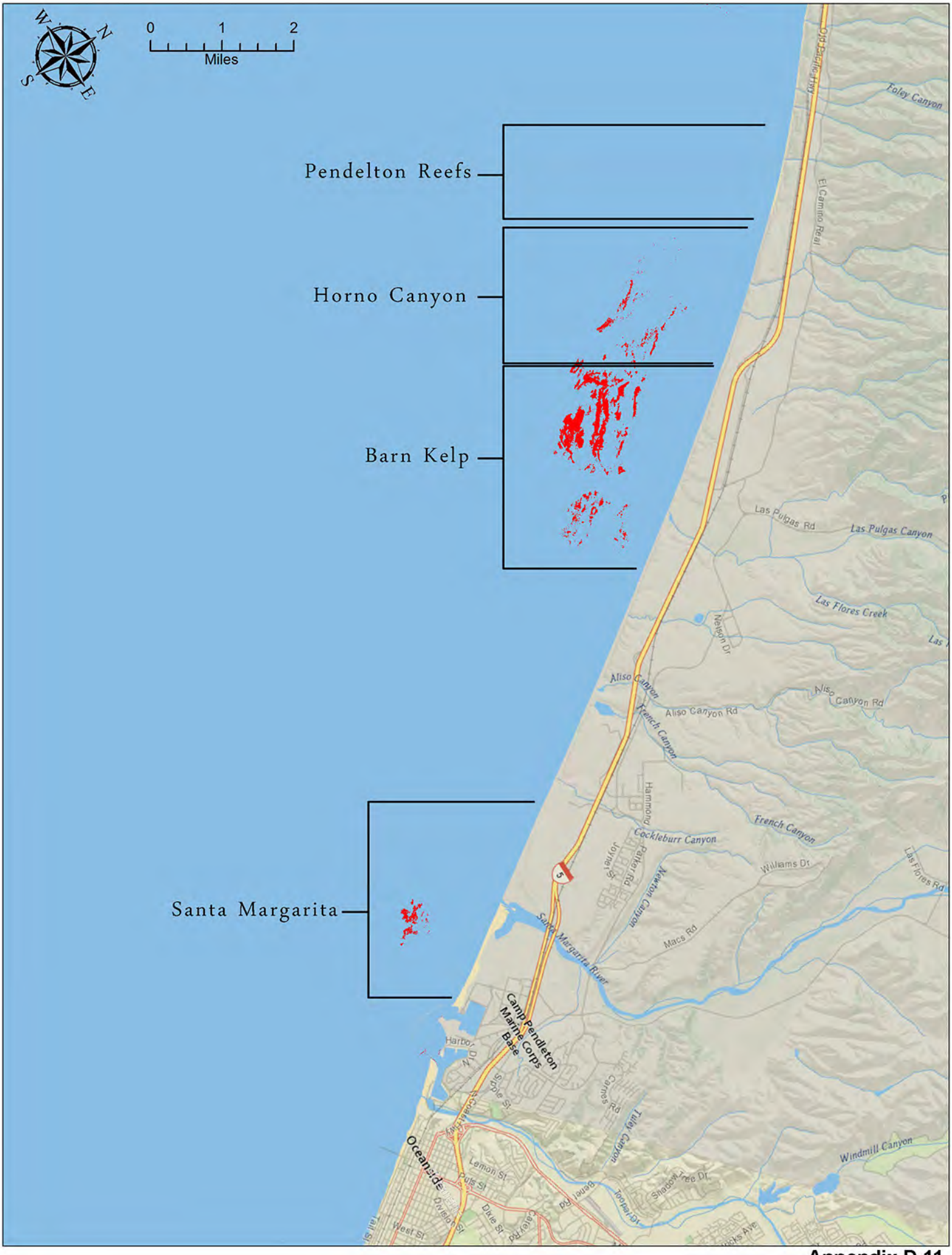
Appendix D.8


0
1
2
Miles
Corona Del Mar
North Laguna Beach
South Laguna Beach
South Laguna
Dana Point/Salt Creek
Dana Point Marina
Corona Del Mar
Newport Coast
Crystal Cove State Park
Moro Canyon
Emerald Canyon
Boat Canyon
Laguna Beach
Wood Canyon
Aliso Viejo
Hobo Canyon
Laguna Niguel
Salt Creek
San Juan Canyon
Dana Point
San Juan Capistrano
San Juan Creek
Horno Creek
Sulphur Creek
Trabuco Creek

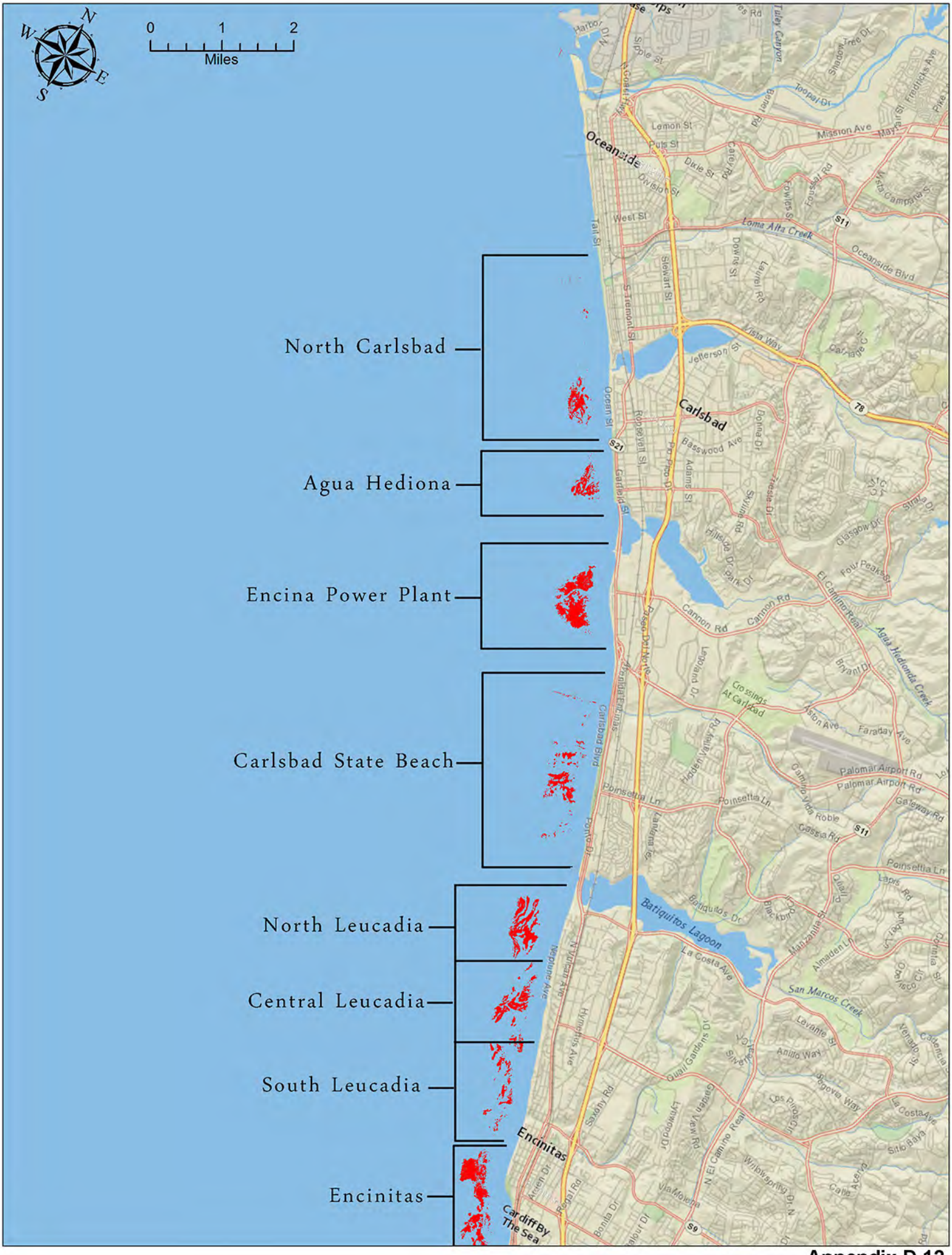
Appendix D.9



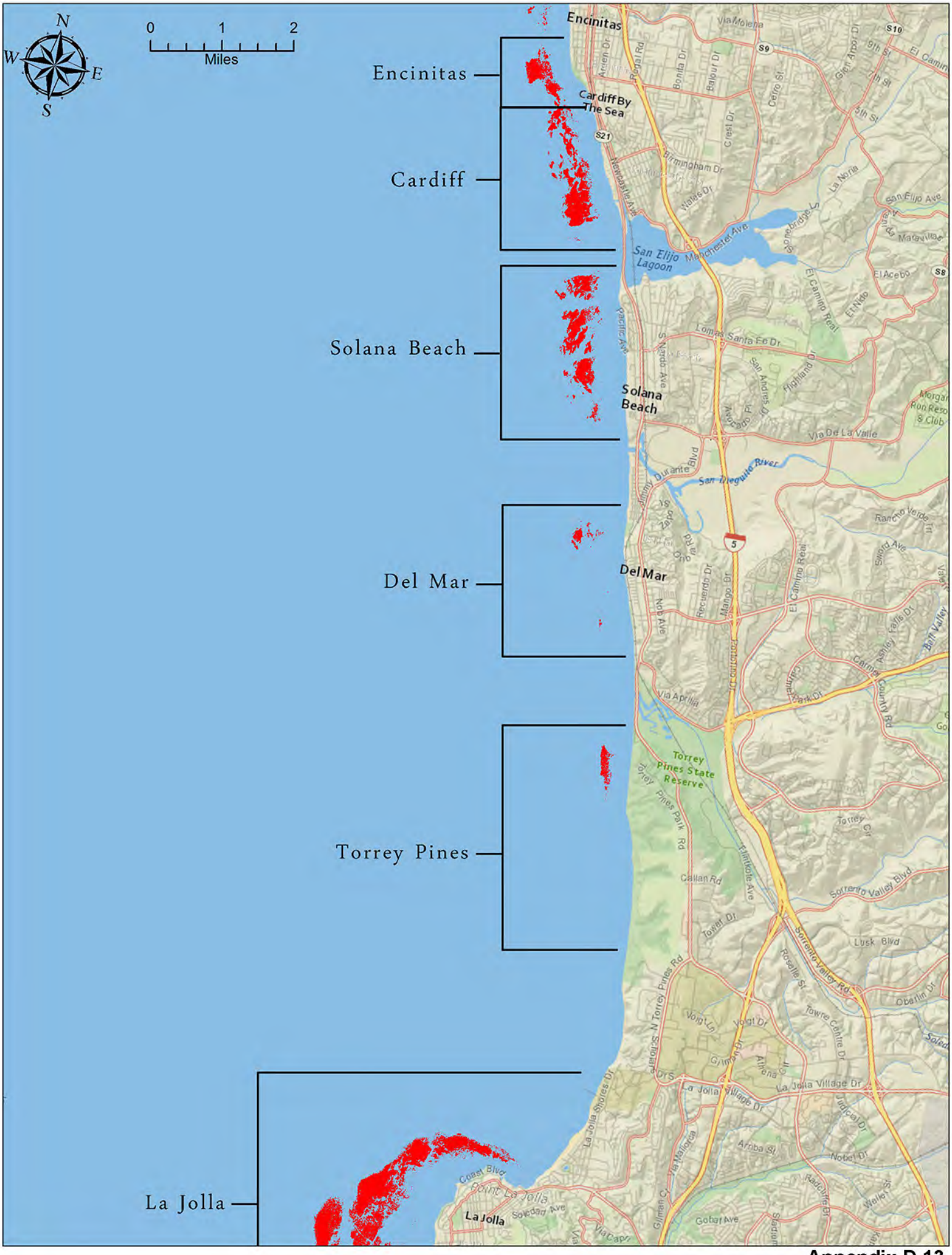
Appendix D.10



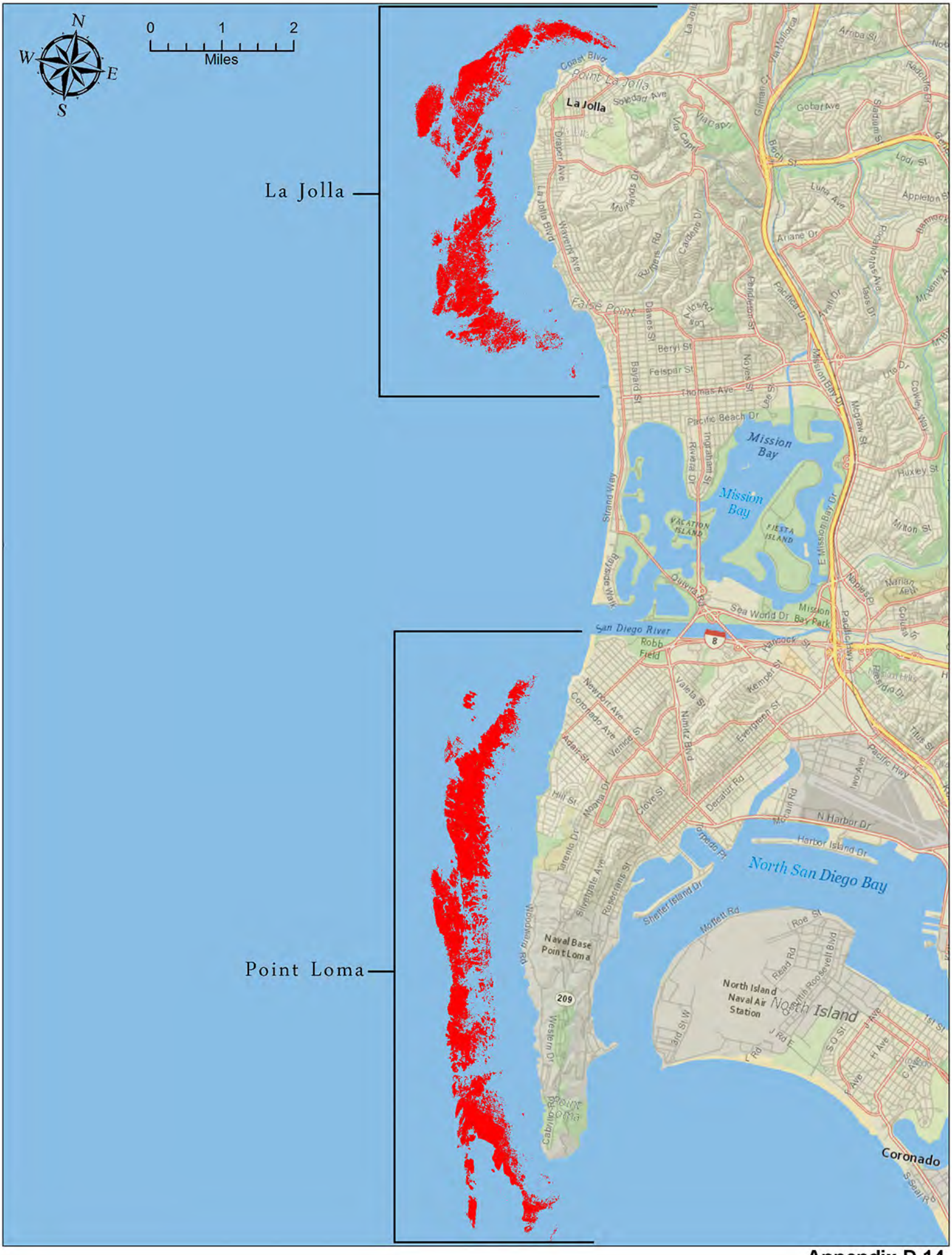
Appendix D.11



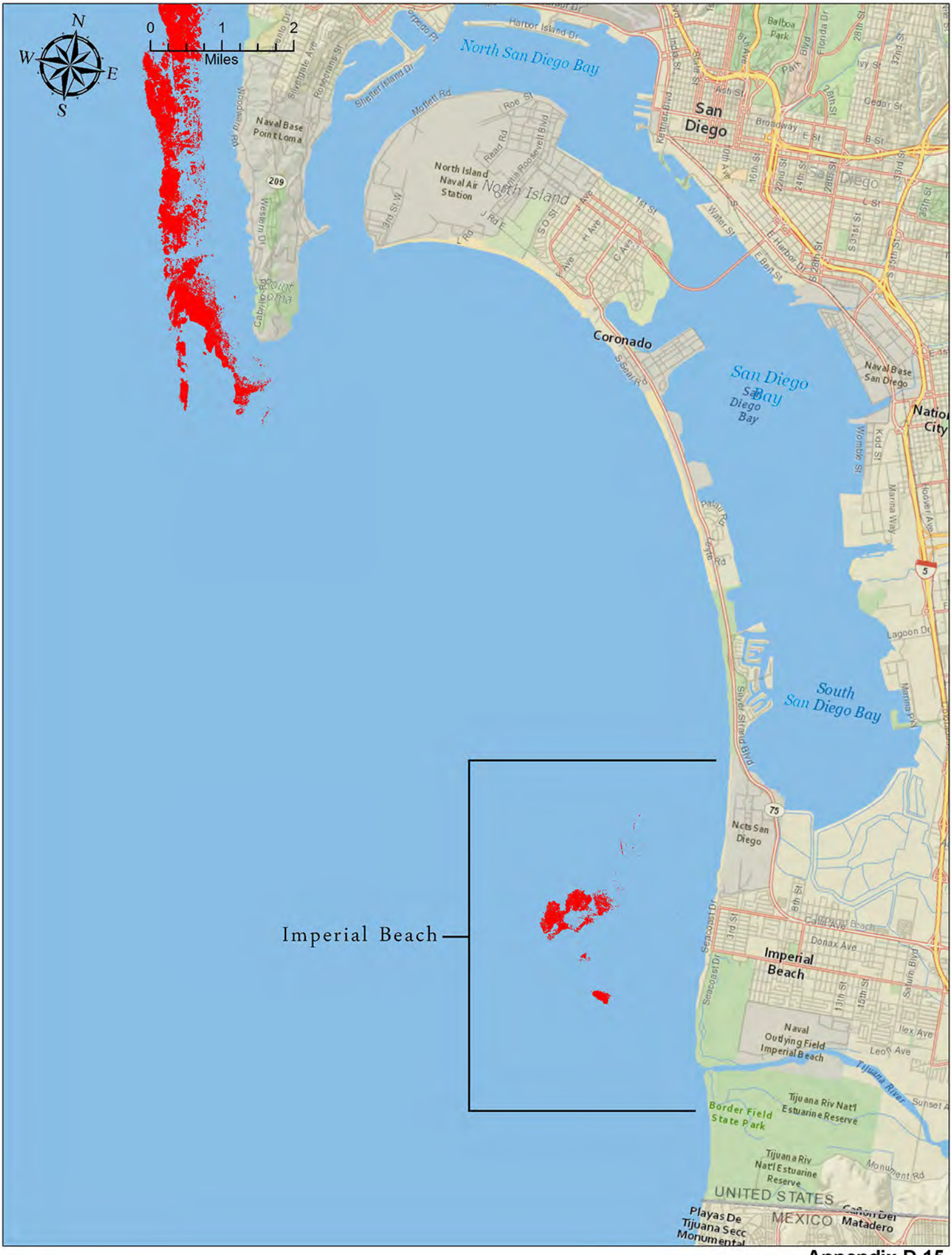
Appendix D.12



Appendix D.13



Appendix D.14



Appendix D.15

Ecoscan Resource Data
Data Acquisition
Flight Data Report

Contracting Agency/Contact		Contract/Order #/Agency File #	
Contracting Agency:	MBC Applied Environmental Sciences	**Contract/Order #:**	
Division:		**Agency File #:**	
Contact/Title:	Shane Beck, Michael Lyons	**Calendar**	
Address:	3000 Redhill Ave.	**Services Ordered:**	03/19
City/State/Zip:	Costa Mesa, CA 92626	**Data Acquisition Completed:**	03/31/19
Phone 1/Phone 2:	(714) 850-4830	**Draft Report Materials Due:**	
Fax/E-Mail:	(714) 850-4840	**Final Report Materials Due:**	5/19

Project Title/Target Resource (s)- Survey Range (s)/Survey Data Flow		
Project Title		**California Coastal Kelp Resources - Ventura to Imperial Beach - 03/31/19**
Target Resource (s)/ Survey Range (s)		Coastal Kelp Canopies Ventura Harbor to Imperial Beach
Survey Data Flow	**Acquisition**	Vertical color IR digital imagery of all coastal kelp canopies within the survey range
	Processing	Survey imagery indexed and delivered to MBC for further processing and analysis
	Analysis	
	Presentation	All survey imagery presented with 8"x10" contact sheets (12 images/per page)

Aerial Resource Survey Flight Data for:		March 31, 2019			
Survey Type		**Aircraft/Imagery Data**		**Associated Conditions**	
	Aerial Transportation/Observation	Aircraft:	Cessna 182	Sky Conditions:	Clear
	Photographic Film Imagery - 35 mm	Altitude:	13,500' MSL	Sun Angle:	> 20 degrees from vertical
	Photographic Film Imagery - 70 mm	Speed:	100 kts.	Visibility:	50+ miles
✓	Digital Color/Color Infrared Imagery	Camera:	Nikon D200	Wind:	Less than 5 knots
	Videography	Lenses:	30mm (see note)	Sea/Swell:	2-4 feet
	Radio Telemetry	Film:	Digital Color IR	Time:	1237-1413
	Radiometry/Geophysical Measurements	Angle:	Vertical	Tide:	0.2' (+) to 0.1' (+) MLLW
	Other 1:	Photo Scale:	As Displayed	Shadow:	None
	Other 2:	Pilot:	Unsicker	Other:	
	Other 3:	Photographer:	Van Wagenen	Comments:	Excellent Conditions

Range (s) Surveyed	Ventura Harbor to Imperial Beach. Imagery Date Note: Imagery EXIF data shows imagery date as: 3/27/19 and time between 1937 and 2113 PDT. A weak camera data battery caused this error and the correct date and time is as shown above.	
Target Resource Observations	Kelp Canopies	Kelp canopies throughout the range showed significant increases in surface extent from that observed in the December 2018 survey
Imagery Quality/ Comments	Excellent	All surface kelp canopies were photographed within the above range, and the image processing was conducted normally. All of the imagery was judged of excellent quality and was useable for the subsequent mapping and analysis of the kelp resource.
	Lens Note	30mm (digital SLR camera) is similiar focal length to 50mm (35mm film SLR camera)

Ecoscan Resource Data
143 Browns Valley Rd.
Watsonville, CA 95076
(831) 728-5900 (ph./fax)

Signed: _____ Bob Van Wagenen, Director

Copy To:

Ecoscan Resource Data
Data Acquisition
Flight Data Report

Contracting Agency/Contact		Contract/Order #/Agency File #	
Contracting Agency:	MBC Applied Environmental Sciences	**Contract/Order #:**	
Division:		**Agency File #:**	
Contact/Title:	Shane Beck, Michael Lyons	**Calendar**	
Address:	3000 Redhill Ave.	**Services Ordered:**	6/19
City/State/Zip:	Costa Mesa, CA 92626	**Data Acquisition Completed:**	07/26/19
Phone 1/Phone 2:	(714) 850-4830	**Draft Report Materials Due:**	
Fax/E-Mail:	(714) 850-4840	**Final Report Materials Due:**	8/19

Project Title/Target Resource (s)- Survey Range (s)/Survey Data Flow		
Project Title		**California Coastal Kelp Resources - Ventura to Imperial Beach - 07/26/19**
Target Resource (s)/ Survey Range (s)		Coastal Kelp Canopies Ventura Harbor to Imperial Beach
Survey Data Flow	**Acquisition** Processing Analysis Presentation	Vertical color IR digital imagery of all coastal kelp canopies within the survey range Survey imagery indexed and delivered to MBC for further processing and analysis All survey imagery presented with 8"x10" contact sheets (12 images/per page)

Aerial Resource Survey Flight Data for:		July 26, 2019			
Survey Type		**Aircraft/Imagery Data**		**Associated Conditions**	
	Aerial Transportation/Observation	Aircraft:	Cessna 182	Sky Conditions:	Clear
	Photographic Film Imagery - 35 mm	Altitude:	13,500' MSL	Sun Angle:	> 20 degrees from vertical
	Photographic Film Imagery - 70 mm	Speed:	100 kts.	Visibility:	50+ miles
✓	Digital Color/Color Infrared Imagery	Camera:	Nikon D200	Wind:	Less than 5 knots
	Videography	Lenses:	30mm (see note)	Sea/Swell:	2-4 feet
	Radio Telemetry	Film:	Digital Color IR	Time:	1555-1745
	Radiometry/Geophysical Measurements	Angle:	Vertical	Tide:	4.7' (+) to 5.1' (+) MLLW
	Other 1:	Photo Scale:	As Displayed	Shadow:	None
	Other 2:	Pilot:	Unsicker	Other:	
	Other 3:	Photographer:	Van Wagenen	Comments:	Excellent Conditions

Range (s) Surveyed	Ventura Harbor to Imperial Beach. Imagery Date Note: Imagery EXIF data shows imagery date as: 7/7/19 and time between 1320 and 1446 PDT. A faulty camera data battery caused this error, and has been replaced. The correct date and time is as shown above.	
Target Resource Observations	Kelp Canopies	Kelp canopies throughout the range showed a slight increase in surface extent from that observed in the March 2019 survey, especially the range between La Jolla and Point Loma where the increases were more significant.
Imagery Quality/ Comments	Excellent Lens Note	All surface kelp canopies were photographed within the above range, and the image processing was conducted normally. All of the imagery was judged of excellent quality and was useable for the subsequent mapping and analysis of the kelp resource. 30mm (digital SLR camera) is similiar focal length to 50mm (35mm film SLR camera)

Ecoscan Resource Data
143 Browns Valley Rd.
Watsonville, CA 95076
(831) 728-5900 (ph./fax)

Signed: _____ Bob Van Wagenen, Director

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Ecoscan Resource Data
Data Acquisition
Flight Data Report

Contracting Agency/Contact		Contract/Order #/Agency File #	
Contracting Agency:	MBC Applied Environmental Sciences	**Contract/Order #:**	
Division:		**Agency File #:**	
Contact/Title:	Shane Beck, Michael Lyons	**Calendar**	
Address:	3000 Redhill Ave.	**Services Ordered:**	9/19
City/State/Zip:	Costa Mesa, CA 92626	**Data Acquisition Completed:**	09/24/19
Phone 1/Phone 2:	(714) 850-4830	**Draft Report Materials Due:**	
Fax/E-Mail:	(714) 850-4840	**Final Report Materials Due:**	10/19

Project Title/Target Resource (s)- Survey Range (s)/Survey Data Flow

Project Title		**California Coastal Kelp Resources - Ventura to Imperial Beach - 09/24/19**
Target Resource (s)/ Survey Range (s)		Coastal Kelp Canopies Newport Harbor to Imperial Beach
Survey Data Flow	**Acquisition**	Vertical color IR digital imagery of all coastal kelp canopies within the survey range
	Processing	Survey imagery indexed and delivered to MBC for further processing and analysis
	Analysis	
	Presentation	All survey imagery presented with 8"x10" contact sheets (12 images/per page)

Aerial Resource Survey Flight Data for: September 24, 2019

	Survey Type	Aircraft/Imagery Data		Associated Conditions	
	Aerial Transportation/Observation	Aircraft:	Cessna 182	Sky Conditions:	Clear
	Photographic Film Imagery - 35 mm	Altitude:	13,500' MSL	Sun Angle:	> 20 degrees from vertical
	Photographic Film Imagery - 70 mm	Speed:	100 kts.	Visibility:	50+ miles
✓	Digital Color/Color Infrared Imagery	Camera:	Nikon D200	Wind:	Less than 5 knots
	Videography	Lenses:	30mm (see note)	Sea/Swell:	2-4 feet
	Radio Telemetry	Film:	Digital Color IR	Time:	1632-1719
	Radiometry/Geophysical Measurements	Angle:	Vertical	Tide:	4.9' (+) to 5.2' (+) MLLW
	Other 1:	Photo Scale:	As Displayed	Shadow:	None
	Other 2:	Pilot:	Unsicker	Other:	
	Other 3:	Photographer:	Van Wagenen	Comments:	Excellent Conditions

Range (s) Surveyed	Newport Harbor to Imperial Beach.	
Target Resource Observations	Kelp Canopies	Kelp canopies throughout the range showed a significant decrease in surface extent from that observed in the July 2019 survey. The only kelp observed was that between La Jolla and Point Loma.
Imagery Quality/ Comments	Excellent	All surface kelp canopies were photographed within the above range, and the image processing was conducted normally. All of the imagery was judged of excellent quality and was useable for the subsequent mapping and analysis of the kelp resource.
	Lens Note	30mm (digital SLR camera) is similiar focal length to 50mm (35mm film SLR camera)

Ecoscan Resource Data
143 Browns Valley Rd.
Watsonville, CA 95076
(831) 728-5900 (ph./fax)

Signed: _____ Bob Van Wagenen, Director

Copy To:

Ecoscan Resource Data
Data Acquisition
Flight Data Report

Contracting Agency/Contact		Contract/Order #/Agency File #	
Contracting Agency:	MBC Applied Environmental Sciences	**Contract/Order #:**	
Division:		**Agency File #:**	
Contact/Title:	Shane Beck, Michael Lyons	**Calendar**	
Address:	3000 Redhill Ave.	**Services Ordered:**	12/19
City/State/Zip:	Costa Mesa, CA 92626	**Data Acquisition Completed:**	12/19/19
Phone 1/Phone 2:	(714) 850-4830	**Draft Report Materials Due:**	
Fax/E-Mail:	(714) 850-4840	**Final Report Materials Due:**	12/19

Project Title/Target Resource (s)- Survey Range (s)/Survey Data Flow

Project Title		**California Coastal Kelp Resources - Ventura to Imperial Beach - 12/19/19**
Target Resource (s)/ Survey Range (s)		Coastal Kelp Canopies Ventura Harbor to Imperial Beach
Survey Data Flow	**Acquisition**	Vertical color IR digital imagery of all coastal kelp canopies within the survey range
	Processing	Survey imagery indexed and delivered to MBC for further processing and analysis
	Analysis	
	Presentation	All survey imagery presented with 8"x10" contact sheets (12 images/per page)

Aerial Resource Survey Flight Data for: December 19, 2019

	Survey Type	Aircraft/Imagery Data		Associated Conditions	
	Aerial Transportation/Observation	Aircraft:	Cessna 182	Sky Conditions:	Clear
	Photographic Film Imagery - 35 mm	Altitude:	13,500' MSL	Sun Angle:	> 20 degrees from vertical
	Photographic Film Imagery - 70 mm	Speed:	100 kts.	Visibility:	50+ miles
√	Digital Color/Color Infrared Imagery	Camera:	Nikon D200	Wind:	Less than 5 knots
	Videography	Lenses:	30mm (see note)	Sea/Swell:	2-4 feet
	Radio Telemetry	Film:	Digital Color IR	Time:	1147-1318
	Radiometry/Geophysical Measurements	Angle:	Vertical	Tide:	2.6' (+) to 3.3' (+) MLLW
	Other 1:	Photo Scale:	As Displayed	Shadow:	None
	Other 2:	Pilot:	Unsicker	Other:	
	Other 3:	Photographer:	Van Wagenen	Comments:	Excellent Conditions

Range (s) Surveyed	Ventura Harbor to Imperial Beach.	
Target Resource Observations	Kelp Canopies	Kelp canopies throughout the range showed a reduction in surface extent, and the only significant kelp observed was that between La Jolla and Point Loma.
Imagery Quality/ Comments	Excellent	All surface kelp canopies were photographed within the above range, and the image processing was conducted normally. All of the imagery was judged of excellent quality and was useable for the subsequent mapping and analysis of the kelp resource.
	Lens Note	30mm (digital SLR camera) is similiar focal length to 50mm (35mm film SLR camera)

Ecoscan Resource Data
143 Browns Valley Rd.
Watsonville, CA 95076
(831) 728-5900 (ph./fax)

Signed: _____ Bob Van Wagenen, Director

Copy To:

mbc AQUATIC SCIENCES

PROJECT FIELD LOG

Client: Region 9 Job No: 14315 Date: 7 Jan 20

Work Site: Imp Bch → O'side Personnel: RHM JJS SMC

Team Leader: _____ Vessel: Scorpaena

Time	Work Related Activities:		
0530	Arrive & finish load		Plot stn's on map
0550	Depart MBC		
0615	Stop O'side to pk Wayne		
0755	Launch Shelter Island		
0840	Imp Bch	0918 - Pt. Loma S	0945 pt Loma N
1020	La Jolla S.	1115 Torrey Pines	1145 Del Mar
1155	Sol	1220 Card	1230 Encinitas
1235	S Leu	1245 S Leu	
1325 - 1353	Dive N Leu	1410 - Cross St Park	
1433 - 1458	Dive Encina PP		
1520	Agua Hed	1530 N Carlsbad	1600 Santa Margarita
1625	Arrive at Oceanside		
1640	Depart Oceanside		
1740	Arrive MBC		

Bad Y/L's La Jolla
ESP
Shrimp

Page_____of_____

mbc AQUATIC SCIENCES

PROJECT FIELD LOG

Client: SONGS Job No: 17562B Date: 15 JAN 2020

Work Site: SONGS Personnel: JJS, SME

Team Leader: — Vessel: Scorpaena

Time	Work Related Activities:
0630	Arrive at MBC, meh
0650	Depart MBC
0720	Arrive at Dana Point
0730	Launch Scorpaena
0735	Arrive at Fuel Dock
0820	Depart Fuel Dock
0925	FZS - thermistors
1000	PAR 1010 Barn Kelp 1020 Horno Canyon
1039	C2S - thermistors
1122	C22S - thermistors
1155	A - water
1201	C - "
1207	B - "
1210	San Onofre 1235 San Mateo 1245 San Clemente
1300	Cap Istrano Beach
1330	Pull scorpaena
	lunch
1425	Arrive @ MBC, demob
1530	Done.

mbc AQUATIC SCIENCES

PROJECT FIELD LOG

Client: RG Kelp Job No: 14325 Date: 30 Jan 20

Work Site: Dana → Newport Personnel: BHm DJS

Team Leader: _____ Vessel: Poco Loco

Time	Work Related Activities:
0630	Arrive & load
0703	Depart
0730	Arrive Dana Pt 0744 Launch MMSI VHF
0830	Anchor DP Kelp 9913 20m 51' Metered 2 areas w/ Scatt/sfc
—	+ lots subsurface
1000	S. Lag
1030	Laguna 1054-18 min 52'
	N Lag Reef Pt White Hse
1300	Corona del Mar
1340	Dock - pulled boat 276 hrs
1405	MBC
1500	Finish

mbc AQUATIC SCIENCES

PROJECT FIELD LOG

Client: Region 9 Job No: 14315 Date: 7 Jan 20

Work Site: Imp Bch → O'side Personnel: RHM JJS SME

Team Leader: _____ Vessel: Scorpaena

Time	Work Related Activities:		
0530	Arrive & finish load		Plot sta L/L's on map
0550	Depart MBC		
0615	Stop O'side to p/u Wayne		
0755	Launch Shelter Island		
0840	Imp Bch	0918 - Pt. Loma S	0945 pt Loma N
1020	La Jolla S.	1115 Torrey Pines	1145 Del Mar
1155	Sol	1220 Card	1230 Encinitas
1235	S Leuc	1245 S. Leuc	
1325 - 1353 S	Dive N Leuc	1410 - Cows St Park	
1433 - 1458	Dive Encine PP		
1520	Aqua Hed	1530 N Carlsbad	1600 Santa Margarita
1625	Arrive at Oceanside		
1640	Depart Oceanside		
1740	Arrive MBC		

Bad L/L's La Jolla
ESP
Shrimp

Page ____ of ____

CONDITION OF MACROCYSTIS BED

Observer: SME
Lat/Long: 33° 07.517' 117° 20.441'

Date 7 JAN 2020
Location Encina PP
Time
Wind/Direction
Current
Weather
UW Visibility
Swell Ht/Period

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Subsurface

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color Med-dark yellow
Encrustation N
Disease N
Sediment on blades N
Sinking fronds N
Grazed tissues Y
Sporophyllis
Juvenile fronds Y
Holdfasts 6+3=(9)
Old holdfasts N
Recruitment Y

Community

Litter 5% coverage
Turf algae Y - Red
Turf invert. N
Shrub algae ~~Y~~ N ~~Red~~ — White-spotted Rose anemone ID; 3 lobster (1 spiny)
Large Invert. snail anemone urchin
Fishes N — 3 Kelletia; 4 Megastraea
Disease N
Sed. on rocks Y
Urchin status 1111 +3 +5 +3 2 Purp → Purple urchin = 16; Dark Purp = 5+4 → Red urchin = 7

Bottom characteristics

cobble rock
shell bottom

grazed @ mid, not bottom

REMARKS Juv: 11 = (2)
Juv: 111 = (3)
Ad: 1+(11)+3+11 = ~~(26)~~ = (17)

* Scattered gorgonians

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM
Lat/Long: 33° 04.4570' 117° 18.9641'

Date 7JAN 2020
Location North Lewadia
Time
Wind/Direction
Current
Weather
UW Visibility
Swell Ht/Period

TOPSIDE OBSERVATIONS

Kelp Canopy 2m X 5Cm

Extent Sporophyll blades w/
Density jagged edges
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease not carrying spores, ~1ft high
Encrustation
Apical blades
Sediment on blades

Remarks LAMINARIA Depth 35'

Subsurface

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

5m VIS

Bottom

Tissue color
Encrustation
Disease
Sediment on blades N
Sinking fronds N
Grazed tissues N
Sporophyllis Y
Juvenile fronds Y
Holdfasts
Old holdfasts N
Recruitment Y

Community

Litter
Turf algae Ferosorium
Turf invert.
Shrub algae Egregia
Large Invert. 1 Lobster, Urchins
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

Shelf rock / Plate rock 90%
Sand channel 45m

REMARKS Recruits 1111 = 4
Juvenile 1 = 1
Adult 111 = 3
Mostly Egregia

Lat/long's incorrect — checked 2 sites @ 1600 + 1615.

CONDITION OF MACROCYSTIS BED

SME
9' 117°27.249' ???
' 117°25.192' ?
S

Date 7 JAN 2020
Location Santa Margarita
Time 1600 / 1615
Wind/Direction
Current
Weather P Cloudy
UW Visibility 10-ft
Swell Ht/Period 2-3 ft W

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth: 35'

Subsurface None

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 33° 09.321' 117° 21.685'

Date 7 JAN 2020
Location North Carlsbad
Time 1530
Wind/Direction
Current
Weather P. Cloudy
UW Visibility 15 ft.
Swell Ht/Period 2-3 ft W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades

Remarks Depth: 43'

Subsurface Scattered subsurface ~10ft tall, patches ~10 plants (lots)

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 33°08.664' 117°21.119'

Date 7 JAN 20
Location Agua Hed.
Time 1520
Wind/Direction
Current
Weather P. cloudy
UW Visibility 15ft.
Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth 40'

Subsurface 10-15 ft. plants on bottom, patch of ~6 plants, 2-3 patches

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

CONDITION OF MACROCYSTIS BED

Observer: RHM, SMF

Lat/Long: 33° 01.036' 117° 19.561'

Date 7JAN 2020

Location ~~North~~ Encinitas CSP

Time 1410

Wind/Direction

Current

Weather P. Cloudy

UW Visibility 10 ft.

Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None

Density

Tissue color

% Frond comp. _____ Senile _____ Mature _____ Young _____ Other

Disease

Encrustation

Apical blades

Sediment on blades

Remarks

Subsurface None

UNDERWATER OBSERVATIONS

Midwater

Tissue Color

Encrustation

Disease

Sediment on blades

Sinking fronds

Grazed tissues

Bottom

Tissue color

Encrustation

Disease

Sediment on blades

Sinking fronds

Grazed tissues

Sporophyllis

Juvenile fronds

Holdfasts

Old holdfasts

Recruitment

Community

Litter

Turf algae

Turf invert.

Shrub algae

Large Invert.

Fishes

Disease

Sed. on rocks

Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 33° 03.916' 117° 18.656'

Date 7 JAN 2020
Location Central Leucadia
Time 1245
Wind/Direction 3 W
Current
Weather P. Cloudy
UW Visibility 10'-15'
Swell Ht/Period 2-3 ft W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent medium-scattered
Density 100 m x 30 m
Tissue color 50% light,
% Frond comp. 50% Senile 45% Mature 5% Young ____ Other
Disease None
Encrustation 50%
Apical blades 5%
Sediment on blades None
Remarks Depth 31'

Subsurface apical blades on subsurface, not on canopy

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 33°02.979' 117° 18.321'

Date 7 JAN 2020
Location S. Leucadia
Time 1235
Wind/Direction 3 W
Current
Weather P. Cloudy
UW Visibility 20 ft.
Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent 30m x 30m
Density Medium-Scattered
Tissue color 20% light yellow, 70% medium, 10% dark
% Frond comp. 20% Senile 80% Mature 2% Young _____ Other
Disease None
Encrustation 20%
Apical blades 5%
Sediment on blades None
Remarks 1-2 m length fronds Depth: 34'

Subsurface apical tips subsurface

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 33°02.314' 117° 18.148'

Date 7 JAN 2020
Location Encinitas
Time 1230
Wind/Direction SW
Current
Weather P. Cloudy
UW Visibility 10'-15'
Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent 30 m wide, 100 m long
Density scattered to the north
Tissue color Medium yellow 70%, Dark Yellow 20%, 10% light
% Frond comp. 5% Senile 35% Mature 60% Young _____ Other
Disease None
Encrustation 5%
Apical blades 40%
Sediment on blades
Remarks 23m frond length Depth: 36'

Subsurface 5'-10' algae (kelp) on bottom
2-3 patches to the surface of 10-40 plants - scattered over 0.35 Miles

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Date 7JAN2020
Lat/Long:
Location Cardiff
south 33° 01.039' 117° 17.385'
Time 1220
TOPSIDE OBSERVATIONS
Wind/Direction 3 W
Current
Kelp Canopy
Weather p. cloudy
UW Visibility 10 ft.
Extent None
Swell Ht/Period 2-3 ft. W
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth: 40'

Subsurface metering ~5 ft. tall algae 10'-15' tall for ~2-3/10 mile (0.25mi)
several scattered breaching surface

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 32° 59.425' 117° 16.960'
South: 32° 59.082' 117° 16.946' 37'

Date 7 JAN 2020
Location Solana Beach
Time 1155-
Wind/Direction SW
Current
Weather p. cloudy
UW Visibility 10-15 ft.
Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent scattered
Density
Tissue color 70% dark yellow, 30% light yellow
% Frond comp. 30 % Senile 70 % Mature 1 % Young ____ Other
Disease None
Encrustation 20%
Apical blades 2%
Sediment on blades None
Remarks 2 m length fronds at surface Depth 37'

Subsurface

Scattered South end 15-20' tall can see, 30-35 ft tall can see (50% senile, 50% mature)

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 32° 57.512' 117°16.539'
560 537

Date 7JAN2020
Location Del Mar
Time 1145
Wind/Direction 3 kn W
Current
Weather P. Cloudy
UW Visibility 10 ft
Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth 37'

Subsurface 2-3 ft. tall algae on fathometer for 200 m distance

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS 32°57.590' 117°16.705'

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME

Lat/Long: 32° 53.561' 117°15.633'

Date 7JAN2020

Location Torrey Pines

Time 1115

Wind/Direction

Current

Weather P. Cloudy

UW Visibility 10 ft

Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None

Density

Tissue color

% Frond comp. _____ Senile _____ Mature _____ Young _____ Other

Disease

Encrustation

Apical blades

Sediment on blades

Remarks

Subsurface None

UNDERWATER OBSERVATIONS

Midwater

Tissue Color

Encrustation

Disease

Sediment on blades

Sinking fronds

Grazed tissues

Bottom

Tissue color

Encrustation

Disease

Sediment on blades

Sinking fronds

Grazed tissues

Sporophyllis

Juvenile fronds

Holdfasts

Old holdfasts

Recruitment

Community

Litter

Turf algae

Turf invert.

Shrub algae

Large Invert.

Fishes

Disease

Sed. on rocks

Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHm, SmE
Date 7 Jan 20
Lat/Long: 32°48.922' 117°17.538' (central)
32°48.888' 117°16.479' (south)
Location La Jolla / South
Time 1020
TOPSIDE OBSERVATIONS 32°50.651' 117°17.926' (North)
Wind/Direction SW
Current
Weather P. cloudy
UW Visibility 15-20 ft.
Swell Ht/Period 2-3ft

Kelp Canopy central = 300 m width
100-200m (~100m width)
Extent ~~1/4 mi~~ width, continuous south to north end
Density medium inshore, thick offshore
Tissue color 60% light yellow, 40% dark yellow
% Frond comp. 5% Senile 95% Mature ____ Young ____ Other
Disease None
Encrustation 60% - 70%
Apical blades 2-5%
Sediment on blades None
Remarks 42 ft. scattered plant at surface - None metering subsurface Depth 42' - 70'
3m length fronds
Subsurface offshore subsurface kelp ~70' depth
central → 70% dark yellow, 10% encrusted, 4-5 m ~~at~~ frond length, 85% mature, 1% apical, 65'-75'

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM SME
Date 7 Jan 20
Lat/Long: 32° 42.639' 117° 16.307'
Location 24 Lone North
North edge: 32° 43.545' 117° 16.264'
Time 0945
Wind/Direction 3W
Current downcoast
Weather P. cloudy 10'.
UW Visibility 10 ft.
Swell Ht/Period 2-3ft W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent ~200m wide, continuous to south
Density solid
Tissue color 50'. dark yellow 50'. light yellow
% Frond comp. 10'. Senile 90'. Mature 1'. Young _____ Other
Disease None
Encrustation 50'.
Apical blades 1-2'.
Sediment on blades None
Remarks Depth 55ft

Subsurface

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 32° 39.159' 117° 15.085'
32° 39.578' 117° 15.630'

Date 7 Jan 20
Location Pt Loma South
Time 0918
Wind/Direction Ø
Current
Weather P. Cloudy
UW Visibility
Swell Ht/Period 2-3 ft. W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent 200 w x 0.25 mile long continuous to N
Density Solid
Tissue color Dark yellow ish
% Frond comp. 1% Senile 98% Mature 1% Young ____ Other 50'
Disease N
Encrustation 30%
Apical blades 1%
Sediment on blades N
Remarks Big area scattered @ 0.25 mile long Depth 60'
Subsurface Just below surface Heavy concentration lots of apical blades visible

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM, SME
Lat/Long: 32° 34.548' 117° 09.163'

Date 7 Jan 20
Location Imperial Beach
Time 0840
Wind/Direction 3-5 E
Current
Weather ~~Clear sky~~ P. Cloudy (10%)
UW Visibility
Swell Ht/Period 1-2' W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks No canopy Depth 55'-36'

Subsurface Hard Bottom - nothing subsurface @ 0.25 diameter circle

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS >2m <2m

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SME
Lat/Long: N 33°19.466' W 117° 31.643'

Date 15 JAN 20
Location Pendleton Artificial Reef
Time 1000
Wind/Direction 3-5 NW
Current South
Weather P. Cloudy
UW Visibility 10 ft.
Swell Ht/Period 2-3 ft

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth: 42'

Subsurface None

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SMF
Lat/Long: N 33° 17.132' W 117° 29.376'

Date 15JAN20
Location Barn Kelp
Time 1010
Wind/Direction 3-5 NW
Current South
Weather P. Cloudy
UW Visibility 10 ft.
Swell Ht/Period 2-3 W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth: 49'

Subsurface ~20 ft. depth — 20-30 ft tall, multiple patches over ½ mile

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SME
Lat/Long: N 33° 19.212' W 117° 30.408'

Date 15JAN20
Location Horno Canyon
Time 1020
Wind/Direction 3-5 NW
Current South
Weather P. Cloudy
UW Visibility 10 ft.
Swell Ht/Period 2-3 W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent NM
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth: 46'

Subsurface sparse plants - 20-30ft. fall @ Horno Canyon on GPS (HORCYN)
R9K11HC → wrong lat/longs - 2.5mi N of Barn Kelp, 0.5mi S PAR

UNDERWATER OBSERVATIONS

Midwater
Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom
Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community
Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SME
Lat/Long: N 33°20.588' W 117°33.509'

Date 15 JAN 20
Location San Onofre
Time 1210
Wind/Direction 3-5 NW
Current South
Weather P Cloudy
UW Visibility 10 ft.
Swell Ht/Period 2-3 W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades

Depth: 46'

Remarks

Subsurface None

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SME
Lat/Long: N 33°22.697' W117°36.189'
*N 33°22.466' W117°35.832'
TOPSIDE OBSERVATIONS

Date 15JAN20
Location San Mateo
Time 1235
Wind/Direction 3-5 NW
Current South
Weather P. Cloudy
UW Visibility 10 ft.
Swell Ht/Period 2-3 W

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Depth 47' *42'

Subsurface Some scattered plants
*~~Scattered~~ plants ~ 20 ft. tall, 1 solid patch, 0.25 mi south of San Mateo Waypoint

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SMF
Lat/Long: N 33° 23.804' W 117° 37.032'

Date 15JAN20
Location San Clemente
Time 1245
Wind/Direction ~~P. Cloudy~~ SE 3-5 NW
Current South
Weather P. Cloudy
UW Visibility 10'
Swell Ht/Period 2-3

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density Scattered
Tissue color Medium = 10%. Dark = 85%. ~~Senile~~ Light = 5%
% Frond comp. 10 Senile 85 Mature 5 Young _____ Other
Disease NO
Encrustation Yes – 30%.
Apical blades 25%.
Sediment on blades No
Remarks Fronds 3 m on surface Depth: 46'
- scattered canopy, plants ~ 100 M apart.
Subsurface scattered plants ~ 20–30 ft tall, in patches

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: SME
Lat/Long: N 33° 25.660' W 117° 38.910'

Date 15JAN20
Location Capistrano Beach
Time 1300
Wind/Direction 3-5 NW
Current South
Weather P. Cloudy
UW Visibility 10 ft.
Swell Ht/Period 2-3 W

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks Depth: 44'

Subsurface Patches ~ 15-25 ft. tall plants, scattered @ 45-35' depth.

UNDERWATER OBSERVATIONS

Midwater
Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom
Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community
Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHu
Lat/Long: 33°29.884' 117°44.760'

Date 30 Jan 20
Location South Lagoon
Time 1000 - 1010
Wind/Direction 2-3 NE
Current N
Weather P. Cloudy
UW Visibility
Swell Ht/Period 2-3 WSW

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Subsurface None

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHm
Lat/Long: 33°32.401' 117°47.476'

Date 30 Jan 20
Location N. Laguna
Time 1210
Wind/Direction 2-3 NW
Current None
Weather Mostly Cloudy
UW Visibility 15'-20'
Swell Ht/Period 2-3 WSW

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent 100m x 150m
Density Full - Thick
Tissue color Med & Light Yellow
% Frond comp. 40% Senile 60% Mature 1% Young ____ Other
Disease N
Encrustation N
Apical blades Y
Sediment on blades N
Remarks

Subsurface Yes beyond edges of canopy

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHn

Lat/Long: 1) 33°33.781' 117° 50.054' Reef Pt.
2) 33°34.524' 117° 51.365 Whistler's Ref

Date 30 Jan. 20
Location Ref Pt / Whistlers Ref
Time 1220 / 1250
Wind/Direction 2-3 NE
Current None
Weather Mostly Cloudy
UW Visibility 30'+
Swell Ht/Period 2-3 ws

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None / Few
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Subsurface 1) ~~30+~~ Subsurface v. shallow reef
2) 2-3 C stc ; visible is senile ; >50 plants → lots Near surface very ragged -

UNDERWATER OBSERVATIONS

Midwater

Tissue Color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues

Bottom

Tissue color
Encrustation
Disease
Sediment on blades
Sinking fronds
Grazed tissues
Sporophyllis
Juvenile fronds
Holdfasts
Old holdfasts
Recruitment

Community

Litter
Turf algae
Turf invert.
Shrub algae
Large Invert.
Fishes
Disease
Sed. on rocks
Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHM
Lat/Long: 33° 35.258' 117° 52.186'

Date 30 Jan 20
Location Corona del Mar
Time 1300
Wind/Direction 2-3 NE
Current None
Weather Mostly Cloudy
UW Visibility 15'
Swell Ht/Period 2-3 WSW

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent None
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Subsurface None

UNDERWATER OBSERVATIONS

Midwater
- Tissue Color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues

Bottom
- Tissue color
- Encrustation
- Disease
- Sediment on blades
- Sinking fronds
- Grazed tissues
- Sporophyllis
- Juvenile fronds
- Holdfasts
- Old holdfasts
- Recruitment

Community
- Litter
- Turf algae
- Turf invert.
- Shrub algae
- Large Invert.
- Fishes
- Disease
- Sed. on rocks
- Urchin status

Bottom characteristics

REMARKS

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: KHM & DJS
Lat/Long: 33° 27.715' 117°43.283'

Date 30 Jan 20
Location Dana Point
Time 0800
Wind/Direction 5 East
Current None
Weather P. Cloudy
UW Visibility 20'
Swell Ht/Period 3-4' WSW

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent 0.25 - 0.5 mi
Density Scattered
Tissue color Med - Dark Yellow
% Frond comp. ~ Senile 100 Mature ~ Young Other
Disease No
Encrustation Yes
Apical blades No
Sediment on blades No
Remarks Fronds @ 2-3 whorl present 30-35' to 50'

Subsurface Most metered subsurface 10-15' below surface Depth range 35 value to 52' lots

UNDERWATER OBSERVATIONS @ 33° 28.174' 117°43.495'

Midwater

Tissue Color Med Yellow
Encrustation Yes
Disease No
Sediment on blades No
Sinking fronds No
Grazed tissues Yes

Bottom

Tissue color Med Yellow
Encrustation No
Disease No
Sediment on blades No
Sinking fronds No
Grazed tissues Yes
Sporophyllis Yes adults
Juvenile fronds Yes
Holdfasts Yes
Old holdfasts No
Recruitment ? see note ?

Community

Litter No
Turf algae Sm. Rds
Turf invert.
Shrub algae Pterogophora / Egregia / Laminar
Large Invert.
Fishes ☆ below
Disease N
Sed. on rocks
Urchin status low

Bottom characteristics

Mix 50% Boulders 40 Cobble
10% Sand
Scattered ledge / shelf rock

Semicossyphus - 6
Medialuna - 1
Kelp Bass - 5-6+
Halichoeres - 1
Sheephead - 1

REMARKS Ad - 2 (two)
Juv - 2 (two)
Rec. - lots laminariales recruits
Dominant bottom algae Pterogophora 2-4/m²; @ 1 Laminaria/m²

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: RHw
Lat/Long: 33° 31.887' 117° 46.893'

Date 30 Jan 20
Location Laguna Beach
Time 1030
Wind/Direction N
Current N
Weather PCloudy
UW Visibility 15-20'
Swell Ht/Period 2-3 WSW

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent 300m x 100m
Density Medium
Tissue color Med + Dark Yellow
% Frond comp. 5% Senile 95% Mature 1% Young ____ Other
Disease No
Encrustation 10%
Apical blades No
Sediment on blades No
Remarks 1-2m length Depth 38'-55'

Subsurface

UNDERWATER OBSERVATIONS

3m vis

Midwater
Tissue Color Med/Light Yel
Encrustation No
Disease No
Sediment on blades Yes
Sinking fronds No
Grazed tissues Yes

Bottom
Tissue color Med Yel
Encrustation None
Disease None
Sediment on blades None
Sinking fronds None
Grazed tissues None
Sporophyllis Yes all adults
Juvenile fronds Yes
Holdfasts Yes
Old holdfasts None
Recruitment None

Community
Litter No
Turf algae Corallina
Turf invert.
Shrub algae Pterygophora / Laminaria
Large Invert. Megastraw 8
Fishes Stephanie, Kelp, Bar'd Bass
Disease
Sed. on rocks
Urchin status

Bottom characteristics
40 Boulder / 40% Cobble / 10% sand
Shell Hash - 10%

REMARKS DC (11) eleven
Jaw — none
Recs — None

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: DJS
Lat/Long: 33° 27.715' 117° 43.283'

Date 30 JAN 2020
Location DANA POINT
Time 0800
Wind/Direction 3-4 E
Current
Weather Clear, Sunny
UW Visibility 20'
Swell Ht/Period 3-4 WSW

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent SEE RHM's DATA
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Subsurface

UNDERWATER OBSERVATIONS @ 33° 28.174' 117° 43.495'

Midwater

Tissue Color Med-Light yellow
Encrustation None
Disease None
Sediment on blades None (Yes)
Sinking fronds None
Grazed tissues None (Yes)

Bottom

Tissue color Dark (Med). Yellow
Encrustation None
Disease None
Sediment on blades None
Sinking fronds None
Grazed tissues None
Sporophyllis Yes, many
Juvenile fronds 5
Holdfasts 2
Old holdfasts 0
Recruitment 0

Community

Litter None
Turf algae Reds
Turf invert. None
Shrub algae Reds
Large Invert. Megastrea undosa (4), Kelletia kelletii (2)
Fishes 6 Kelp Bass, 4 Sheephead
Disease None
Sed. on rocks Light
Urchin status None

Bottom characteristics

75% Cobble
15% Boulder
10% sand

Laminaria 20% → macro
Pterygophora 80% → Algae

REMARKS A 11 (TWO)
J 0
R 0

Field Data Sheet

CONDITION OF MACROCYSTIS BED

Observer: DJS
Lat/Long:

Date 30 JAN 2020
Location LAGUNA (Brooks St.)
Time 1040
Wind/Direction
Current
Weather
UW Visibility
Swell Ht/Period

TOPSIDE OBSERVATIONS

Kelp Canopy

Extent SEE RHM's Data
Density
Tissue color
% Frond comp. _____ Senile _____ Mature _____ Young _____ Other
Disease
Encrustation
Apical blades
Sediment on blades
Remarks

Subsurface

UNDERWATER OBSERVATIONS

Midwater

Tissue Color Med-light yellow
Encrustation Light
Disease None
Sediment on blades None
Sinking fronds None
Grazed tissues Slight

Bottom

Tissue color Medium yellow
Encrustation None
Disease None
Sediment on blades None
Sinking fronds None
Grazed tissues Very little
Sporophyllis Yes, many
Juvenile fronds 7
Holdfasts 2 holdfasts hollowed, one encrusted
Old holdfasts None
Recruitment None

Community

Litter Slight red & surfgrass
Turf algae reds
Turf invert.
Shrub algae pterogophora, laminaria, reds
Large Invert. megastrea undosa, norrisia norrisi,
Fishes Kelp bass, barred bass, sheephead
Disease None
Sed. on rocks Yes
Urchin status S. purpuratus(?), S. franciscanus

Bottom characteristics

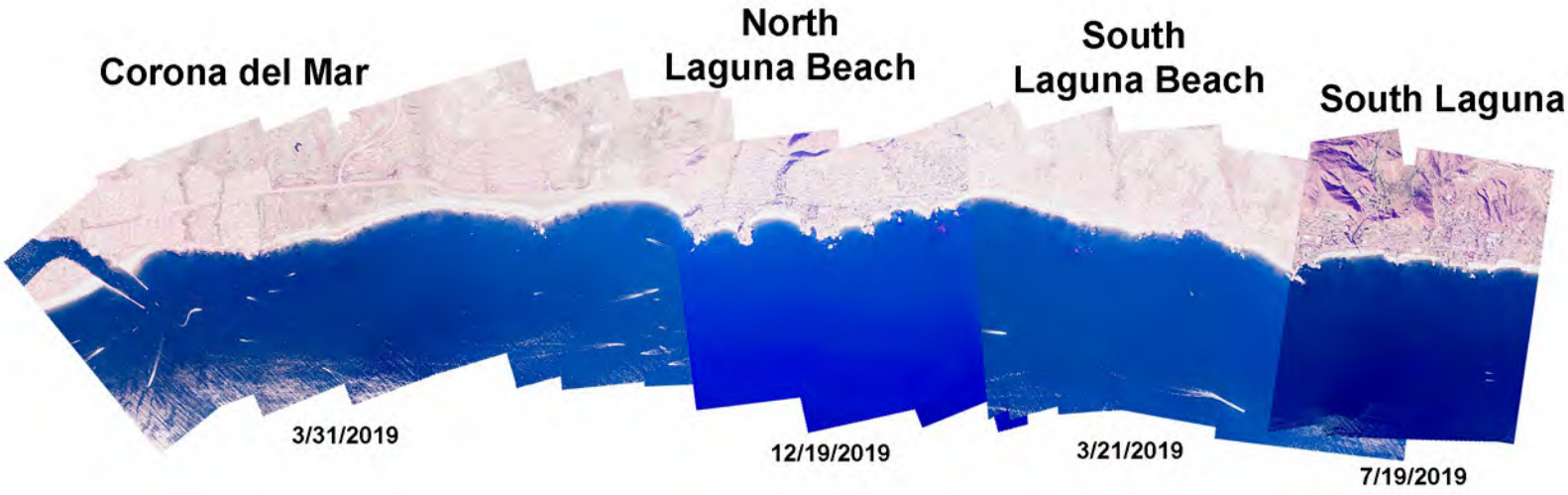
40% boulder
30% cobble
30% sand

REMARKS

A = 8
J = 0
R = 0

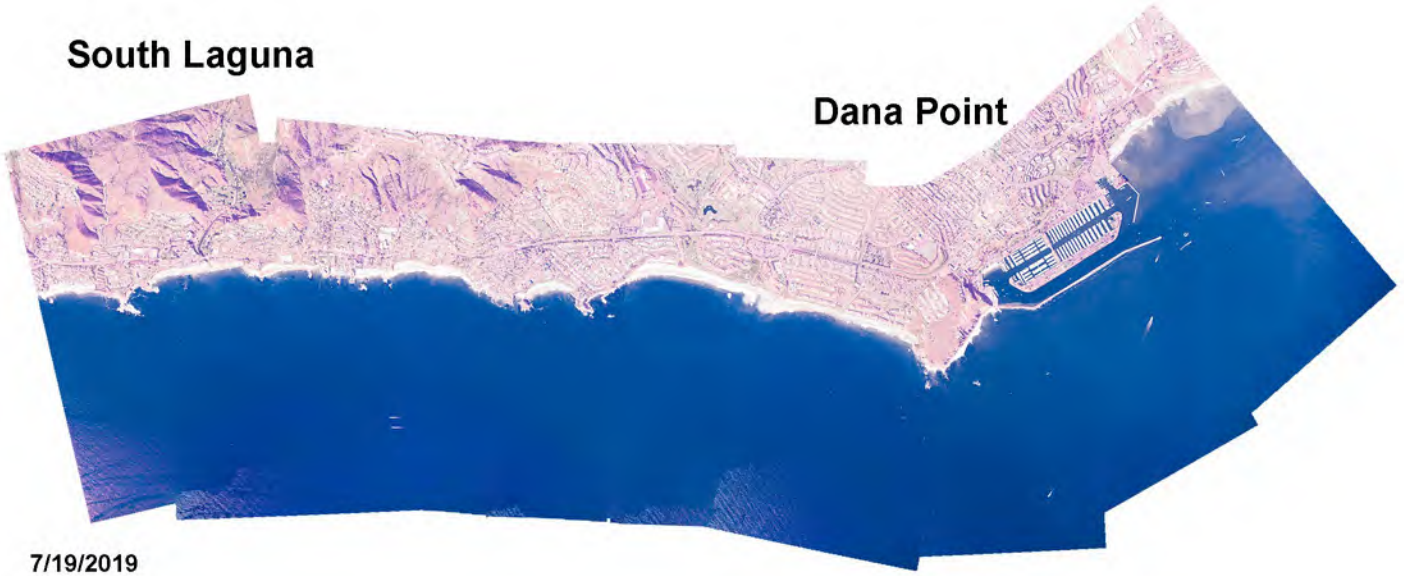
APPENDIX E

Kelp Canopy Aerial Photographs



mbc AQUATIC SCIENCES

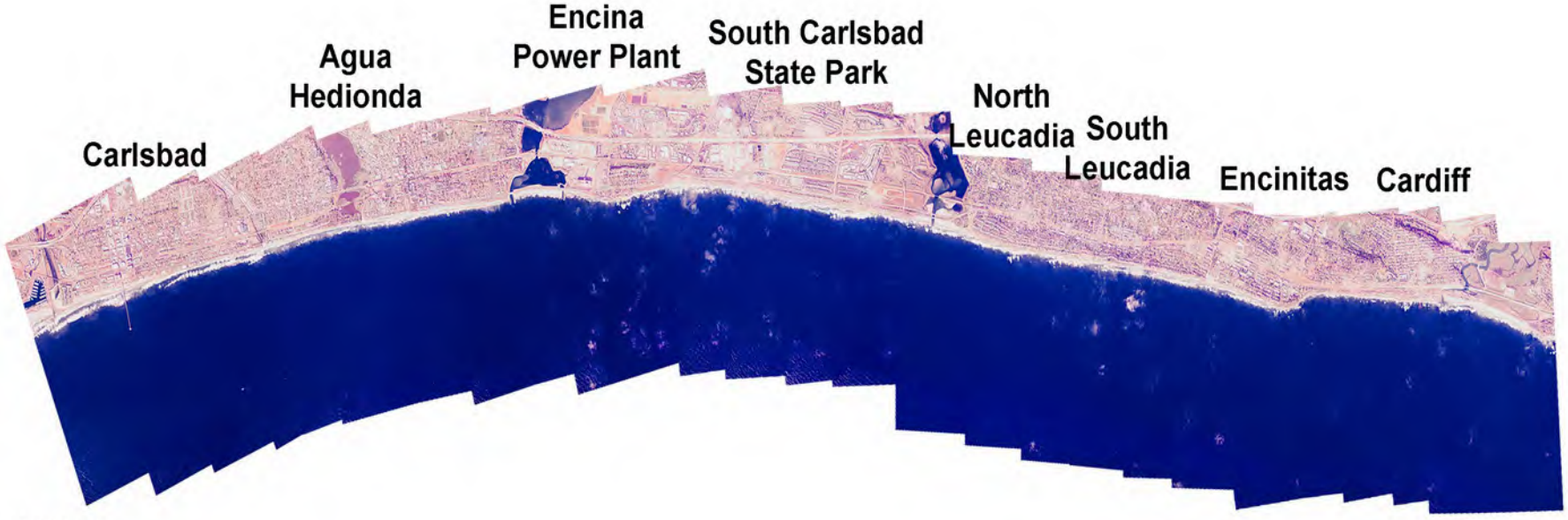
Appendix E.5



mbc AQUATIC SCIENCES

Appendix E.6

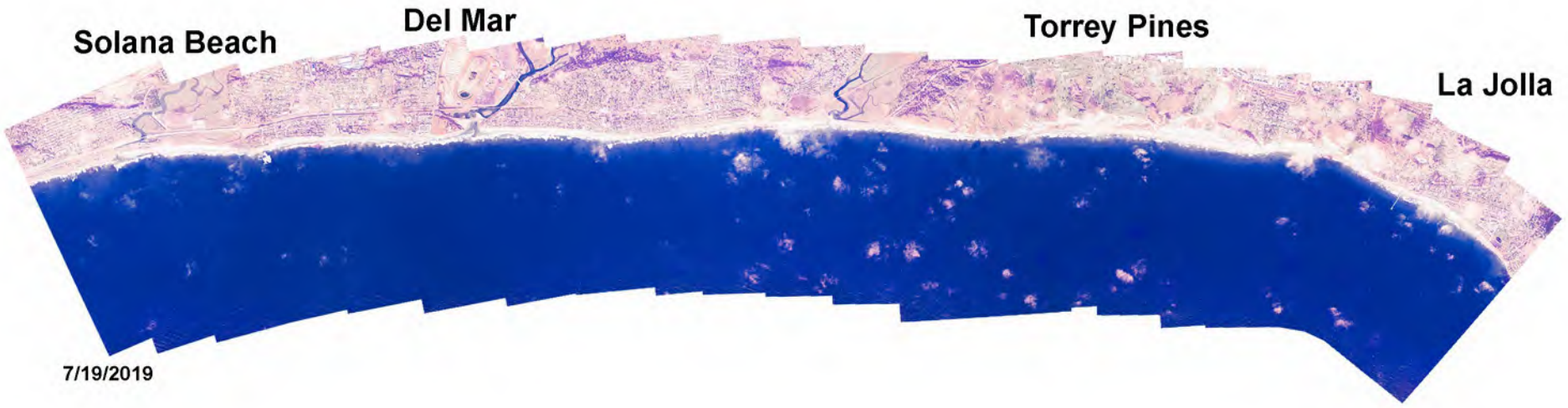
7/19/2019

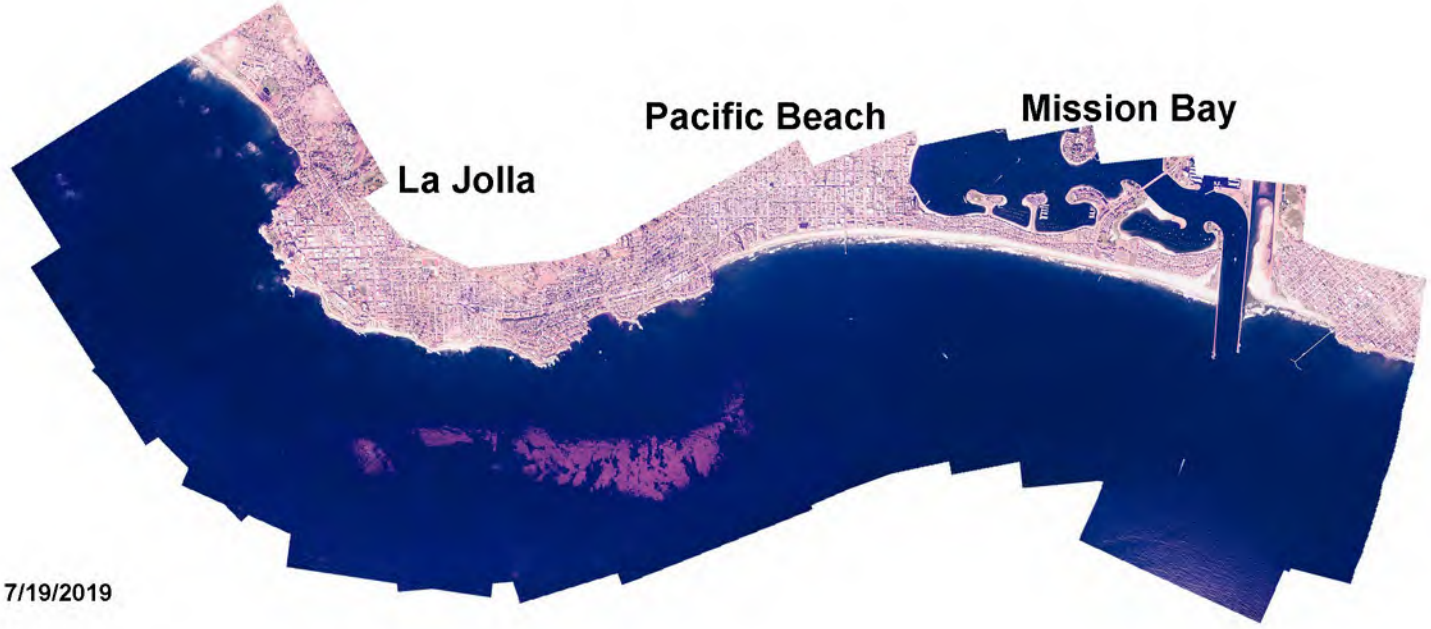


7/19/2019

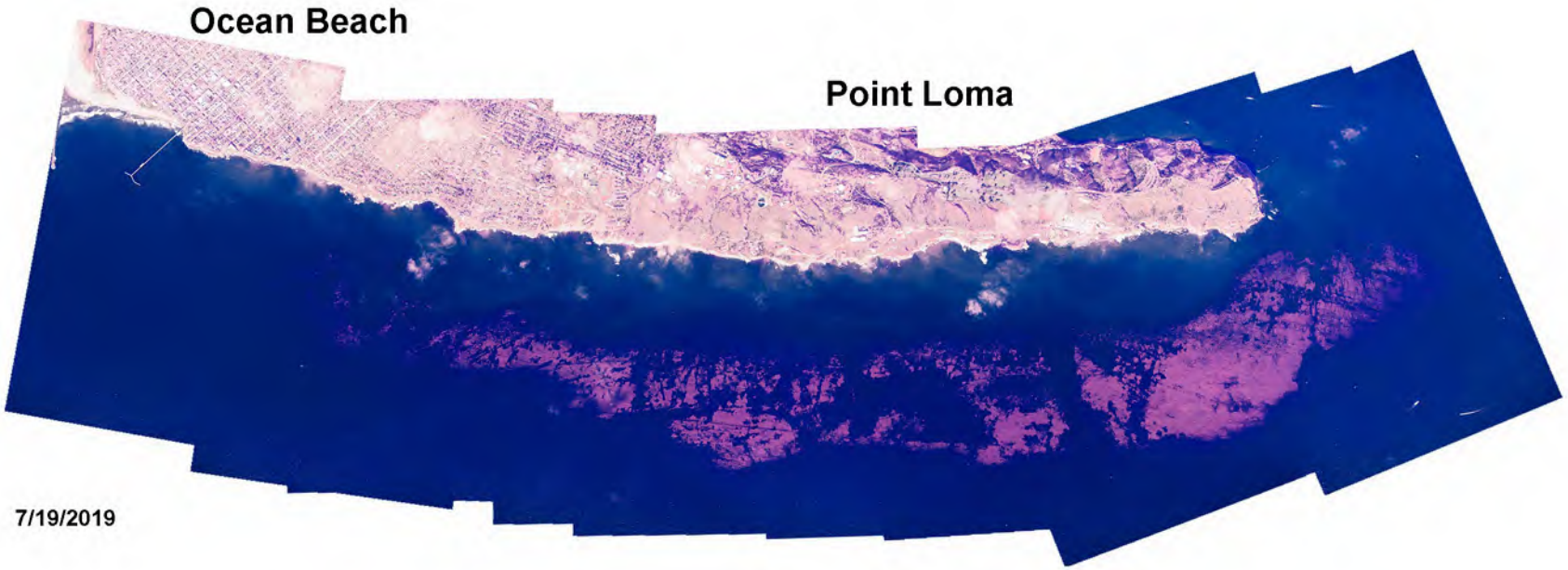
mbc AQUATIC SCIENCES

Appendix E.7





mbc AQUATIC SCIENCES



mbc AQUATIC SCIENCES

Appendix E.9

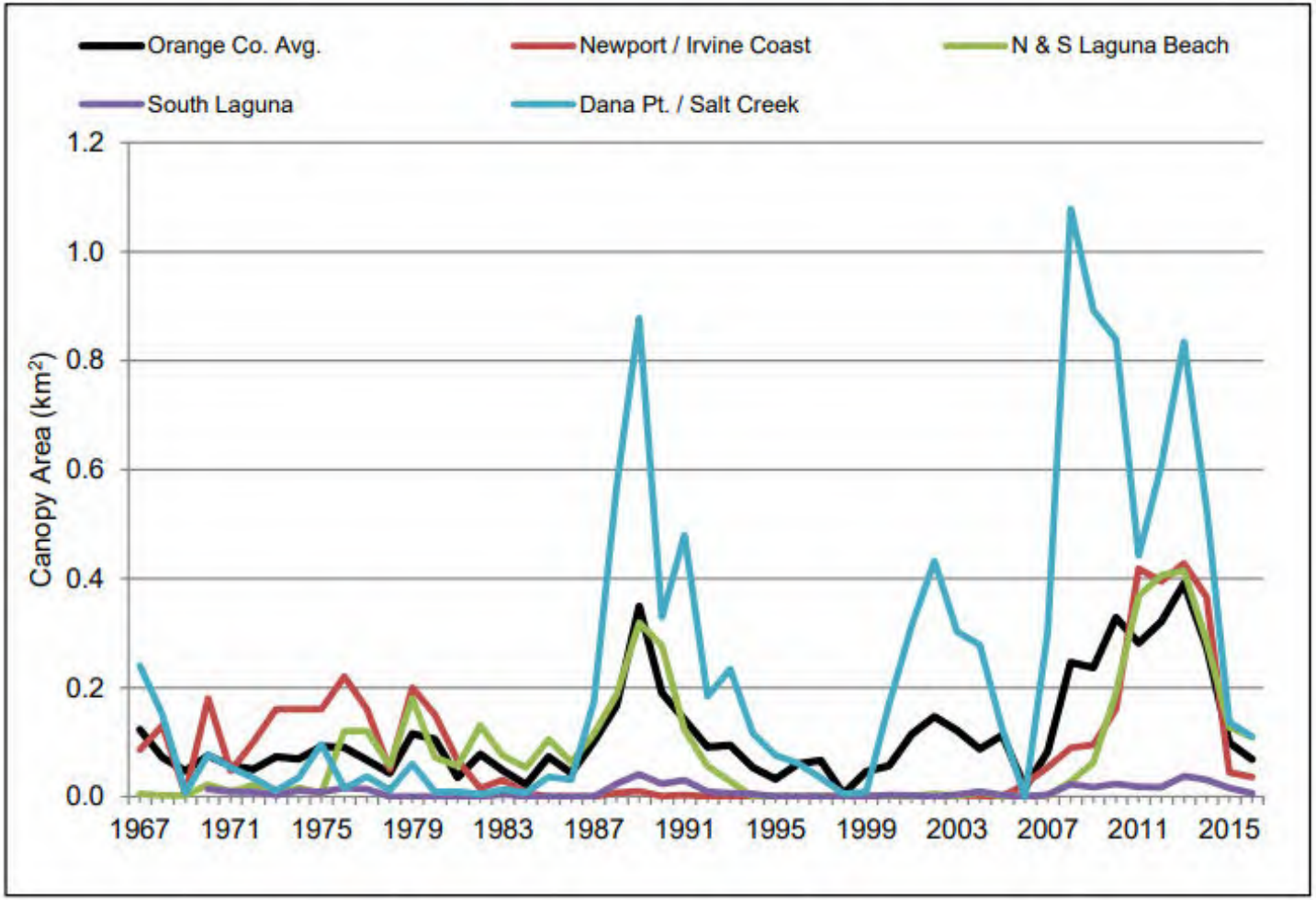


Figure 26. Comparisons between the average Orange County ABAPY and the canopy coverage of the kelp beds from Newport/Irvine Coast to Dana Point/Salt Creek from 1967 through 2016.

Tim Duong for DanaWharf.com

SOUTH LAGUNA CIVIC ASSOCIATION
P.O. BOX 9668
SOUTH LAGUNA, CA
92652-7639
southlaguna.org

August 29, 2023

Commissioners and Staff,

Since 2012, with the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of Marine Protected Areas as a statewide model of collaboration and appreciates the support of the Fish & Game Commission in that effort.

On the heels of annexation of South Laguna beaches coming under the purview of the City of Laguna Beach on March 1, 2023, we are requesting an expansion of the “No Take SMCA” provisions to extend throughout all Laguna Beach MPAs. In addition to alignment with Laguna Beach’s commitment to the national “30 x 30 Initiative Plan” to conserve 30% of America's land and waters by 2030, a citywide “No Take” provision will provide enforcement consistency and community equity while protecting South Laguna kelp reefs – key to carbon sequestration, rising sea temperatures and attenuating bluff erosion.

Multiple benefits will accompany extending the Laguna Beach No Take MPA from 7.2 to 7.9 miles: from Aliso Beach and Totuava Cove through Three Arch Bay (TAB) southwest to the Laguna Beach city limit, see attached map. TAB has exceptional nursery beds for marine life in its bays that are not protected under our current MPAs. For this reason, coupled with the decimating impacts of over-fishing in the unprotected SMCA along TAB during the past 10 years, the TAB Community Services District requested in May 2023 that California Fish and Wildlife Commission extend the No Take MPA through “the southernmost point of the city of Laguna Beach – Mussel Cove, also known as Three Arch Bay.”

The Laguna Bluebelt Coalition, Laguna Ocean Foundation through their education and outreach programs, the City of Laguna Beach’s Environmental Sustainability Committee, and the enthusiastic 100% support and collaboration of our City Council and Marine Safety Department have enabled us to be strong watchdogs and local stewards of our MPAs. Together, we have focused on habitat restoration, water-quality education, wildlife and resource protection, and networking.

Laguna Beach’s rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. No Take MPAs in Laguna Beach have created increased sea life populations, support an expanding variety of ecotourism recreational opportunities, and have proven to be essential to mitigating decades of over-fishing.

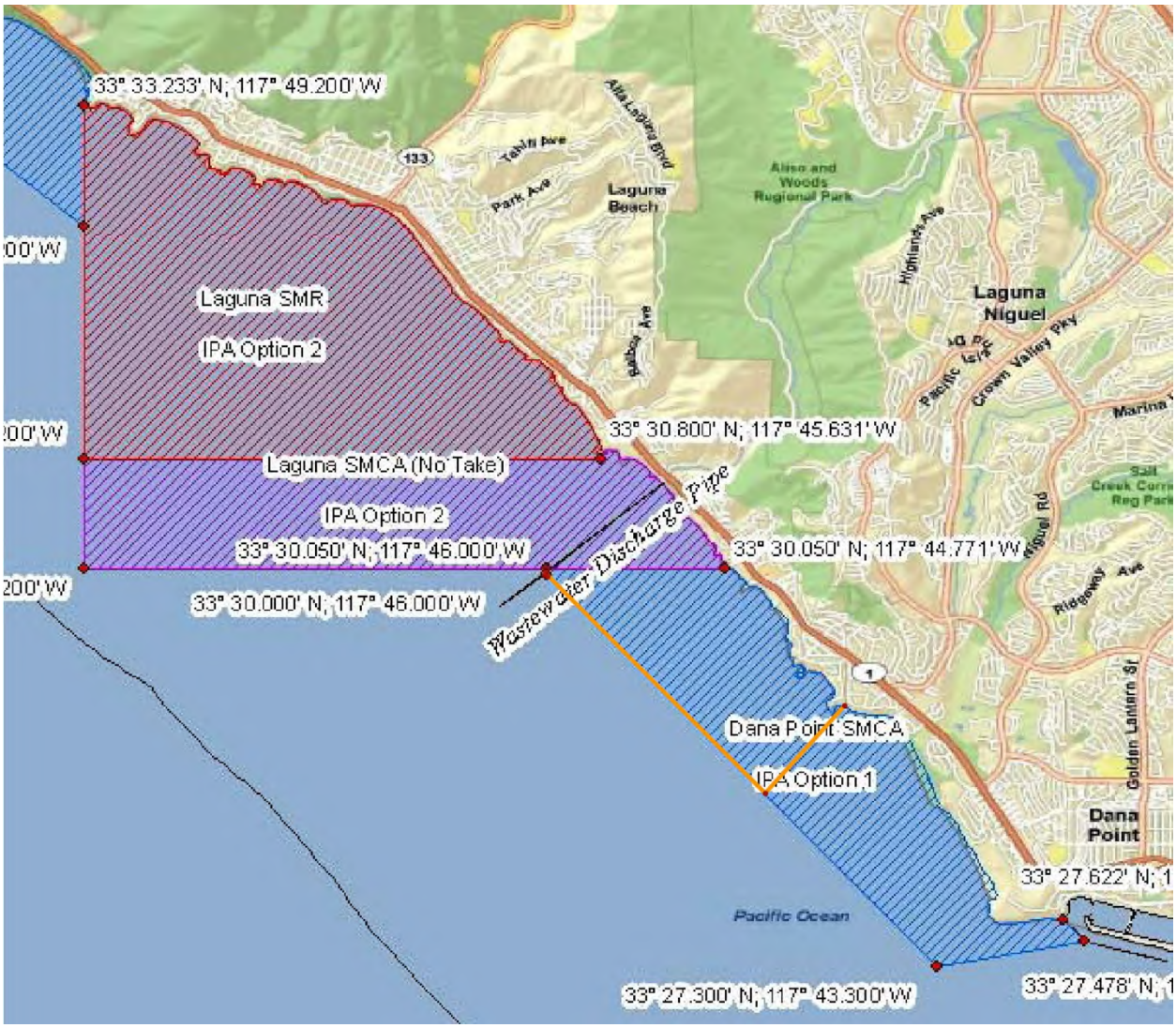
Citywide MPA consistency will further improve ocean water quality by reducing harmful greenhouse gas emissions from fishing boats traveling from Dana Point to Laguna Beach.

Climate change science recognizes the ocean as key to reversing negative anthropogenic climate impacts.

Thank you for your support of Laguna's Marine Protected Areas and for your consideration of an expansion of the network of No Take MPAs citywide which will increase protections to California's sea life populations and habitat value while benefitting us all.

Greg O'Loughlin, President
South Laguna Civic Association

Orange outline indicates the proposed No Take MPA extension to Laguna Beach's southern boundary.



P.O. Box 1383, Laguna Beach, CA 92652 • www.LagunaCanyonConservancy.org

November 22, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via email: fgc@fgc.ca.gov

RE: Support for Extending Laguna Beach's Southern MPA Boundary

Dear Commissioners,

The Board of Directors of the Laguna Canyon Conservancy (LCC) joins with our local environmental colleagues and organizations in support of extending the Marine Protected Areas at the southern end of Laguna Beach.

LCC believes a revision is vital to ensuring an increase in protection of California's sea life populations and ecosystems, as well as enforcing consistency of rules and regulations, along with community equity. It is also important to achieve the City of Laguna Beach's 30 x 30 contribution to protect 30% of the world's coastal marine areas by 2030.

As stewards of our wilderness, we hope the Commission will support the goals and requests of Laguna Beach's environmental groups to expand the network of No Take MPAs citywide and protect our coastal environment for present and future generations to come. Thank you in advance for making this critical step forward.

Laguna Canyon Conservancy is a non-profit, all-volunteer environmental organization founded in 1988 to Save and Protect Laguna Canyon. LCC members have been involved in expanding the South Coast Wilderness nature reserves of Orange County that now include over 22,000 acres of parks, open space, and marine preserves. For more information, please visit: www.LagunaCanyonConservancy.org

Sincerely,

Gayle Waite
President, Laguna Canyon Conservancy

Cc: City Council of Laguna Beach
Jeremy Frimond, Assistant City Manager

March 9, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

RE: Letter of Support for Citywide "No Take"
Marine Protected Areas (SMR and SMCA) in Laguna Beach, Orange County, California

Commissioners and Staff,

With the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of MPAs as a statewide model of collaboration, education and enforcement. To provide citywide enforcement consistency, the Laguna Bluebelt Coalition requests extending "no take" provisions to include all of Laguna Beach's State Marine Conservation Areas (SMCAs) to the southern City Limits.

Laguna Beach's rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. The City of Laguna Beach continues to benefit economically and ecologically from Marine Protected Areas with experienced Marine Protection Officers (MPOs), community vigilance, marine life education and comprehensive fishing restrictions.

The South Laguna SMCA is characterized by steep bluffs and compact coves to create a unique coastal ecology with tide pools, deep rocks and kelp forests. Wave action and backwash energy from bluffs surrounded by offshore kelp forests offers a local mixing zone for marine mammal and sealife foraging. Annual migrations of California Gray Whales often use South Laguna Coves as a rest stop for mothers and calves. Laguna Beach's other No Take MPAs have increased sea life populations and currently support a variety of ecotourism recreational opportunities.

While most of Laguna Beach restricts fishing, South Laguna is a designated State Marine Conservation Area allowing recreational and commercial fishing. Daily, concentrated fishing effort in the South Laguna SMCA has unfortunately contributed to over-fishing during the past ten years by recreational fishers and commercial passenger fishing vessels (CPFVs). Expansion of Laguna Beach's MPAs is essential to mitigate decades of regional over-fishing.

Expanding "No Take" provisions for all City MPAs will contribute to the City's commitment to the national "30 x 30 Initiative Plan" to conserve 30% of America's land and waters by 2030. The March 1, 2023 annexation of South Laguna beach areas by the City of Laguna Beach requires "No Take" provisions for the South Laguna SMCA to provide citywide enforcement consistency and community equity.

Climate change science recognizes the ocean as key to reversing negative anthropogenic climate impacts and the City of Laguna Beach is committed to a Climate Action Plan. Citywide MPA enforcement

consistency will improve ocean water quality by reducing harmful greenhouse gas emissions from commercial fishing boats traveling far from Dana Point to fish in South Laguna.

The City Council proudly supports the Marine Protected Areas and City policies encourage exapnding marine life refuges.

Thank you for your dedicated efforts to protect California's marine life and for considering our request to extend citywide "No Take" protection for all of Laguna Beach's MPAs.

Mike Beanan
Laguna Bluebelt Coalition

https://www.lagunabluebelt.com/

References:

https://www.lagunabeachcity.net/home/showpublisheddocument/8148/637406985535730000

City of Laguna Beach: Tide Pools and Marine Habitats

2A Encourage the expansion of the Marine Life Refuges and the designation of particularly unique or ecologically sensitive coastal areas as Ecological Reserves (such as seal and bird rocks), pursuant to the provisions of the State Department of Fish and Game.

ORANGE COUNTY COASTKEEPER®

3151 Airway Ave, Suite F-110
Costa Mesa, CA 92626
714-850-1965
www.coastkeeper.org

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Support for Laguna Bluebelt Coalition Petition to extend the no-take SMCA to the southern boundary of the City of Laguna Beach

Dear President Sklar and Commissioners,

OC Coastkeeper has the mission to protect swimmable, drinkable, fishable water and promote watershed resilience throughout our region. We have been actively working to support and implement Marine Protected Areas since the passage of the Marine Life Protection Act. We support the Laguna Bluebelt Coalition's petition regarding an extension of the Laguna Beach no-take SMCA boundary to the southern border of the city and urge you to approve this proposed boundary change.

Orange County beaches have some of the most beautiful beaches and coves found anywhere in the world. Visitation is high, and therefore the protection offered by the MPAs is vital. Most of the city is protected by the Laguna Beach State Marine Reserve (SMR) and the Laguna Beach no-take State Marine Conservation Area (SMCA). However, there is a stretch of coastline that lies within the city limits that does not receive the same level of protection. Commercial and recreational fishing is permitted in these waters and residents are alarmed by the amount of fishing and the number of lobster traps that they see regularly. This area of the coastline has not been sufficiently studied to get scientific data on the impact of fishing, but local residents that spend substantial time in the water have noted a decrease in fish in the unprotected area.

These coves support vital kelp forest habitat, which is on the decline across the state. The rocky substrate that supports the kelp as well as the fish and invertebrates that utilize the kelp are impacted by lobster traps and anchors. The kelp is still present, but now fails to reach the surface. We must protect this habitat while it still has the ability to come back.

Another concern in this area is the whale migration route. Whales frequently come in close to the shore through Laguna Beach on their migration to and from the calving and breeding grounds in Baja California. During Lobster season, the whales run into a virtual wall of lobster ropes and buoys, which pose a serious threat to entanglement.

Extension of the no take SMCA boundary south will assist enforcement of MPA regulations by making the entire City of Laguna Beach a no take zone. The City of Laguna Beach has recently taken over management of all of the beaches in the city. Until last summer, the County of Orange was in charge of managing all of the beaches south of Aliso Creek. Now that

beach management is consistent throughout the city, the MPA rules should be consistent as well. This will make it easier for the public to identify where they can and can't fish, and for enforcement officers to do their job.

To help MPA enforcement, protect whales, and preserve the remaining kelp beds, we urge the commission **to extend the no-take SMCA boundary to coincide with the southern boundary of the City of Laguna Beach.** We enthusiastically support California's MPA Network and believe the MPAs are working to preserve biodiversity. In the case of Laguna Beach, the MPA extension will enhance the protection of vital ecosystems and create a more consistent and cohesive enforcement policy.

Sincerely,

Associate Director of Policy and Projects

THREE ARCH BAY
COMMUNITY SERVICES DISTRICT
5 BAY DRIVE, LAGUNA BEACH, CALIFORNIA 92651-6780
(949) 499-4567 FAX: (949) 499-2352

May 1, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

RE: Letter of Support for Laguna Beach City-wide Marine Protected Areas including South Laguna, to the Southern Point of Mussel Cove, Orange County, California

Dear Commissioners,

Since 2012, with the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of Marine Protected Areas (MPAs) as a statewide model of collaboration, education and enforcement. To provide marine protection consistently throughout all of Laguna Beach, the Community Services District of Three Arch Bay supports an extension of marine protection via "no take" Marine Conservation Areas (SMCAs) to the point at the end of Mussel Cove, which is the southern border of Laguna Beach, in the community of Three Arch Bay (TAB).

Laguna Beach's rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. The City of Laguna Beach continues to benefit economically and ecologically from Marine Protected Areas.

Three Arch Bay (TAB), which includes Mussel Cove, in South Laguna's SMCA, is characterized by steep bluffs and compact coves that create a unique coastal ecology with tide pools, deep rocks and kelp forests. Wave action and backwash energy from bluffs surrounded by offshore kelp forests offers a local mixing zone for marine mammal and sea life foraging.

While most of Laguna Beach restricts fishing, the southern end of Laguna Beach was only designated a State Marine Conservation Area, which allows continued recreational and commercial fishing. Unfortunately, the over-fishing during the past ten years by commercial and recreational fishermen, including commercial passenger fishing vessels (CPFVs), has devastated the kelp beds, fish population, and sea life across South Laguna. Expansion of Laguna Beach's MPAs is essential to mitigate decades of regional over-fishing particularly in South Laguna.

Thus, we request that you initiate and vote to provide an extended "no take" Marine Protected Area (SMR and SMCA) Citywide, across Laguna Beach, including South Laguna, to the Southern Point of Mussel Cove, Orange County, California. This would extend the existing marine protections throughout Laguna Beach, including the southernmost point of the city of Laguna Beach – Mussel Cove, also known as Three Arch Bay.

As a community, we are active stewards of our waterways and marine resources, ensuring quality management of our natural resources, and would appreciate the state's support of our efforts by extending the MPA to the Southern end of Laguna Beach.

Thank you,

Gary Rubel
President
Three Arch Bay Community Services District

Cc: City of Laguna Beach
Board Members of the TAB CSD

California Department of Fish and Wildlife's Evaluation of 2023 Decadal Management Review Marine Protected Area Petition:

Expand Boundaries of Laguna Beach No-take State Marine Conservation Area (2023-24MPA_AM)

I. PETITION SUMMARY

CFGC Tracking Number	2023-24MPA_AM
Petition Contact/Affiliation	Mike Beanan, Laguna Bluebelt Coalition
Number of Proposed Actions	1
Affected MPAs	Laguna Beach No-Take and Dana Point State Marine Conservation Areas (SMCAs)
Petition Summary	Extend the Laguna Beach No-take SMCA southern boundary to the southern border of the City of Laguna Beach, which will require modification of the northern boundary of Dana Point SMCA (modified boundaries as amended).
Link to StoryMap page	2023-24MPA_AM

March 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the Marine Protected Area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-24MPA_AM1 Extend the Laguna Beach No-take SMCA southern boundary to the southern border of the City of Laguna Beach, which will require modification of the northern boundary of Dana Point SMCA (modified boundaries as amended).	The petitioner's stated intent for the proposed change is: Since the Marine Life Protection Act (MLPA) Initiative planning process, the City of Laguna Beach's assumed jurisdiction over the city's southern beaches from the County of Orange. This regulation change will make enforcement easier and more consistent, better protect kelp (*Macrocystis pyrifera*) beds in South Laguna from fishing and the potential effects of anchor chain drag, and reduce whale entanglement risks from spiny lobster (*Panulirus interruptus*) trap lines.	**Deny.** The proposed change to expand the Laguna Beach No-take SMCA and thereby reduce the size of the Dana Point SMCA, does not address an enforcement challenge, advance adaptive management recommendations from the Decadal Management Review (DMR), address a current or emerging MPA management challenge, or align with the original intent of these MPAs as established during the MLPA Initiative planning process. The proposed change is unlikely to benefit migrating whales or have a biologically meaningful impact on kelp at this location beyond what is already offered by the Dana Point SMCA. The proposal would change the boundary so that it no longer aligns with key Feasibility Guidelines, which would likely compromise enforceability. The proposed change would also unnecessarily restrict an existing important fishing ground that was deliberately contemplated during the MLPA Initiative planning process.

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes[1] (tribes) throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework.

Tribal Components Questions	Answer and Explanation
Was the petition submitted by a California Native American tribe, representative designated by a tribe or tribal organization, or have a tribal co-sponsor? If yes, a. Does the proposed change explicitly aim to advance tribal co-management, subsistence harvesting, stewardship, and/or provide a tribal benefit through recognizing the cultural significance of an area? b. Is the proposed regulatory change explicitly linked to a tribe or tribes? (i.e. tribal exemption, tribal take only MPA, or new MPA for co-management).	No, This petition was not submitted by a tribe or representative designated by a tribe or tribal organization, and it does not have a tribal co-sponsor.

[1] California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

IV. PETITION EVALUATION

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-24MPA_AM1

The petitioner proposes extending the southern boundary of the Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA to align with the city limits of Laguna Beach. In 2023, The County of Orange transferred the county jurisdiction of the beaches in the area of South Laguna Beach to the City of Laguna Beach. The primary aim of the proposed change is to address the petitioner's stated problem, "the southern area of Laguna Beach is inaccurately designated as within Dana Point SMCA leading to confusion about place names and take regulations." The petitioner also asserts the kelp beds off South Laguna Beach need protection from overharvesting and anchor chain drag and mentions concerns that lobster fishing activities in the northern portion of Dana Point SMCA pose a threat to the sensitive kelp forest habitat and interrupt gray whale (*Eschrichtius robustus*) migration. The petitioner states that extending the Laguna Beach No-take SMCA will make MPA enforcement easier, will protect kelp from anchor drag on the rocky substrate, and will limit gray whale interactions with commercial lobster trap lines in the area. Although the petitioner asserts the proposed actions align with one or more of the MLPA Goals/Master Plan objectives, CDFW's evaluation finds the proposal:

- Would not address an enforcement challenge,
- Would not measurably improve the performance of the Laguna Beach State Marine Reserve (SMR) and Laguna Beach No-Take SMCA MPA cluster beyond what these MPAs were designed to provide,
- Would conflict with the original intent of the Dana Point SMCA, which was to maintain intertidal protections while allowing for take of lobster, urchin, and finfish[2],
- Would eliminate nearly half of the fishing grounds within the boundaries of the Dana Point SMCA and effectively end all fishing opportunities within Laguna Beach city limits,
- Does not address a current or emerging MPA management challenge, and
- Would not advance management of the MPA Network.

CDFW's Marine Enforcement District (MED) confirmed that the perceived confusion regarding different MPA regulations for Laguna Beach No-take SMCA and Dana Point SMCA that fall within the city limits of Laguna Beach does not pose an enforcement challenge. CDFW enforcement data for 2024 shows fewer than 20 violations for both Laguna No-take SMCA and Dana Point SMCA compared to Bolsa Chica No-take SMCA with 80 violations, and they are not among south coast MPAs with the highest numbers of violations. These results suggest that most people using these MPAs are aware of and

[2] Any species of bony fish or cartilaginous fish (sharks, skates and rays).

understand the regulations. Changing the boundary 15 years after implementation without significant ecological benefits to the MPA Network (see below) would likely result in increased confusion and enforcement challenges, which would require significant investments in outreach and enforcement efforts.

The existing boundary aligns with a readily determinable line of latitude, and a prominent coastal outcrop of nearshore rocks, which serves as a clear marker for both off-shore and shore-based users. The proposed new boundary deviates from the CDFW Feasibility Guidelines (See Question 10 in Attachment 1) as the boundary would not fall on an even line of latitude and it is unclear if there is a clear visual marker for shore-based users. The petitioner states that the amended boundary would line up, "with a prominent bluff top outcropping at Three Arch Bay consistent with Laguna Beach city limits." However, the coordinates provided in the amendment are slightly beyond this point into the Dana Point city limits. Since implementation of California's MPA Network, targeted legislative and regulatory refinements have been identified to align MPAs with their original intent, clarify or correct provisions, or address priority management and enforcement issues. This includes two regulatory packages that specifically clarified and corrected MPA boundaries throughout the MPA Network following a Network-wide assessment to ensure maximum alignment with the Feasibility Guidelines, improve boundary clarity for shore-based and boat-based users, and ultimately boundary enforceability (Appendix G of the DMR). The current southern boundary at Laguna Beach No-take SMCA was intentionally set and refined through three prior regulatory processes; moving the boundary as proposed would result in increased confusion and enforcement challenges.

The boundary change could be reconsidered if there were significant ecological benefits to MPA Network. However, ending fishing activity alone (by extending the Laguna Beach No-take SMCA boundary) is unlikely to result in meaningful and sustained kelp recovery and/or protection without a clear understanding of the site-specific ecological drivers of kelp loss. While anchor drag and other artifacts of fishing efforts, such as setting lobster traps, may cause damage to the rocky reef that is suitable habitat for giant kelp, it is unclear if this activity is the primary contributor to kelp loss and/or hindering kelp recovery in the northern portion of the Dana Point SMCA. Temporal trends in persistent kelp canopy within the Dana Point SMCA show stable kelp canopy in areas where kelp is present from 2010-2016. Kelp persistence decreased in the years between 2017-2023 following the 2014-2016 Marine Heatwave, which had widespread effects on California's coastal ecosystems, both inside and outside MPAs (CDFW 2022, Smith et al. 2023, Zeigler et al. 2023, Ortiz-Villa et al. 2025)[3]. Given that persistence of kelp forests in the Dana Point SMCA was mostly stable prior to the heatwave, despite fishing activities continuing in the

[3] See California MPA Petitions SeaSketch platform for kelp persistence mapping: https://www.seasketch.org/california/app

area, there are likely multiple factors driving kelp presence and recovery potential in Dana Point SMCA. Statewide kelp restoration and management efforts should target site-specific drivers of kelp loss and be guided by the Kelp Restoration and Management Plan (KRMP), which is in development.

The proposed change is unlikely to reduce or prevent whale entanglements in this area. It is possible that lobster fishery interactions with gray whales may occur when the whales are migrating through the area. NOAA Fisheries' whale entanglement database[4] reports that gray whale entanglements along their migration route have occurred in California along the Southern California Bight, but exact locations of entanglements are difficult to obtain because the location reported refers to where the whale is first sighted, which may not directly correspond with the location of the initial entanglement. Extending the boundary of the Laguna Beach No-take SMCA into the northern portion of the Dana Point SMCA would likely shift lobster fishing effort further offshore outside of the MPAs, and/or shift fishing efforts south to the new boundary. In either case, this is still within the path of migrating whales. Thus, reducing whale entanglement risk in this area is not likely to occur with the proposed change.

The proposed change is unlikely to measurably improve the performance of the Laguna Beach SMR and Laguna Beach No-take SMCA MPA cluster beyond the benefits these MPAs currently provide. The Laguna Beach MPAs, which include Crystal Cove SMCA, Laguna Beach SMR and No-take SMCA, and Dana Point SMCA, were carefully designed to meet both ecosystem and human-use needs in Orange County. These MPAs were intended to act together to maintain and expand some of the historical protections that were in place before the passage of the MLPA, preserve the marine natural heritage and deep connection the surrounding communities have with the coastal resources in the area, and continue to provide recreational and commercial fishing opportunities (MLPA 2009a). The Laguna Beach SMR and No-take SMCA were designed as an MPA cluster to meet the MLPA Initiative Science Advisory Team (SAT) guidelines for size, spacing, and habitat replication and thus, meet specific goals to protect natural diversity and enhance ecosystem function. These goals remain relevant today. Consequently, expanding the boundary of the Laguna Beach No-take SMCA into a portion of the Dana Point SMCA is not anticipated to improve the design of these MPAs or the overall design of the MPA cluster.

Finally, the original intent of the Dana Point SMCA was to preserve recreational and commercial fishing opportunities for certain species while continuing the legacy protection of rocky intertidal habitat that was in place prior to the passage of the MLPA

[4] NOAA National whale Entanglement Reports 2017-2024: https://www.fisheries.noaa.gov/national/marine-life-distress/large-whale-entanglement-response#national-entanglement-reports

(MLPA 2009a). The Dana Point SMCA is within the most utilized fishing block by the commercial lobster fishery out of Dana Point Harbor (Fig. 1) and the MPA provides the only opportunity to recreationally fish within the city limits of Laguna Beach. A detailed analysis of the socioeconomic impacts of this proposed change is an information gap. However, based on landings and CDFW knowledge of commercial and recreational use of the area, impacts are anticipated to be significant. Thus, implementation of the proposed change is likely to result in significant fishery impacts, with limited ecological benefit beyond what the existing Network provides.

In summary, the proposed change is unlikely to improve enforcement and compliance with the MPA regulations, benefit migrating whales, or have a biologically meaningful impact on kelp at this location beyond what is already offered by the Dana Point SMCA, and it would unnecessarily restrict an important fishing ground that was also contemplated during the MLPA Initiative planning process.

RECOMMENDATION FOR 2023-24MPA_AM1

Given these considerations, and the information in the evaluation below, **CDFW recommends California Fish and Game Commission (CFGC) DENY Petition 2023-24MPA** that includes the proposal to extend the southern boundary of the Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA to align with the city limits of Laguna Beach.

EVALUATION QUESTIONS

2023-24MPA_1_AM1: Extend the Laguna Beach No-take SMCA southern boundary to the southern border of the City of Laguna Beach, which will require modification of the northern boundary of Dana Point SMCA (modified boundaries as amended).

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning Network that was designed to holistically address the MLPA Goals. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance

MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan objectives.

The petitioner asserts that expanding the southern boundary of Laguna Beach No-take SMCA into a portion of neighboring Dana Point SMCA is consistent with MLPA Goals 1, 2, 3, 4, and 5 related to enhancing natural diversity; sustaining marine life populations; providing recreational, educational, and research opportunities; protecting marine natural heritage; and ensuring adequate enforcement.

However, Laguna Beach No-take SMCA is part of a larger array of MPAs that includes (from north to south) Crystal Cove SMCA, Laguna Beach SMR, Laguna Beach No-take SMCA, and Dana Point SMCA. This array of MPAs was designed to meet multiple MLPA Goals (1-4) by maintaining and expanding some existing protections, preserving natural marine heritage, and allowing some recreational and commercial take in popular fishing areas. Together, the Laguna Beach SMR and Laguna Beach No-take SMCA were designed as an MPA cluster to protect marine resources while meeting as many of the MLPA Initiative SAT guidelines as possible. The SMR and No-take SMCA currently provide representation of a variety of rocky and sandy habitats, including diverse rocky intertidal and shallow kelp reefs, as was intended during the MLPA Initiative planning process. Expanding the fully protected area is not expected to improve the design of these MPAs or the MPA Network.

The MPAs surrounding Laguna Beach SMR and Laguna Beach No-take SMCA were also designed to improve recreational and educational opportunities through recreational fishing and tidepooling (Goal 3). Expanding the Laguna Beach No-take SMCA into the northern portion of the Dana Point SMCA would effectively end recreational take of lobster, urchin, and finfish by hook-and-line and spear and eliminate recreational fishing opportunities within the city limits of Laguna Beach. Furthermore, with ample opportunity for visitors to participate in well-established educational programs that exist in Crystal Cove SMCA/State Park and Dana Point SMCA, it is unlikely that expanding the No-take SMCA into Dana Point SMCA would improve these already robust educational opportunities.

The original intent of the array of MPAs adjacent to the City of Laguna Beach recognized the importance of marine cultural heritage and protecting the unique habitats (Goal 4) in the area. However, it is unclear how expanding the southern boundary of Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA would further recognize the importance of marine cultural heritage or better protect the unique intertidal habitat that the Dana Point SMCA was designed to protect. The boundary expansion would not afford the unique rocky intertidal habitat at this site more regulatory protection. While extending the No-take SMCA may provide some protection for single species that utilize the kelp forest habitat and are currently legal to take in the

Dana Point SMCA, such as lobster and urchin, there is no evidence that this harvest is negatively affecting kelp forest persistence at this site.

Finally, the petition asserts that expanding the southern boundary of the Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA would simplify enforcement by aligning with the southern city limits of Laguna Beach (Goal/objective 5) and alleviate perceived confusion due to different regulations within the city limits. However, temporal trends in MED enforcement data show few violations in the Laguna Beach SMR, No-take SMCA, and Dana Point SMCA, which suggests that most people using these MPAs are aware of, and abide by, the current regulations.

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

The proposed change would not significantly advance any of the adaptive management recommendations in the DMR.

The petitioner's primary justification for extending the southern boundary of Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA is that since these MPAs were implemented, enforcement jurisdiction in the southern beaches in the area was transferred from the County of Orange to the City of Laguna Beach. The petitioner asserts that the proposed regulation change will make MPA enforcement easier and more consistent. The petitioner asserts that this will increase effectiveness of outreach, education, and enforcement, which supports DMR Recommendation 15 regarding pursuing the most effective outreach and education tools to increase MPA awareness and compliance. However, a well-established tidepool docent program exists in Dana Point SMCA that provides extensive MPA education on these MPAs, including Laguna Beach No-take SMCA. The Orange County MPA Council, a chapter of the MPA Collaborative Network, is also extremely active in local outreach events, providing the public in Laguna Beach with detailed information about the MPA Management Program and local MPA regulations. Thus, it is unlikely that expanding the Laguna Beach No-take SMCA into Dana Point SMCA would improve these already robust educational efforts. Additionally, changing the boundary has potential to present education and enforcement challenges during any transition period to update outreach materials, particularly because these MPAs occur in a popular area for coastal visitation. CDFW recommends targeted coordination between local allied agencies and MED on MPA enforcement to address any outstanding and potential compliance challenges in lieu of a regulatory change to the MPA boundaries. See Question 2A of Attachment 1 for the DMR and adaptive management Recommendations.

QUESTION 2B: IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?

Since implementation of the MPA Network, the County of Orange ceded jurisdiction of the county-managed beaches within the city limits to the City of Laguna Beach, which could pose a shift in local enforcement efforts and capacity. However, CDFW recommends targeted coordination between local allied agencies and MED on MPA enforcement in lieu of a regulatory change to the MPA boundaries. Additionally, the petition states that the proposed change would benefit kelp and protect migrating whales from entanglement. However, the proposed change is unlikely to benefit migrating whales or have a biologically meaningful impact on kelp at this location beyond what is already offered by the Dana Point SMCA. Therefore, the proposed change does not address a current or emerging MPA management challenge in a way that would benefit the long-term adaptive management of the statewide MPA Network, without compromising the original intent of the affected MPAs and design of the Network.

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

No. CDFW does not anticipate that CFGC would need to make conforming changes to other regulations, permits, or leases in response to the proposed change to these MPA regulations.

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. State Lands Commission (SLC): Laguna Beach No-take SMCA would overlap with State SLC active lease number 5139 for a wastewater outfall pipeline and ballast rock. This lease expires in 2054. The regulations for both the Dana Point SMCA and Laguna Beach No-take SMCA allow maintenance of existing artificial structures. It is unclear whether the proposed change would have direct or indirect effects on SLC's regulatory or management activities, or the Santa Ana Regional Water Quality Control Board's regulatory activities for the wastewater outfall.

City of Laguna Beach: CDFW shares jurisdiction of Laguna Beach No-take SMCA and Dana Point SMCA with the City of Laguna Beach and implementation of the proposed changes would require CDFW to coordinate enforcement, updates to signage, and outreach efforts.

This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of Tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

No. CDFW has sufficient information to evaluate and make a recommendation on this proposal. When evaluating this petition, CDFW reviewed the information in the petition, as well as information including, but not limited to:

- MED citation and compliance data, which indicate no major enforcement challenges,
- Kelp persistence over time in the northern portion of Dana Point SMCA,
- Historical information on why the boundary between Laguna Beach No-take SMCA, and Dana Point SMCA was placed in the current location and the purpose of the array of MPAs and how they work together to meet MLPA Goals/Master Plan objectives,
- NOAA Fisheries whale entanglement data, and
- Internal consultation with subject matter experts on fisheries in the area and associated data.

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change, including the foundational principles of the MLPA and information guiding management of MPAs and relevant fisheries.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Yes. A similar proposal was considered and extensively vetted and discussed during the MLPA Initiative planning process. The South Coast Regional Stakeholder Group proposal 3 recommended that Laguna Beach SMR extend farther south than the proposed boundary change in this petition (MLPA 2009b). CDFW presented several options in the Initial Statement of Reasons document during the rulemaking, and CFGC chose to adopt Option 2R, which aligned the southern boundary of the No-take SMCA with the division between beaches under city and county jurisdiction at that time, as well as a prominent coastal outcrop of nearshore rocks (CFGC 2010).

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

No. Since implementation of the MPA Network, the Orange County Board of Supervisors voted to transfer ownership and management of South Laguna Beaches to the City of Laguna Beach in 2023, so the jurisdictional line no longer exists. However, extending the boundary southward would not address the petitioner's stated problem and thus, does not warrant reevaluation of the proposed change. The existing boundary still aligns with a prominent coastal outcrop of nearshore rocks, which serves as a clear marker for both off-shore and shore-based users and was intentionally referenced during the MLPA Initiative planning process.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

No. The proposed change to extend the southern boundary of the Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA does not align with the original intent of the MPA identified during the MLPA Initiative planning process. The Laguna Beach No-take SMCA was designed to serve as a habitat replicate (in a cluster with the Laguna SMR) for a variety of habitats, including kelp forests and sandy beaches.

The proposed extension of the No-take SMCA boundary to the south into the neighboring Dana Point SMCA would conflict with the original intent of that MPA, which was to maintain intertidal protections while allowing for take of lobster, urchin, and finfish. The proposed change would eliminate nearly half of the fishing grounds within the boundaries of the Dana Point SMCA and effectively end all fishing opportunities within Laguna Beach city limits.

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

The MLPA requires that the design of individual MPAs and the statewide Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The science guidelines developed by the Science Advisory Team and outlined in the Master Plan were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with these guidelines depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these

guidelines require that an MPA must be at least 9 square miles and meet one of the three highest LOPs (i.e., Very High, High, or Moderate-high) to contribute to ecological goals such as habitat replication and representation.

The MLPA requires that the design of individual MPAs and the statewide Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The science guidelines developed by the SAT and outlined in the Master Plan were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with these guidelines depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least nine square miles and meet one of the three highest LOPs (i.e., Very High, High, or Moderate-high) to contribute to ecological Goals such as habitat replication and representation.

Laguna Beach No-take SMCA, together with neighboring Laguna Beach SMR, currently meet both minimum criteria (Table 1). The proposed change would increase the area protected in Laguna Beach No-take SMCA for kelp, beach, rocky intertidal, and hard and soft bottom (0-30 and 30-100 m depth) habitats, which may improve the design of this MPA. However, this would not necessarily enhance the functioning of the MPA Network beyond that of the current design because the additional protected area would not contribute to additional habitat replication or representation at the Network scale. Therefore, implementation of the proposed change would not improve the design of the MPA Network or enhance alignment with MLPA Science Guidelines. See Question 9 of Attachment 1 for the MLPA Science Guidelines and additional context.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

No. The petition aims to align the southern boundary of Laguna Beach No-take SMCA with the city limits of Laguna Beach. However, this does not fall on an even line of latitude. The amended coordinates provided by the petitioner overlap with the northern edge of the Dana Point city limits which could increase regulatory and enforcement complexity for this MPA across different city jurisdictions. The existing boundary aligns with a readily determinable line of latitude, and a prominent coastal outcrop of nearshore rocks, which serves as a clear marker for both off-shore and shore-based users and was intentionally referenced during the MLPA Initiative planning process. Furthermore, the southern boundary of Laguna Beach No-take SMCA was not identified as needing correction during the past adaptive management regulation packages that refined many of the MPA boundaries based on a Network-wide assessment of enforcement challenges. See Question 10a of Attachment 1 for the CDFW Feasibility Guidelines.

QUESTION 10B: IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES?

No. There is no rationale for moving forward with the proposed change or an alternative.

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

No. The petitioner asserts that expanding the southern boundary of the Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA to align with the southern city limits of Laguna Beach would simplify enforcement in the area and alleviate perceived confusion due to different existing regulations within the city limits. However, the amended coordinates provided by the petitioner overlap with the northern edge of the Dana Point city limits which could increase regulatory and enforcement complexity for this MPA across different city jurisdictions. Furthermore, based on MED enforcement data, temporal trends in MPA violations show few violations in the Laguna Beach SMR, Laguna Beach No-take SMCA, and Dana Point SMCA, suggesting that most people using these MPAs are aware of, and comply with, the existing MPA regulations.

While No-take regulations are generally easier to enforce and for the public to understand, expanding the No-take regulations into an existing MPA and split across city jurisdictions where some consumptive uses are allowed has potential to introduce enforcement challenges where none currently exist.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

No. The proposed change does not simplify regulatory language or enhance public understanding, and it would change the intent of the MPA. Although the petitioner's intent for the extension of the Laguna Beach No-take SMCA into the northern portion of the Dana Point SMCA is to enhance public understanding, it has potential to introduce public confusion in an area where most people using these MPAs are aware of, and comply with, the existing MPA regulations (see response to Question 11 regarding enforceability).

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. The proposed change to expand the southern boundary of Laguna Beach No-take SMCA into the northern portion of Dana Point SMCA would increase the area protected within a portion of the existing Dana Point SMCA (Table 1) and hence, offer increased

protection to the habitats contained within and to the species for which take is currently allowed, including lobster, sea urchin, finfish, and coastal pelagic species (CPS)[5].

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. Extending the southern boundary of Laguna No-take SMCA into the northern portion of Dana Point SMCA would end the existing take allowances, including recreational take of finfish by hook-and-line or spearfishing, lobster, and urchin, and the commercial take of spiny lobster, urchin, and CPS, in a portion of the SMCA where these activities are currently allowed. It would also end any consumptive uses within the city limits of Laguna Beach.

The Dana Point SMCA, including the northern portion that is proposed to be closed to fishing, is a very popular location for recreational shore fishing and is the only area open to fishing within the city limits of Laguna Beach. In addition to impacts to shore anglers, CDFW anticipates impacts to the commercial lobster fishery, the commercial sea urchin fishery, and the recreational commercial passenger fishing vessel (CPFV) fleet. The proposed closed area overlaps with CDFW commercial fishing block 757. Commercial landings data summaries indicate block 757 is highly valuable to the commercial lobster fleet (Fig. 1).

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response. The proposed change would reduce fishing access, particularly for the fishing participants associated with the coastal fishing community of Dana Point (~7 nautical miles away from area of proposed change). Dana

[5] Northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), and market squid (*Doryteuthis opalescens*).

Point Harbor fishing community is principally dependent on commercial trap fishing and commercial passenger fishing vessel (CPFV) operations (https://fishingcommunities.net/dana-point/fishing-profile/). Available fishing grounds for CPFVs and commercial lobster are constrained in this area due to the Laguna Beach SMR/No-take SMCA complex; the petition would further reduce available fishing grounds for CPFVs and the commercial lobster trap fleet homeported to the Dana Point Harbor fishing community.

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

No. The proposed change does not interact with, or have the potential to affect, proposed changes in other 2023 petitions.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

Table 1. MPA attributes (area, LOP, depth range, and habitat extent) of the existing and proposed Laguna Beach No-take SMCA, including the percent change associated with the proposed action(s) in petition 2023-24MPA. Percent change is calculated by dividing the difference between proposed and existing values by the existing value and multiplying by 100. Percent change is reported as N/A when the calculation is not possible, such as when the existing MPA does not contain the habitat type or when existing and proposed values are reported in different units. A dash (—) indicates that the MPA does not contain the habitat type. Habitat extent may be reported in linear miles or square miles, depending on data availability and SAT guidance.

Values shown in **bold** in the cluster columns indicate that the MPA attribute meets the relevant science guideline established by the SAT during the MLPA Initiative planning process. An MPA contributes to habitat replication only if it first meets the minimum size (>nine sq mi) and LOP (Very High, High, or Moderate-High) criteria (i.e., first two rows must be bold). Laguna Beach No-take SMCA meets those requirements when clustered with the adjacent Laguna Beach SMR.

	SMR Existing	No-Take SMCA existing	Cluster Existing	No-Take SMCA Proposed	Cluster Proposed	No-Take SMCA Change (%)
MPA Area (sq mi)	6.72	3.09	**9.81**	4.47	**11.19**	45
Level of Protection	Very High	Very High	**Very High**	Very High	**Very High**	—
Min Depth (m)	0	0	0	0	0	—
Max Depth (m)	457.9	523.3	523.3	523.3	523.3	—
Eelgrass (sq mi)	—	—	—	—	—	
Kelp (mi)	1.96	—	**1.96**	0.36	**2.32**	N/A
Beach (mi)	3.48	0.67	**4.15**	1.85	**5.33**	176
Rocky Intertidal (mi)	2.48	0.38	**2.86**	1.60	**4.08**	321
Estuaries (sq mi)	<0.001	<0.001	<0.001	<0.001	<0.001	0
Hard Substrate						
0-30 m (mi)	0.31	0.04	0.35	0.07	0.38	75
30-100 m (sq mi)	1e-3	7e-3	8e-3	8e-3	9e-3	14
100-200 m (sq mi)	—	—	—	—	—	0
>200 m (sq mi)	—	—	—	—	—	0
Soft Substrate						
0-30 m (mi)	4.21	1.02	**5.23**	2.34	**6.55**	129
30-100 m (sq mi)	2.88	0.94	**3.82**	1.54	**4.42**	64
100-200 m (sq mi)	1.13	0.57	**1.70**	0.57	**1.70**	0
>200 m (sq mi)	0.57	1.04	**1.61**	1.04	**1.61**	0

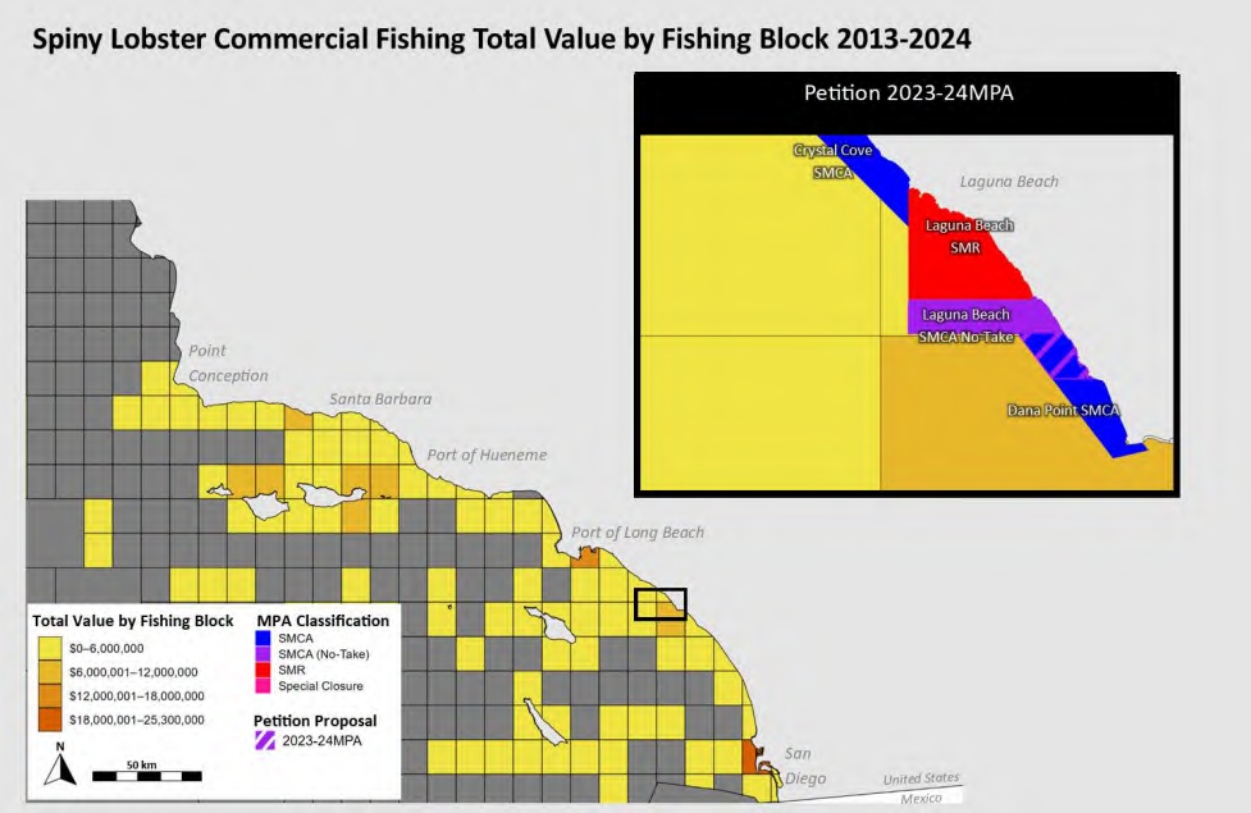


Figure 1. Total value (in millions $US) of commercially caught California spiny lobster (*Panulirus interruptus*) from 2013 to 2024 by California Department of Fish and Wildlife fishing block for the South Coast Bioregion with reference to petition 2023-24MPA. Actual value provided within fishing blocks that overlap with proposed boundary expansion of Laguna Beach No-Take SMCA.

CITATIONS

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regulations) of Revised SCRSG MPA Proposals 1, 2 and 3, and Proposal 0 (Existing MPAs). Sub-region 4: Newport Beach to Agua Hediondo.

Ortiz-Villa, E.M., A. Rassweiler, J.E. Caselle, K.C. Cavanaugh, N. Arafeh-Dalmau, T.W. Bell, K.C. Cavanaugh. 2025. Marine protected areas enhance climate resilience to severe marine heatwaves for kelp forests. Journal of Applied Ecology 62(9): 2439-2453.

Smith, J.G., C.M. Free, C. Lopazanski, J. Brun, C.R. Anderson, M.H. Carr, J. Claudet, J.E. Dugan, J.G. Eurich, T.B. Francis, S.L. Hamilton, P.T. Raimondi, R.M. Starr, S.L. Ziegler, K.J. Nickols, J.E. Caselle. 2023. A marine protected area network does not confer community structure resilience to a marine heatwave across coastal ecosystems. Global Change Biology 29(19): 5634-5651.

Zeigler, S.L., J.M. Johnson, R.O. Brooks, E.M. Johnston, J.L. Mohay, B.I. Ruttenberg, R.M. Starr, G.T. Waltz, D.E. Wendt, S.L. Hamilton. Marine protected areas, marine heatwaves, and the resilience of nearshore fish communities.

Laguna Beach Petition 2023-24

Fish and Game Commission
South Coast Bioregional meeting
May 19, 2026

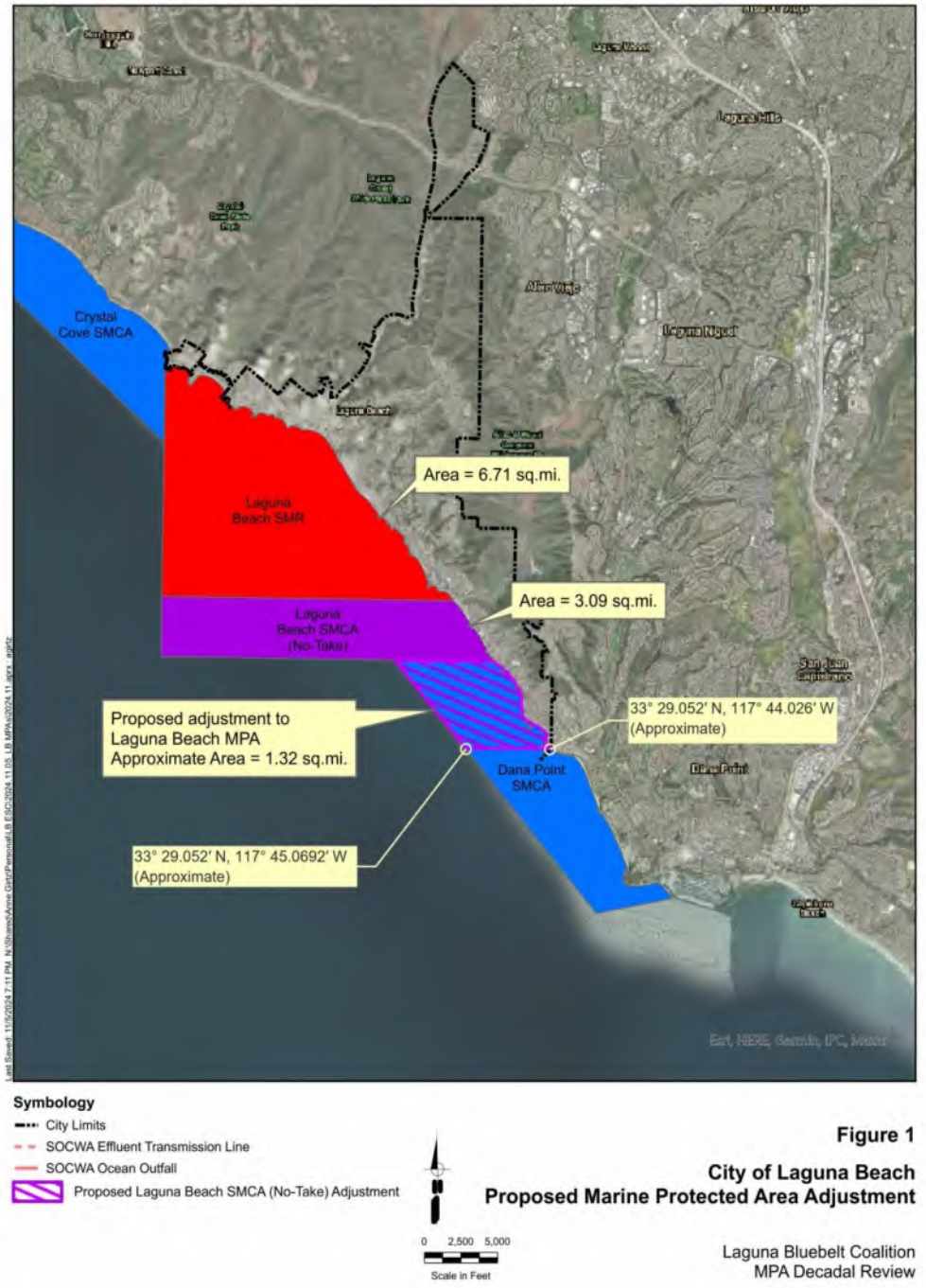
MPA Petition

Petition submitted by Laguna Bluebelt Coalition proposing a revision to the Laguna Beach SMCA to the City's southern boundary (F&G Petition 2023-24-AM)

Letters of support sent to F&G from:

- South Laguna Civic Association
- Laguna Ocean Foundation
- Laguna Canyon Conservancy
- Orange County Coastkeeper
- Social Compassion in Legislation
- Project O
- Acjachemen Tribal Nation
- Village Laguna

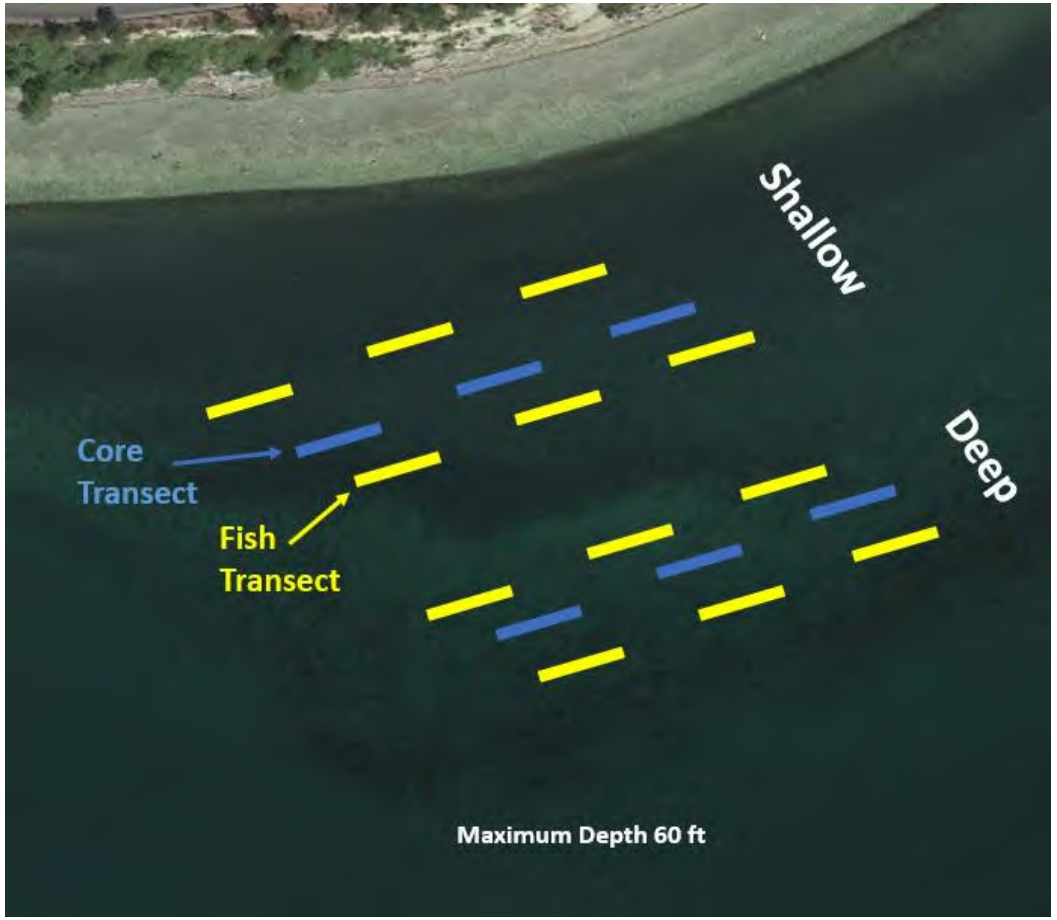
Over 5,986 verified signatures at Change.org in support of the Bluebelt Petition for citywide protection



Laguna Beach Coastal Kelp Forest Surveys

Jaclyn Mann
Southern CA Regional Manager
Reef Check Foundation

Reef Check Kelp Forest Monitoring Protocols: Site Layout



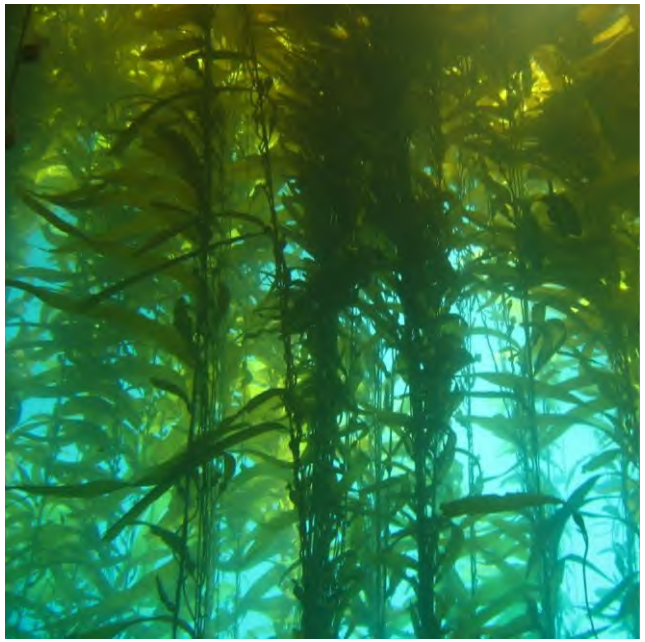
- 18 benthic transects
  - 6 core transects
    - Fish
    - Invertebrates
    - Algae
    - UPC (substrate)
  - 12 fish-only transects

- Sites are surveyed annually

Reef Check Kelp Forest Monitoring Protocols: Indicator Species

Fish
35 Species

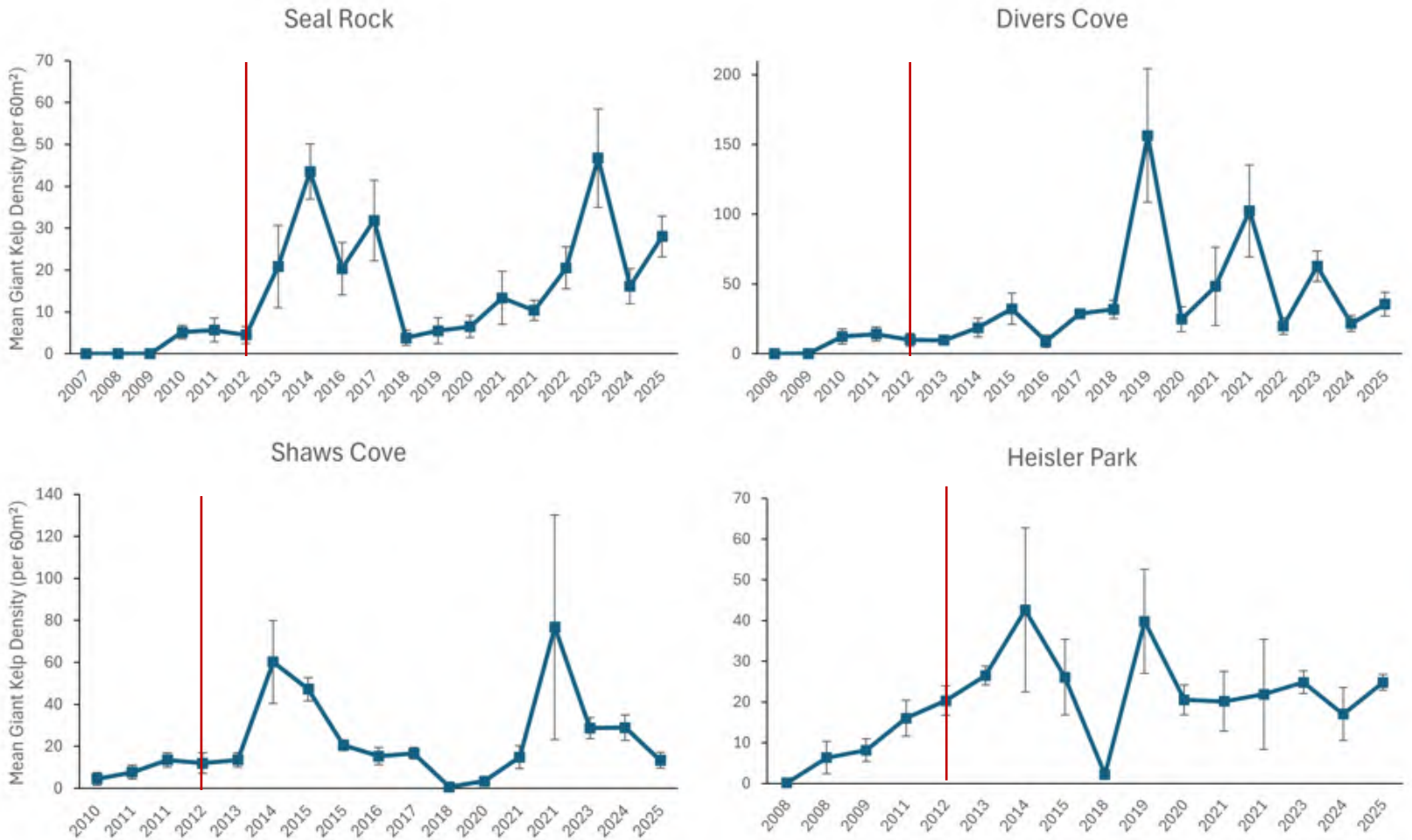
Invertebrates
35 Species



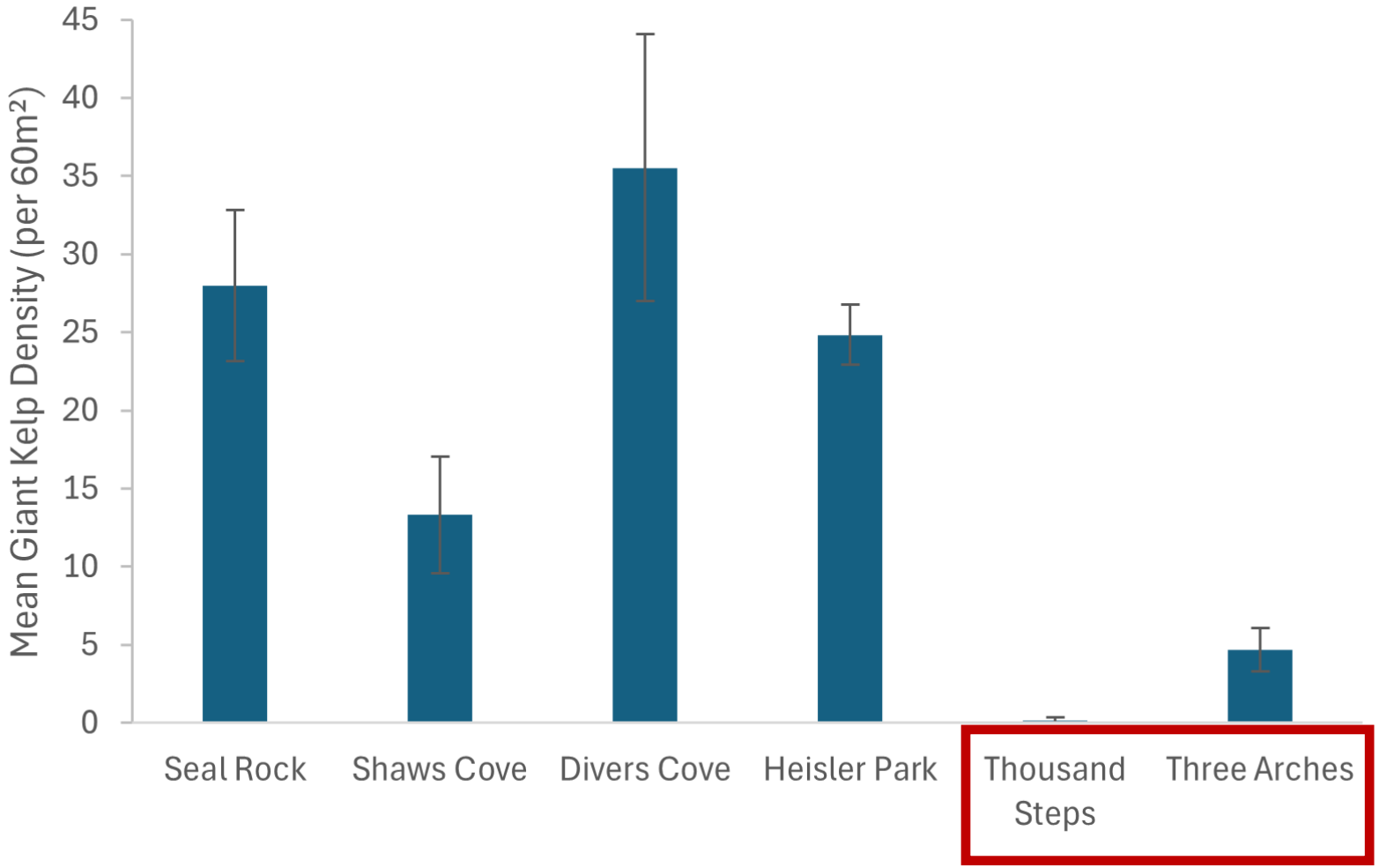
Algae
13 Species

UPC

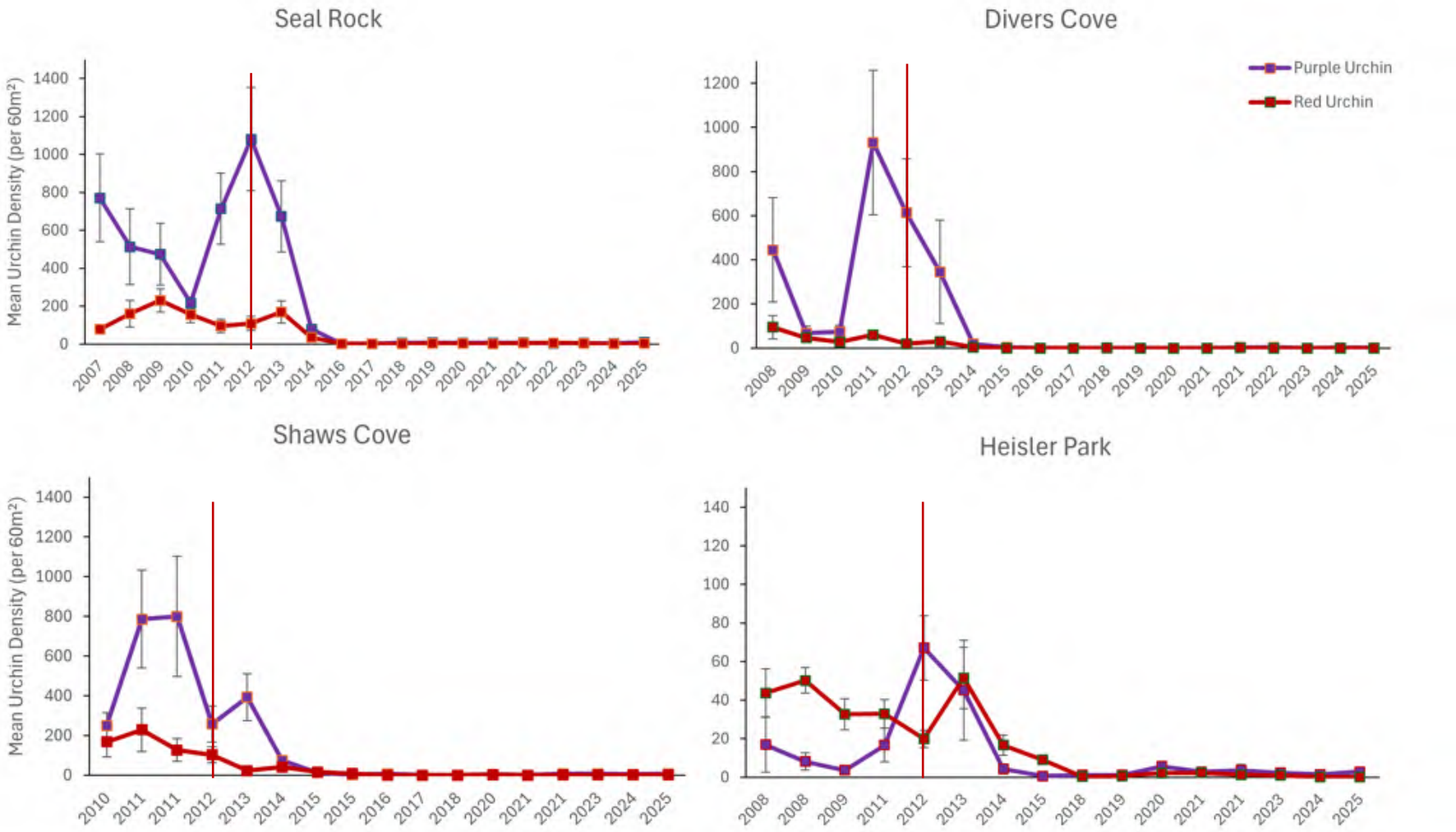
Giant Kelp Trends Inside Laguna Beach SMR



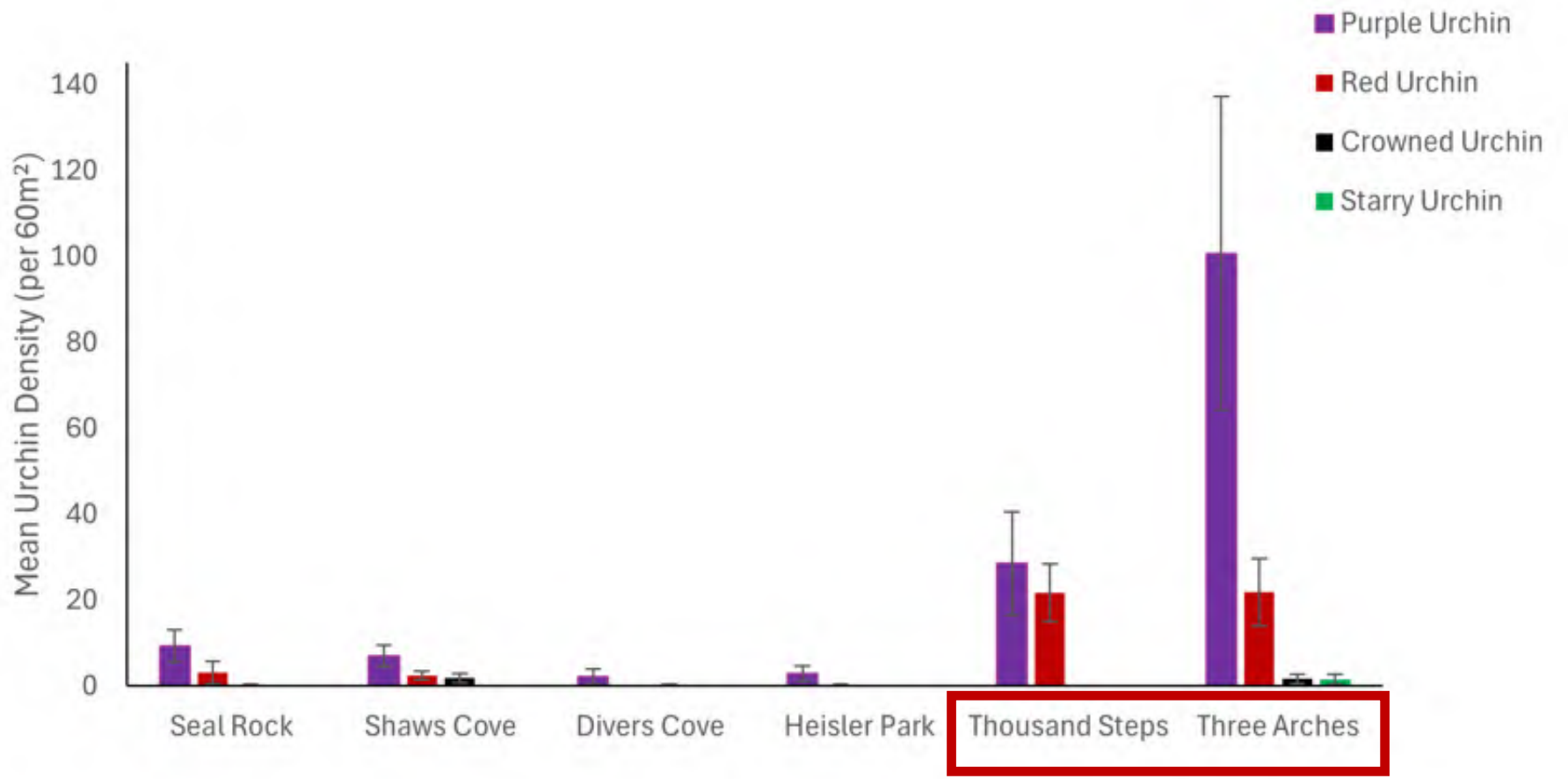
Current Giant Kelp Densities Inside and Outside the Laguna Beach SMR



Sea Urchin Trends Inside Laguna Beach SMR



Current Sea Urchin Densities Inside and Outside the Laguna Beach SMR



Conclusions

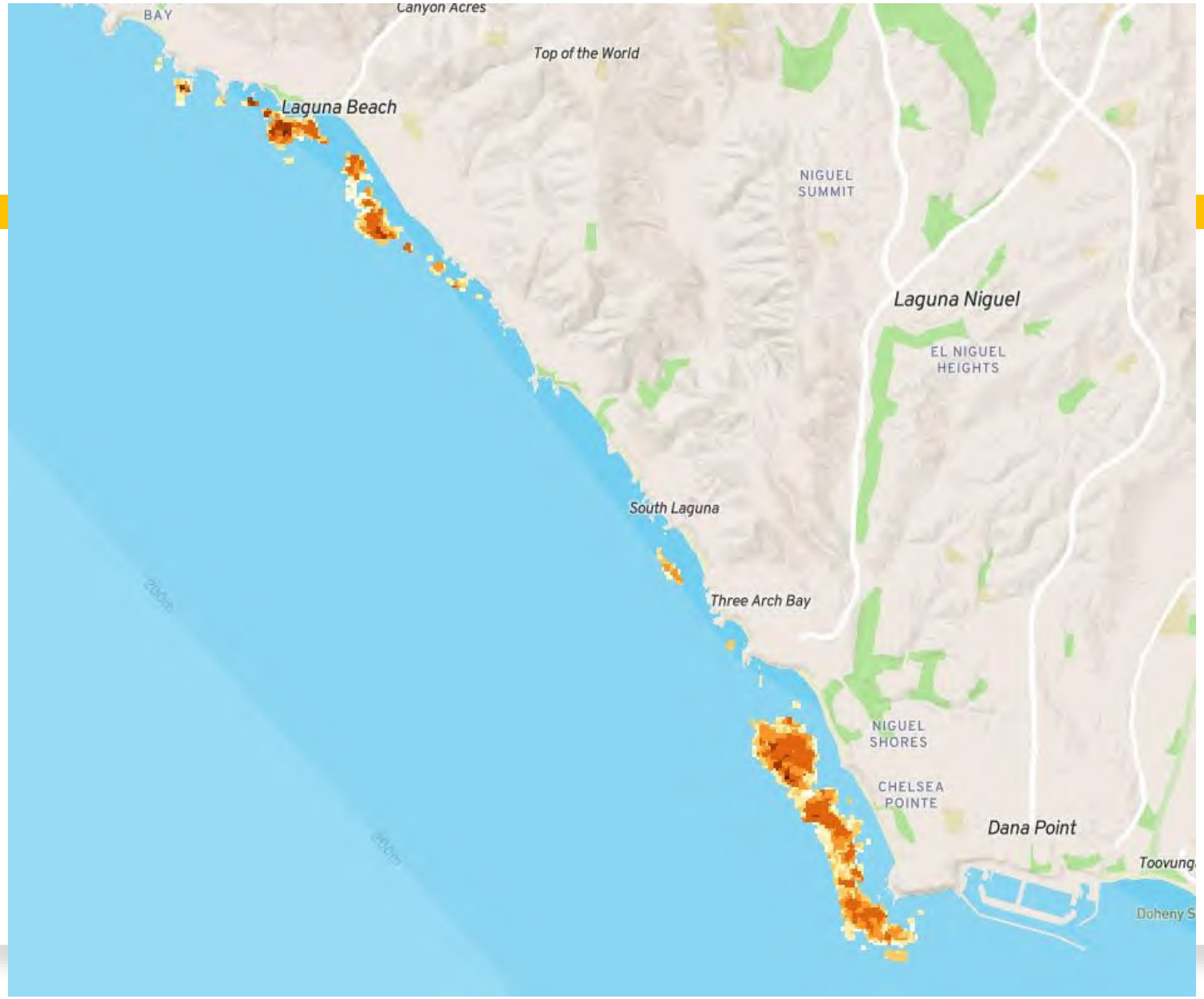
- Since the establishment of the Laguna Beach SMR and SMCA, protected reefs have shown a slight positive trend in giant kelp densities and a decline in sea urchin populations

- Kelp forests inside the Laguna Beach SMR have higher giant kelp densities and smaller sea urchin densities than the reefs in the proposed expansion area

Key Considerations

- **New Survey Data**
- **Kelp Analysis**
- **Enforcement**
- **Economic Analysis**
- **Boundary/Regulatory**

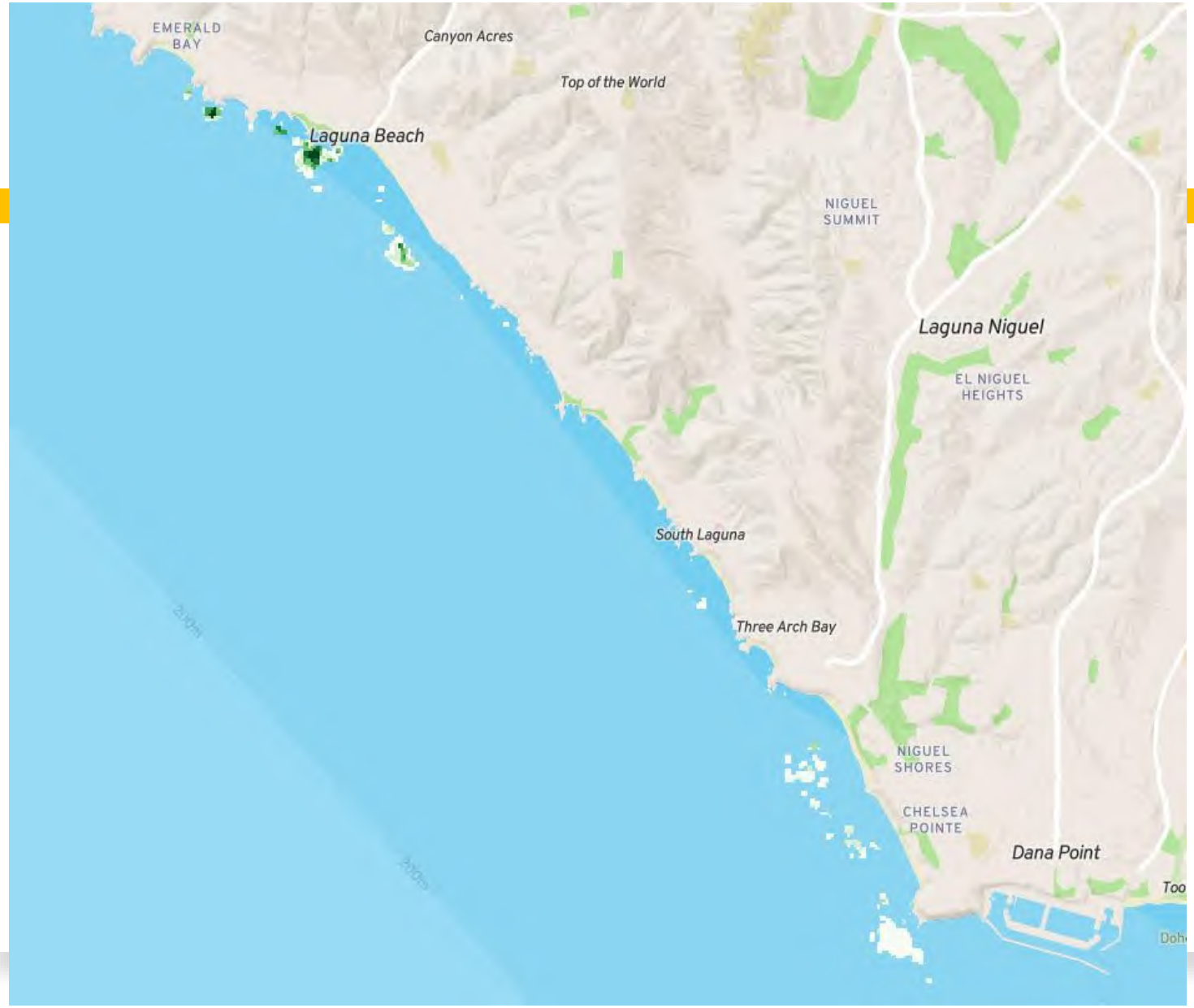
Kelp Analysis/Pre Heatwave



- Sea Sketch map using Kelp Persistence –Area Landsat 2010-2016

- The DFW analysis only looked at reefs in the Dana Point SMCA, The comparison should have included the Laguna Beach no take area.

Kelp Analysis/Post Heatwave



- Sea Sketch map using Kelp Persistence – Area Landsat 2017-2023

- Although initial kelp loss can be attributed to the 2014-2016 marine heatwave, we can also observe that areas within the MPA have seen better recovery and exhibit higher kelp persistence than those within the Dana Point SMCA. If no other site specific drivers exist other than fishing, then what is driving the disproportionate kelp recovery across these areas?

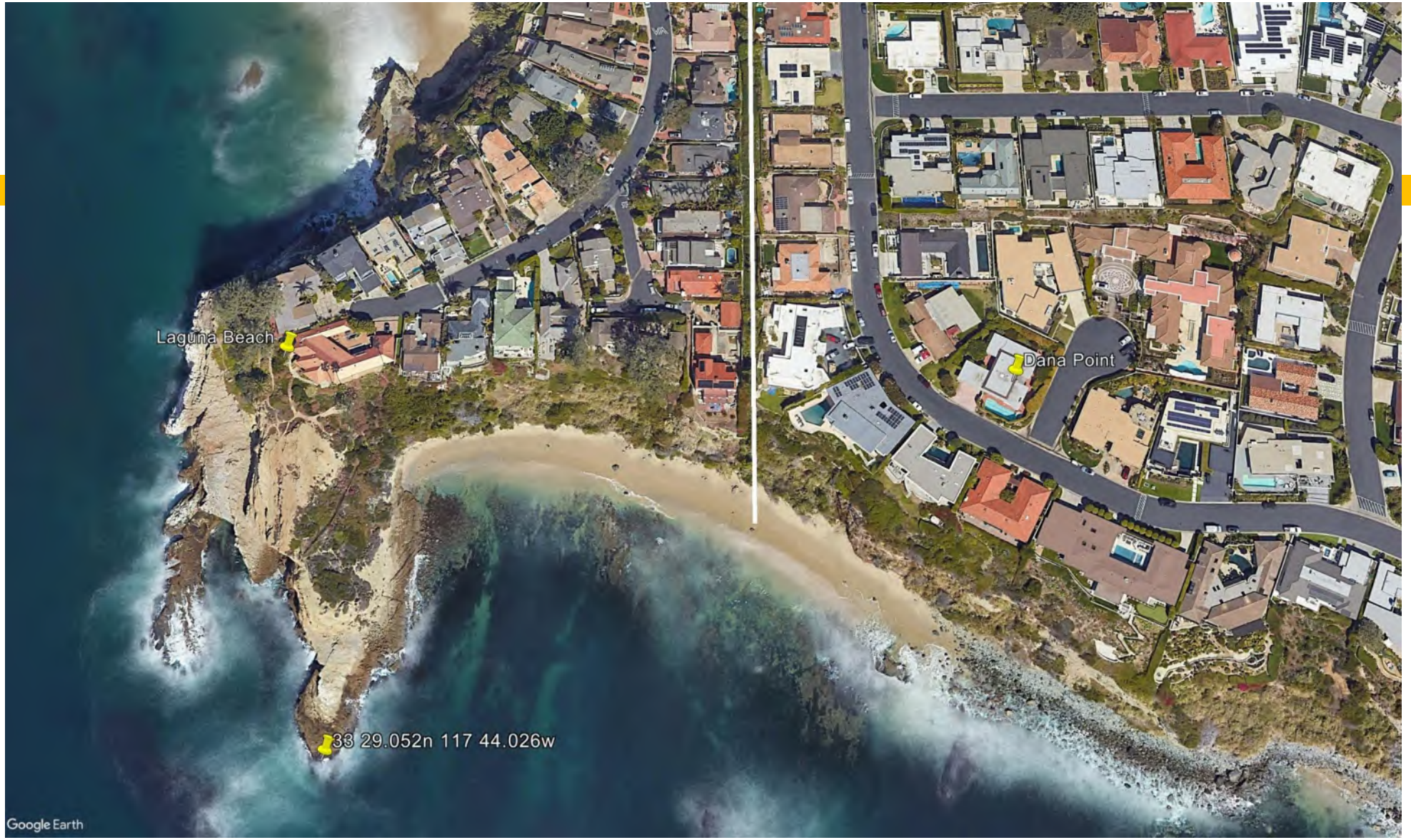
Enforcement Clarity and Practicality

- A single, consistent no-take rule across the entire Laguna Beach coastline is far easier for the public to understand than a patchwork of zones with different allowances.
- Currently, Laguna Beach has a confusing regulatory split: north of Table Rock is no-take, while south of Table Rock allows some recreational and commercial take. The proposed southern boundary features a prominent 50 foot tall bluff landmark.

Economic Analysis Concerns

- The Petition Evaluation says that there is not enough socioeconomic data to conduct an analysis but goes on to do one anyway.
- The socioeconomic information gap is not listed in question 5 regarding information gaps.
- No reference to what the actual threshold for a “significant fisheries impact” is.
- In question 8 it states that the Petitiona area takes up half the fishing grounds in the Dana Point SMCA. Measurements show the petition area is only 34% of the existing Dana Point SMCA.

Boundary/ Regulatory Concerns



The southern boundary is on a straight line of latitude at 33 29.052 and within the city of Laguna Beach, not Dana Point

The SOCWA outfall pipe is in the existing Laguna Beach SMCA, not the petition area.

Thank You For Your Consideration

Laguna Bluebelt

California Fish and Game Commission
May 19, 2026 Meeting

Item 2. Petition 2023-24MPA_AM1
Exhibit 5. Significant Public Comments

Unless otherwise noted, "Department" refers to the California Department of Fish and Wildlife.

MPA = marine protected area, SMR = state marine reserve, SMCA = state marine conservation area

Date Received	Entity/Individual	Description	Number Rec'd
4/16/2026	Mike Beanan, Laguna Bluebelt Coalition (Petitioner)	The petitioner informs the Commission that an inaccurate map was used in evaluating Petition 2023-24MPA_AM1 and requests that the review be corrected using the accurate January 7, 2025 map to ensure consistent enforcement at Laguna Beach's southern boundary. The petitioner emphasizes that the revised boundary aligns with a clear geographic landmark and supports effective, citywide marine protection.	1
5/6/2026	Mike Beanan, Laguna Bluebelt Coalition (Petitioner)	The petitioner believes that the Department's evaluation of the petition is flawed and overlooks key scientific, regulatory, and site-specific information. The petitioner urges the Commission to reject the Department's recommendations and evaluate the corrected petition using updated Reef Check data and science advisory team guidelines, arguing that the expanding the SMCA would better align with scientific recommendations and improve ecological resilience.	1
4/2/2026	Donna Kalez and Mike Hansen, Co-Owners, Dana Wharf Sportfishing & Whale Watching	Dana Wharf Sportfishing & Whale Watching urges the Commission to deny the petition, stating that expanding the Laguna Beach MPA would offer little ecological benefit while harming coastal access and local businesses, including their own, which relies on access to nearby coastal waters for short-duration trips serving families, seniors, school groups, and individuals with disabilities. They emphasize that current MPA boundaries were developed through a science-based process and should remain in place until the next review.	1
4/30/2026	Veronica Stambolis, et al, Dana Wharf Lady Anglers	Members of the Dana Wharf Lady Anglers urge the Commission to deny the petition, stating that the proposed expansion lacks scientific justification and would unnecessarily restrict access for community anglers, especially women and families. They emphasize their conservation ethic and the importance of fishing for connection, education, and community.	3
5/1/2026	Jim Holden, President, Fish for Life!	Fish for Life, a nonprofit organization dedicated to taking special needs children ocean fishing, urges the Commission to deny the petition, stating that the proposed expansion would significantly reduce fishing opportunities for thousands of participants each year and directly impact their program, which depends on accessible, nearby fishing grounds suitable for short trips, critical for children with special needs.	1
5/5/2026	State Senator Tony Strickland, 36th Senate District	The senator urges the Commission to deny the petition, stating that expanding the Laguna Beach SMCA would not provide meaningful ecological or management benefits, would shift recreational fishing effort into nearby areas, and would economically disadvantage recreational fishing groups while unnecessarily restricting coastal access for local families, students, and seniors. The senator supports maintaining current MPA boundaries as a balanced, evidence-based approach.	1
5/5/2026	Jack Lickins	A lifelong local fisherman urges the Commission to deny the petition, stating that the expansion would eliminate the last remaining public fishing access and harm local fishing-related businesses without demonstrating ecological benefits. They state that current scientific and site-specific evidence does not support the petition's claims regarding kelp recovery or predator limitations.	1

Date Received	Entity/Individual	Description	Number Rec'd
5/6/2026	Rick Duenas	A recreational angler and diver urges the Commission to deny all MPA petition actions from Los Angeles through San Diego, aligning with Department recommendations, and expresses strongest opposition to Petition 2023-24MPA, stating it would significantly restrict in-shore recreational access south of Laguna Beach and add on oddly-shaped boundary that would complicate compliance. Comments in the email addressing other petitions are summarized under Agenda Item 4.	1
5/6/2026	Shannon Hansen	A local resident with deep family ties to the Laguna fishing community urges the Commission to deny the petition, stating that the expansion would unnecessarily restrict coastal access, harm the Dana Point fishing economy, and lacks scientific justification. She emphasizes her family's long history of responsible recreational fishing and supports maintaining current MPA boundaries as a balanced, science based approach.	1
5/10/2026	Peter Halmay, President, San Diego Fishermen's Working Group	The San Diego Fishermen's Working Group (SDFWG), representing 150 commercial fishermen, urges the Commission to deny the petition, rejecting the petition's claims related to enforcement needs and benefits to kelp or whales. SDFWG raises concerns with the MPA petition process and supports the Department's recommendation to deny. Comments on another petition are summarized under Agenda Item 4.	1
5/11/2026	John Gabbard, Mayor, City of Dana Point	The mayor of Dana Point supports the Department's evaluation and recommendation to deny the petition, citing disproportionate economic impacts to Dana Point Harbor and the community without added environmental benefit. The city supports collaborative, science-based marine resource management that balances conservation with public access and local economic vitality.	1
5/10/2026 and 5/11/2026	Ava Schulenberg, Executive Director, and Cameron Cribben, President, California Lobster & Trap Fishermen's Association (CLTFA); Zachary Greenfield, Treasurer, CLTFA	Two letters from CLTFA representatives oppose expanded closures in the petition, believing they would permanently eliminate essential lobster fishing grounds, in an area already heavily restricted, without clear scientific justification, causing substantial socioeconomic harm. CLTFA emphasizes that the California commercial spiny lobster fishery is already sustainably managed under the Department's lobster fishery management plan. Comments on other petitions and regional meetings are summarized under Agenda Items 4, 5 and 6(A).	2
4/15/2026	Adelia Sandoval, Director, Juaneño Band of Mission Indians/Acjachemen Nation, transmitted by Mike Beanan, Laguna Bluebelt Coalition	The petitioner provides a July 2, 2025 letter from Adelia Sandoval, Director, Juaneño Band of Mission Indians/Acjachemen Nation, expressing the tribe's support for the petition to protect Laguna's natural, cultural, and historical resources. The director states that the Laguna MPAs serve as a vital link for genetic dispersal and diverse sea life between MPAs from La Jolla to Palos Verdes, and that extending the SMCA will "strengthen" the network.	1
4/30/2026	Srividya Maganti, Environment California	In handwritten letters collected and transmitted by an environmental NGO, more than 50 central and southern California coastal residents express opposition to petitions proposing to increase commercial fishing access within MPAs. They, instead support petitions that would "expand or strengthen" protections, including Petition 2023-24MPA.	56
5/5/2026, 5/10/2026	Jinger Wallace and Ann Dorsey	A Laguna Beach resident and a concerned member of the public urge the Commission to approve the petition, stating that it will support the recovery and long-term health of South Laguna's reefs and aligns with statewide conservation commitments such as 30x30. They highlight ecological, climate resilience, and biodiversity benefits.	2

Date Received	Entity/Individual	Description	Number Rec'd
5/5/2026	Judy Yorke, Director, Three Arch Bay Community Services District	The director of the Three Arch Bay Community supports the petition, stating that Laguna Beach's rocky coastline offers ideal tidepool and kelp forest habits, serves as a genetic corridor between Palos Verdes and La Jolla Cove, and benefits the city economically. The director, representing her own perspective as a resident of Laguna Beach, states that the Department's evaluation was flawed because it used the wrong boundary, that South Laguna's intertidal zone is ecologically distinct from Dana Point's sandy shoreline, and that Laguna residents actively support enforcement and public outreach.	1
5/6/2026	Chloe Lin, Student, UC Irvine	A UC Irvine Environmental Science & Policy student and lifelong Orange County resident urges the Commission to expand the Laguna Beach SMCA, emphasizing the vital role of kelp forests and recent Reef Check data showing stronger ecosystem health within protected zones. The student argues that expanding protection is essential for balance, biodiversity, and long-term ecosystems resilience for future generations.	1
5/6/2026	Ray Hiemstra, Associate Director of Policy and Projects, Orange County Coastkeeper	Orange County Coastkeeper urges the Commission to reject the Department evaluation of the pv etition, citing major factual errors and insufficient scientific rigor, and supports the proposed expansion based on Reef Check data showing degraded reef conditions from intensive fishing. Orange County Coastkeeper calls for a more accurate, science-based, and adaptive management approach that corrects the record and strengthens the MPA network.	1
5/6/2026	Veronika Michels, Organizing Director, CALPIRG Students	The California Public Interest Research Group (CALPIRG) Students Board Chair and Protect our Oceans campaign coordinators from UC Riverside, UC San Diego, UC Irvine, and UCLA urge the Commission to protect critical habitats such as kelp forests and rocky reefs through the petition. The submission includes over 21,000 student and community signatures and updates on related outreach efforts. Comments on other petitions and regional meetings are summarized under other agenda items.	1
5/7/2026	Judie Mancuso, Founder and President, Social Compassion in Legislation	Social Compassion in Legislation (SCIL) urges the Commission to approve the petition, emphasizing the importance of protecting kelp forest habitat, improving enforcement consistency, and safeguarding marine wildlife. SCIL highlights strong local support and stresses that the extension is vital for healthy ecosystems, clean beaches, and a thriving coastal economy.	1
5/11/2026	Krista Maloney, Anne Greene, Elaine Fassel, et al.	Over 20 individuals support the petition, citing the coastline's ecological importance and increasing vulnerability from warming waters, urchin overgrazing, and other stressors. They argue that extending protection would create a consistent MPA, improve compliance and enforcement, and strengthen ecosystem resilience. They emphasize the value of kelp forests and note research showing well managed no-take MPAs can enhance biodiversity, biomass, and ecological recovery.	23
5/11/2026	Gayle Waite, President, Laguna Canyon Conservancy	The Laguna Canyon Conservancy supports expanding Laguna Beach's MPA by 1.3 miles, stating it would strengthen ecological protection, benefit neighboring fisheries, support gray whale migration, and simplify enforcement. The conservancy states that a fully protected coastline would improve public clarity and better align with conservation goals.	1
5/11/2026	Keith Rootsaert, Founder, Giant Giant Kelp Restoration (G2KR)	G2KR supports the petition, citing observations of degraded conditions at Table Rock and the need to improve diving quality to support the non-consumptive diving economy. G2KR suggests that this section of the coast is not a major contributor to commercial lobster fishery profits due to competition with lobster from Mexico, and prioritizing non-consumptive use experiences would be a better use of the area.	1

FGC**@FGC**

From: Mike Beanan
Sent: Thursday, April 16, 2026 8:01 AM
To: FGC
Cc: Ashcraft, Susan@FGC; Melissa MLPA Prog Mgr Miller-Henson
Subject: Petition 2023-24-R
Attachments: MapRevisionLetter 01982025.docx

DFG,
Unfortunately, the evaluation of the Bluebelt Petition used an inaccurate map. Please revise the evaluation of Petition 2023-24-R with the map submitted January 7, 2025, to improve enforcement.

The Latitude line features a prominent sea bluff landmark at Laguna Beach's southern city limits for consistent citywide protection.

Thank you,
Mike Beanan
Laguna Bluebelt Coalition

California Fish and Game Commission
Marine Resources Committee
fgc@fgc.ca.gov

January 7, 2025

Subject: Revision to Laguna Bluebelt Coalition Petition 2023-24 MPA

Commissioners and Staff,

The Laguna Bluebelt Coalition seeks to revise the southern boundary for Petition 2023-24MPA to a No Take SMCA (State Marine Conservation Area) for citywide enforcement consistency and protection of essential sea life habitat between Palos Verdes and La Jolla MPAs.

The proposed revised No Take SMCA is within the jurisdiction of the City of Laguna Beach and has widespread support from community organizations and the City's Environmental and Sustainability Committee. Community support includes the South Laguna Civic Association, Three Arch Bay Service District, Village Laguna, Laguna Canyon Conservancy, Project O, OC Coastkeeper and many individuals.

The City of Laguna Beach has submitted multiple letters seeking to participate in processing the Laguna Bluebelt Petition. In a December 10, 2024 letter to the Commission, Laguna Beach Mayor Rounaghi emphasized the "City looks forward to reviewing the State's assessment of Petition 2023-24 MPA" and "The City remains committed to actively participate and providing informed input…".

Presently, the southern area of Laguna Beach is inaccurately designated as within the Dana Point SMCA leading to confusion about place names and take regulations. The Petition will simplify the no take regulation for the entire city of Laguna Beach, address inaccurate place names and restore Laguna Beach as the correct jurisdiction for this area. The revised No Take SMCA boundary will be identified by the prominent bluff top outcropping at Three Arch Bay consistent with the Laguna Beach City Limits.

The Petition reflects the MLPA's Adaptive Management Objectives to:

• Protect the structure and function of marine ecosystems • Improve native marine life populations, including those of economic value • Ensure minimal disturbance while allowing for sustainable opportunities for recreation, education and research • Ensure comprehensive representation of all key habitats, including unique habitats • Use learning acquired through administration of the MLPP to adaptively manage the objectives, management measures, enforcement efforts, and scientific guidelines to inform management decisions • MPAs function as a cohesive statewide network

Size and Spacing Considerations

The Science Advisory Team (SAT) spacing requirements determined Laguna Beach is an essential linkage for larval dispersal among Southern California's MPAs. Guidelines set a maximum distance and minimum size for each MPA.

Maximum Shoreline Distance: To ensure the persistence of a suite of species in an MPA network, the maximum distance between MPAs was determined to be within 50 -100 km (31 -62 miles). A network of MPAs 20 km (12 miles) in length met the upper boundary of the preferred size guidelines and led to population persistence for a larger set of movement combinations. With MPAs this large, decreasing spacing produced a more substantial effect. MPAs of 20 km (12 mile) shoreline length protected a much larger range of movement combinations when spaced 50 km (31 miles) apart (51.8%) than when spaced 100 km apart (21.6%). This increase occurred because persistence of populations with large mean larval dispersal was maintained through a network effect, rather than self-persistence. Laguna Beach's MPAs maximum distance are 50 miles from Palos Verdes MPAs and 72 miles from La Jolla MPAs to meet this goal.

In summary, bigger MPAs yield better results for protecting marine life. Laguna Beach is an excellent candidate when you combine community support and the City's present MPA enforcement measures to be able to achieve noteworthy success.

Minimum Alongshore Extent: To best protect adult populations, based on adult neighborhood sizes and movement patterns, Guidelines conclude MPAs should have an alongshore extent of at least 3-6 miles of coastline, and preferably 6-12.5 miles. Larger MPAs would be needed to fully protect marine birds, mammals, and migratory fish. Combined and simplified, the Guideline indicates that MPAs should have a minimum area of 9-18 square miles, or a preferred area of 18-36 square miles.

The Revised Petition to include full protection of all of Laguna Beach's MPAs is necessary to comply with SAT Guidelines since, once approved, it will protect 7 miles of coastline slightly within the preferred alongshore extent (6-12 miles). A fully protected Laguna MPA will also grow to 11 square miles, the minimum preferred area (9-18 square miles).

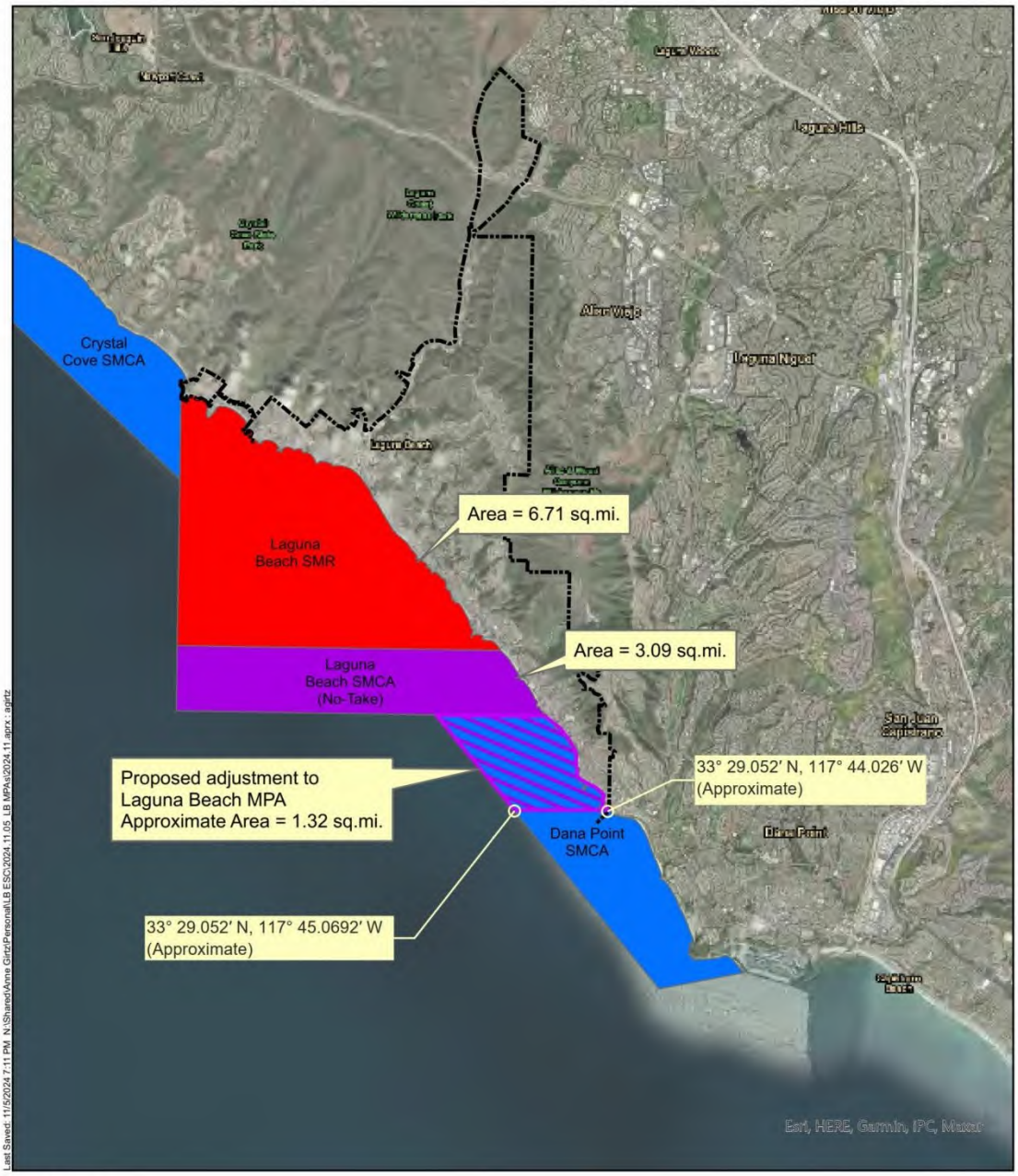
Once approved, the citywide and a fully protected MPA will comply with SAT Guidelines for preferred coastline and size. This will be complimented by local, well-established education and enforcement capabilities to support the continued success for Laguna Beach's MPAs.

Stakeholder Collaboration

The Laguna Bluebelt Coalition, a statewide model for MPA Collaboratives since 2009, has met with key stakeholders through OCMPAC including fishing groups, tribal representatives, game wardens and others to revise Petition 2023-24MPA to accommodate the local lobster fishery. By adjusting the

southern SMCA to follow the east/west latitude line at the request of the Dana Point lobster group, placement of lobster traps is facilitated by a consistent GPS latitude line to avoid encroachment into the proposed southern Laguna Beach No Take SMCA.

Revised Boundary Map



Symbology

- City Limits
- SOCWA Effluent Transmission Line
- SOCWA Ocean Outfall
- Proposed Laguna Beach SMCA (No-Take) Adjustment

0 2,500 5,000

Scale in Feet

Figure 1

City of Laguna Beach
Proposed Marine Protected Area Adjustment

Laguna Bluebelt Coalition
MPA Decadal Review

Economic Considerations

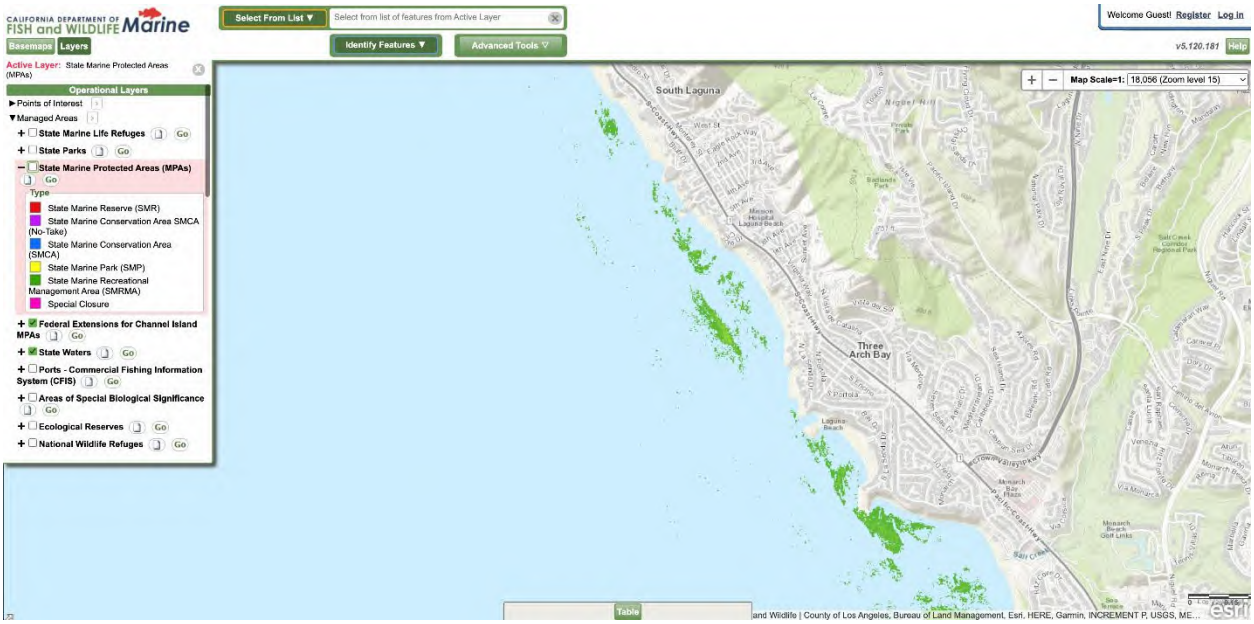
While commercial fishing businesses generally object to MPAs, it is worth noting that Dana Wharf has shifted operations away from fishing to pursue new economic opportunities as the Whale and Dolphin Watching Capital of the World – America's first Whale Heritage Site. The designation of just over 1 square mile of a new No Take SMCA is just a fraction of the present Dana Wharf fishing grounds and will not measurably impact their annual sportfishing and whale tour revenues. Dana Wharf presently operates large fishing grounds spanning hundreds of square miles from Dana Point south to Camp Pendleton and west to Catalina and San Clemente Islands.

See: [The Ultimate Guide To Fishing In Dana Point, CA | Dana Wharf]

Essential Marine Habitats

With steep coastal bluffs, isolated coves and offshore reefs, Laguna Beach's southern coastline provides unique habitats for coastal sea life nurseries. Kelp forests populate local reefs throughout the city while dolphin and whales routinely transit the area for foraging opportunities and annual migration.

Laguna Beach's Essential Kelp Habitat



The City of Laguna Beach has a long ocean tradition and is committed to protecting marine resources. All Marine Safety Lifeguards are qualified as Marine Protection Officers to maintain a robust education and enforcement program.

The Laguna Beach General Plan and Policies recognize the value of coastal resources (see References).

The success of Laguna's Marine Protected Areas over the past 12 years is clear evidence that sea life can be protected and restored in an urban environment. The City's commitment to manage over 6 million visitors continues to educate and motivate compliance with all MPA regulations and policies. Revising

the southern SMCA boundary for full citywide protection will support the community's dedication to achieve the goals and objectives of the State's Marine Life Protection Act.

The Laguna Bluebelt Coalition appreciates the dedicated role of the Fish and Game Commission to serve as a global leader in advancing the State's recovery of sea life for present and future generations.

Mike Beanan
w/Laguna Bluebelt Coalition
mike@lagunabluebelt.org

Julianne E Steers, Sargo School

References

Laguna Beach General Plan and Policies

Action 1.1.1 Protect natural assets and open-space areas to maintain their role as “carbon sinks.”

Policy 4.1 Policy 4.2 Develop and adopt a program to protect sensitive coastal resources.

Action 4.1.1 Compile an inventory of the City’s coastal resources and prepare a Coastal Resources Protection Program.

Action 4.2.2 Enforce State’s Marine Life Management Act and identified Marine Life Protected areas within the City and local regulations for the protection of marine life and intertidal resources and to conduct educational and outreach programs.

Action 10.7.2 Periodically review the City’s Water Quality Control Ordinance and related policies for protecting marine resources and update as appropriate.

In cooperation with the State Department of Fish and Game, a Marine Preserve was created by the State in 1968 for a portion of the City's shoreline particularly rich in tidepool life. In addition to the Marine Preserve, the State, in conjunction with the City, established an Ecological Reserve in 1974, creating, in essence, a marine sanctuary, or a protected "aquarium".

Policies 2-A Encourage the expansion of the Marine Life Refuges and the designation of particularly unique or ecologically sensitive coastal areas as Ecological Reserves (such as seal and bird rocks), pursuant to the provisions of the State Department of Fish and Game.

2-F Develop a local enforcement program, pending funding availability, consisting of shoreline protection regulations and citation authority for Marine Safety personnel.

2-H Support restoration of offshore kelp beds.

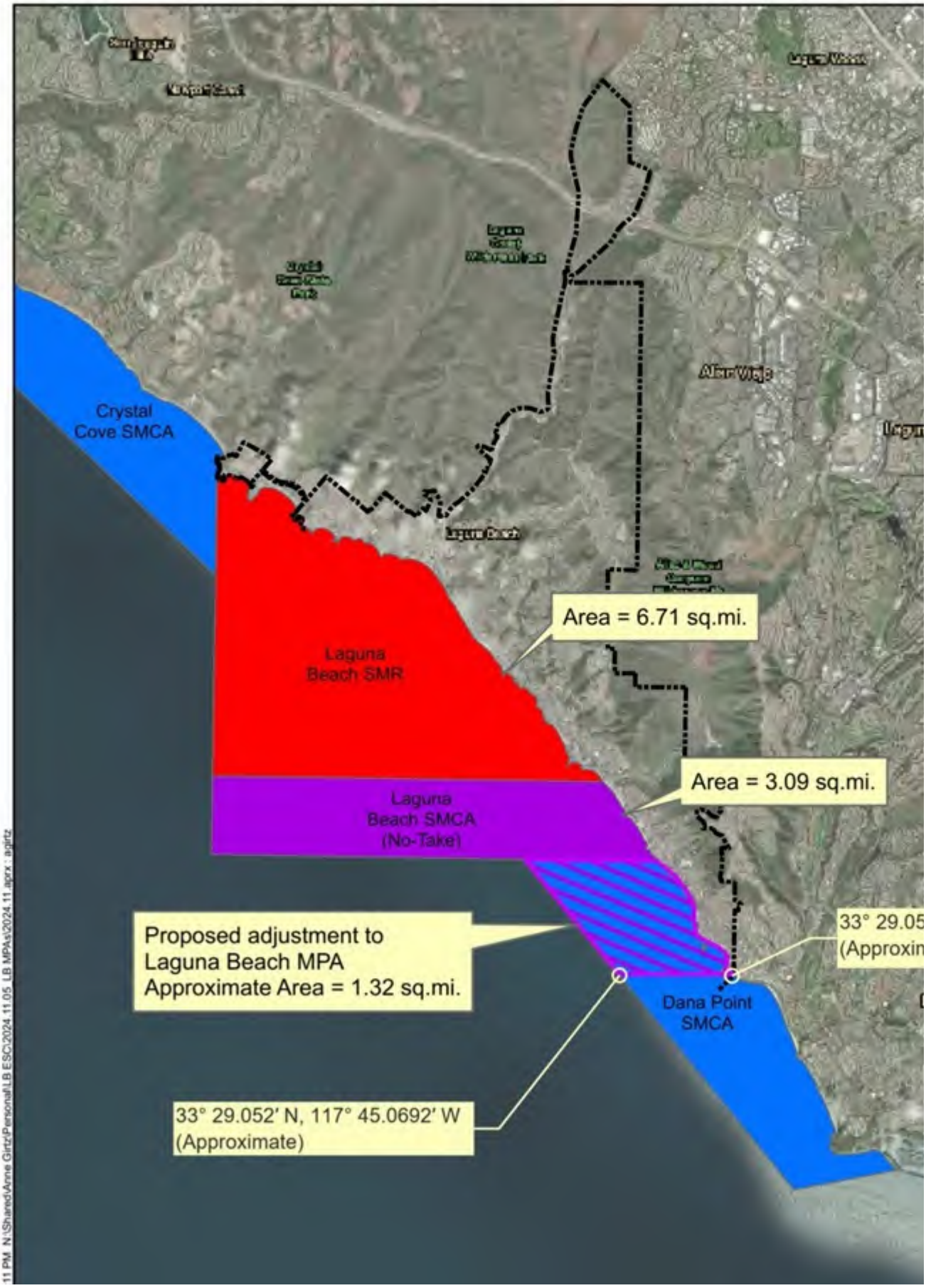
41 Watershed Protection and Restoration Promote the protection and restoration of offshore, coastal, lake, stream or wetland waters and habitats and preserve them to the maximum extent practicable in their natural state. Oppose activities that may degrade the quality of offshore, coastal, lake, stream or wetland waters and habitat and promote the rehabilitation of impaired waters and habitat.

Develop an enforcement program for the protection of marine life resources.

Promote an expanded Marine Life Refuge.

Marine Resources: A small estuary occurs at the mouth of Aliso Creek. As recently as 1976 this estuary supported the Tidewater Goby, a species considered uncommon and declining in numbers due to habitat loss. A resource inventory included in the Orange County Conservation Element identifies the presence of the South Laguna Marine Life Refuge in the South Laguna area. The refuge, near the mouth of Aliso Creek, was given refuge status by the California Fish and Game Commission because the animal

populations in the rocky intertidal habitat had not been subjected to the collecting pressures that had occurred in other areas along the south coast.


Crystal
Cove SMCA
Laguna
Beach SMR
Area = 6.71 sq.mi.
Laguna
Beach SMCA
(No-Take)
Area = 3.09 sq.mi.
Proposed adjustment to
Laguna Beach MPA
Approximate Area = 1.32 sq.mi.
33° 29.05
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Dana Point
SMCA
33° 29.052' N, 117° 45.0692' W
(Approximate)
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Fish & Game Commission May 6, 2026

Re: Laguna Bluebelt Petition 2023-24-AM

Commissioners,

We recognize the Department of Fish & Wildlife (DFW) faced several challenges in evaluating petitions submitted to the Decadal Review of Marine Protected Areas (MPAs). One challenge seeks to incorporate adaptive management provisions in the Marine Life Protection Act (MPLA) to promote careful analysis of the impacts to specific MPAs since 2012 while encouraging improvements to sustain the overall MPA Network.

Unfortunately, the recent DFW staff analysis of Petition 2023-24-AM evaluated the incorrect petition and includes substantial errors related to sound science, regulatory agencies, accurate socioeconomics and site-specific facts.

Sound Science

The DFW analysis did not consider guidelines for a successful MPA.

The Laguna Bluebelt Petition's request for a boundary revision reflects the recommendations of the Science Advisory Team (SAT) analysis of California's 124 MPAs. At an expense of over $1 million dollars, SAT determined the best size and shape for successful MPAs. Minimum size for success was 9 square miles while preferred size for success was 18 square miles.

Laguna Beach's State Marine Reserve is only 6.71 square miles so an additional 3.09 miles was added in the No Take SMCA to achieve a fully protected area of only 9.8 square miles. Petition 2023-24-AM seeks to add 1.32 miles to create an MPA of 11.1 square miles to approach the SAT guidelines for a preferred size of 18 square miles for success.

New scientific surveys are not incorporated in the DFW evaluation. Since 2012, intensive fishing pressure has impacted fish size and abundance as confirmed independently by a Reef Check Foundation Survey conducted in January 2026 (Attached). While kelp forests in the adjacent Laguna MPA feature dense coverage with an abundant variety of sea life and fish species, the petition area in the Dana Point SMCA only has remnant kelp at Totuava Cove. The historic

offshore reef, now covered in sand, presently has few if any stands of kelp and an absence of male Sheepshead and legal-size fish.

Regulatory Agency

The No Take SMCA is a compromise with the South Orange County Wastewater Authority (SOCWA) to provide monitoring and maintenance of the Aliso Creek Ocean Outfall (ACOO) pipeline to the offshore diffuser pipe beyond the MPA boundary. The outfall pipe is not located in the petition area, as stated in the DFW evaluation. It is located in the existing No Take SMCA. Also, the ACOO is regulated by the San Diego Regional Water Quality Control Board (SDRWQCB) rather than the Santa Ana Regional Water Quality Board referenced in the DFW evaluation.

Boundary Revision

The DFW staff evaluation considered the map submitted in the original Petition, 2023-24 rather than the revised map submitted in Petition 2023-24-AM.

Petition 2023-24-AM was properly amended within appropriate deadlines to incorporate a revised boundary at the Laguna Beach City Limit to follow one latitude line to facilitate enforcement following recommendations from DFW staff and the Orange County Marine Protected Area Collaborative (OCMPAC). The southern boundary's approximate latitude site was intended to be precisely identified in the adaptive management process to take advantage of a prominent coastal bluff landmark at the southernmost city limit.

Whale Entanglement

The petition area is currently covered in lobster traps during the season. This creates a threat to the safe seasonal migration of California Grey Whales and calves traveling north close to shore. The removal of lobster traps from the petition area eliminates the threat of whale entanglement in the petition area.

Socioeconomic Considerations

Public testimony from the local fishing community reports that the Laguna Beach MPA has proven to provide a sustainable fishery for the region. However, while no verifiable information or data has been provided, the same consumptive stakeholders insist any boundary revision will have significant impacts on their revenues. Without verifiable long term economic data, there is no objective manner or opportunity to evaluate their concerns. Full transparency is essential for an objective evaluation.

SAT guidelines determined the spillover effect from MPAs will continue to replenish fisheries and be enhanced by MPAs within the preferred size for success as proposed in Petition 2023-24-AM.

Shore fishing Limitations

The proposed petition area includes the Three Arch Bay Community and public Thousand Steps Beach. Since Three Arch Bay is a private community, public access for shore fishing is limited to residents. The remaining Thousand Steps Beach is 0.4 miles long with steep bluffs descending to deep offshore canyons. MPA Watch data collected over ten years shows shore fishing is rare at Thousand Steps beach. Stairway signage warns about strong wave action and dangerous reef conditions. Rescues requiring multiple Fire Department and Marine Safety resources, including helicopters, are common throughout the popular summer season.

Recommend Actions

The Laguna Bluebelt Coalition recommends Commissioners reject DFW recommendations due to multiple in accuracies and a lack of scientific data for the petition area, and proceed to evaluate the Petition 2023-24-AM utilizing the best available science, specifically the Reef Check study, and correct regulatory information.

The MLPA encourages including a variety of Essential Fish Habitats (EFHs) in developing the preferred size and shape for successful MPAs. Laguna Beach's surrounding steep coastal mountains provide a variety of beaches, tidepools and reefs. The petition area is characterized by hilltops rising 1,000 feet within ½ mile of the shore to create a unique deepwater environment with powerful wave action and, when protected, another site for biodiversity. It is not an ideal or safe site for shore-fishing.

As suggested earlier, a site visit can familiarize Commissioners and staff with the unique characteristics of the proposed petition area and prominent boundary landmark. A tour by boat or land can be arranged prior to or after the May 19th Meeting in San Clemente to assist in formulating an informed decision based on sound science and approval of Petition 202324-AM.

Thank you for your dedication and leadership to protect and restore California's sea life heritage as a priceless environmental legacy for present and future generations.

Mike Beanan
Petitioner for Laguna Bluebelt Coalition

Reference: Petition 2023-24-AM

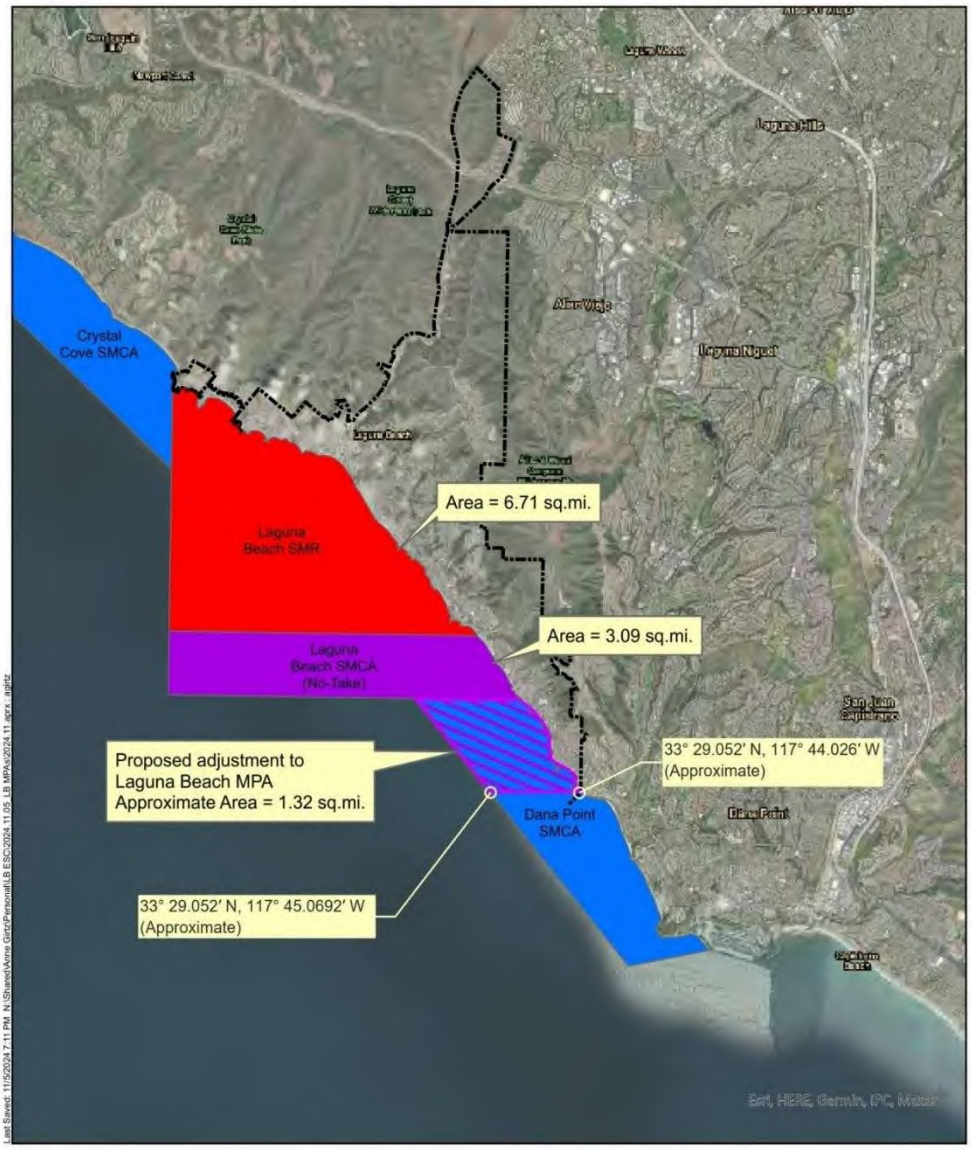

Figure 1

City of Laguna Beach
Proposed Marine Protected Area Adjustment

Laguna Bluebelt Coalition
MPA Decadal Review

Reef Check California Report:

Laguna Beach Coastal Kelp Forest Evaluation

Final Report To: Laguna Bluebelt Coalition

Jaclyn Mann Reef Check Foundation February 2026

Introduction

The Laguna Beach State Marine Reserve (SMR) and the Laguna Beach State Marine Conservation Area (SMCA) were both established in January 2012 as a part of California's Marine Protected Area (MPA) network (Figure 1). The Laguna Beach SMR protects more than six square miles of marine habitat and covers 4.4 miles of coastline. It extends from Abalone Point, Laguna Beach's northernmost city limit, south to Goff Island. The Laguna Beach SMCA extends south from Goff Island to Table Rock and protects more than 3 square miles of marine habitat and covers 1.2 miles of coastline (California Department of Fish and Wildlife 2022). Though these two MPAs cover most of the shoreline of Laguna Beach, there is an additional mile of coastline that remains unprotected between the Laguna Beach SMCA and the Dana Point SMCA.

Figure 1. Map showing the current boundaries of the Laguna Beach SMR and Laguna Beach SMCA (NoTake).

This report was designed to compare the kelp forest ecosystems found outside of the Laguna Beach SMR and the Laguna Beach SMCA to kelp forest ecosystems inside those protected areas. Specifically, we will be comparing the communities found at six sites; four sites located within the Laguna Beach SMR (Seal Rock, Shaws Cove, Divers Cove, Heisler Park) and two sites located in unprotected waters south of the Laguna Beach SMCA (Thousand Steps, Three Arches).

Reef Check Methods

To assess the kelp forest ecosystems, Reef Check divers completed biotic surveys at each of the six sites. All surveys were completed following the Reef Check California Monitoring Protocol (Freiwald et al. 2021). Each survey included six 30m by 2m swath transects on which divers conducted counts of fish, invertebrates, macroalgae, and made uniform point contact (UPC) observations. Data on substrate, relief, and cover (sessile organisms) were collected at every

meter during each UPC survey. Transects were placed at each survey site in predetermined depth zones, three shallow and three deep. An additional 12 fish transects (30m by 2m and by 2m) were conducted during each survey. Along each transect, a set of 83 indicator species, comprising of 13 species of macroalgae, 35 taxa of invertebrates, and 35 taxa of fish, were looked for and counted. Reef Check indicator species have been selected because they are ecologically important and of relevance to management (Freiwald and Beahrs 2020).

Reef Check long-term monitoring data was also used to examine changes in the kelp forest communities of the four sites located within the Laguna Beach SMR since the establishment of the MPA in 2012.

Giant Kelp Trends

In Southern California, giant kelp (Macrocystis pyrifera) forms kelp forest canopies. Since the establishment of the Laguna Beach SMR and SMCA in 2012, all four monitored sites have shown a slight positive trend in giant kelp density (Figure 2). Looking specifically at data collected in 2025 and 2026, the four sites inside the Laguna SMR have notably higher giant kelp densities than those at Thousand Steps Beach and Three Arches, which are located outside the MPA (Figure 3).

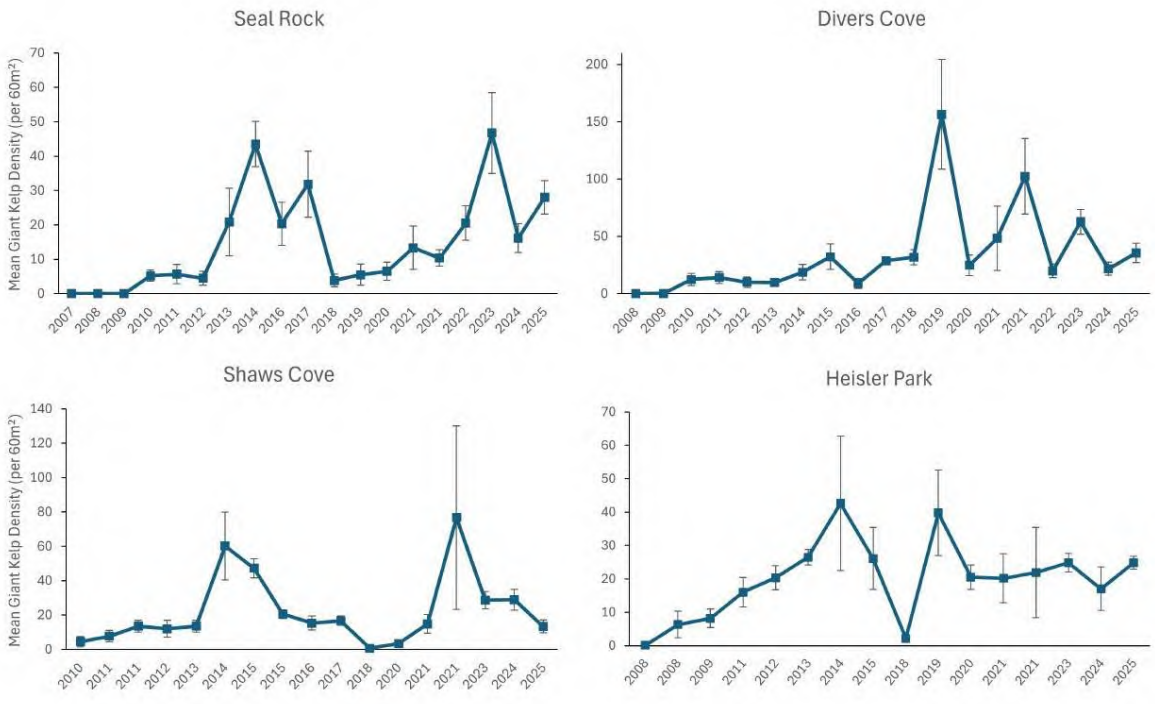

Figure 2. Giant kelp densities over time at four long-term monitoring sites in Laguna Beach, California. Error bars represent the standard error of the mean.

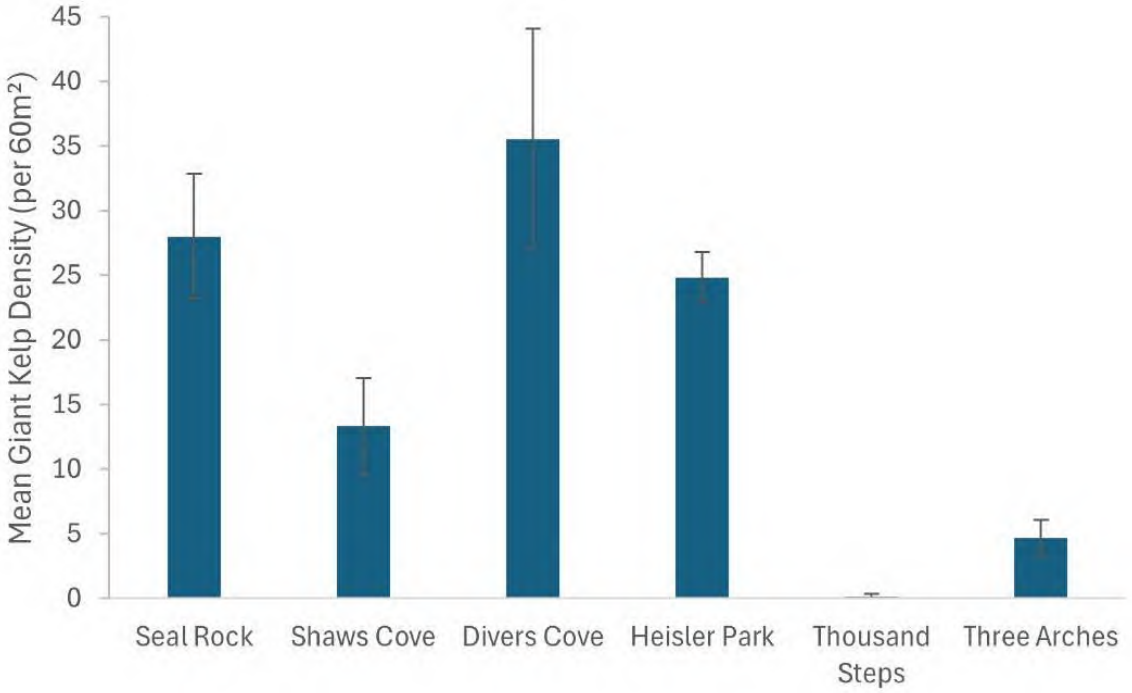

Figure 3. Mean giant kelp density at six sites in Laguna Beach, California, based on the most recent survey data (2025 and 2026). Error bars represent the standard error of the mean.

Sea Urchin Trends

Reef Check monitors four species of urchin in California: purple urchins (*Strongylocentrotus purpuratus*), red urchins (*Mesocentrotus franciscanus*), starry urchins (*Arbacia stellata*), and crowned urchins (*Centrostephanus coronatus*). Purple, red, and crowned urchins are commonly observed in southern California. Starry urchin, though, are rare in California. Starry urchin have only been recorded during Reef Check surveys in southern California at sites off Anacapa and Santa Cruz Islands. Over 19 years of monitoring, starry urchin have never been recorded at Reef Check sites located in the Laguna Beach SMR.

Since the establishment of the Laguna Beach SMR and SMCA in 2012, all four long term monitoring sites have seen a decline in both purple and red urchin densities (Figure 4). If we look specifically at urchin density data collected in 2025 and 2026, the four sites inside the Laguna Beach SMR have notably smaller densities of both purple and red urchins than the two sites located outside of the MPA (Figure 5). Small amounts of crowned urchins were recorded at Seal Rock, Shaws Cove, Divers Cove, and Three Arches. Interestingly, starry urchins were recorded for the first time at a Laguna Beach site at Three Arches in 2026 (Figure 5).

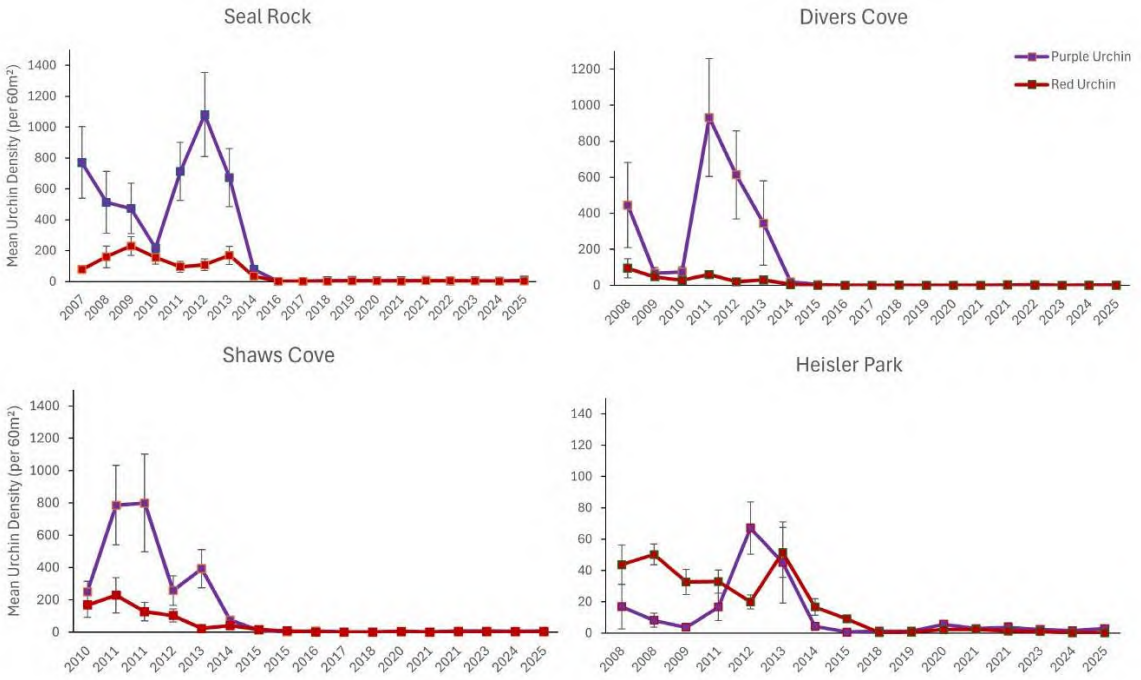

Figure 4. Purple and red urchin densities over time at four long-term monitoring sites in Laguna Beach, California. Error bars represent the standard error of the mean.

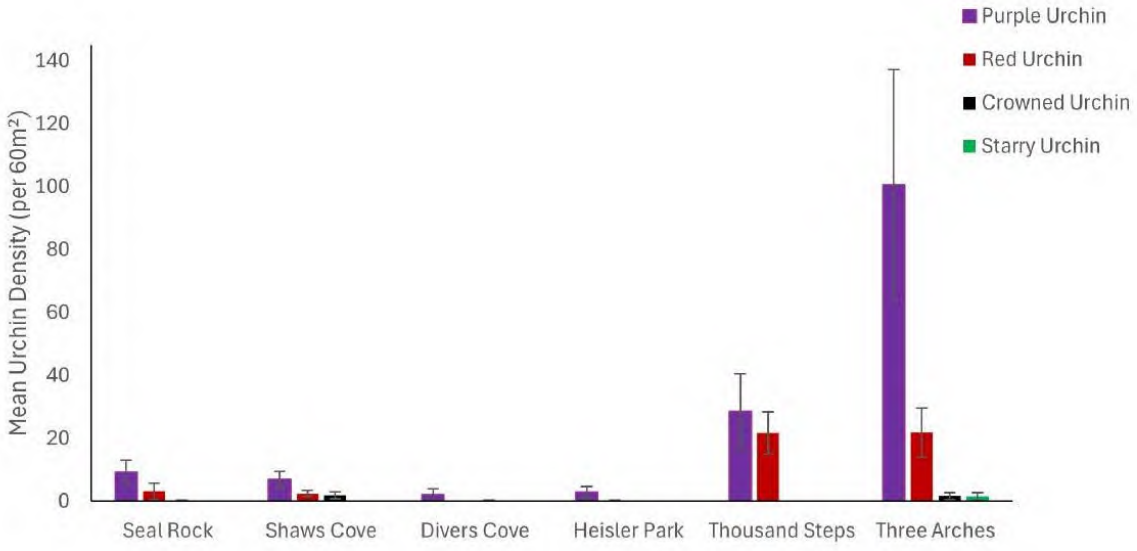

Figure 5. Mean urchin density at six sites in Laguna Beach, California, based on the most recent survey data (2025 and 2026). Error bars represent the standard error of the mean.

Reef Habitat Characterization

Uniform Point Contact (UPC) surveys were used to collect substrate data at each site. Substrate was recorded based on the size of the substrate at each point, ranging from sand (rock<0.5cm) to reef (rock>1m). The four sites located within the Laguna Beach SMR and Three Arches were mainly composed of large substrate, with all 5 sites characterized by over 50% rocky reef. Thousand Steps Beach was characterized by more medium-sized substrate, with 50% cobble (rock< 15 cm) and only 30% rocky reef (Figure 6).

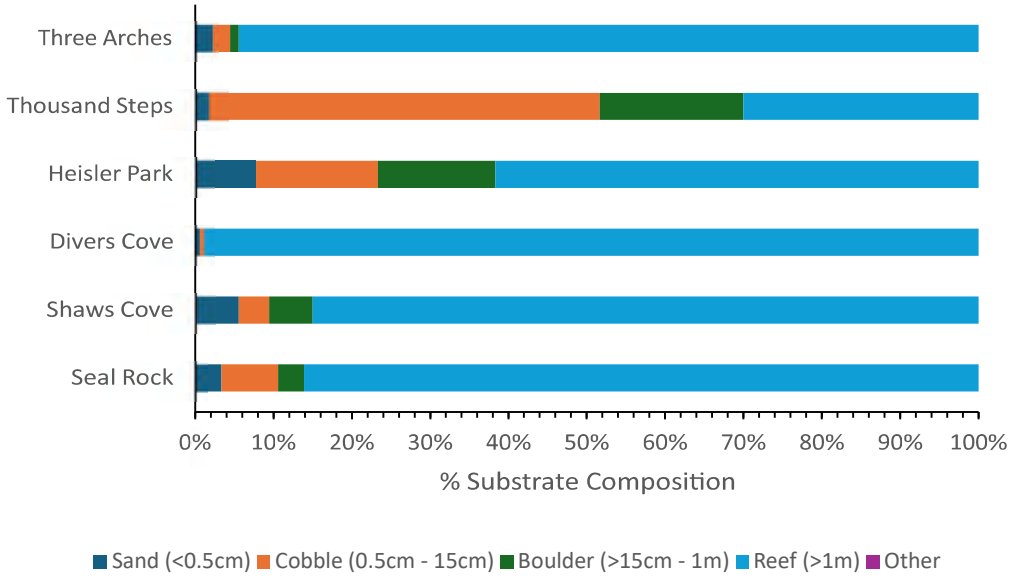

Figure 6. Mean percent substrate composition at six sites in Laguna Beach, California, based on the most recent survey data (2025 and 2026).

Conclusions

Overall, this report finds that the kelp forest ecosystems inside the Laguna Beach SMR have stable giant kelp densities and currently have higher giant kelp densities than the ecosystems surveyed at Thousand Steps Beach and Three Arches. The protected ecosystems also currently have lower urchin densities than the unprotected reefs. The higher urchin populations outside of the Laguna Beach SMR and SMCA may have led to increased grazing pressure on the algae communities of these ecosystems. If there is not enough drift algae to support urchin grazing, urchins are known to actively search for food and may graze on attached giant kelp holdfasts, resulting in a decline in giant kelp density (Harrold and Reed 1985). The fishing pressure on urchin predators, such as California spiny lobster *(Panulirus interruptus*) and California sheephead (*Bodianus pulcher*), at sites outside the MPAs may allow larger populations of urchins to thrive on those reefs. Continuing to monitor these six sites will allow us to better understand the impacts of MPAs on the dynamics of these kelp forest ecosystems.

References

Freiwald, J., and A. Beahrs. 2020. Reef Check California: SCUBA-diving citizen scientist monitor rock reef ecosystems. Page 313 in C. A. Lepczyk, O. D. Boyle, and T. L. V. Vargo, editors. Handbook of citizen science in ecology and conservation. University of California Press, Oakland, California.

Freiwald, J., S. M. McMillan, and D. Abbott. 2021. Reef Check California Instruction Manual: A Guide to Monitoring California's Kelp Forests, 10th Edition. Reef Check Foundation, Marina del Rey, CA, USA.

Harrold, C., and Reed, D. C. (1985). Food availability, sea urchin grazing, and kelp forest community structure. Ecology, 66(4), 1160-1169.

California Department of Fish and Wildlife. (2022, September). Laguna Beach State Marine Reserve/State Marine Conservation Area (No-Take). California Natural Resources Agency. https://wildlife.ca.gov/Conservation/Marine/MPAs/Laguna-Beach#623964928

March 30th, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
President Erik Sklar

Dear President Sklar,

My family owns and operates, Dana Wharf Sportfishing and Whale Watching. We respectfully support the California Department of Fish and Wildlife's recommendation to Deny Petition 2023-24 regarding the proposed expansion of the Laguna Beach Marine Protected Area.

The current MPA network was established through a comprehensive, science-based process under the Marine Life Protection Act, balancing conservation goals with public access. Based on the Department's review, the petition does not demonstrate that the proposed boundary expansion would provide meaningful additional ecological or management benefit.

The Department also identified that the proposed expansion would shift recreational fishing pressure into adjacent areas, including Dana Point, without a corresponding conservation need.

As a local operator in Dana Point, our most popular offerings are the 5-hour trips, this is particularly important. Our business relies on access to nearby coastal waters for short-duration trips designed for families, seniors, school groups, and individuals with disabilities who are unable to travel long distances offshore. Expanding the closure would limit access to these nearby fishing areas and disproportionately impact these programs, which provide thousands of people each year with their only opportunity to experience ocean fishing. This expansion would have a huge effect on coastal access and would have a negative effect on the economy of our fishing community.

The existing MPA has been in place for just over a decade and will continue to be evaluated through the decadal review process. Maintaining current boundaries is consistent with a measured, science-based approach to marine resource management.

For these reasons, I respectfully request that the Commission uphold the Department's recommendation and deny Petition 2023-24.

Thank you for your time and consideration.

Donna Kalez & Mike Hansen
Owners, Dana Wharf Sportfishing & Whale Watching

DANA WHARF SPORTFISHING & WHALE WATCHING
34675 GOLDEN LANTERN | DANA POINT | CA | 92629
(949) 496-5794 | DANAWHARF.COM

FGC**@FGC**

From: veronica stambolis
Sent: Thursday, April 30, 2026 12:32 PM
To: FGC
Subject: Petition 2023-24 Proposed Laguna Beach MLP Expansion

My name is Vicki Stambolis, and I am a proud member of the Dana Wharf Lady Anglers.

We are a 65-member, all-women angling club that has been fishing together for 50 years. In fact, our club, founded in Dana Point, is now celebrating 55 years.

Each year, we take approximately 25 trips out on the water, and we are deeply committed to conservation and protecting our marine environment.

Some of our members also volunteer their time to support children's charities and help introduce kids to the ocean. I, personally, am also a tide pool educator and deeply respect our beautiful oceans and shoreline.

For me personally, fishing is more than just catching fish. It is about connection—connection to the ocean, to nature, and to each other. It's about the friendships we've built over decades and the shared experiences that simply can't be replaced.

Being out on the water with other women—learning, laughing, and supporting is something incredibly special.

I am here today in strong opposition to Petition 2023–24, the proposed Laguna Beach MPA expansion.

As a club, we respectfully urge the Commission to follow the recommendations of the California Department of Fish and Wildlife and deny this petition.

The Department has conducted a thorough, science-based review and found no justification for this expansion.

Further restrictions would limit access for everyday anglers like us—especially women, families, and community groups—without clear environmental benefit.

Please consider the real people and communities who rely on these waters—not just for recreation, but for connection, education, and conservation.

We respectfully ask that you deny Petition 2023–24.

Thank you,

Vicki Stambolis

FGC**@FGC**

From: Jim Holden
Sent: Friday, May 1, 2026 3:35 PM
To: FGC
Subject: San Clemente Meeting May 19 2023-24

Dear Members of the California Fish and Game Commission,

My name is Jim Holden, and I am the Founder & President of Fish for Life, a nonprofit organization dedicated to taking special needs children ocean fishing off the coasts of Dana Point and Laguna Beach.

I am writing to express my sincere appreciation to the California Department of Fish and Wildlife for their thorough and thoughtful review of **Petition 2023–24**, and for their recommendation to deny it.

If approved, this petition would significantly reduce fishing opportunities for thousands of individuals each year. More importantly, it would have a direct and meaningful impact on our Fish for Life program. The accessible fishing areas just north of Dana Point Harbor—particularly along the South Laguna coastline—are essential to our ability to provide these life-changing experiences for the children and families we serve.

Our program depends on close, productive fishing grounds that are reachable within a short time frame. This is especially important for children with special needs, many of whom benefit from shorter trips and consistent action. For the past 16 years, access to these local waters has made an extraordinary difference creating moments of joy, confidence, and lasting memories for the families we serve.

Limiting access to these areas would significantly diminish our ability to continue offering these opportunities.

I respectfully urge the Commission to follow the Department's recommendation and deny Petition 2023–24, in support of maintaining responsible coastal access for our community and the many individuals who benefit from it.

Thank you for your time, consideration, and continued commitment to balancing conservation with public access and opportunity.

For additional context, I have included a short video that captures the heart of our program:

Thank you for your time, consideration, and continued commitment to balancing conservation with public access and opportunity. I have also included a video that I hope you will show at the meeting. https://youtu.be/jA-XHnQFVz0?si=GoXRCKDjSM4r8Gx8

Sincerely,
Jim

Jim Holden
President
Fish for Life!

CAPITOL OFFICE
1021 O STREET
SUITE 6730
SACRAMENTO, CA 95814
TEL (916) 651-4036

DISTRICT OFFICE
301 MAIN STREET
SUITE 212
HUNTINGTON BEACH, CA 92648
TEL (714) 374-4000

SENATOR.STRICKLAND@SENATE.CA.GOV

California State Senate

SENATOR
TONY STRICKLAND
THIRTY-SIXTH SENATE DISTRICT

COMMITTEES
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VICE CHAIR
SUBCOMMITTEE
LOSSAN RAIL CORRIDOR RESILIENCY

May 05, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Dear President Erik Sklar,

I write to express my support for the recommendation of the California Department of Fish and Wildlife to deny Petition 2023-24 regarding the proposed expansion of the Laguna Beach Marine Protected Area.

California's MPA network was established through a rigorous, science-based process under the Marine Life Protection Act, balancing conservation with public access. The Department's review found that the proposed expansion would not provide meaningful additional ecological or management benefit. It also determined that expanding the boundaries would shift recreational fishing activity into nearby areas, including Dana Point, without a demonstrated conservation need, creating potential regional impacts without clear environmental gains.

Maintaining reasonable coastal access is essential for many families, students, seniors, and others who rely on nearby waters for short-duration trips. Limiting this access would disproportionately affect these groups and impact local economies tied to recreational fishing. More broadly, recreational fishing represents a major economic driver across California, generating an estimated $7.9 billion in total economic impact and supporting approximately 43,000 jobs statewide. These figures underscore the importance of preserving responsible access to coastal resources.

Given that the existing MPA is already subject to ongoing review, maintaining current boundaries reflects a balanced and evidence-based approach. For these reasons, I respectfully urge the California Fish and Game Commission to uphold the Department's recommendation and deny Petition 2023-24.

Thank you for your time and thoughtful consideration.

Sincerely,

Tony Strickland
California State Senator, 36th District

FGC**@FGC**

From: Jack Likins
Sent: Tuesday, May 5, 2026 10:06 PM
To: FGC
Subject: Comment regarding MPA petition 2023-24: proposed Laguna Beaach SMCA

Re: Petition 2023-24MPA – Proposed Expansion of the Laguna Beach SMCA

Dear President Sklar and Commissioners:

As a marine environmentalist and lifelong fisherman, I respectfully urge you to deny Petition 2023-24MPA, consistent with the recommendation of the California Department of Fish and Wildlife.

Expanding Laguna Beach's already extensive MPA network would eliminate the only remaining area that provides public shore access and fishing. This action would also have tangible economic impacts on commercial lobster operations and local charter fishing businesses, without clear evidence of corresponding ecological benefit.

The petition's central ecological claim is that expanding the no-take area will increase large male California sheephead, reduce urchin populations, and restore kelp through a trophic cascade. While this mechanism has been observed in certain systems, there is no site-specific evidence demonstrating that it is currently limiting kelp recovery in the proposed expansion area.

Based on personal diving observations in this area, sheephead populations are already robust. As the Commission is aware, sheephead are protogynous hermaphrodites; when males are removed, dominant females can transition to males, often within days. Additionally, urchin densities in this area are not elevated to levels associated with widespread kelp suppression. Kelp abundance appears consistent with adjacent MPA sites and is largely dictated by underlying habitat structure rather than fishing pressure.

In the absence of documented predator limitation or urchin overpopulation, the proposed expansion does not address a clearly defined ecological deficiency.

The Marine Life Protection Act calls for adaptive management based on the best available science. This petition does not present compelling scientific evidence that fishing pressure is degrading ecosystem function in this area, nor that expansion would measurably improve MPA network performance or advance MLPA objectives.

If existing Laguna MPAs are meeting their statutory goals, expanding protections to the remaining accessible coastline appears to be driven more by policy preference than by demonstrated ecological need.

For these reasons, and in alignment with CDFW's evaluation, I support denial of Petition 2023-24MPA.

Respectfully,
Jack Likins

FGC**@FGC**

From: Rick Duenas
Sent: Wednesday, May 6, 2026 11:57 AM
To: FGC
Subject: Public comment: May 19, 2026: Southern Region Petitions

Dear President Sklar and Members of the Commission,

My name is Rick Duenas and I am a recreational angler and diver. I am writing regarding the MPA petitions for Los Angeles County through San Diego County. I urge you to deny all of these petitions in concurrence with CDFW's recommendations.

In particular, I am most strongly opposed to **2023-33MPA-AM** because it would significantly restrict in-shore recreational access in several important locations on the mainland and islands. I would rather see kelp restoration efforts done in a more refined manner through the KRMP.

I am also strongly opposed to **2023-24MPA-AM** because it would significantly restrict in-shore recreational access south of Laguna Beach and add an oddly-shaped boundary that would make compliance more difficult.

Thank you for your time.

Sincerely,
Rick Duenas

FGC**@FGC**

From: Shannon Hansen
Sent: Wednesday, May 6, 2026 2:26 PM
To: FGC
Subject: Letter to Deny Petition 2023-24

5/6/2026

California Fish and Game Commission

P.O. Box 944209

Sacramento, CA 94244-2090

President Erik Sklar

Dear President Sklar,

I am the granddaughter of Dana Wharf Sportfishing and Whale Watching founder Don Hansen, and to this day - my family still owns and operates this business in Dana Point Harbor, where we have been operating for over 55 years.

My grandfather spent his entire life working with the public to protect access to fishing. He always worked with everyone that he could in order to come together for equitable access - always balancing and protecting fishing for future generations. The first MLPA was a challenging time for my family - I remember it well and knew that after the outcome, my grandfather would persevere and continue with his life's work to protect fishing for the next generation.

I now have a daughter of my own and am saddened to see the fishing future may be in peril. Although my grandfather passed away in 2022, I know how upset he would be to see these petitions appear after only a very short 12 years. He would want all of us to work together,

send in letters, talk to you all and remind you that we are all on the same page. We love the ocean and all the creatures that live in our waters. We fish responsibly for food and always release the fish we don't plan to eat.

I am in total support of the California Department of Fish and Wildlife's recommendation to deny Petition 2023-24 regarding the proposed expansion of the Laguna Beach Marine Protected Area. This petition will restrict access and put stress on the coastal waters off Dana Point because the proposed expansion would shift recreational fishing pressure into adjacent areas.

The current area that has already been closed for years adequately protects the coastline and meets conservation goals while still allowing public access to the waters off Dana Point and Laguna Beach to recreational fishing.

Recreational fishing is a pastime my grandfather spent his whole life protecting, and my family and I urge you to deny this petition given the lack of scientific data and reasoning that expanded boundaries would benefit the coastal waters in any way. As a new mom I have always dreamed of taking my children fishing in the local waters off our coast - as my family has done for decades.

Dana Wharf Sportfishing is a third-generation family-run business, and at its core relies on access to nearby coastal waters. This expansion would have a massive impact on coastal access and result in a negative effect on the economy of our local fishing community.

Keeping with the existing MPA and current boundaries is consistent with a measured, science-based approach to marine resource management.

Thank you for your time and consideration,

Shannon Herrera (Hansen)

San Diego Fishermen's Working Group 8021 Lemon Avenue, La Mesa, CA 91941

Eric Sklar
President
California Fish and Game Commission

May 10, 2026

Sent electronically to: Melissa.Miller-Henson@fgc.ca.gov

RE: Comments on Marine Protected Area Petitions 2023-33MPA-1_AMI and 2023-24_AMI.

Dear President Sklar and Commissioners,

Who We Are

Formed in 2012, the San Diego Fishermen's Working Group (SDFWG) is a 501-c-3 non-profit organization with a Board of Directors comprised of all the major fishery gear types of the greater San Diego region. The SDFWG represents the interests of the region's 150 commercial fishermen in local, state, and federal processes. The term "fishermen" is used inclusive of both our fishing women and men.

Thank you for providing the opportunity to comment on two MPA petitions which will greatly negatively affect San Diego-area fishermen.

Process Concerns

The SDFWG has deep concerns over the process the FGC is utilizing to evaluate MPA petitions which could possibly result in new restrictions on the state's struggling fishing industry. Many of the arguments that MPA proponents use amount to "more is always better". Quite often these proponents throw out science claims to bolster their view.

As we see it, the role that the CDFW's science team plays in evaluating the petitions is now unclear, as is the Commission's role in evaluating the science behind the petitions. Has the Commission decided to judge MPA petitions based on how many supporters turn out? If the Commission is going to rely on the best science, and the best matching of MPA petitions with the Marine Life Protection Act goals, the results of the first Initiative, and the results of the Decadal Review, why do the recommendations of the CDFW's science/policy team appear to carry little weight? A case in point are claims that new MPA petitions somehow correct errors in the size and spacing guidelines developed during the MLPAI process, when in-fact careful consideration was given to that very issue by the Science Advisory Team.

We also contrast the current petition process with the process used in the MLPAI. In that process, there were defined stakeholder representatives, and a defined science team which did its best to utilized the best available science in meeting the goals of the MLPA. A dedicated "Blue Ribbon Task Force" weighed differing needs and perspectives and made recommendations to the FGC. Although the MLPA contains no requirement to utilize socioeconomic information in evaluating MPA arrays, such information was developed. The current MPA petition process has no process for the Commission to learn of socioeconomic consequences of adding more fishing (and other human uses) restrictions. Before adopting any new fishing closures, the Commission should require a complete socioeconomic and community impact review, including displacement of small-vessel fishermen, increased operating costs, safety concerns, impacts to dockside markets and shoreside businesses, and reduced public access to locally harvested seafood. Such information will be needed to fulfill the intent of the FGC's recently adopted "Coastal Fishing Communities Project".

It is hard not to note that during the last two special FGC meetings to hear from proponents and stakeholders, there was no presentation by CDFW to summarize its analysis and reasons for its recommendations. Perhaps this will be remedied during the meeting wherein the Commission makes its final decisions. The SDFWG hopes that the FGC will look to the recommendations of the CDFW and its science/policy team.

Finally, we point out that many of the MPA petitions herald the abundance and biodiversity associated with the habitats they propose to protect with an MPA. Please don't miss the fact that these "special" places exist in the context of decades of use under existing state and federal fisheries management.

Petition 2303-33, "Expand Cabrillo SMR westward (to 3nm state line) and northward (to New Hope Rock)"

The Department's analysis includes this:

"Although the proposed expansion of the Cabrillo SMR may appear to enhance existing ecological protections consistent with (MLPA) goals 1, 2, and 4, there is not sufficient einformation to support that this proposed action would align with the petitioner's stated purpose, which is to protect persistent kelp patches and enhance the state's restoration potential for other kelp forests in decline."

The SDFWG agrees, and further submits a letter, attached, from three respected kelp ecologists, Dr's Parnell of UCSD, Schroeder of UCSB and Dayton of UCSD. This March 31, 2026 letter states, in part:

"Environmental California and Azul's generalization about fishing leading to trophic cascades and resulting kelp decline is not supported by any data we are aware of. In the Point Loma kelp forest in particular it is contradicted by the extensive data of Parnell et al. 2026, based on 42 years of detailed studies of the demographics of giant kelp San Diego throughout the Point Loma kelp forest. During these studies there has been fishing for both lobsters, Sheephead and sea urchins and there has been no concomitant increase in adverse effects of sea urchins on giant kelp. In their extensive long-term studies, Parnell and colleagues have also found that there is no significant relationship between the sizes of giant kelp cohorts and the density of sea urchins, evidence contradicting the assertions of Environment California and Azul."

Further, in papers we found in the scientific literature, Smith et al. (2023) examined climate resilience from the MLPA and concluded, "Collectively, our findings suggest that MPAs have limited ability to mitigate the impacts of marine heatwaves on community structure." Another paper, Freedman et al., (2020), looked at a range of species in kelp ecosystems and concluded the MPAs had not provided any resilience to the community.

Also from the CDFW analysis:

"While kelp declines and climate change are key issues of concern, the proposed actions (expanded MPA to 'protect' kelp) are not the most effective solutions."

The CDFW directs attention to the state's "Kelp Restoration and Management Plan", which is under development.

As discussed the above "Process" comments, no real socioeconomic evaluation is done for closing this area. The CDFW does acknowledge that the small boat fleet out of San Diego will be affected, with production losses and problems associated with displacing and consolidating fishermen from one area into another.

The SDFWG's members highly value fishing and diving within the area proposed for an expanded SMR. Should this area be removed from fishing opportunity, it will deprive San Diego small-vessel fishermen of trap, hook and line, and dive harvest. This stresses the cultural fabric of the fleet, and how that that fits into the greater San Diego area. For example, a large percentage of seafood products that is sold at the Saturday "Tuna Harbor Dockside Market"---a beloved cultural institution in the community--comes from the proposed expanded SMR.

The SDFWG requests that the FGC follow the science-based recommendation of the CDFW and **deny** this petition.

Petition 2023-24_1_AM1: "Extend the Laguna Beach No-take SMCA Southern Boundary to the Southern Border of the City of Laguna Beach, which will require modification of the northern boundary of the Dana Point SMCA.

The petitioners claim that this expansion and re-alignment is needed for ease of enforcement, to protect kelp, and to protect whales from entanglements in lobster trap gear. The CDFW disputes these claims saying:

"The proposed change…does not address and enforcement challenge, advance adaptive management recommendations from the Decadal Management Review, address a current or emerging management challenge, or align with the original intent of these MPAs as established in the MLPAI planning process. The proposed change is unlikely to benefit migrating whales or have a biologically meaningful impact on kelp beyond what is already offered by the Dana Point SMCA."

Please see the above discussion on the Cabrillo SMR expansion for CDFW and other scientists' assessments on the lack of MPA benefits in protecting kelp.

The SDFWG strongly asks the FGC to support the recommendation of the CDFW's science/policy team and **deny** this petition.

Thank you for considering comments from the San Diego Fishermen's Working Group.

Pete Halmay

President

Attachment

To: Melissa Miller-Henson, Executive Director of the California Fish and Game Commission

March 31, 2026

Subject: Lack of scientific basis for expanding the south Point Loma SMR

The joint petition put forward by Environment California and Azul (2023-33MPA_1_AM1) to expand Cabrillo State Marine Reserve (SMR) westward (to 3-mile state line) and northward to New Hope Rock by ~9.99 sq miles would expand the existing small SMR at the tip of Point Loma to encompass more that 40% of the Point Loma kelp forest. The joint petition asserts that the decline of kelp in California is driven by extractive fishing of sea urchin predators (they cite overfishing of California Sheephead and lobsters) which has led to increases in sea urchins, overgrazing, formation of urchin barrens and declines in kelp. The petition asserts that this fishing effect applies to kelp beds throughout California. The proposed expansion of the SMR would prohibit fishing over more than 40% of the Point Loma kelp forest and would result in effectively eliminating the dive fishery for sea urchins, an important economic resource for the San Diego region. Environmental California and Azul's generalization about fishing leading to trophic cascades and resulting kelp decline is not supported by any data we are aware of. In the Point Loma kelp forest in particular it is contradicted by the extensive data of Parnell et al. 2026, based on 42 years of detailed studies of the demographics of giant kelp throughout the Point Loma kelp forest. During these studies there has been fishing for both lobsters, Sheephead and sea urchins and there has been no concomitant increase in adverse effects of sea urchins on giant kelp. In their extensive long-term studies, Parnell and colleagues have also found that there is no significant relationship between the sizes of giant kelp cohorts and the density of sea urchins, evidence contradicting the assertions of Environment California and Azul.

Based on observations made during more than 15,000 dives in the Point Loma and La Jolla kelp beds since 1976 the Red Sea urchin population has been reduced by sea urchin harvests to an estimated 30% of the size in 1976. Understory algae and elkhorn kelp have replaced giant kelp in many areas. Pushing harvests further away from the Port or to other countries would increase the carbon footprint of the fisheries, likely exacerbating global warming.

For these reasons we strongly urge you to reject the joint petition by Environment California and Azul.

Sincerely,

Dr. Ed Parnell, Scripps Institution of Oceanography, University of California San Diego

Dr. Paul Dayton, Scripps Institution of Oceanography, University of California San Diego

Dr. Stephen Schroeter, Marine Science Institute, University of California Santa Barbara

Mr. Peter Halmay, President, San Diego Fishermen's Working Group

Parnell PE, Lennert-Cody CE, Ladah LB, Riser KL, Bulach B, Leichter JJ, Latker AK, Schroeter SC, Dayton PK. Demography and dynamics of giant kelp cohorts across four decades: Lessons for conservation and resilience planning. Ecol Appl. 2026 Jan;36(1):e70181. doi: 10.1002/eap.70181. PMID: 41605549; PMCID: PMC12851851.

Rcvd 5/11/26

CITY OF DANA POINT

CITY COUNCIL

John Gabbard
Mayor
Mike Frost
Mayor Pro Tem
Jamey M. Federico
Matthew Pagano
Michael Villar

May 6, 2026

President Erik Sklar
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Subject: Proposed Modification to Laguna Beach and Dana Point State Marine Conservation Area Boundaries, Support CDFW recommendation to deny Petition 2023-24MPA_AM

Dear President Sklar:

On behalf of the City of Dana Point, I am writing in opposition to Petition 2023-24MPA_AM, which proposes extending the Laguna Beach No-Take SMCA into a portion of the Dana Point SMCA.

The City has carefully reviewed the California Department of Fish and Wildlife's (CDFW) March 2026 evaluation and concurs with its findings and recommendation to deny the petition. CDFW clearly determined that the proposed boundary modification does not advance the goals of the Marine Life Protection Act, would not result in meaningful ecological benefit, and could introduce new enforcement challenges. The current boundary was intentionally established through the MLPA process and continues to function as designed without evidence of significant management or compliance issues.

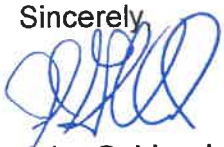
The City is particularly concerned with the direct and disproportionate impacts this proposal would have on Dana Point. The affected area is one of the most actively used fishing locations in the region and supports Dana Point Harbor's commercial, recreational, and charter fishing operations. Eliminating access to this area would result in significant economic and community impacts, while providing little to no additional environmental benefit.

The proposed change would also directly affect Dana Wharf Sportfishing & Whale Watching, one of Dana Point Harbor's oldest and most prominent businesses and a cornerstone of the City's recreational fishing economy. Dana Wharf relies heavily on access to this area for its sportfishing operations, which serve thousands of residents and visitors each year, support local jobs, and generate significant economic activity for adjacent restaurants, retailers, and hospitality businesses. Restricting fishing in this location would substantially limit the opportunities available to recreational anglers, diminish the attractiveness of Dana Point as a regional sportfishing destination, and negatively impact a long-standing community institution that contributes to the City's identity, tourism economy, and harbor vitality.

For these reasons, the City of Dana Point strongly supports CDFW's recommendation and urges the Commission to deny Petition 2023-24MPA_AM. The City remains committed to collaborative, science-based management of marine resources that balances conservation with public access and local economic vitality.

Thank you for your consideration.

Sincerely,



John Gabbard
Mayor, City of Dana Point

cc: California Department of Fish and Wildlife
Dana Point City Council

CITY OF DANA POINT
Harboring the Good Life
33282 Golden Lantern, Dana Point, CA 92629-1805

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President Erik Sklar
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

94244-2090

May 10, 2026

To: The California Fish and Game Commission, fgc@fgc.ca.gov

Re: May 2026 Regional MPA Meetings – Opposition to MPA Petitions Affecting the California Spiny Lobster Fishery

Dear Fish and Game Commissioners,

Since 1994, the California Lobster & Trap Fishermen's Association (CLTFA), a 501(c)6 non-profit organization, has been established as a corporation to aid, encourage, and promote activities and affairs that maintain California Spiny Lobster populations off the coast and islands of the State of California at levels of maximum sustained yields as well as further the goal of viable and equitable access to such living marine resources by commercial fishermen licensed by the State of California. CLTFA is a well-respected organization within the California fishing community and represents the interests of vastly experienced trap fishermen from a variety of regions from Point Conception to San Diego. On behalf of CLTFA, we respectfully submit the following comments regarding MPA petitions specifically as it pertains to the bioregional meetings both past and upcoming.

First and foremost, we want to thank the Commission, the Department of Fish and Wildlife, and staff for all your diligent efforts over the past few weeks to host these regional meetings in the first place - We know it is not an easy task but we are extremely grateful for the opportunity to speak in our respective hometowns.

Please see our comments below on the petitions to be discussed on the May 19th meeting in San Clemente:

Petition 2023-24, Petition 2023-33, Petition 2023-34:

We oppose all petitions that propose the expansion or introduction of MPAs. They would permanently eliminate additional lobster fishing grounds in an area that is already heavily restricted by existing MPAs and coastal development without clear scientific evidence demonstrating measurable ecosystem or fishery benefits relative to the detrimental socioeconomic impact.

To reiterate, California's commercial spiny lobster fishery is managed under CDFW's Fishery Management Plan and is widely recognized as one of the state's most sustainably managed fisheries with seasonal closures, trap limits, size limits, and extensive monitoring already in

place. Additional closures would increase fishing efforts in the few remaining open areas (fishing compaction), raise operational safety concerns (more lines/competition in less space), and diminish economic stability on the community's small-scale fishermen, their families, beneficiaries, and working waterfronts. To quote one fisherman based out of Point Loma, CA, when asked specifically how Petition 2023-33 would impact him, he responded that, "if that closure goes through, it's game over for me. I will have to completely change my life and forgo the industry that I've invested so much in." This sentiment is representative of how almost all if not the entire fleet feels about losing more grounds.

Furthermore, we want to emphasize that we support tribes having access to existing MPAs, especially considering they were excluded from the original process over a decade ago. However, we do not feel the introduction of new closures that position tribes and fishermen against one another is the solution to developing a successful comanagement plan. It has been our ongoing stance that we have an interest in and respect for how we can work together to get tribes more access to fishing that they deserve, but many of their objectives being sought are well beyond our authority (permits, access to existing MPAs, etc.). More broadly, it is concerning to see well-funded external organizations influence decisions that could remove local access to areas fishermen also deeply value and consider sacred. We believe the collective focus should remain on building a fair and collaborative path forward for everyone involved.

Speaking on behalf of myself, I want to address Petition 2023-29 because I did not get the opportunity to speak on this. I take responsibility for not submitting my speaker card sooner or ceding time. We intentionally did *not* want to cede time because we felt it was more important for as many fishermen to speak as possible, and I'm so glad they did. After watching the meeting in San Mateo with 60+ speakers, I assumed that it would be the same in Goleta. I do apologize for disrupting the flow of the meeting by asking to speak, I would have been remiss had I not at least tried. Regarding the presentation, the petitioner mentioned the spillover effect in the lobster fishery as grounds to support their proposal. While that may be documented at other MPAs, **that does not mean that we support this petition**. We still rely on this area and more importantly, we have a fleet mentality that supports all of our local commercial fisheries regardless of the targeted species. We would never put our fishery first for the chance that it might be advantageous for us but put our colleagues and shipmates out of business. It should also be noted that almost every fisherman in our local lobster fleet participates in other fisheries (e.g. urchins, crab, groundfish, etc.) in order to diversify their efforts and earn a living that allows them and their families to live in this expensive area, so it would be self defeating to support this closure on the basis that it would "benefit" the lobster fishery, but eliminate everything else. I submitted

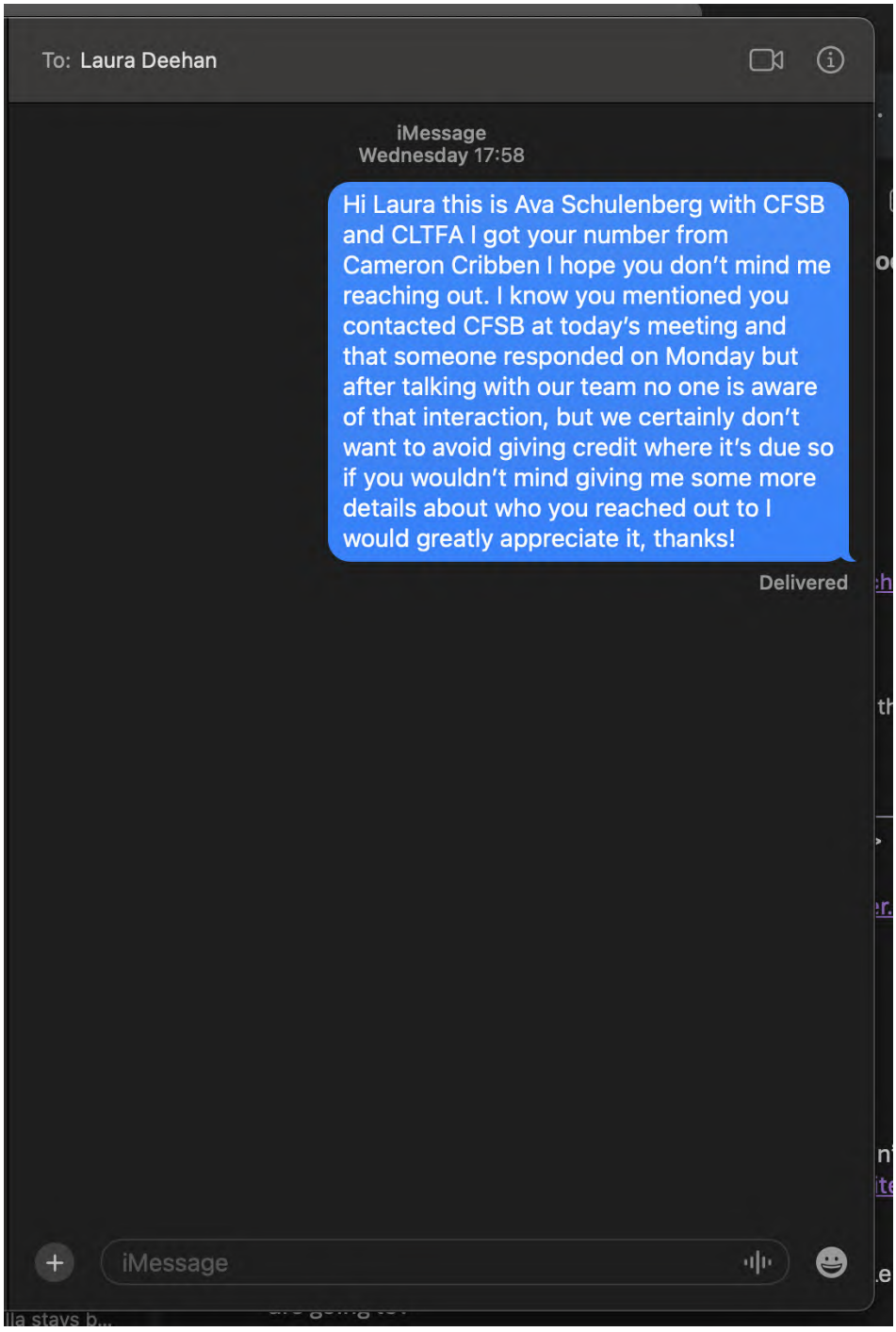
a letter for the April 14th Tribal Committee Meeting that further delves into our stance on this petition specifically.

Additionally, per my public comment on Petition 2023-33, I want to apologize if what I said was upsetting to anyone when I spoke about how disturbing it is to have proposed spatial loss taken by a non-local entity. I realized in the following days that that may have come off as insensitive to tribes given the fact that they had everything taken from them and in horrific ways; It was not, nor is it ever, my intention to be offensive or insensitive to what they have endured. As mentioned during general public comment, I have scheduled time with Calpirg students at UCSB and I am looking forward to connecting with them because I do believe we are on the same team, whether we are all aware of it or not. Lastly, I reached out to the petitioner of Petition 2023-33 with no response (see screenshot below), and am still unsure of the "communication" they put forth that "*we* did not respond to." It is understandable that the Commission cannot police the outreach efforts on behalf of the petitioners as stated during the meeting, however we respectfully dispute any suggestion that we were unwilling to engage in communication regarding these proposals.

In closing, we want to thank you very much again for your time spent reading our letter. We know you have extremely busy lives and are grateful for all of your hard work and dedication throughout this process.

Ava Schulenberg
Executive Director, CLTFA

Cameron Cribben
President, CLTFA


To: Laura Deehan
iMessage
Wednesday 17:58
Hi Laura this is Ava Schulenberg with CFSB and CLTFA I got your number from Cameron Cribben I hope you don't mind me reaching out. I know you mentioned you contacted CFSB at today's meeting and that someone responded on Monday but after talking with our team no one is aware of that interaction, but we certainly don't want to avoid giving credit where it's due so if you wouldn't mind giving me some more details about who you reached out to I would greatly appreciate it, thanks!
Delivered
iMessage

FGC**@FGC**

From: Mike Beanan
Sent: Wednesday, April 15, 2026 3:35 PM
To: FGC
Subject: Commissioners Hostler-Carmesin and Zavaleta Re: Tribal Support for Laguna MPA
Attachments: Acjachemen07022025.docx

Thank you, Commissioners Hostler-Carmesin and Zavaleta for reminding us about the important role of the tribes in the MPA process.

We appreciate the support from the Acjachemen Nation for protecting all of Laguna's historic, natural and cultural heritage as a first step towards co-management of Laguna Beach's MPAs.

Mike Beanan
Laguna Bluebelt Coalition

Fish & Game Commission, State of California July 2, 2025 Commissioners Zavaleta, Murray, Hostler-Carmesin, Skylar and Anderson P.O. Box 944209 Sacramento, CA 94244-2090

ATTN: Melissa Miller-Henson
Director Via Mail and Email: FGC@FGC.CA.GOV

RE: Tribal Support for Bluebelt Petition to Extend MPA to Laguna Beach Southern Boundary

Dear Commissioners,

The Juaneño Band of Mission Indians/Acjachemen Nation have lived in the proposed boundary area for over 10,000 years successfully managing sea life resources with ancient sustainable practices. We are

the inheritors and stewards of Laguna Beach's rare and iconic coastal treasures for present and future generations.

The Juaneño Band of Mission Indians/Acjachemen Nation, the indigenous people of Orange County, California – USA, supports the Laguna Bluebelt Petition 2023-24-R to protect all of Laguna Beach's sea life heritage to the southern city limits. The revised MPA boundary will enhance enforcement consistency and add 1.3 miles of essential sea life habitat, including offshore kelp reefs. The Laguna MPAs are a vital link for genetic dispersal and healthy, diverse sea life between MPAs in La Jolla and Palos Verdes. The extension will enhance the integrity of the Laguna Beach network and protect species and habitat diversity.

We encourage the Commission to recognize the value of protecting all of Laguna's marine life and approve the Bluebelt Petition 2023-24-R as a critical step forward in protecting all of California's network of sea life heritage.

Sincerely,

Adelia Sandoval,
Director Juaneño
Band of Mission Indians/Acjachemen Nation

FGC**@FGC**

From: Srividya Maganti
Sent: Thursday, April 30, 2026 12:04 PM
To: FGC
Subject: Citizen comments on MPA Petitions
Attachments: Comments to FGC.pdf; Adobe Scan Apr 30, 2026 (2) (1).pdf

Dear California FGC,

Throughout this year, we have engaged with local communities regarding the proposed changes to the Marine Protected Area network currently under consideration.

Attached please find comments from residents across the South and Central Coast. We ask that you take these perspectives into account during your decision-making process.

Best regards,

Srividya Maganti
Environment California

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

Please help protect our oceans & Marine life - we need your help to make a difference.

Name: Andrea Pett

Organization/Business: ebmrf

Zip code: 90064

Email: [redacted]

Phone: [redacted]

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

Without healthy oceans and abundant marine life there is no humanity. Protect it not for us but for the future generations that are depending on us.

Name: Erin VandeVen

Organization/Business:

Zip code: 90277

Email: [redacted]

Phone: [redacted]

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because they are critical to livelyhood extending as far east as Colorado. Protecting the Marine ecology has proven to be more beneficial to Marine commercial industries. Extend it. Science already proves it works

Name: Vick Stack

Organization/Business: PADI Instructer

Zip code: 92108

Email:

Phone:

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

I want to abalone dive Again

Name: Bryant Ho

Organization/Business: City of San Diego

Zip code: 91945 & 92928

Email: [redacted]

Phone: [redacted]

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because our future generations depend on the stability of our ecosystems. Anytime a kelp forest is depleted our future that we our building for our children are impacted. Plus we love our biodiversity

Name: Ivanna Bresciani

Organization/Business: Longfellow

Zip code: 91945

Email: [redacted]

Phone: [redacted]

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

For the future and now. Keeping the waters safe for all creatures - I have 3 children wanting to be some time of oceans job.

Name: Leticia Limbo

Organization/Business:

Zip code: 92596

Email: [redacted]

Phone: [redacted]

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

the beautiful PACIFIC OCEAN IS AN IRREPLACEABLE TREASURE. WE MUST PRESERVE + EXPAND OUR MARINE PROTECTED AREAS. CABRILLO IN PARTICULAR NEEDS TO BE EXPANDED. SO MANY MORE SPECIES COULD BE PROTECTED.

RESEARCH SHOWS THAT EVEN FOR FISHERS PEOPLE THE AREAS AROUND MPA's have MANY MANY MORE SPECIES SINCE the MPA IS ESTABLISHED.

I've lived in SAN DIEGO all my life.

PLEASE HELP US PROTECT these AREAS

Name: PATRICIA HERRON / FRIENDS of RUSTIN CANYON

Organization/Business:

Zip code: 92129

Email:

Phone:

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because many wild life species depend ohit for habitat.

Name: Aiden Age 12

Organization/Business: School

Zip code:

Email:

Phone:

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

the ocean is imporant it helps us have food and it also helps us breathe more than trees do and the ocean helps humans alot!

Name: Idssi

Organization/Business:

Zip code: san diego

Email: age 11

Phone:

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

the ocean's support all of life on Earth as we are all connected by a fragile web. Supporting the ocean increases resilience. We are all crew. It's up to all of us. Thank you.

Name: Jennifer Bartle

Organization/Business:

Zip code: 92025

Email: [redacted]

Phone: [redacted]

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

I love all animals, and I hope they dont get hurt.

Name: Johanna Age 8

Organization/Business:

Zip code: Beverly Hills

Email:

Phone:

Dear California Fish and Game Commission,

I support expanding Marine Protected Areas (MPAs) because

I would like to conserve the oceans biodiversity in order to preserve beings such as coral, kelp, fish and more in order to maintain the marine environment to ensure it's overall health.

Name: Roman Lopez

Organization/Business:

Zip code: 92840

Email:

Phone

Dear California Fish and Game Commission,
I support expanding Marine Protected Areas (MPAs) because...

Healthy oceans determine the future of our climate. The Oceans is the biggest carbon sink and whats if we have no futrue!

Name: Allyson Beach
Organization/Business: Underwaters SF
City: Oakland
Email: [redacted]
Phone: [redacted]

I SUPPORT the following proposals: I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

James Bonner
90802

Marine protected areas should remain protected from fishing because highly protected MPAs are among the most effective tools we have to safeguard and restore marine ecosystems. Opening MPAs to fishing would undermine this crucial effort.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Claudio Salem, Mamiraua
92647

Please protect and expand our MPAS. These habitats are crucial to the health of our whole planet...the ocean are the lungs of the earth. I am scuba diver and snorkeler who is in the ocean weekly. Please preserve this beautiful jewel of a coastline for humanity now, and future generations.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo

(San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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LEAH E MARCUS
92646

I work in an MPA, and it’s amazing to observe how, when human impact is reduced, nature has so many tools to restore its balance. That is the minimum we should do.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Patricia Spina Salem, Laguna Ocean Foundation
92647

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Jess Weymouth, Artist
90803

MPA are important to protecting our critical habitats and marine life! We need to continue the great work that is being done and listen the the evidence and scholars doing the research!

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Vicky Lu
91007

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Isabelle Bart
92618

MPAs are important because they are our only defense in making sure the future has the chance to enjoy the ocean as much as we do.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Erin VandeVen, Oceana
90277

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Jacob Ramos
91709

Marine protected areas should remain protected from fishing because we need to protect them for future generations.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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William K Contrera
90025

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Emma Wright
90045

I am concerned because California has lost up to ~90–95% of kelp forests in some regions. As a mom, climate steward and volunteer at an aquarium, I want these areas and wildlife available for future generations. We need to build resilience to climate change and MPAs do so through their kelp forests assisting against carbon buildup.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Cat Santacruz, Not just a mom club
90802

Strengthening these MPAs is important to my work as a master's student at UCI in conservation science. Highly protected MPAs are some of the best tools we have to protect and restore marine ecosystems; Opening MPAs to fishing would undermine this.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Olivia Frigyes, UCI
92706

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Alyson Kao, UC Irvine Masters in Conservation and Restoration
91709

Our oceans are bearing the brunt of human-caused climate change. The planet would actually be cooling slightly if it were not for the oceans absorbing our excess CO2 emissions. Ocean acidification and overfishing is a huge concern. Please protect the MPA and the only home humans have.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Mark Costello, Suitelife Systems
90755

Marine protected areas should remain protected from fishing due to the instability of our kelp forests, and therefore many species in our ocean. To combat climate, we need these areas to remain protected to keep stabilize, and further revitalize, our ocean to what it was even 10 years ago.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Alexa Morris
90604

Strengthening these MPAs is important to me because my life,community,and work revolves around the ocean.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Jo Ann Canty
90630

Marine protected areas should remain protected from fishing because MPAs enable sustainable fishing in the long term due to spill over effects. Without MPAs, vulnerable species will continue to be exploited and the lack of biodiversity would increase the difficulty to fight climate change.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Sarah Shimizu, UCI MCRS
92614

Marine protected areas should remain protected from fishing because they are some of the best tools we have to protect and restore marine ecosystems. Opening MPA's to fishing would directly cause the decrease of the health and well being of these ecosystems.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Sydney Stravolo, Newport Mesa Unified School District
90604

I'm concerned because I've seen…A decline in kelp therefore a necessary habit for fish and marine life.
Protect the MPAs and expand them!

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Marion Jaikowski, LA county fire
90250

Everything we do impacts the ocean in one way or another. By establishing MPAs and conserving and protecting ocean habitats we open the ocean to more interesting biodiversity and beautiful ecosystems to bloom. We already destroyed much of our land, we need to protect our waters while we still can.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Kyle Wakamoto, UCI
90503

Strengthening these MPAs is important because without diverse marine ecosystems our planet will be destroyed. In just California alone, around 90% of kelp forests have been lost in some regions. These forests not only help keep our marine life in balance, but also our ecosystem as a whole. They absorb tons of carbon dioxide that we as humans are dumping into our environment; this only heats up our planet more and more.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Ryan Contreras
90604

Marine protected areas should remain protected from fishing to protect those ecosystems. If the balance is thrown off, many of the organisms will suffer. There are already so many commercial fishing sites in nearby locations, there is no need for any more.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Alyssa Makishima
90275

Kelp forests have declined by as much as 93% off some parts of the California coast since the marine heatwave known as the Blob and the ecosystem cascades that followed. MPAs are a powerful tool to protect and restore these essential habitats that provide shelter for fish, sequester carbon, and protect our coasts from increasingly severe storms. As an environmental writer, climate educator, and ocean freediver and swimmer, I've seen first hand the sharp contrast in richness of habitat between protected and unprotected areas. I urge you to give our coastal oceans every protection they need to benefit human communities and our non-human neighbors.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Asya Graf
90802

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Gianna Klein
91301

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Samantha
91301

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Karla Padilla
90745

Evidence has shown that protective environments protect and restore the ecosystem.
I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Maggie Calles
90807

Why wouldn't we expand MPAs? They are a proven means to help undo the damage we have caused both directly and indirectly. We need to do everything possibly to give our oceans a fighting chance. When they go, WE go. Don't let that happen.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo

(San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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LaVonne Miller
90807

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Greg Ayscue
90807

Marine protected areas should remain protected from fishing because our future generations should be able to continue on studying and understanding our planet. We are one planet and what goes on in the ocean influences what happens in the sky and land—it is all cyclical, nothing functions in a vacuum without the other. As a society that values quality of life and experiences, protecting our marine environments maintains that.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

Christine Le
90505

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Rich tonti, American Legion Newport Beach
92646

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Dylan Burns
90403

As an avid surfer and environmentalist, I support MPAs and additional increased protection for the California coast. Marine scientists have confirmed how important kelp forests are to the local ecosystems, which thrive more when fishing is not allowed in these regions. California's coastal economy relies on healthy beaches, so let's promote them through more support for MPAs.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

Elliott Wright
90045

Our current MPAs have shown how successful they can be in increasing ocean health outside of the MPA. Additionally, we need to start expanding to help the world reach our goal of 30% of our ocean protected by 2030. It’s good for tourism, fisheries and the environment

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

Kristen Gibbel
90802

California has made some great progress with Marine Protected Area in the past decades, we see and love so much about the lush wildlife in our home area. But we can't stop here or take the progress away, since California has lost up to ~90–95% of kelp forests in some regions. We need more protection, more MPAs now.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing
Ming Yang
90042

As a diver who has been to both MPA's and areas that are not protected, I have seen firsthand the abundance that comes with protections. Creating spillover and helping the fisherman communities as well. I see MPA's as a win-win for all people and our planet.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Marie McKenzie, Artist
93023

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo

(San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing
Arnold Simon, Retired
91362

We are immensely fortunate, as Californians, to live alongside the ocean. We must commit to protecting the marine life that makes our ocean flourish. Marine Protected Areas are highly impactful in protecting and restoring marine ecosystems. Opening MPAs to fishing would undermine this and devastate marine life, creating more waste and even weakening the benefits of a diverse marine life long term. MPAs are a feasible way to enjoy the benefits of a healthy ecosystem for many years.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

Evelyn Menjivar
90280

I support strengthening and maintaining MPA protections, specifically against commercial fishing, because of all of the benefits and value that MPAs provide for local communities of people, and local communities of marine life. MPAs act as reservoirs and nurseries for marine life, that spill over the boundaries of MPA borders to recharge the surrounding Marine communities. Protecting MPAs is necessary if we want to continue enjoying the benefits that those MPAs give to the surrounding areas. The protected wildlife within MPAs is personally important to me because as a diver these are natural wonders that occur only in Southern California. They're tourist destinations and drive ecotourism revenue, but for me as a socal local, these MPAs are my backyard, these are places I connect with nature in the marine wild spaces that I grew up with. We decided to protect them in the first place for important reasons. I passionately believe we should continue protecting them, and consider the benefits of increasing and expanding their protections.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

Neal Harvey
90815

Without our reefs there will be no fish and without the fish the larger fish such as dolphins, sharks and whales will become extinct. We need to preserve our ecosystem.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

Debbie finley
92688

Strengthening these MPAs is important to me and to future generations because the ocean has the power to change lives. When I was eight years old, a school trip to Los Osos, California gave me my first glimpse of a tide pool — and the sea creatures I discovered there left an impression I carry to this day. That single experience shaped the way I see the natural world and my responsibility to protect it. Every child deserves that same opportunity, but with California having lost up to 90–95% of kelp forests in some regions, the ecosystems that make those moments possible are disappearing. Marine protected areas are one of the most effective tools we have to preserve these habitats so that wonder and discovery remain available to the next generation.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests

I OPPOSE the following proposals: Opening up Channel Islands MPAs to commercial fishing, Opening up Point Dume (Malibu) MPA to commercial fishing, Opening up Swami's (San Diego) MPA to commercial fishing, Opening up Point Vicente MPA to commercial fishing

Roy Perez, Mission Hills Neighborhood Council

91345

Marine protected areas should remain protected from fishing because highly protected MPAs are some of the best tools we have to protect and restore marine ecosystems; and, opening MPAs to fishing would undermine this.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Mardly Pierre-Jerome
90808

Our very own survival will depend on protecting this marine food chain—we are all interconnected.

I SUPPORT the following proposals: Expanding Channel Islands MPAs to protect kelp forests and eelgrass, Expanding Point Dume (Malibu) MPA to protect kelp forests, Expanding Cabrillo (San Diego) MPA to protect kelp forests, Expanding Laguna Beach MPA to protect kelp forests, Elevating protections in Farnsworth Bank, Catalina Island MPA

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Anuradha Maganti
93012

FGC**@FGC**

From: Jinger Wallace
Sent: Tuesday, May 5, 2026 9:56 AM
To: FGC
Subject: Re: Support for the Laguna Bluebelt Petition 2023 24MPA_AM to Extend the Laguna Marine Protected Area to the City's Southern Boundary
Attachments: Wallace Letter of Support Petition 23-24 AM to DFG.docx

May 3, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Email: fgc@fgc.ca.gov

Re: Support for the Laguna Bluebelt Petition 2023-24MPA_AM to Extend the Laguna Marine Protected Area to the City's Southern Boundary

To the California Fish and Game Commission:

I am writing in strong support of the Laguna Bluebelt **Petition 2023-24MPA_AM**, which proposes extending Laguna Beach's existing Marine Protected Area (MPA) to the City's southern boundary. This modest, science-based refinement—just over one mile—offers significant benefits for climate resilience, biodiversity recovery, and alignment with California's statewide conservation commitments.

California's leadership on **30×30** recognizes that protecting at least 30% of lands and waters by 2030 is essential to buffering communities from accelerating climate impacts. Laguna Beach has already demonstrated what fully protected waters can achieve: more than a decade of monitoring shows substantial increases in fish biomass, kelp forest recovery, and ecosystem stability within the City's no-take reserves. Yet South Laguna's reefs remain vulnerable, lacking the robust predator populations—such as California sheephead and spiny lobster—needed to control urchin grazing and maintain healthy kelp forests.

Kelp forests are among the most powerful natural climate solutions in the ocean. They sequester carbon, reduce coastal erosion, support fisheries, and provide habitat for hundreds of species. When kelp declines, the coastline loses a living buffer. When kelp thrives, the entire community benefits—from improved water quality to enhanced biodiversity to increased resilience against marine heatwaves. Extending the MPA boundary ensures that South Laguna's reefs can recover in the same way the rest of Laguna's coastline has, creating a continuous, climate-resilient marine corridor.

Recent Reef Check surveys highlight the urgency: while central and northern Laguna's protected reefs are flourishing, South Laguna's unprotected reefs show clear signs of stress and insufficient predator populations to maintain kelp stability. Without action, these areas risk further decline, undermining the ecological gains achieved elsewhere in the City.

The proposed extension is a practical, community-supported refinement that aligns MPA boundaries with the City's jurisdiction and strengthens the integrity of California's MPA network. It is a small adjustment with substantial ecological and climate benefits.

For these reasons, I respectfully urge the Commission to approve **Petition 2023-24MPA_AM** and extend the Laguna MPA to the City's southern boundary. Protecting this final stretch of coastline is essential to

ensuring that all of Laguna Beach—and the broader region—benefits from a healthy, resilient, and climate-ready marine ecosystem.

Sincerely,

Jinger Wallace
Laguna Beach, California

From: Ann Dorsey <[redacted]>
Sent: Sunday, May 10, 2026 04:49 PM
To: FGC <FGC@fgc.ca.gov>
Subject: Comment regarding extending the Laguna Beach SMCA

I urge you to approve the petition to extend the Laguna Beach SMCA no-take regulation down to the southern border of the City of Laguna Beach (tracking # 2023-24MPA-AM1).

The science is clear: reefs within Marine Protected Areas are healthier, more resilient, and better equipped to withstand environmental stress. As pollution and climate pressures continue to impact our coast, expanding this protected area is one of the most effective ways to restore marine ecosystems, increase biodiversity, and strengthen long-term coastal resilience.

Protected areas prevent fishing gear from entangling and trapping migrating whales, which can lead to severe injury, hunger, and even death.

This petition will create clearer boundaries so the public can better understand where fishing is allowed in Orange County waters and will be less likely to fish in areas that are not. Expanding the protected areas will also improve fishing in the nearby areas where it is allowed by supporting long-term fish populations through spillover effects.

Expanding the Marine Protected Area will help the state meet its goal to preserve 30% of species and their habitats.

Please help promote biodiversity and resilience, protect whales, and improve fishing by approving the petition to extend the Laguna Beach SMCA.

Thank you,

Ann Dorsey

FGC**@FGC**

From:	Judy Yorke
Sent:	Tuesday, May 5, 2026 10:01 AM
To:	FGC
Cc:	Judy Yorke
Subject:	Submission of Comments - May 19th Meeting, San Clemente - CA Dept of Fish and Game Commission
Attachments:	TAB CSD Signed Letter 5-1-2023.pdf; CA DFG Commission May 19 2026 Meeting Comments - Yorke.pdf

Dear California Fish and Game Commissioners,

Thank you for hosting a public meeting in San Clemente, on May 19th, 2026, to consider MPA Petitions in our region; and thank you for all of your individual efforts to protect the marine environments of our state.

I am hearby submitting my personal comments and a letter that was submitted in 2023 by the Three Arch Bay Community Services District, of South Laguna Beach. The TAB CSD held 4 Public Meetings during which this request to the State of California - for a No-Take MPA Adjustment to protect the shoreline of South Laguna - so that it can recover from the devastation that has resulted from being lumped into the 2012 Dana Point "Take" SMCA.

Please accept this letter and my personal comments, to consider along with public comments at the May 19th meeting. Please do note that the Citizens of Laguna Beach (including those of South Laguna Beach) have continuously and actively paid for and provided on-going Ocean Protection Services, supporting the MPAs and SMCAs designated by the state, but we depend upon the State's designations.

We specifically request that the State understand and consider the *South Laguna specific marine environment and the South Laguna citizen's request for MPA protection*. The rocky intertidal zone of South Laguna Beach should have been part of the Laguna Beach MPA from the beginning, protecting all of the rocky intertidal zone that runs to the southern border of Laguna Beach.

Respectfully,
Judy Yorke
Director, Three Arch Bay Community Services District HOME | Csd Public , and
Resident of South Laguna Beach

THREE ARCH BAY
COMMUNITY SERVICES DISTRICT
5 BAY DRIVE, LAGUNA BEACH, CALIFORNIA 92651-6780
(949) 499-4567 FAX: (949) 499-2352

May 1, 2023

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

RE: Letter of Support for Laguna Beach City-wide Marine Protected Areas including South Laguna, to the Southern Point of Mussel Cove, Orange County, California

Dear Commissioners,

Since 2012, with the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of Marine Protected Areas (MPAs) as a statewide model of collaboration, education and enforcement. To provide marine protection consistently throughout all of Laguna Beach, the Community Services District of Three Arch Bay supports an extension of marine protection via "no take" Marine Conservation Areas (SMCAs) to the point at the end of Mussel Cove, which is the southern border of Laguna Beach, in the community of Three Arch Bay (TAB).

Laguna Beach's rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. The City of Laguna Beach continues to benefit economically and ecologically from Marine Protected Areas.

Three Arch Bay (TAB), which includes Mussel Cove, in South Laguna's SMCA, is characterized by steep bluffs and compact coves that create a unique coastal ecology with tide pools, deep rocks and kelp forests. Wave action and backwash energy from bluffs surrounded by offshore kelp forests offers a local mixing zone for marine mammal and sea life foraging.

While most of Laguna Beach restricts fishing, the southern end of Laguna Beach was only designated a State Marine Conservation Area, which allows continued recreational and commercial fishing. Unfortunately, the over-fishing during the past ten years by commercial and recreational fishermen, including commercial passenger fishing vessels (CPFVs), has devastated the kelp beds, fish population, and sea life across South Laguna. Expansion of Laguna Beach's MPAs is essential to mitigate decades of regional over-fishing particularly in South Laguna.

Thus, we request that you initiate and vote to provide an extended "no take" Marine Protected Area (SMR and SMCA) Citywide, across Laguna Beach, including South Laguna, to the Southern Point of Mussel Cove, Orange County, California. This would extend the existing marine protections throughout Laguna Beach, including the southernmost point of the city of Laguna Beach – Mussel Cove, also known as Three Arch Bay.

As a community, we are active stewards of our waterways and marine resources, ensuring quality management of our natural resources, and would appreciate the state's support of our efforts by extending the MPA to the Southern end of Laguna Beach.

Thank you,

Gary Rubel
President
Three Arch Bay Community Services District

Cc: City of Laguna Beach
Board Members of the TAB CSD

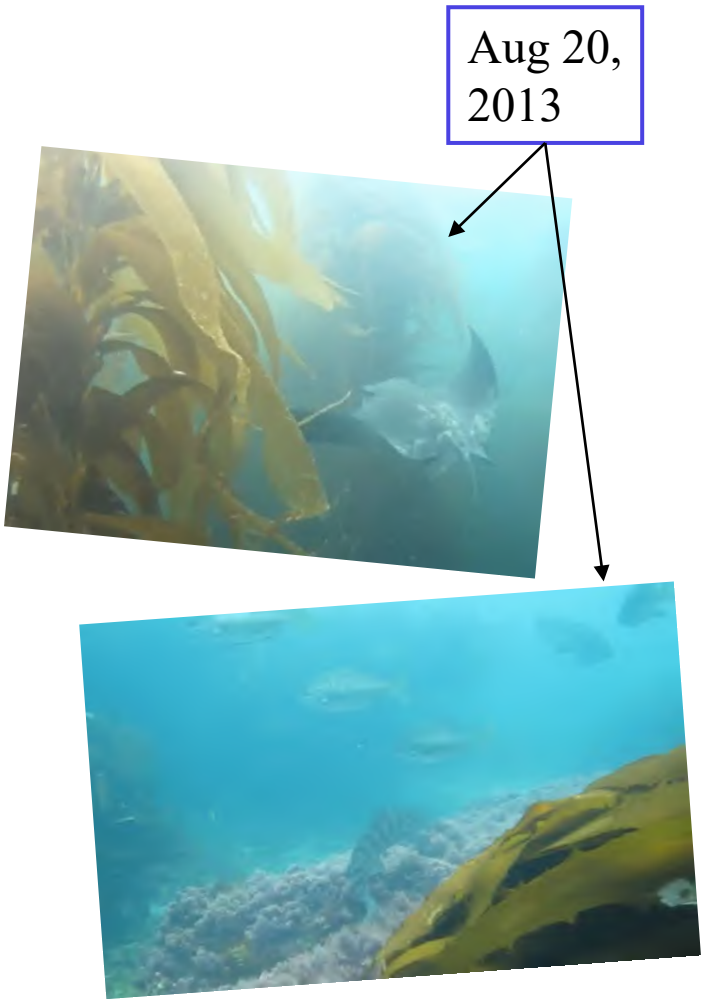
Proposed MPA (No-Take) Adjustment to Protect South Laguna's Rocky Intertidal Coastal Area

May 4, 2026

Judy Yorke, Resident of South Laguna Beach

13 Years Ago, Before the "Take" SMCA, South Laguna's Rocky Intertidal Area Had Kelp and Fish

- South Laguna previously had Kelp beds and an active fish population - as you can see in this Spear Fishing YouTube Video from South Laguna 12+ years ago - Spearfishing Laguna Beach
- ***Because of the Dana Point "Take" SMCA in South Laguna, the South Laguna Rocky Intertidal zone has been overfished - the kelp beds destroyed and the marine life collapsed***
- *The Marine Life, that we used to have, has been destroyed due to lack of protection by the state. It is now rocks, sand and very few fish as compared to the past.*



We've Watched the Destruction Caused by the Dana Point "Take" SMCA

- *Without the large, mature lobsters and sheepshead fish that eat the urchins, the urchins have overpopulated and ravage the kelp root systems*.
- *We've watched the hundreds of Lobster Pots being placed in South Laguna each year* – concentrated on rocks with kelp – *and the kelp ripped up each time the pots are brought up – until there is no more kelp - it's so sad.*
- By 2019, the Kelp Beds in South Laguna were documented to be 2% of what they were in 2013. *That is a 98% loss of our kelp since 2013, and there is almost no kelp remaining now – due to the Dana Point SMCA*

Status of the Kelp Beds in 2019:

Orange and San Diego Counties

Prepared for the Region Nine Kelp Survey Consortium

MBC Aquatic Sciences

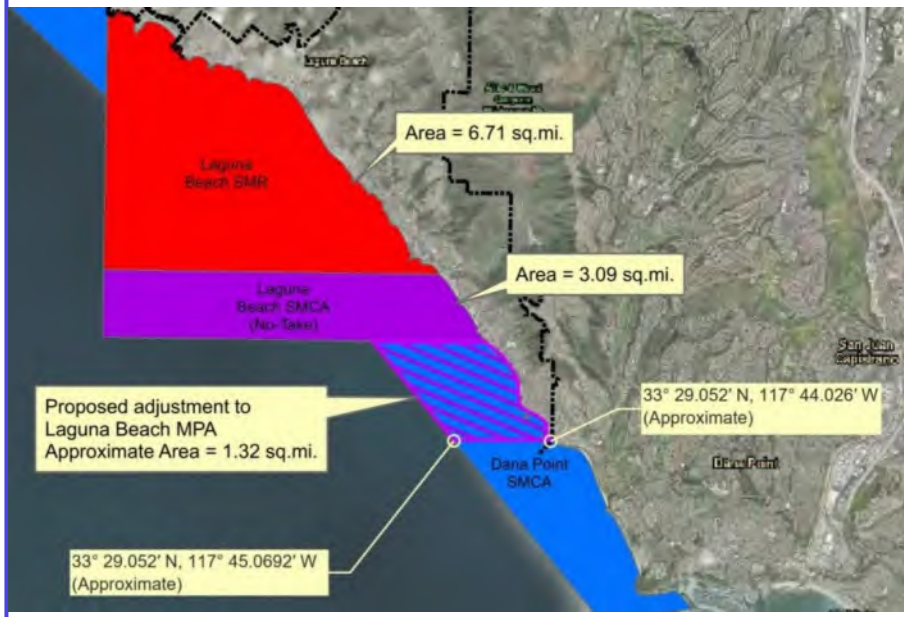
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218206&inline

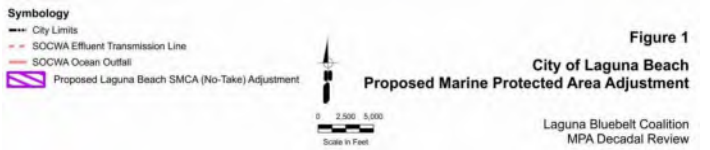
MPAs that Allow for Large Lobsters and Mature, Reproducing Fish are Key to Fish Repopulation

- A Mature Sheephead will release “hundreds of thousands to millions of eggs per season” versus young females whose reproductive output is “very limited”. “Older, larger females are the most prolific spawners, which is why their conservation is so important.” - Copilot
- *Fishing boats and scuba divers no longer come to the barren and overfished waters of South Laguna – there are sand and rocks, and very few fish!*
- Look at what the MPAs in North Laguna have in comparison!
  - MPA Videos - SCUBA Divers/Boat Traverse - Laguna Beach 2023 - 4K- Scuba Diving Fisherman's and Divers Cove | Laguna Beach | California , Scuba Diving Crescent Bay in Laguna Beach
  - *The difference is easy to see, by just looking! CA DFW didn’t even look obviously!*

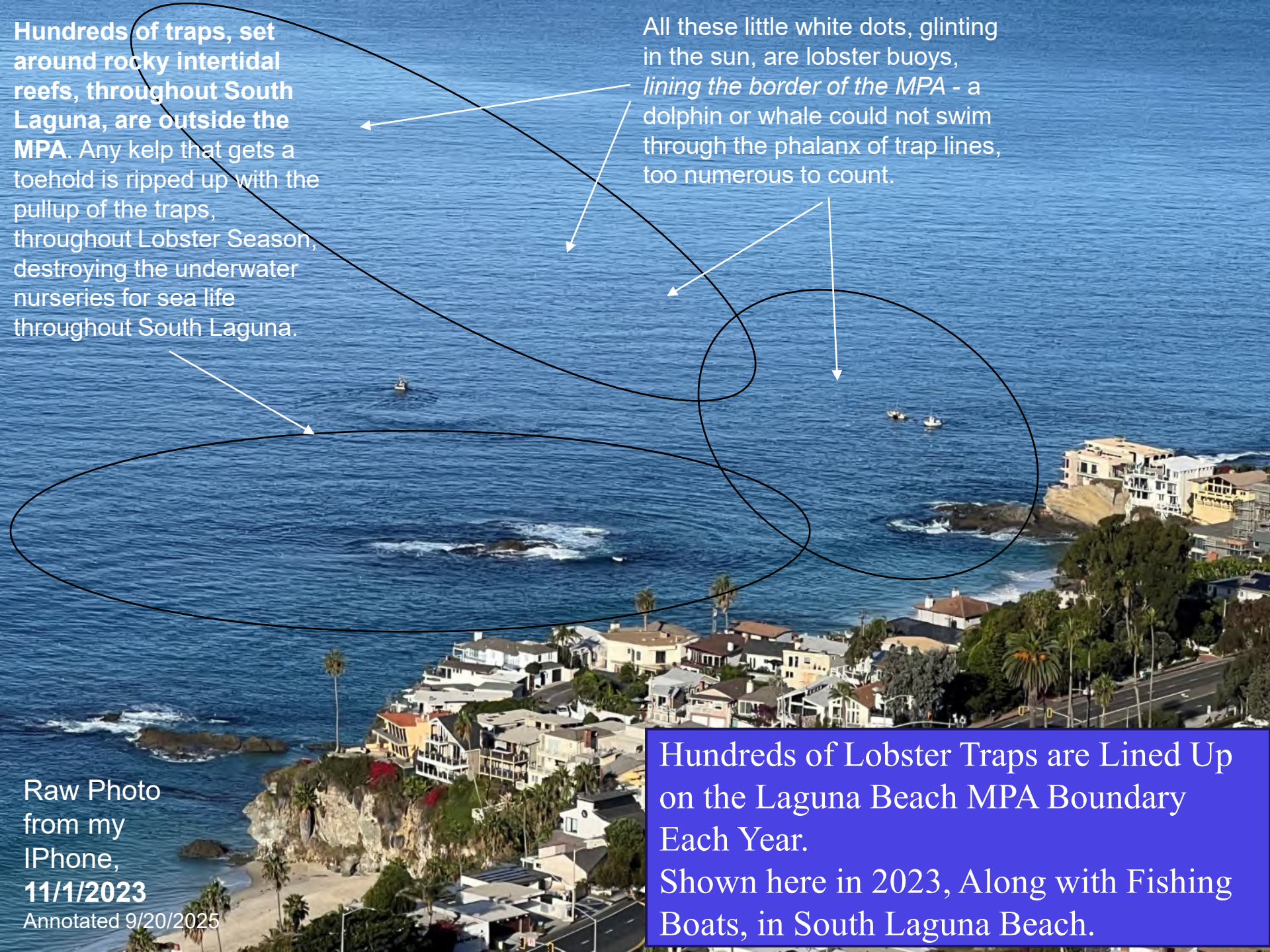
CDFW's 3/26 Evaluation Was Obviously Deeply Flawed. Their Recommendation is Scientifically Wrong, Out-of-Touch, and Erroneous

1. *The Dept of Fish and Wildlife evaluated the wrong boundary.*
2. *They assumed that the proposed adjustment interferes with the wastewater outfall – It Does NOT*
3. *South Laguna's Rocky Intertidal zone is very different from Dana Point's sandy shoreline.* The Adjustment is only near shore and will allow plenty of fishing and lobstering off the coast and along the beach in Dana Point.
4. *There is NO enforcement challenge – South Laguna is part of Laguna Beach - consistency across our City is a benefit. The citizens of Laguna provide enforcement and public outreach.*
5. It is a very minimal request to allow for Kelp regrowth and South Laguna's Intertidal fish nurseries to regrow – devastated by the Dana Point SMCA

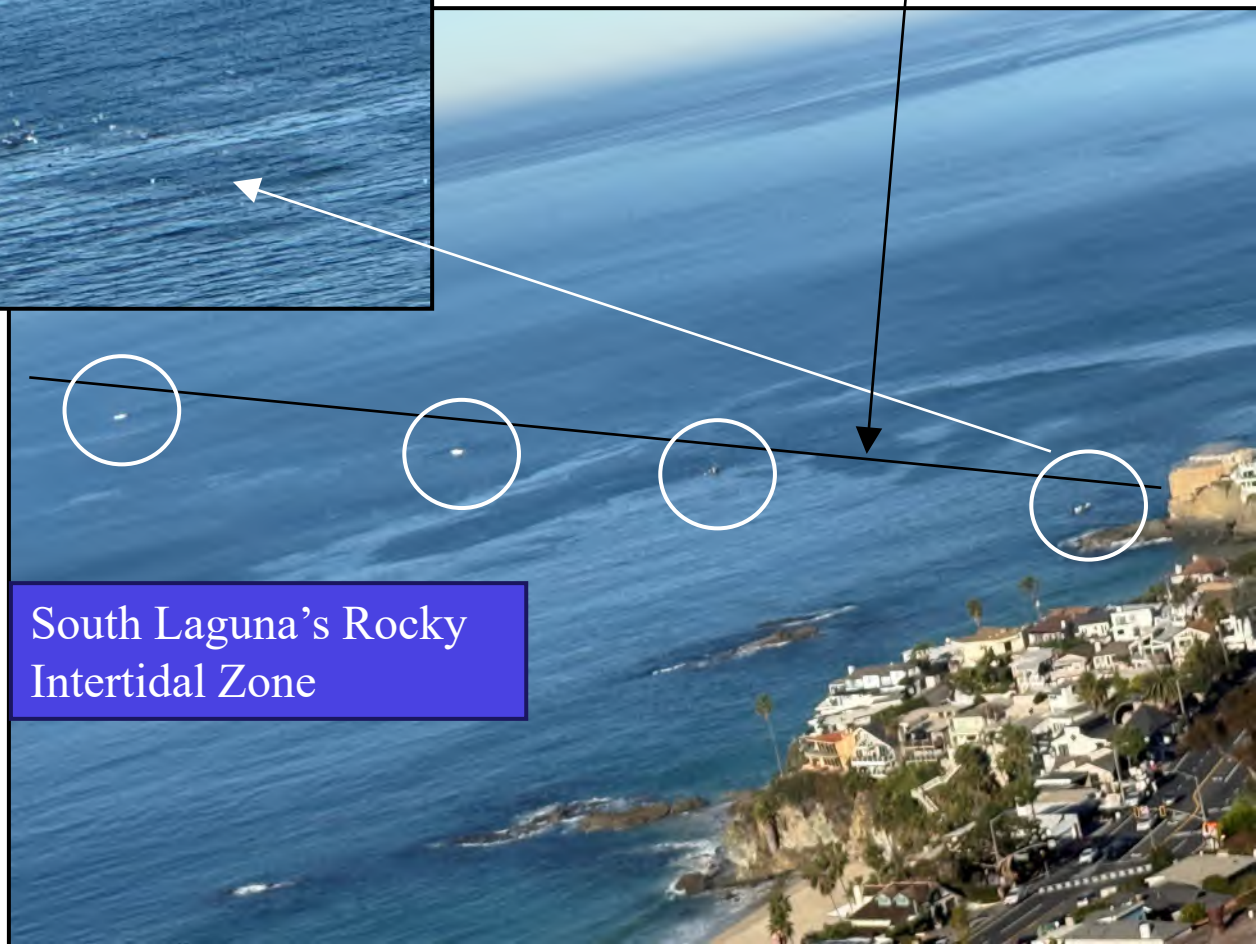




Staff Summary for April 16-17, 2025 Commission meeting - Item 28


Hundreds of traps, set around rocky intertidal reefs, throughout South Laguna, are outside the MPA. Any kelp that gets a toehold is ripped up with the pullup of the traps, throughout Lobster Season, destroying the underwater nurseries for sea life throughout South Laguna.
All these little white dots, glinting in the sun, are lobster buoys, *lining the border of the MPA* - a dolphin or whale could not swim through the phalanx of trap lines, too numerous to count.
Raw Photo from my IPhone, **11/1/2023**
Annotated 9/20/2025
Hundreds of Lobster Traps are Lined Up on the Laguna Beach MPA Boundary Each Year.
Shown here in 2023, Along with Fishing Boats, in South Laguna Beach.

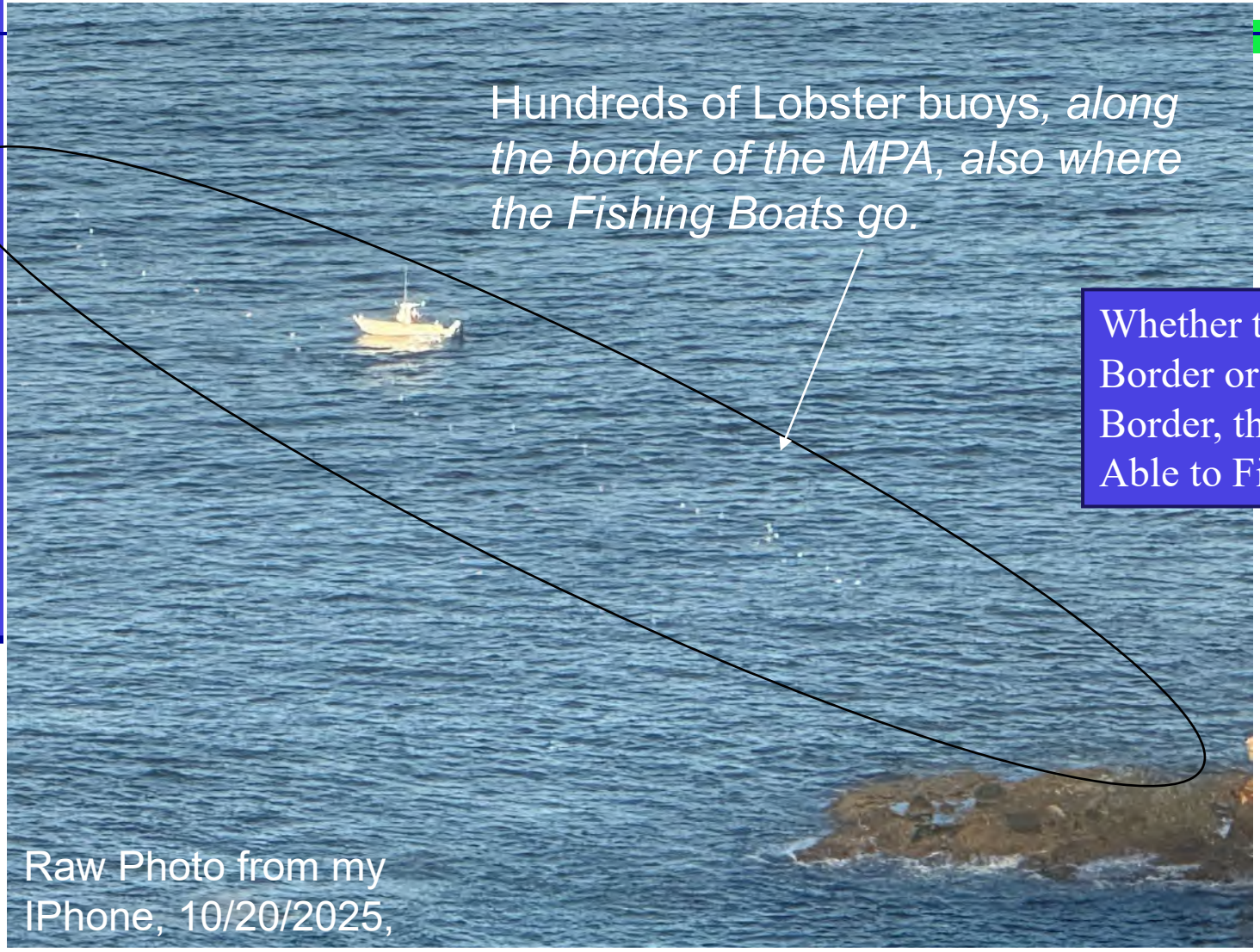
2026 Lobster Traps are Lined Up on the MPA Boundary, Showing Where the Fishermen Go to Fish and the Very Sever Impact on the Rocky Intertidal Zone



Photos taken with my iPhone, from about 1 mile away.

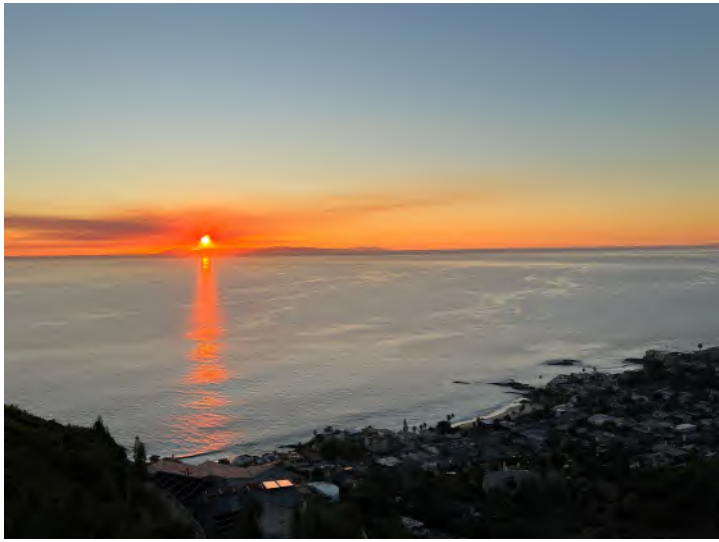
January, 2026

The Fishermen and Lobstermen Know Where the Fish and Lobster Are – Along the MPA!



The Proposed Adjustment is a Win-Win-Win!

- The No-Take extension is only a minimal adjustment to the MPA – the fishermen can fish along the extended border of the MPA and along the shore in Dana Point
- The fishermen will benefit from a healthier and more plentiful fish and lobster population – with large lobsters and fish that reproduce and multiply successfully and sustainably
- South Laguna's intertidal Sealife can recover, and we can have wonderful snorkeling again – for our many visitors and residents.



The Dept of Fish and Wildlife Got It WRONG – The DFG Commission Must Right the Wrongs that Have Destroyed South Laguna's Rocky Intertidal Marine Environment!

- *South Laguna Beach is NOT Dana Point!* The Dana Point SMCA has severely damaged the South Laguna Rocky Intertidal zone and the resulting open-ocean fish populations
- *South Laguna is Rocky Intertidal – unlike the sand bottoms of Dana Point!* MPAs are our Marine Fish Hatcheries – if they are unprotected, the intertidal fish populations collapse – *as we have now seen in South Laguna*
- A Laguna Beach Adjusted MPA will produce more Fish and Lobsters - to Fish and keep our fishing sustainable
- *Please Adopt the Proposed MPA (No-Take) Adjustment which includes South Laguna Beach!*

FGC**@FGC**

From: Chloe Lin
Sent: Wednesday, May 6, 2026 1:56 PM
To: FGC
Subject: Comment on Laguna Beach Petition 2023-24

Dear California Fish & Game Commission,

My name is Chloe Lin, and I am a student at UC Irvine studying Environmental Science & Policy. I was born and raised in Orange County and have been visiting Laguna Beach my whole life. I strongly support the expansion of the Marine Protected Area in Laguna Beach. I spend so much time along this coastline and have seen firsthand how heavily these ecosystems are used and how important they are not just for wildlife, but for the community. Laguna Beach is such a unique place where people can experience tide pools, kelp forests, and marine life directly. Because of this accessibility, the health of these ecosystems has a direct impact on both biodiversity and the community that is dependent on them for recreation, education, and connection to nature.

I want to emphasize the importance of protecting kelp forests. Kelp forests are among the most productive ecosystems in the world, and their structure supports biodiversity and stabilizes coastlines. The February 2026 Reef Check report provides clear evidence of how protection benefits these systems. Sites outside the Laguna Beach Marine Protected Areas show lower giant kelp density and greater sea urchin density compared to protected areas, likely due to reduced numbers of natural predators such as California spiny lobster and California sheephead. This imbalance increases grazing pressure on kelp and threatens the stability of the entire ecosystem. This is especially concerning because kelp forests are already under increasing pressure from climate change, warming ocean temperatures, and human activity. Without strong protections, these combined stressors can lead to rapid and large-scale loss of kelp forests.

Expanding the Marine Protected Area would help restore ecological balance, protect predator populations, and give kelp forests the resilience they need to survive. Protecting kelp forests is about preserving both marine life and an essential natural resource that is a huge part of Laguna Beach. I urge the Commission to support the expansion of this Marine Protected Area to ensure that these ecosystems remain healthy and accessible for future generations.

Sincerely,
Chloe Lin

ORANGE COUNTY COASTKEEPER®

3151 Airway Ave, Suite F-110
Costa Mesa, CA 92626
714-850-1965
www.coastkeeper.org

May 6, 2026

California Fish and Game Commission

Subject: Laguna Beach Petition 2023-24

Dear Commissioners,

Orange County Coastkeeper is an environmental organization with the mission to protect the region's water resources, so they are swimmable, drinkable and fishable for present and future generations. We have the following comments related to petition 2023-24 and the petition review process in general.

First of all, we request that you direct the Department of Fish and Wildlife staff to correct the significant errors in their evaluation of petition 2023-24. This includes the evaluation of the original proposed southern boundary instead of the amended proposed southern boundary. Stating that a wastewater outfall that is in the existing SMCA is located in the petition area, and that the Santa Ana Regional Water Quality Control Board has jurisdiction over the area, when it is the San Diego Regional Water Quality Control Board's service area. We spoke with DFW staff about this issue in a meeting soon after the release of the evaluation. They admitted the errors but have stated that they would not correct the document and that " it is our job to let everyone know" This has made our job of talking about the evaluation much tougher, as we have to start off with statements about the DFW mistakes, taking up our speaking time and making us look like complainers. In my opinion the lack of good faith effort to correct obvious and admitted errors signals a lack of respect for the petition process, and casts doubt on the entire petition 2023-24 evaluation.

I am not alone in this opinion. The lack of rigor evident in the DFW evaluations has resulted in the Ocean Protection Council taking up the task of evaluating each of the petitions. I am looking forward to a more thorough evaluation based on the best available science, including the January 2026 Reef Check survey of the petition area. This survey is the only petition area specific data available and its findings are clear. Reefs in the petition area are in poorer shape than reefs in immediately adjacent no take areas. Since all the reefs in Laguna Beach, in and out of the no take area, have experienced the same ocean cycle and climate change related conditions, there is one huge difference. The reefs outside the no take area have been impacted by intensive commercial fishing. The petition strives to relieve this pressure on the reefs to give them a chance to recover naturally. The proposed expansion area is very small, and even with the expansion the Laguna Beach no take area would be substantially smaller than the preferred size recommended by the Science Advisory Team of sixteen square miles.

I also want to address the overall approach of the petition evaluation process. There is an obvious bias against adaptive management, with regular statements that the network is working as is, and that the petitions are too much work. Fish and Game Code 2852a states: Adaptive management," with regard to marine protected areas, means a management policy that seeks to improve management of biological resources, particularly in areas of scientific uncertainty, by viewing program actions as tools for learning. Unfortunately, in the current process there seems to be little concern with improving the network, even when the facts show that the current network does not meet the science guidelines. Additionally, there appears to be a bias toward consumptive interests over science in regard to existing conditions. I have been actively fishing on the ocean and freshwater for 58 years, that does not make me or other recreational fishers with similar experience experts on fisheries. The same applies to commercial fishers. Their job is to fish for profit, and maximum access to fishing is their top priority on the ocean and in the hearing rooms. While I believe we all want sustainable fisheries, if that was working on an individual basis, we would not need fishing regulations or MPAs. On the other hand, fisheries management by indigenous peoples over millennia did work, yet this knowledge has yet to get the respect it deserves.

I was a member of the South Coast Stakeholders group in the original MPA development process. There I witnessed the efforts of the consumptive users to derail the process and weaken the eventual network. I was not the only one to see this. In the attached case analysis by MPA process facilitator Scott McCreary and Stakeholder Phylis Griffman they state: *What's worse, the final integrated proposal tilts toward the positions of the consumption-oriented stakeholders, reflecting the consequences of positional bargaining and "anchoring" by these interest groups. As a result, the science guidelines created to guide the proposal development process were not met. Slightly more than half of the fifty South Coast marine protected areas can be considered sufficiently protective to support the MLPA's ecological goals. Of these, ten fall below the minimum size range recommended by the science panel. Many spacing guidelines were also unmet (more than in any other study region), potentially compromising "the ecological connectivity of the network.* The same type of effort is underway now. With most consumptive users unwilling to support any improvement in the network that inhibits fishing in any way.

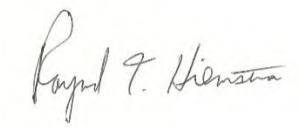
Another myth that needs to be addressed is the idea that the original MPA Stakeholders "came to an agreement" on the network and that it should not be altered. That is far from true. In fact, the dissatisfaction of the stakeholders with the resulting network was substantial. This is documented in the attached study of the original stakeholder experience by the same authors. In this study they state: *However, the majority of South Coast MLPA RSG members report dissatisfaction with the outcomes of the process. When asked to rate their level of agreement with the statement "I am satisfied with the final MPA design adopted by the Commission on December 15, 2010" on a scale of 1 to 6, the average response was 2.5 (Appendix 3: USC Sea Grant Retrospective Study).23 This mean score of 2.5 is strikingly low in contrast to finding from the North Central Coast RSG (the process conducted immediately prior to the South Coast) where the mean satisfaction score was 4.03. While a substantial number of stakeholders registered only tepid support for the outcome, a few members of the South Coast RSG went as*

far as to file litigation intending to block implementation of the very MLPA regulations which they had been charged with helping to craft. So, there is no reason to assume that the existing network had, or has the buy in of the consumptive or non consumptive stakeholders that helped create it. On the other hand, there is ample evidence that the public at large supports marine protection, and more of it.

In conclusion I urge the Fish and Game Commission to embrace adaptive management and take the steps necessary to improve the current MPA network. This includes using the best available science and recognizing the bias of different sources of information. The vast majority of the public uses our ocean resources in non consumptive ways. They expect and deserve a thriving marine environment, that can also provide healthy and sustainable seafood for generations to come.

Sincerely,

Raymond Hiemstra



Associate Director of Policy and Projects

Case Analyses

Creating Stable Agreements in Marine Policy: Learning from the California South Coast Marine Life Protection Act Initiative

Scott McCreary, Phyllis Grifman, and Meredith Cowart

In this article, we examine the California South Coast Marine Life Protection Act Initiative stakeholder process, evaluate its shortcomings, and consider what could have been done differently. Our objective is to make recommendations to improve future multi-stakeholder marine policy processes. In our view, while the South Coast stakeholder process had many positive outcomes, it failed to reach what we call here a "stable agreement." Our analysis is based on two of the authors' involvement (one as a facilitator and the other as a stakeholder representative) in the process and a post-hoc survey of participants. We find that several ill-advised process design and management choices significantly destabilized the negotiations, leading to an ultimately unstable agreement.

We highlight four major problematic process design and management decisions, including the following: representation on the multi-stakeholder group was imbalanced, the pre-meeting caucuses were not paired with training in interest-based negotiation, adequate incentives to negotiate toward a consensus agreement were not provided, and the use of straw voting at one point in the process was unclear and inconsistent. As a result of these and other process design and management flaws, many stakeholders believed that the process was biased and that their ends would be better achieved by anchoring

Scott McCreary is the founder and principal of CONCUR, Inc., a public dispute resolution firm in Berkeley, California. His e-mail address is scott@concurinc.net.

Phyllis Grifman is the associate director of the University of Southern California Sea Grant Program in Los Angeles. Her e-mail address is grifman@usc.edu.

Meredith Cowart is an associate at CONCUR, Inc. Her e-mail address is meredith@concurinc.net.

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negotiations and engaging in positional bargaining. Ultimately, this meant that near-consensus on a single cross-interest marine protected area proposal was not reached, the scientific guidelines put forth were not fully met, the process was not and is not viewed as fair by the stakeholders directly or indirectly involved, and the marine protected area regulations lack broad-scale support.

These pitfalls of the South Coast stakeholder process could have been avoided had the management and facilitation team consistently followed best practices in dispute resolution. We recommend that future marine planning processes learn from this example, particularly those occurring in highly complex, urban ocean environments.

Keywords: negotiation, public policy dispute resolution, process design, incentives to negotiate, ground rules, straw voting, coastal and marine spatial planning, Marine Life Protection Act, stakeholder engagement.

Introduction

In 2004, the California Marine Life Protection Act (MLPA) Initiative was established to address declining fish stocks and habitat loss off the California coast. Specifically, the initiative sought to strengthen California's existing network of marine protected areas — marine and estuarine areas that restrict some uses in order to protect marine life and habitat.[1] The initiative established a multi-stakeholder group in four California regions (including the South Coast, the focus of this article), each with the goal of developing proposals to enhance the local marine protected area network. Each stakeholder group, which included the full suite of ocean users (representatives of commercial, recreational, and conservation entities, among others), negotiated cross-interest proposals that informed the final regulations adopted by the Fish and Game Commission.[2]

In this case analysis, we examine California's South Coast MLPA stakeholder process, evaluate its shortcomings, and consider what could have been done differently. In our view, the South Coast stakeholder process was a good process with a good outcome, but it was not a great process with a great outcome. In other words, while the process had many positive outcomes (e.g., several proposals were developed that informed the final regulations), it failed to reach what we refer to in this article as a "stable agreement." A stable agreement is one in which (1) significant cross-interest agreements are made, (2) consensus or near-consensus is reached, (3) objective scientific criteria are met, (4) the process is widely viewed as fair, and (5) the agreement is widely supported. Although the other regions

achieved more stable outcomes, in the South Coast none of these criteria were met.

We find that several misguided process design and management choices significantly destabilized the negotiations, leading to an ultimately unstable agreement.[3] We highlight four key problematic process design and management decisions, including the imbalanced representation of the multi-stakeholder group, the decision to hold pre-meeting caucuses that were not paired with training in principled negotiation, a failure to provide incentives to negotiate toward a consensus agreement, and the unclear and inconsistent use of straw voting at one point in the process. Because of these and other process design and management flaws, many stakeholders felt the process was biased, and that their ends would be better achieved by anchoring negotiations and engaging in positional bargaining. In the longer run, this meant that near-consensus on a single cross-interest proposal was not reached, the scientific guidelines put forth were not fully met, the process was not and is not viewed as fair by the stakeholders directly or indirectly involved, and, importantly, the ultimate regulations lack broad-scale support.

These pitfalls could have been avoided had the management and facilitation team consistently followed best practices in dispute resolution, including ensuring equal representation on the multi-stakeholder group, providing interest-based negotiation training for stakeholders, creating stronger incentives for negotiating toward consensus, consistently articulating strong ground rules and decision rules, and giving all members of the facilitation team an opportunity to participate in making critical decisions about key process design choices. Ideally, all of these improvements would be features of a well-structured complex multi-stakeholder policy process. Each of our "lessons learned" is already known in the dispute resolution field, but, as our case emphasizes, not consistently implemented in practice — thus, this case analysis seeks to reinforce existing theory and encourage its widespread implementation in policy processes.

Two authors of this study participated in the South Coast MLPA stakeholder process: Scott McCreary served as the lead facilitator of the South Coast stakeholder group and Phyllis Grifman served as a stakeholder representing the University of Southern California (USC) Sea Grant program.[4] Meredith Cowart helped analyze the survey results. Following the final negotiations, we (CONCUR and USC Sea Grant) conducted a post-hoc survey of the stakeholder group to analyze the process outcomes and identify specific process successes and failures.

Background: The South Coast Regional MLPA Process

The MLPA Initiative was a public–private collaboration established in 2004 between the California Natural Resources Agency, the California

Department of Fish and Game, and the Resources Legacy Fund Foundation.[5] The foundation helped fund the initiative, with all members' roles and responsibilities clearly defined in a Memorandum of Understanding between the parties (California Marine Life Protection Act Initiative 2004).

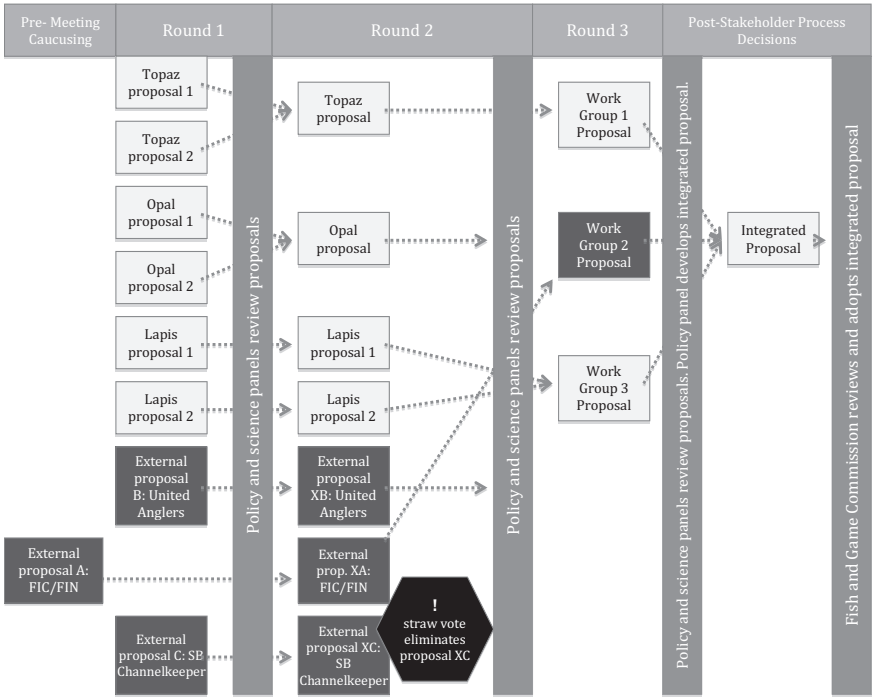
In the South Coast, as in each of the California regions, a stakeholder group (known as the "Regional Stakeholder Group") was established. Its membership included representatives from the full range of ocean resource interests: commercial fishing businesses, recreational users, coastal businesses, local governments from coastal cities, harbor masters, local and state natural resource management agencies, conservation organizations, water quality treatment interests, tribal interests, the U.S. Department of Defense, coastal resource management agencies, ports and harbors, conservation organizations, and charter boat operators, among others.

The stakeholder group's mission was to develop a set of marine protected area proposals over three distinct rounds of negotiation, each including both plenary and smaller working group sessions, over the span of one year. For the first two rounds of negotiation, stakeholder representatives were appointed to three different cross-interest groups to increase collaboration; in this first round, these were called Gems Groups: Topaz, Opal, and Lapis. In the final round, members primarily self-selected their membership to work groups based on interests: cross-interest, consumption-oriented, and conservation-oriented (Fox et al. 2013). A planning team of contractors with expertise in geographic information systems (GIS), marine science, and facilitation and project management coordinated the process and made the great majority of decisions about its structure. (The planning team was referred to as the "I-Team.")

During each of the three rounds of negotiation, the work groups negotiated separately and developed and refined proposals. In the first round, each work group developed two proposals. In the second round, two groups developed one proposal and the other group developed two. In round three, each interest-based group developed one proposal each. In addition, three external interest groups developed proposals independently (see Figure One).

At the end of each round, the marine protected area proposal(s) developed by the stakeholder groups, along with proposals developed by external groups, were forwarded first to a science panel (called the "Scientific Advisory Team") and then to a policy panel (called the "Blue Ribbon Task Force") for review. Both panels provided feedback regarding how well the proposals met the MLPA goals. The policy panel also requested that the stakeholder group reduce the number of proposals on the table by combining elements to create cross-interest proposals. The proposals were then forwarded to the next round of negotiation.

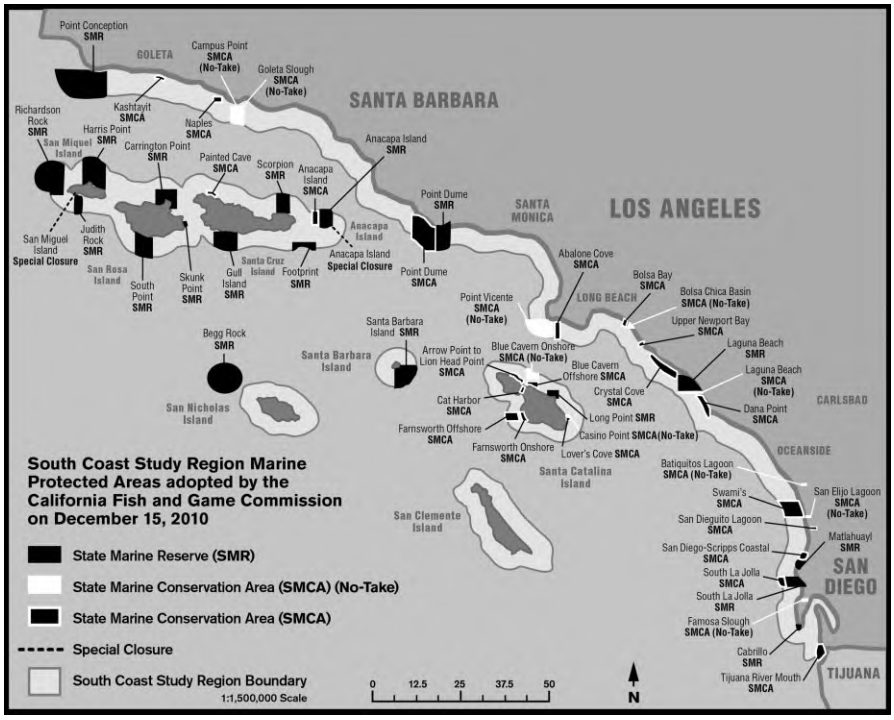
Figure One
South Coast MLPA Proposal Development Process



Both panels were convened separately from the stakeholder meetings. The science panel comprised academic and agency scientists with relevant expertise in marine ecosystems, conservation biology, oceanography, fisheries biology, and related fields. Members of the policy panel were individuals with long experience in public policy for natural resources management.

At the end of round two, stakeholders had not managed to reduce the number of proposals on the table significantly, so the planning team implemented a straw vote to eliminate one proposal. This led to what came to be called the "double reverse" straw vote. The vote indeed narrowly eliminated one proposal, but prompted backlash from some stakeholders, which in turn prompted the planning team to decide not to eliminate the proposal after all. This in turn prompted additional backlash, and the proposal was then eliminated a second time (i.e., the "reversal" was again "reversed"). (This episode is described in greater detail below under the heading *Straw Voting*.)

Figure Two
Map of the South Coast Study Region



From the three proposals that emerged from round three the external policy panel then created a single integrated proposal (called the "Integrated Preferred Alternative"), which it recommended to the Fish and Game Commission (Commission). On December 15, 2010, the Commission adopted the integrated proposal in full. The regulations took effect on January 1, 2012, creating fifty new marine protected areas and two special closures that all together encompass 356 square miles (15 percent) of state waters in the region (California Department of Fish and Game n.d.). Figure Two details the final marine protected area regulations.

Challenges of the South Coast Region

The South Coast presented an unusual set of challenges, which teams in the other MLPA regions did not experience, making it especially critical to closely observe best practices in process design. The South Coast study region is a large region with high population density: more than fifty incorporated cities border the coast from Santa Barbara to the Mexican

Border south of San Diego (see Figure Two), and more than seventeen million people live within eighty kilometers of the ocean (Schiff, Weisberg, and Raco-Rands 2002).

The region is heavily used by a diverse array of commercial fishermen, recreational anglers and boaters, surfers, divers, beach-goers, and birdwatchers, and affected by the activities of homeowners and wastewater discharge and industrial facilities, to name a few. The South Coast includes territory under military jurisdiction, and several ecologically sensitive and impaired areas within the region have adopted management systems already in place.[6] Use conflicts can arise between consumption- and nonconsumption-oriented users. Implementing strategies to avoid conflicts among user groups is a central tenet of coastal management (Sorensen and McCreary 1990; Cicin-Sain and Knecht 1998), but the complexity of the issues and severe competition for marine resources in the South Coast region created unusually intense challenges that impeded the ability of stakeholders to negotiate agreement.

Good versus Great: Why Process Design Matters

The MLPA Initiative was designed according to the principles of coastal and marine spatial planning, which call for developing regulations from the "bottom up" by the range of ocean users, rather than "top down" by political bodies. These stakeholder-based marine planning initiatives are taking place around the world, and we believe that the experience of the South Coast process can inform stakeholder engagement in ocean planning, as well as other forms of complex multi-stakeholder policy processes. It is particularly important to engage the range of ocean users in developing ocean planning policy to coordinate across many sectors and user groups, take advantage of local knowledge of marine resources, foster relationships between competing users, and generate buy-in for the policy among resource users (Pomeroy and Douvere 2008; Halpern et al. 2012; National Oceanographic Atmospheric Administration Office for Coastal Management n.d.). As such, effective stakeholder engagement is critical to successful marine planning processes (Pomeroy and Douvere 2008; Fox et al. 2013; Gleason et al. 2013).

"Bring stakeholders to the table to 'talk things out,' " however, is not nearly specific enough process advice; designing a negotiation that encourages interest-based bargaining requires careful planning. Engaging stakeholders to achieve a stable solution requires what we call here an effective "process design." We use this term to refer to the ways in which stakeholders are brought together to negotiate a plan, from the assessment phase through the adoption of regulations. We note that some authors use the term "process design" to refer only to the "basic building blocks" of a process, while the actual negotiations, management decisions, and process closure are considered distinct elements (see, e.g., Podziba 2012, Chapter 7). In this article, we use the term to refer to the stakeholder engagement process more broadly.

Effective process design must answer questions such questions as:

- How should appropriate stakeholder representatives be selected?
- How large should the stakeholder group be?
- How should personal attacks be handled?
- What portion of the negotiations should be devoted to public comment?
- Should marine protected area proposals be required to meet all, most, or only some science guidelines?
- Should negotiators strive to produce a single consensus document or generate several alternative options?

Answering these questions wisely can make the difference between a good process and a great one, and thus between a good outcome and a great one. When best practices in dispute resolution guide the design and management of a process, the process is more likely to lead to a stable agreement. We believe that future marine planning processes should build on decades of experience in the dispute resolution field to achieve stable and effective agreements.

Methodology

Our analysis is based on our own experience in the process as lead facilitator (Scott McCreary) and stakeholder (Phyllis Grifman). We have also examined documents generated during the South Coast process, including a series of "lessons learned" reports prepared by independent evaluators and MLPA Initiative program documents, such as memoranda from the facilitation team.

We have also used the results of a forty-question retrospective survey conducted to better understand and document the stakeholder experience. The survey was conducted jointly by the USC Sea Grant Program and CONCUR[7] and based on an evaluation framework developed by the U.S. Institute for Environmental Conflict Resolution (Orr, Emerson, and Keyes 2008). (For a detailed summary of the survey methods and findings, see the USC Sea Grant–CONCUR Retrospective Study; Grifman, McCreary, and Cowart 2016.)

The Good: Successes of the South Coast MLPA Process

The South Coast MLPA was, we believe, a good process with a good outcome. Much of the process design and management followed best practices (and we do not discuss the strong process design decisions in this article), and as a result the outcome was also good. In other words, the primary goal of the process — to develop a set of marine protected area

proposals — was achieved. The proposals were then used by the policy panel to inform a single integrated proposal, which was in turn adopted by the Fish and Game Commission.

The process met other complementary goals as well. For example, the proposals developed represent significant cross-interest involvement; not only did a diverse range of ocean user groups take part in the sixty-person stakeholder group, but an extensive outreach campaign with dedicated staff members successfully involved hundreds of diverse members of the public (Sayce et al. 2013). A web-based GIS tool called Marine Map empowered stakeholders to simulate the ecosystem impacts of various proposals, allowing collaborative problem solving based on a common scientific understanding (Fox et al. 2013). The regulations ultimately adopted by the Fish and Game Commission designated a total of fifty marine protected areas and two special closures in the South Coast region, and, combined with the other regions' regulations, make up the largest noncontiguous marine protected area network in the world.[8] Regulations were adopted on December 15, 2010 and have been in effect since January 1, 2012. Unfortunately, however, the implementation of the MLPA Initiative in the South Coast now takes place in an environment characterized more by mistrust and frustration than by a general willingness to cooperate with the regulations.

The Not Great: Shortcomings of the South Coast MLPA Process

Several process design and management decisions encouraged positional bargaining, anchoring, and a recurring perception of unfairness among stakeholders. As a result, the ultimate agreement cannot be considered stable. Rather than reaching unanimous or nearly unanimous agreement on one proposal, the stakeholder group developed three proposals with key design differences that could not be reconciled (Fox et al. 2013).

What's worse, the final integrated proposal tilts toward the positions of the consumption-oriented stakeholders, reflecting the consequences of positional bargaining and "anchoring" by these interest groups. As a result, the science guidelines created to guide the proposal development process were not met. Slightly more than half of the fifty South Coast marine protected areas can be considered sufficiently protective to support the MLPA's ecological goals. Of these, ten fall below the minimum size range recommended by the science panel. Many spacing guidelines were also unmet (more than in any other study region), potentially compromising "the ecological connectivity of the network — even though the habitat was available to reduce these gaps" (Saarman et al. 2013). Also importantly, the process was not broadly perceived as fair and some stakeholders even perceived it as illegitimate: several process design decisions created the sense that stakeholder representation was

imbalanced, that decision tools were upheld arbitrarily rather than consistently, and that some stakeholders were unwilling to engage in interest-based bargaining.

While we do not argue that it is necessary for all stakeholders to enthusiastically support a process or its outcome, a stable outcome requires that all stakeholders agree they "can live with" that outcome. The majority of South Coast MLPA stakeholder representatives, however, report dissatisfaction with the process outcomes. When asked to rate their level of agreement with the statement "I am satisfied with the final [marine protected area] design adopted by the Commission on December 15, 2010" on a scale of 1–6, with 1 meaning a very low level of satisfaction and 6 meaning a very high level of satisfaction, the average response was 2.5 (Grifman, McCreary, and Cowart 2016).[9] This mean score of 2.5 is strikingly low in contrast to findings from the North Central Coast stakeholder group (the process conducted immediately prior to the South Coast) where the mean satisfaction score was 4.03 (Grifman, McCreary, and Cowart 2016). While a substantial number of stakeholders registered only tepid support for the outcome, a few members of the South Coast stake-holder group went as far as to sue to block implementation of the very MLPA regulations that they had been charged with helping to craft (Ameri-can Sportfishing Association n.d).[10]

Process Design Challenges

Our analysis reveals several well-intentioned process design and management decisions that had unintended outcomes during and after the South Coast MLPA process. These include:

- representation on the stakeholder group was imbalanced;
- the pre-meeting caucusing was not paired with training in interest-based negotiation;
- stakeholders were not provided with sufficient incentives to negotiate to agreement;
- the use of straw voting was unclear and inconsistent; and
- members of the facilitation team were not included in all critical process design decisions.

(We have also identified three other less crucial, but still significant, process flaws: an insufficiently rigorous conflict assessment, inconsistent application of formal process guidelines, and insufficient boundary conditions on public involvement relative to face-to face negotiation. We do not detail them in this article, but they are described in our companion USC Sea Grant–CONCUR Retrospective Study; Grifman, McCreary, and Cowart 2016.)

The post-hoc survey was conducted over the course of forty-five days, from January 18 to March 4, 2011. The instrument was an online survey, distributed by e-mail, and backed up with a series of reminder e-mails and phone calls. Forty-five of the sixty-two stakeholders completed the post-hoc survey, for a response rate of 73 percent. The response rate from the rounds one and two cross-interest Gems Groups was even (fifteen Lapis, fifteen Topaz, thirteen Opal, two unidentified). All round three interest-based work groups were also fairly evenly represented (sixteen Group One, thirteen Group Two, thirteen Group Three, two unidentified), although response rates did vary (70 percent Group One, 16/23; 54 percent Group Two, 13/24; and 87 percent Group Three, 13/15).

Representation on the Stakeholder Group

A series of incremental decisions, intended to be inclusive of and responsive to the diversity of stakeholders, resulted in imbalanced representation on the stakeholder group. Originally, the group included only thirty-two representatives and reflected a balanced range of interests within the study region. Alternates were also selected for each representative.[11]

Some user groups argued that, because of the region's complexity and vast size, there was greater diversity of interests among the South Coast groups than in other regions. For example, within the stakeholders representing "commercial fisheries," differences among the groups included the target species type (bait, urchin, lobster), geography (deep water, near shore, or northern and southern parts of the study region), and gear type (trawl, hook and line, trap). To accommodate this diversity, the planning team chose to further increase the number and type of fishing representatives. This choice "unintentionally resulted in an imbalance between extractive and non-extractive users" (Fox et al. 2013). Then, this imbalance doubled when the planning team chose to include not only the thirty-two representatives, but also their alternates (another thirty-two members), as full deliberating stakeholders.

The balance and composition of a stakeholder group are critical to its success (Pomeroy and Douvere 2008). Balanced representation determines fairness, and participants' sense of whether the representation is fair greatly influences their behavior throughout a process, as well as their willingness to abide by an outcome once it is established (Susskind and Cruikshank 1987). In the South Coast, however, many participants felt that the stakeholder group was imbalanced. When asked to indicate their level of agreement on a scale of 1–6 with the statement "[stakeholder group] participants' interests were well balanced," where 1 represents strongly disagree and 6 represents strongly agree, the conservation-dominated group responded with a mean of 1.69, indicating broad dissatisfaction with the composition of the negotiating group. Overall, South Coast stakeholders responded with a mean of 3.02, demonstrating at best mild agreement with

the statement overall. Similarly, Michael Harty's post-process surveys (2010) found that 45 percent of South Coast stakeholders characterized the stakeholder group as "poorly balanced." This contrasts with findings of 32 percent and 22 percent on the Central Coast and North Central Coast, respectively.

Evan Fox and his colleagues (2013) pointed out that "the numerical advantage of extractive users may have contributed to some stakeholders engaging in block voting and refraining from collaborating across interests and seeking mutual gains," as they perceived these tactics would better serve them than would interest-based negotiation tactics. In his analysis of the South Coast process, Harty also found that the lack of balanced representation "had a significant impact on the ability of stakeholders to identify cross-interest solutions and engage in mutual-gains negotiations" (Harty 2010). In the longer term, the perception that a process is unfair increases the likelihood that stakeholders may seek to undermine the outcome (Susskind and Cruikshank 1987).

Caucusing and Training

Because they perceived that consumption-oriented users had been disadvantaged in the MLPA processes in other regions, those users asked the foundation to support a series of pre-meeting caucuses in the South Coast. Two detailed post-hoc studies of efforts in the Central Coast region had explicitly recommended negotiation and consensus-building training (CONCUR Inc 2006; Raab 2006). The foundation supported the caucusing, but that caucusing was not accompanied by training. Because the parties thus lacked a robust understanding of the benefits of interest-based negotiations, this decision led to the creation of a positional bloc, the Fishermen Information Committee (FIC)/Fishermen Information Network (FIN) alliance. At these meetings, FIC/FIN members developed a proposal for marine protected areas and a negotiation strategy that members brought with them to the first round of negotiation. This group apparently perceived its interests would best be met by engaging in positional bargaining and by anchoring negotiations.

Positional Bargaining

Many negotiators believe that cross-interest negotiating will not serve the parties' interests, despite their intentions. Indeed, our analysis suggests that many FIC/FIN member organizations could have found solutions that better served their own interests as well as a broader array of interests had they readily engaged in interest-based negotiation. Because they are unaware of the potential benefits that can accrue from "mutual gains" negotiation outcomes, they often fail to take steps to "expand the pie" (Susskind, Levy, and Thomas-Larmer 2000). To prevent stakeholders from defaulting to a purely distributive negotiation style, many scholars and practitioners of public dispute resolution have long advised providing

stakeholders with training in interest-based negotiation (Wondolleck and Yaffee 2000).

Based on their understanding of the processes in other regions, members of the FIC/FIN caucus had legitimate concerns, and indeed the caucus had some positive outcomes.[12] As intended, the caucus enabled consumption-oriented user groups to develop a common platform before formal negotiations began and commercial and recreational groups to work together, some for the first time. But because this happened without training in interest-based negotiation, the formation of the caucus also served to bring these users together around a hardened position before they had a robust understanding of a consensus-based process.

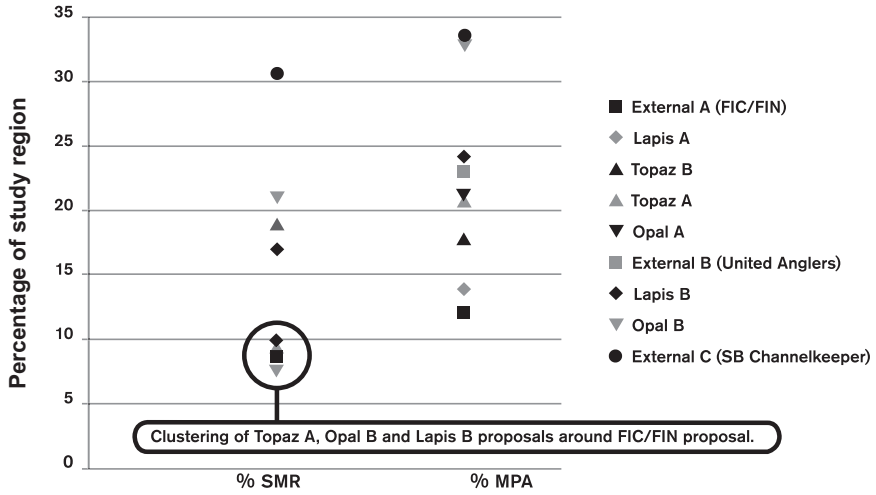
Consequently, rather than going into the negotiations considering multiple options and openly inventing new options, FIC/FIN members went into round one with just one predetermined proposal, expressed as a position, from which many were unwilling to deviate. In contrast, non-FIC/FIN stakeholders thought that all round one proposals were "soft" offers and that other parties should still be flexible and willing to integrate ideas. One of the other stakeholders said: "From the very beginning, the fishing community came in with a single map and a broad agreement from many of the commercial and recreational consumptive interests to support that map and to oppose all others . . . This of course destroyed whatever cooperation could have been achieved" (Grifman, McCreary, and Cowart 2016: 19).

Anchoring

The consumption-oriented stakeholders' unified support for the FIC/FIN proposal produced a set of very similar round one proposals, all of which closely matched the FIC/FIN version. As Figure Three shows, the three work groups each emerged with one proposal that closely matched the FIC/FIN proposal, and one more moderate proposal. Figure Three illustrates the way in which the Topaz B, Lapis A, and Opal A (as well as External B) proposals all closely matched the FIC/FIN position in the percent of area set aside as a state marine reserve (a state reserve offers the highest level of protection) as well as in the total size of all marine protected area designations. Although some consumption-oriented representatives were aware that elements of other proposals met their interests, they did not openly bargain or build on those suggestions because they did not want to jeopardize the agreements that had been made during the caucus. They set their initial offer as an "anchor" in the negotiation. One fisherman said: "If I don't support the FIC/FIN agreement, they will throw me under the bus and I will lose what was negotiated" (Grifman, McCreary, and Cowart 2016).

Because consumption-oriented interests were unified early on and many of these representatives apparently felt they couldn't deviate from the initial coalition "agreement," round one failed to achieve its goal of "invention without commitment." As it became apparent that the caucus members

Figure Three
Clustering of Round One Marine Protected Area Proposals around FIC/FIN Proposal



had not brainstormed multiple options for potential marine protected areas, many conservation-focused stakeholder representatives perceived their lack of flexibility as a refusal to negotiate in good faith and lost trust in the process.

Partly because of this anchoring, the ultimate regulation that emerged from this process, the integrated proposal recommended by the policy panel and adopted in full by the Fish and Game Commission, fell short of the MLPA conservation goals as interpreted by the science panel in its guidelines.[13] What's more, the proposals found a low level of convergence — as Fox and his colleagues (2013) have pointed out, the unwillingness to integrate designs from other groups led to alternative proposals in the South Coast that "retained key design differences (e.g., specific proposed boundaries and regulations)" (Fox et al. 2013: 27). This outcome does not, however, necessarily indicate that the FIC/FIN alliance was successful: we believe that individual FIC/FIN members could have better met their specific interests by searching more diligently for cross-interest solutions. The result of such a process would have been a more broadly supported regulation.

Incentives to Negotiate

Conveners of policy-making processes often identify process goals that encourage stakeholders to come to the table and negotiate in good faith

toward an agreement (Susskind and Cruikshank 1987). A consensus decision rule "makes everyone work harder and take responsibility for the complexity of the situation, including the reality of limitations" (Podziba 2012: 150). In a survey of coastal managers that have used consensus-building techniques, Jean Poitras, Robert Bowen, and Jack Wiggin (2003) identified several barriers to negotiation and collaboration, including the lack of incentive to seek a compromise. Unfortunately, as described above, many stakeholders perceived that their interests would best be met by anchoring one of the three proposals, rather than working collaboratively to develop a single cross-interest proposal.

Indeed, the stated process goal of developing "multiple Marine Protected Area (MPA) proposals, for consideration by the [policy panel]" (California Marine Life Protection Act Initiative 2008: 1) in pursuit of an integrated preferred alternative had the profoundly unintended consequence of reducing stakeholders' incentive to collaborate. This goal gave representatives the sense that it was the policy panel's charge (and not their own) to integrate three (likely) divergent proposals. This decision rule likely provided additional incentive to these members to take more absolutist positions in order to influence an outcome closer to their self-interested ideal rather than to one that integrated a broad range of interests. In many public processes, a core incentive for stakeholders is the promise that if they can negotiate an agreement that addresses all areas of concern and also has widespread support, then the decision-making body will act on the agreement.[14] While the agreement is officially considered a recommendation to the governing body, the quid pro quo understanding is often that a consensus agreement will likely be adopted (Podziba 2012). When this process goal is made clear in ground rules and then reinforced by facilitators, negotiators can be sure that their own interests will be better met in the long run if they come to consensus at the negotiating table.

When polled after the process, many stakeholders reported that they perceived little incentive to negotiate. They noted the absence of "carrots" to leverage more principled negotiation (Grifman, McCreary, and Cowart 2016). As Table One indicates, members of Groups One and Three were, on average, ambivalent when asked whether there were clear incen-tives to work toward an agreement, and members of Group Two (dominated by fishing interests) were even less likely to see clear incentives to negotiate (Grifman, McCreary, and Cowart 2016).

One member who expressed the view that "there were no incentives" to negotiate also stated that "Representing the commercial lobster interests there was nothing we stood to gain on any level. The process was seeking the best habitat and that is the very habitat that holds lobsters" (Grifman, McCreary, and Cowart 2016: 19). We believe that if negotiators had perceived a strong incentive to negotiate, more stakeholders would have come to the table open to finding integrated solutions.

Table One
Stakeholder Group Responses: Clear Incentives to Negotiate
(Average Responses to Question 11n)

Question	Work Group 1	Work Group 2	Work Group 3	Cumulative
There were clear incentives in each step (round one, round two, round three) to work toward agreement in my Gems Group or proposal negotiating team.	3.47	2.55	3.67	3.29

Scale from 1 to 6, where 1 = strongly disagree and 6 = strongly agree.

Straw Voting

Straw voting was used successfully in several different contexts both throughout the MLPA process and within the South Coast process.[15] But on an occasion that became known as the "double reverse," this decision rule was used without sufficient care and not upheld consistently. This undermined many, if not most, stakeholders' perceptions of process legitimacy. Because they perceived that they were unable to influence process outcomes, some stakeholders became even less willing to collaborate and more entrenched in their positions.

Straw voting occurs when an informal count is taken to determine how individuals stand on various potential options. Unlike one binding majority vote, iterative straw votes can clarify divergence, test for emerging agreement, and help parties develop ideas and packages with greater support, thus propelling the process toward agreement.[16]

As with any decision-making tool, however, straw voting does not exist in a vacuum: certain preconditions and boundaries must be met to use this tool well. First, stakeholders must be aware of the consequences of the vote and how these outcomes fit into the broader process. Second, in cases in which interest groups are not equally represented, using a strict numerical tally to choose an option can be unfair, unless modifications are used (such as a weighting factor). Lastly, guidelines around straw voting must be consistently applied, or it may appear that the facilitation team is biased toward one group over others.

The planning team included the use of straw voting in the decision rules of the South Coast process, which were then adopted by the stakeholder group. Accordingly, the planning team employed straw voting effectively on several occasions within work groups to winnow the number of options on the table.[17]

For instance, during round one deliberations, the Topaz Group, which, like all Gems Groups, represented a range of consumption- and conservation oriented interests, emerged with one draft marine protected area which, according to stakeholder Jonna Engel in a memorandum to the policy panel, "came together in a spirit of cross-interest collaboration" (Engel 2009: 2). During one Topaz Group work session, straw votes were taken at least twenty times on eight different marine protected area options (McCreary 2009). "No single interest group prevailed in developing the proposal with the most support. Instead, the authors of the most broadly supported options varied" (Engel 2009: 1). In these instances, straw voting was used successfully to foster cross-interest collaboration, resulting in stable decisions.

When straw voting was used to make a more sweeping decision among the full stakeholder group, however — to remove one proposal from moving on to round three — it increased polarization and mistrust in the process. The FIC/FIN caucus formation caused positional bargaining and anchoring, which severely restricted the development of cross-interest proposals. The hoped-for convergence in proposals had not begun to occur even by the end of round two deliberations. As a result, there were seven proposals on the table, four from the Gems Groups and three from external groups (the Fisherman's Network, United Anglers of Southern California, and Santa Barbara Channelkeeper/Santa Monica Baykeeper). The proposals had a low degree of overlap in protected area location, size, and levels of protection.

To focus attention in the final round, the policy panel requested that the stakeholder group eliminate one proposal, so the planning team devised a straw voting process, which they presented to the stakeholder group. They distributed a paper ballot and asked each stakeholder to indicate which five of the seven proposals they wanted to advance to round three.

By a narrow margin, an external proposal put forth by the Santa Barbara Channelkeeper/Santa Monica Baykeeper organizations received the fewest votes. By the South Coast decision rules, this proposal was deemed excluded for further refinement in round two. But the vote prompted a major backlash from conservation interests, who mobilized and pressed for re-inclusion of the proposal. The planning team then recognized (in hindsight) that, due to the overrepresentation of consumption-oriented interests, the straw vote had not been numerically "fair." To correct this problem, the planning team distributed a memo indicating that this external proposal, known as Proposal C, was back on the table.

The reversal of the decision in turn (predictably) triggered an even bigger backlash from the fishing community. According to a *Los Angeles Times* article about the event, the decision "was perceived as a slap to the face of those who had been working within guidelines during a long, arduous process that still has months to play out. The United Anglers charged that if a pro-fishing proposal had received the fewest votes it would have remained shelved" (Thomas 2009: 1). The issue of whether to carry forward Proposal C became so roiled in controversy that at a public meeting more than two hundred members of the public, alongside stakeholders, came to the podium and declared their preference for keeping or eliminating it.

The policy panel then "reversed their reversal," acting decisively to eliminate the proposal from further consideration — but by this point, stakeholders' trust in the process was shaken. On the one hand, consumption interests' fear that behind-the-scenes manipulation was taking place was reinforced; on the other hand, conservation interests came to feel more strongly that the stakeholder group's representation was balanced in favor of consumption-oriented interests.

One member of the fishing-dominated group wrote: "I believe the fatal mistake was to allow the external 'C' proposal to 'backdoor' into the process after it had been overwhelmingly rejected by the [stakeholder group]. At that point, a small but significant group on the preservation side knew they would not have to find the middle ground, and a smaller, but vocal segment of the fishing community came to believe that we were being herded to a predetermined outcome."

For conservation interests, the voting on Proposal C reinforced the perception of biased representation in the stakeholder group, in the favor of consumption-oriented stakeholders. One participant wrote: "Straw voting with a highly slanted group is not conducive to any type of cross-interest collaboration and only fosters bullying."

The outcome was highly divisive. One stakeholder commented: "The vote at the end of round two forced the stakeholders to take sides for either the conservation or consumptive interests . . . [polarizing] those who saw themselves as more neutral or middle ground." As a result of the unclear guidelines and the "double reverse," what should have been a relatively minor interim step instead became the focus of intensely polarized debate.

Other Process Challenges

In addition to the major shortcomings listed above, several other problematic process design decisions further weakened the ability of the process to find a stable agreement. First, because of an insufficiently rigorous conflict assessment, those unwilling to negotiate toward a mutual gains solution were not screened out of the process, and the planning

team was not fully prepared to deal with the full set of marine resource issues in the region that eventually posed challenges to collaboration. Second, because formal process guidelines were inconsistently applied, good behavior was not consistently enforced, which often led to an atmosphere of animosity and distrust. Third, a substantial effort was invested to mobilize broad public participation and attendance at MLPA Initiative meetings, but insufficient attention was given to delineating the time allocation between interest-based bargaining and lengthy public comment sessions, reducing the amount of time spent directly on negotiations, and restricting the ability of the stakeholder representatives to openly brainstorm. Our companion USC–Sea Grant CONCUR Retrospective Study (Grifman, McCreary, and Cowart 2016) describes these challenges in more detail. While each of these challenges was significant, no single one was sufficient to notably weaken the process; however, when com-pounded, these process design challenges significantly weakened the sta-bility of the final agreement.

Designing Future Multi-Stakeholder Marine Planning Processes

As Lawrence Susskind and Jennifer Thomas-Larmer (1999:99) wrote, "[t]he ultimate success of every consensus building process depends on . . . early design decisions." Now, with the clarity of hindsight, we are at liberty to reflect on the South Coast process and ask: how might alternative best practices in dispute resolution have propelled the process toward more stable results?

Five primary lessons from the MLPA Initiative South Coast process stand out. To be most effective, the process should:

1. ensure equal representation on the stakeholder group;
2. provide up-front training in interest-based negotiation for stakeholder representatives;
3. create stronger incentives for negotiation toward consensus;
4. consistently articulate strong decision rules; and
5. integrate the facilitation team in all critical process design choices.

While no single key decision destabilized the process, several choices converged to prevent the process from finding a stable agreement. Implementation of many or all of these recommendations may well have shaped a more stable agreement in the South Coast. Their widespread use would very likely lead to more stable cross-interest decisions in future multi-stakeholder marine planning processes, particularly in complex urban areas.

Equal Representation

According to Susskind and Thomas-Larmer (1999: 121), "[i]n recommending who should participate, the assessor should think about inclusion and balance. All categories of stakeholders should be identified, and an approximately equal number of representatives from each major category should be determined. Ideally, the resulting mix should not be skewed toward one interest or another." Balanced size and diversity of representation on the stakeholder group will help to enhance the efficiency and effectiveness of the facilitation and negotiations while enhancing the ability for stakeholders to build relationships, problem-solve, and trust. To do so, we recommend appointing seats to more nearly equal number of participants for consumptive-oriented and nonconsumption-oriented members. If there appear to be more stakeholders on one side than another, consider the first suggestion of consolidating their interests into a representative group able to represent their viewpoints.

Negotiation Training

"In resolving resource conflicts," wrote Mary Gleason and her colleagues (2010: 66), "there is . . . a strong need to build capacity of stakeholders to negotiate, optimize goals and objectives, and converge around solid alternatives." In multi-stakeholder policy negotiations, process literacy among negotiators is key to making collaboration work (Gray 1989; Wondolleck and Yaffee 2000). "Training should focus on 'people' skills, such as how to interact with different individuals or groups in various situations, and 'process skills', such as how to structure and facilitate collaborative problem solving processes" (Wondolleck and Yaffee 2000: 218).

Training can provide stakeholders with skills in interest-based negotiating, while also clarifying the benefits of employing these strategies. In the USC Sea Grant–CONCUR Retrospective Study, stakeholders responded that a training workshop in mutual gains negotiation early in the process would have been very helpful; the average rating was 4 out of 6 with a mode of 5 (Grifman, McCreary, and Cowart 2016: 28).

What's more, offering training provides an opportunity to explain the overall process structure and the stakeholders' role within that structure. An upfront understanding by the FIC/FIN caucus that the goal was to discuss and develop options and leave room for give-and-take negotiation once the full group convened could have prevented the anchoring and positional bargaining that significantly impaired the early stages of the process.

Stronger Incentives

For multi-stakeholder policy negotiations to be effective, the parties involved must have an incentive to wholly engage. The policy-making body can provide this incentive by committing to implement a cross-interest proposal. For example, in Jonathan Raab's (2006) evaluation of the Central

Coast stakeholder group process, he suggested the policy panel and Fish and Game Commission give the stakeholders more encouragement to create consensus, including "a clear promise that if the stakeholders are able to reach agreement on a single [marine protected area proposal], that the [policy panel] will recommend this single [proposal] to the [DFG] as its preferred alternative, and that the [DFG] will, in turn, recommend it as its preferred alternative to the [Fish and Game Commission]" (Raab 2006: 10).

Another option is to have the policy panel work with the stakeholder group to more clearly explain and reinforce the characteristics of the kind of proposal that it would be willing to advance. What's more, the policy panel could work actively to bridge apparently intractable issues related to meeting science panel guidelines in tough geographies. Another option is to incorporate would-be policy panel members directly into the stakeholder group. As active, policy-wise, and politically savvy stakeholders, they could provide the stakeholder group with valuable political insight throughout the process while fostering political buy-in for a stakeholder package and building trust within the communities that make up a single negotiating body.

Strong Decision Rules

It is crucial to build and maintain trust in negotiating groups by making decisions in a consistent manner — by ensuring that such decision rules as straw voting, for example, are consistently applied. Greater predictability gives stakeholder representatives greater confidence in the integrity of the process. It also provides the assurance that stakeholders are in fact able to influence the outcomes of the process, a key to willing engagement in interest-based negotiation.

Policy Panel Design

During the South Coast process, the facilitation team was not present at most policy panel meetings, and only occasionally conferred with the policy panel. The lack of opportunity to directly inject substantial process knowledge and expertise into formative decisions about process design communication caused an inadvertent disconnect. We argue that more robust, sustained discussion of key process design choices could have helped the policy panel anticipate and avoid process design pitfalls. Most notably, at a May 2009 policy panel meeting, a member of that body stated the hope, as the meeting was winding down in a live-streamed recording, that straw voting would not be used to exclude proposals. In fact, the planning team had already developed and internally agreed upon a process game plan to take a straw vote if necessary to achieve the target number of proposals at the next day's stakeholder group meeting.

This disconnect in process design contributed to the sense among stakeholders that inconsistent process design decisions were being made, creating mistrust in the integrity of the process. In the future, building

consistent dialogue between the facilitator and any group making significant decisions that will shape how the stakeholder process will unfold would help generate trust in the process.

As we reflect on the MLPA Initiative South Coast process and consider other multi-stakeholder marine planning processes, we can identify several critical process design choices that should be discussed jointly between the senior policy level and facilitators in a robust strategic planning process. These include:

- establishing and reaffirming whether a stakeholder group is devising options, or negotiating to produce a final, widely supported preferred alternative;
- establishing the number of proposals that should advance at each round of planning activity;
- establishing decision rules for winnowing plan options;
- organizing training in principled mutual gains negotiation for both the stakeholder representatives and policy panel; and
- determining how to strike a balance between structured negotiations and more informal public comment.

Conclusion

The California South Coast MLPA Initiative process illustrates multiple challenges that affect multi-stakeholder public dispute negotiations more broadly, and marine planning in particular. Future marine planning projects can look to the challenges of and lessons learned from this process to inform and strengthen their own efforts. In the South Coast, the inherent complexity of the region increased the need for the planning team, policy panel, and facilitators to closely adhere to best practices in dispute resolution. In this case, insufficient adherence to best practices led to a minimally collaborative stakeholder process. With greater attention to the key recommendations in this article, future processes will find themselves better positioned for a truly stable agreement.

Each one of these recommendations has intrinsic merit, but they have even greater power when adopted together. A successful strategic effort should include ensuring equal representation on the stakeholder group, providing interest-based negotiation training for stakeholder representatives, creating stronger incentives for negotiation toward consensus, and consistently articulating strong decision rules. Ideally, all these components would be features of a well-structured marine planning effort.

As other states and nations look to build on California's path-breaking work on the MLPA Initiative process to designate marine protected areas,

site for offshore renewable energy, and plan for climate change adaptation, particularly in urban high-use areas, lessons from the South Coast can help inform smarter process design choices and more stable agreements.

NOTES

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1. Networks of well-designed and well-managed marine protected areas are more than the sum of their parts. Networks build on the ecosystem protection, fisheries management, and research and education outcomes from individual marine protected areas to better protect a range of habitats and sustain more marine populations across a larger geographic region (IUCN 2008).

2. The five regions include North Coast, North Central Coast, Central Coast, San Francisco Bay, and South Coast. To date, all but one of the five regions, San Francisco Bay, have completed the MLPA process, and regulations are currently in effect.

3. Please note that in this article we use "process design" to describe all elements of designing and managing the stakeholder engagement process, from the assessment phase through the passage of regulations. For some authors, the term "process design" is used to refer only to the "basic building blocks" of a process, while the actual negotiations, management decisions, and process closure are considered distinct elements (see, e.g., Podziba 2012, Chapter 7).

4. The USC Sea Grant program focuses on the "urban ocean" issues that accrue when highly populated regions are adjacent to coastal and ocean geographies. The USC Sea Grant Program was involved in the South Coast MLPA process as a neutral voice for evidence-based science, and in this study with the goal of exploring the processes used in order to improve future ocean-related decision-making processes.

5. The Resources Legacy Fund Foundation is an organization that pools funding from multiple donors to advance conservation goals. The foundation chose to support the MLPA Initiative as a public–private planning process that would not otherwise have occurred. The foundation did not have a seat at the negotiation table or make any process design or management decisions.

6. The U.S. Department of Defense has a number of operations in the area and the military exercised preemptive jurisdiction in a few key locations. This constrained invention of marine protected area proposals until it was determined whether (and which) military areas could be included in the negotiation. What's more, government agencies at all levels, including the U.S. Department of Defense, demonstrated greater interest in participating in marine protected area planning than they had in previous study regions (Fox et al. 2013).

7. CONCUR, Inc. provides services in strategic planning, policy analysis, and agreement-focused facilitation of environmental and public policy disputes.

8. The Great Barrier Reef marine park covers an area larger than the California network, but it is one contiguous area, rather than a coordinated network of marine protected areas.

9. These findings echo those of Michael Harty (2010), who also surveyed South Coast stakeholder group members on their "overall level of satisfaction" with the process, finding a mean of 2.59, with 53 percent of respondents reporting that they were either "very unsatisfied" or "somewhat unsatisfied."

10. On January 27, 2011, opposition groups representing consumption-oriented users and including members of the South Coast process filed a lawsuit in the San Diego County Superior Court seeking to set aside the MLPA regulations (which are now in effect) in the North Central and South Coast study regions. These opponents cited flaws in the MLPA process and stated that the Fish and Game Commission does not have legal authority to make decisions that effectively limit, and in some cases prohibit, their ability to fish and recreationally access designated "no fishing zones" (American Sportfishing Association n.d.). After a series of petitions and appeals, an appellate court ruling (Fourth Appellate District, Division I) on April 15, 2013 denied the Coastside Fishing

Club's petition for writ of mandate. Opposition groups state they will "continue to explore all possible avenues to maximize recreational fishing access in California" (American Sportfishing Association n.d.).

11. Traditionally, an alternate is used when a primary member cannot attend a meeting, and they communicate between each other to ensure each has the most current, relevant information.

12. In previous MLPA study regions, some observers argued that while conservation representatives were able to meet and identify top priorities for the study region before the MLPA stakeholder group meetings commenced, the fishing community was more disparate and would benefit from assistance so that they could better articulate their priorities. Some argued that fishing interests were disadvantaged in their negotiations compared with conservation interests because they lacked organizational support, had few paid staff, and were constrained by the long hours needed to earn a living from fishing (Grifman, McCreary, and Cowart 2016).

13. None of the final round three South Coast marine protected area proposals, nor the ultimate integrated proposal, met all science panel guidelines. Specifically, only twenty-six of the fifty marine protected areas delineated in the South Coast area can be considered sufficiently protective to likely contribute toward the ecological goals of the MLPA. Of these, ten fall below the recommended size, nine fall within the minimum size range, and only seven fall within the preferred size range. What's more, many spacing guidelines were not met, potentially undermining the intended ecological connectivity of the marine protected area network (Saarman et al. 2013).

The science panel evaluated the likelihood that marine protected area proposals would meet the MLPA's conservation goals with an evaluation system that included six levels of protection, ranging from very high for no-take areas, to low for marine protected areas that allowed uses with the potential for habitat alteration and ecosystem-wide impacts (Saarman et al. 2013). The policy panel, from their vantage point looking at the broader policy context, then determined which levels of protection would be considered sufficient to contribute to the MLPA's stated conservation goals.

14. This was the dynamic at work in many other cases CONCUR has mediated, including the Guadalupe River Flood Control Project, the program design for the CALFED Water Use Efficiency Program (Fuller 2009; Karl, Susskind, and Wallace 2007), and the consensus solutions to avoid bycatch in a series of Take Reduction Teams convened by the National Marine Fisheries Service and facilitated by CONCUR.

15. At several points in the North Central Coast and the Central Coast stakeholder group processes, straw voting was used successfully to find widespread support for an increasingly smaller number of marine protected area packages.

16. For example, in the Central Coast stakeholder group process, an elimination straw vote was successfully used to winnow the number of proposal packages from six to three. In this effective use of a straw vote, each of the more than thirty members of the Central Coast stakeholder group identified their first choice alternative, and any proposal that received fewer than three votes was eliminated (10 percent of the stakeholder group members was the threshold). In this case, the outcome of the elimination straw vote was increasing agreement on a smaller number of options.

17. Straw voting was used both within work groups to make choices on marine protected area boundaries and regulations to create components of marine protected area packages, and within the stakeholder group as a whole to make choices regarding which full marine protected area proposals to advance to the next round of consideration, in order to arrive at a bounded number of proposals.

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A Study of the Stakeholder Experience in Developing Marine Protected Areas in Southern California

By Phyllis Grifman[1], Scott McCreary [2] and Meredith Cowart[2]

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California Marine Life Protection Act Initiative (MLPA) South Coast Integrated Preferred Alternative (IPA)

[1] University of Southern California Sea Grant Program, http://dornsife.usc.edu/uscseagrant/, grifman@usc.edu
[2] CONCUR, Inc., www.concurinc.com, scott@concurinc.net, meredith@concurinc.net

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Introduction

As Coastal and Marine Spatial Planning (CMSP) processes take hold worldwide, it is important to design stakeholder engagement processes that result in a stable outcome. An outcome is considered stable when all stakeholders agree they "can live with" the outcome. This paper uses the Marine Life Protection Act (MLPA) Initiative's (Initiative)[3] stakeholder process to design a network of Marine Protected Areas (MPAs) in the South Coast region of California as a case study for consideration by other CMSP policy makers. We evaluate shortcomings in the stakeholder process and make recommendations to improve future multi-stakeholder marine policy processes, particularly those occurring in highly complex, urban ocean environments. In our view, the South Coast process was a good process with a good outcome - but it was not a great process with a great outcome. In our analysis, we would find the outcome to be "great" if three conditions had been met: if unanimous or nearly-unanimous agreement had been reached on one MPA network proposal; if this proposal had been fully consistent with the objective criteria set forth in the Science Advisory Team (SAT) guidelines; and if the process had been broadly regarded as fair by participants and regional stakeholders. The level of stakeholder satisfaction with a process is a key measure of its effectiveness and the outcome's ongoing support and stability.

The South Coast MLPA process and outcomes had many strong features: the MPA network proposal was informed by science, it was reached relatively quickly, and the regulation now in place reflects a compromise between many competing interests. However, our analysis concludes that the process and outcomes were not great. In fact, several process design decisions encouraged positional bargaining, polarized the debate and resulted in a perception among many stakeholders that the process was unfair. For example, pre-meeting caucusing that was not paired with training in principled negotiation led to the creation of a positional bloc that anchored negotiations. This and other misguided process design decisions were well intentioned; but they were not fully consistent with codified best practices in process design in the dispute resolution literature. As such, each one also constrained the ability of the process to find and confirm a stable outcome.

Our analysis indicates that a stable agreement was not found for four main reasons. First, the final set of three proposals – while informed by scientific research, data sets, and analysis – reflect the fact that the process did not achieve unanimous support around a single proposal. Secondly, the final Integrated Preferred Alternative (IPA) integrating these proposals has more of the characteristics of an instrumental political compromise than it does of a true mutual gains solution. Third, this recommended alternative and its implementing regulations fall short of

[3] In 2004, the California Department of Fish and Game (DFG) (now the Department of Fish and Wildlife (DFW)) entered into a Memorandum of Understanding that provided funding to initiate the Marine Life Protection Act (MLPA) Initiative, a modification of the previous MLPA planning process which met with public resistance. The MLPA Initiative did not change the legal requirements of the MLPA; instead it modified the structure and process by which the legal requirements were implemented. While the original MLPA was implemented in a somewhat top-down, staff-centric manner, the MLPA Initiative was a much more robust science-based and stakeholder-driven planning process. The MLPA Initiative requires California to reevaluate all existing marine protected areas (MPAs) and potentially design new MPAs that together function as a statewide network. MPAs are developed on a regional basis with MLPA and MPA specific goals in mind, and are evaluated over time to assess their effectiveness for meeting these goals. For this process, the coast was divided into five study regions including the North Coast (NC), the North Central Coast (NCC), the South Coast (SC), the Central Coast (CC) and the San Francisco Bay (not yet implemented). For each region, a Blue Ribbon Task Force (BRTF), a Scientific Advisory Team (SAT) and a Regional Stakeholder Group (RSG) was developed.

meeting the full set of SAT guidelines. Finally, many members of the Regional Stakeholder Group (RSG) do not perceive the process as fully fair or legitimate. Several published articles discuss and document the successes of the MLPA process overall[4] and by implication the South Coast MLPA Initiative process in particular – indeed there were many. However, in this paper we apply a more rigorous analytical framework informed by the codified best practices in process design and a retrospective survey of South Coast stakeholder experiences to examine process design decisions and process outcomes. Using this approach, we then make broadly applicable recommendations to anticipate and avoid these challenges in future CMSP processes.

We adopt this approach because the work of marine policy – indeed any field of public policy – does not end when the policy is adopted; in some senses the work is just beginning. In the case of the California MLPA Initiative, additional work is needed to secure long term financial support, monitoring systems must be sustained, the public must be educated about the rules they are to follow, the ecological benefits of the MPA network must be documented over time, and socioeconomic impacts managed and mitigated. Experience shows that when a policy making process has found a stable agreement, dealing with these ongoing challenges will be much smoother.

Methodology

Our analysis is based on a robust set of four diverse and complementary sources, including:

1. Materials generated during the South Coast process. Documents produced during the process include a series of lessons learned reports prepared by independent evaluators and MLPA Initiative program documents, such as memoranda from the facilitation team.
2. A thorough investigation into the dispute resolution literature on best practices in process design. We draw heavily from the foundational theory-building work conducted over the past decades at the MIT-Harvard Program on Dispute Resolution including the analyses of authors Larry Susskind, Robert Fisher and William Ury.
3. A 40-question retrospective survey conducted jointly by the USC Sea Grant Program[5] and CONCUR.[6] For a detailed summary of the survey methods and findings, see the USC Sea Grant-CONCUR Retrospective Study in Appendix 3. The purpose of the survey was to better understand and document the stakeholder experience in the South Coast process. The survey questions were drawn from an evaluation framework developed by the U.S. Institute for Environmental Conflict Resolution (Orr 2008) and from CONCUR in its capacity as an organization striving to advance best practices in environmental and public policy dispute resolution.

   The survey received 45 responses (out of 62 possible respondents) for a response rate of 73 percent. Representation from the Rounds 1 and 2 Gems Groups (appointed cross-

[4] In particular: Fox et al. 2013, Gleason et al. 2013, Kirlin et al. 2013, Saarman et al. 2013 and Sayce et al. 2012 focused on the full MLPA Initiative to date—and by implication the South Coast. Gleason et al. 2009 focused on the North Central Coast process as a positive example of a stakeholder driven science based process, and indeed it was.

[5] The University of Southern California Sea Grant program focuses on the "urban ocean" issues that that accrue when highly populated regions are adjacent to coastal and ocean geographies. The USC Sea Grant Program was involved in the South Coast MLPA process as a neutral voice for evidence based science, and in this study with the goal of exploring the processes used in order to improve future ocean-related decision-making processes.

[6] CONCUR, Inc is an organization that provides services in strategic planning, policy analysis and agreement-focused facilitation. As part of its theory of practice, CONCUR is devoted to reflecting in-depth on real-world experiences to strengthen best practices in environmental and public policy dispute resolution. Much of the content of this manuscript centers around CONCUR's action research and is further informed by the literature and theory of principled negotiation.

interest groups: see the MLPA Initiative South Coast Process for more detail) was even (15 Lapis, 15 Topaz, 13 Opal, 2 skipped the question about which Gems group they were in). All Round 3 Work Groups are represented and the number of individual responses is fairly even across these groups (16 Group One, 13 Group Two, 13 Group Three, 2 skipped the question). However, response rates did vary here: Group One had a response rate of 70% (16/23), Group Two 54% (13/24) and Group Three 87% (13/15). For the purpose of more finely analyzing differences in perspectives across interest groups, we have in most cases sorted responses by Round Three work group.[7] For a more complete description of the survey methods and findings, see Appendix 3: USC Sea Grant-CONCUR Retrospective Study.

4. The participatory action research conducted by USC Sea Grant and CONCUR authors Phyllis Grifman and Scott McCreary, respectively, with the goal of reflecting on the South Coast process in order to improve future ocean-related decision-making process.[8] Ms. Grifman represented USC Sea Grant on the South Coast RSG, as a neutral voice for evidence based science. Dr. McCreary provided facilitation services as a part of the I-Team as a neutral party focused on strengthening policy decisions and agreement building. USC Sea Grant and CONCUR jointly implemented the post hoc evaluation described above (see Appendix 3: USC Sea Grant-CONCUR Retrospective Study).

Part I: Background on the South Coast MLPA Process

California's Marine Life Protection Act Initiative

Broadly speaking, the MLPA Initiative (Initiative) was a public-private partnership established in 2004 by the California Department of Fish and Game (DFG)[9], and the California-based Resources Legacy Fund Foundation (RLFF)[10] via the California Marine Life Protection Act Initiative Memorandum of Understanding to help the State of California implement the Marine Life Protection Act (MLPA). The MLPA was passed in 1999 with the purpose of increasing the cohesion and effectiveness of the State's Marine Protected Areas (MPAs). MPAs are geographically delineated marine sub-regions that are designated to protect biodiversity and rebuild fish stocks by prohibiting or restricting commercial and recreational fishing activity.[11] Rather than designing a single MPA network for the entire state at once, the framers of the Initiative organized California into five study regions, each to have its own process to enhance existing MPAs: the North Coast, the North Central Coast, the Central Coast, the San Francisco Bay and the South Coast (the focus of this review).[12]

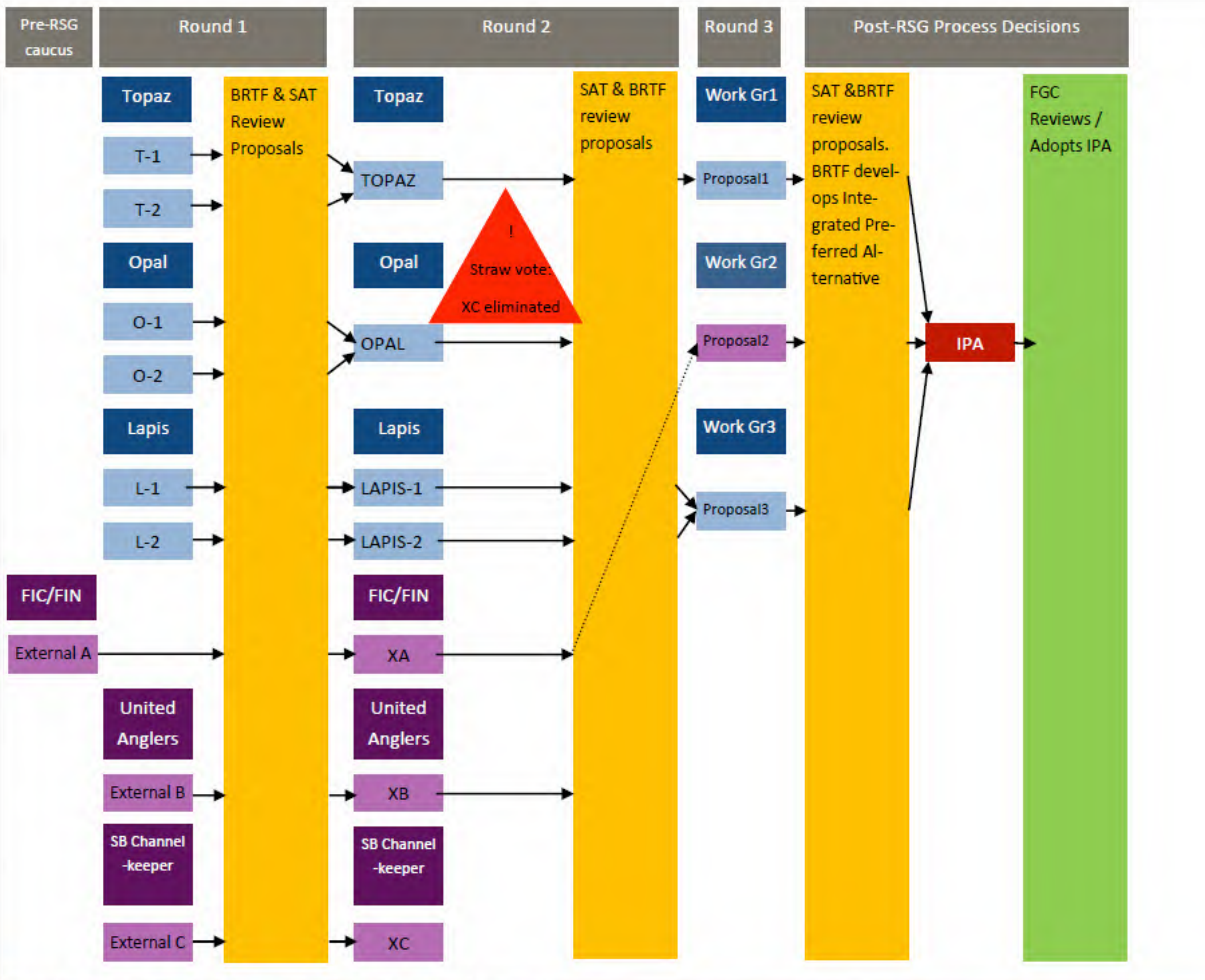
In each study region, a Regional Stakeholder Group (RSG) was established, to include representatives appointed from the full range of ocean resource interests. The RSG was tasked

[7] The survey was open for 45 days, from January 18 to March 4, 2011 and extensive follow up reminder contacts were made to ensure broad representation across Round 1 and Round 2 Gems groups, and Round 3 proposal groups and a high response rate overall.
[8] Over the past 25 years, he has facilitated dozens of consensus agreements, including several on complex, multi-party marine resource issues.
[9] The DFG (DFW) is a department of the California Resources Agency, now known at the California Natural Resources Agency.
[10] The DFG (DFW) and RLFF together drafted an MOU that established the MLPA Initiative
[11] Networks of well-designed and well-managed MPAs are more than the sum of their parts. Networks build on the ecosystem protection, fisheries management, and research and education outcomes from individual MPAs to better protect a range of habitats and sustain more marine populations across a larger geographic region (IUCN 2008).
[12] To date, four of five study regions have completed the MLPA process and regulations are currently in effect: the North Coast, the North Central Coast, the Central Coast, and the South Coast (the focus of this paper).

with developing a set of MPA proposals (e.g., specific MPA boundaries, sizing and levels of protection), to be reviewed and evaluated throughout the process by a Scientific Advisory Team (SAT) and a policy-level Blue Ribbon Task Force (BRTF). The RSG would refine the proposals throughout the process based on scientific and policy advice received from the SAT and BRTF, as well as the interests of the RSG members. Based on these evaluations and public input, the BRTF would ultimately review the final set of proposals and develop one final proposal, called the Integrated Preferred Alternative (IPA), to be recommended to the Fish and Game Commission (FGC). The FGC had the sole authority to develop, adopt and implement the final regulation. The planning process was to be carried out by an Implementation Team (I-Team)[13] (see Figure 1).

The MLPA Initiative - South Coast Process

Figure 1. South Coast MLPA Process of Proposal Development



In the South Coast, the RSG had just over one year to develop the three MPA proposals (also called MPA arrays) that they would eventually forward to the BRTF for consideration in forming

[13] The I-Team was lead by an Executive Director and a Project Manager and also included a variety of professionals with expertise in marine planning, GIS, public outreach, policy analysis, and facilitation.

an Integrated Preferred Alternative. This is turn would be recommended to the FGC. In order to accomplish this ambitious task, the RSG met in eight multi-day plenary sessions and six work sessions between October 2008 and September 2009 (see Appendix 1: Chronology of South Coast MLPA Initiative Meetings and Outcomes).

In these plenary and work sessions, the full set of RSG members was organized into three sub groups which developed, negotiated, and refined MPA proposals over the course of three rounds of negotiation. At the end of each round, the MPA proposal(s) developed by these groups, along with any proposals developed by external groups, were forwarded to the SAT for review and then on to the BRTF. The BRTF and SAT then provided feedback regarding how well the proposals met MLPA goals.

The composition of the groups was the same during the first two rounds of negotiation, but was altered for the third round of negotiation. During the first two rounds of negotiation, members were appointed to one of three cross-interest work groups, called Gems Groups: Topaz, Opal and Lapis. The I-Team intentionally set the composition and balance of these Gems Groups with the intent of increasing collaboration.[14] In the final round of proposal development, three work groups were configured based on interests, to ensure that each RSG member would be able to support at least one of the final MPA proposals: Work Group One (a cross-interest group), Work Group Two (a consumptive-oriented group), and Work Group Three (a conservation-oriented group) (Fox et al. 2013) (see glossary entry "Work Groups" for more details).[15]

As figure 1 above depicts, several MPA proposals - both internal to and external to the RSG process – were developed during the first round, and refined over the course of the negotiations. By the end of the first round, each Gems Group had developed two proposals. In addition, three proposals had been developed and submitted by stakeholders external to the RSG (External Proposal A had actually been developed *prior* to the first round of negotiations, as explained in "Pre-Meeting Caucusing Between Consumptive Interests Organized."[16] These nine proposals were submitted to the SAT and BRTF for review. In the second round, the Gems Groups continued negotiations with the same set of proposals, guided by feedback from the BRTF, SAT and I-Team and with the objective of combining or eliminating proposals or elements of these proposals to narrow the number of options.

By the end of Round 2, there were still 7 proposals on the table (4 from the work groups and 3 external proposals). To meet the BRTF's request to winnow the number of proposals to 6, the I-Team devised a straw voting procedure to eliminate one proposal (External C was selected). The process decisions surrounding this elimination straw vote became a divisive point in the process known as the "double reverse." Specifically, the outcome of the straw vote (eliminating External C) led to strong objections from conservation interests and for several reasons External C was put back on the table. This decision in turn prompted intense backlash from the fishing community, and External C was again eliminated. (This process and its consequences are

[14] Setting the composition and balance of the Gems Groups involved many rounds of internal deliberation among the I-Team.
[15] In order to develop these three groups, prior to the third round, the I-Team conducted an online survey asking RSG members which work group they preferred to join. About 85-90% of the RSG members were appointed to serve on their first choice group.
[16] While these "external" proposals were not formally negotiated or modified by RSG members, RSG members were encouraged to examine and incorporate elements of other MPA proposals (either internal or external) that successfully met the guidelines. The external proposal put forth by the FIC/FIN alliance (External A) ended up creating the basis for the third round proposal in one group.

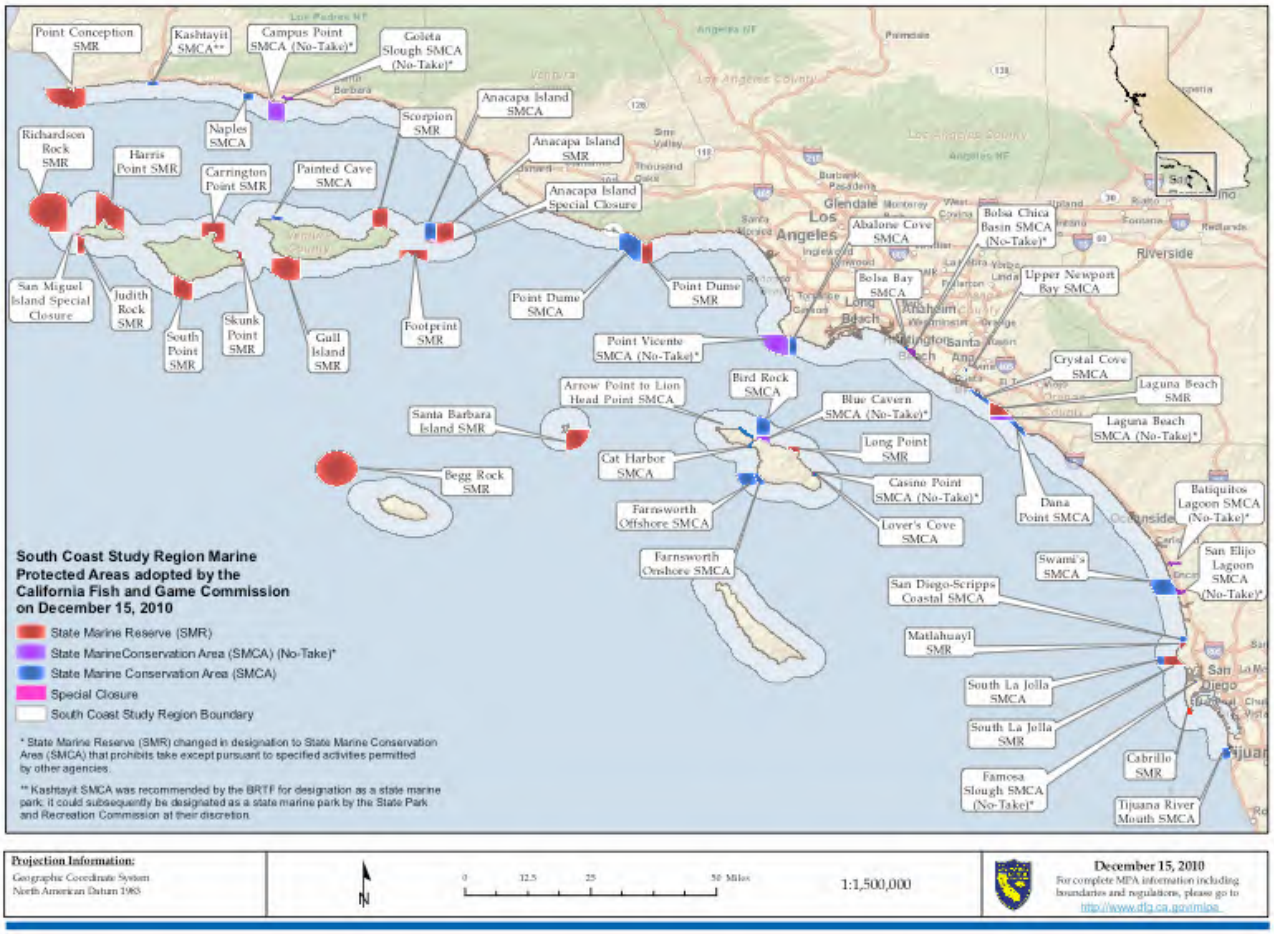
described in more detail in the section "Unclear and Inconsistent Use of Straw Voting").

Ultimately the 6 selected proposals were forwarded to the SAT and the BRTF, which again reviewed the MPA proposals and provided further feedback. For the third round, the I Team's review showed that there was still not sufficient convergence among the elements of the six proposals for each cross-interest Gems Group to support a single proposal. Therefore, the I Team reorganized the RSG members into three interest-based Work Groups (as described above and in the glossary), to ensure that each RSG member could support at least one of the proposals.

At this stage, the I Team asked RSG members to select one of the Round 2 proposals to use as the platform for the final round of proposal development. Each group refined and further developed the selected proposal and at the end of the third round, these three proposals were forwarded to the BRTF for their consideration.

From these three proposals, over a series of meetings, the BRTF created its own IPA, which it recommended to the FGC. On December 15th, 2010, the FGC voted to adopt the BRTF's IPA in full. The regulations took effect January 1st, 2012, creating 50 new MPAs and two special closures encompassing 356 square miles (15%) of state waters in the region (California Department of Fish and Game n.d.). Figure 2 below details the final MPA preferred alternative adopted by the FGC. Appendix 1 provides a timeline of the major body meetings and events that structured the South Coast RSG process.

Figure 2. Map of the South Coast Study Region



Distinctive Challenges of the South Coast Region

The South Coast presented unusually challenging conditions, which had not been experienced in the other MLPA Initiative regions. The South Coast study region, bounded by Point Concepción in Santa Barbara County and the Mexican Border south of San Diego (see Figure 2), is a large region with high population density along the coastline, a variety of competing uses and myriad environmental policy issues in play. There are more than fifty incorporated cities bordering the coast from Santa Barbara through San Diego Counties and over 17 million people living within 80 km of the ocean (Schiff et al. 2002; in Fox et al 2012); as such the region is heavily used by a diverse array of commercial fishermen, recreational anglers and boaters, surfers, divers, beach-goers, birdwatchers, homeowners and wastewater discharge and industrial facilities, to name a few. The South Coast includes territory with military jurisdiction[17] and several areas within the region have adopted management systems already in place.[18] The area suffers from habitat loss and a degree of water quality impairment not seen in other study regions, which introduced a new layer of complexity to the negotiations.[19] While these types of use conflicts are central to coastal management (Cicin-Sain & Knecht 1998, Sorensen & McCreary 1990), there has been little research to specifically address the special complexity and pressure on resources in densely populated and developed urban coastal environments. The complexity of the issues and intense competition for marine resources in the South Coast study region created significant challenges that impeded the ability of stakeholders to negotiate to agreement. Because of this level of complexity and highly charged issues, it was even more crucial in the South Coast than in other study regions that best practices in process design be closely observed.

The Importance of Stakeholder Engagement In CMSP

Engaging stakeholders in the policy design process is a critical component of successful CMSP processes (Pomeroy & Douvere 2008, Gleason 2013, Fox et al. 2013). CMSP is an ecosystem-based approach to management and as such it is place- rather than sectorally-based (Ehler 2008); therefore it requires coordinated planning across many sectors and a variety of use groups (Halpern et al. 2012). According to Pomeroy and Douvere (2008), engaging stakeholders in CMSP planning efforts has a number of positive outcomes, including:

[17] The U.S. military has a number of operations in the area and the military exercised preemptive jurisdiction in a few key locations. This constrained invention of MPA proposals until it was determined whether (and which) military areas could be included in the negotiation. What's more, government agencies at all levels, including the U.S. Department of Defense, demonstrated greater interest in participating in MPA planning than they had in previous study regions (Fox et al. 2012).

[18] Areas in the study region with adopted management plans already in place added even greater complexity. For example, the water quality and ecosystem function at the Tijuana River National Estuarine Research Reserve south of San Diego was already impaired because of past unregulated flow from the Tijuana River on the US-Mexico border. Initially, reserve managers wanted a marine reserve area in offshore waters to foster improvements on the landward side. However, later in the process, the management agencies expressed concern that any MPA designations could block wetland restoration work, and that MPA designation could enable the Department of Fish and Game to exert jurisdictional authority that would preempt other agencies. The reserve managers wrote a letter explicitly requesting that an MPA not be overlaid on top of the existing reserve (Personal Communication, Michael McCoy, August, 2012).

[19] Concerns over water quality created another layer of complexity in the negotiations. The study region includes numerous outfall sites urban runoff, from both storm drains and large rivers and creeks. In addition, there are 18 publicly owned treatment works plants, three desalination plants, 12 cooling power plants, and six other permitted pollution discharge sites. While water quality concerns were raised to a limited extent in other study regions, they assumed major proportions in the South Coast study region. Some MPA candidate sites were directly adjacent to or even included storm drain sites. Other related water quality issues, though not core to the MLPA mandate, and ostensibly outside candidate MPA sites, significantly affected deliberation over potential MPA boundaries and uses. One RSG member in particular was a strong advocate of waste treatment facilities' interests and repeatedly indicated concerns about siting any MPA near facility outfalls. Meanwhile, consumptive fishermen voiced concerns that the MPAs would take all the "clean areas" and leave them only the more polluted waters for fishing.

1. Develop policy that better takes into account the multiple use objectives and takes advantage of local knowledge of marine resources;
2. Generate new options and solutions that may have not been considered individually;
3. Deepen mutual understanding of the issues at hand; and
4. Generate "buy-in" for the policy developed among resources users.

Good vs. Great: The Importance of Process Design in CMSP

However, simply bringing stakeholders to the table to "talk things out" is not nearly specific enough process advice; designing a negotiation that encourages cross-interest solutions that will be stable in the long term requires concerted and careful planning. Successful stakeholder engagement towards a productive solution requires what is known in the dispute resolution field as an effective "process design." Process design refers to the ways in which stakeholders are brought together to negotiate an outcome. Those designing any CMSP process must ask questions such as, "How should appropriate stakeholder representatives be selected?" "How large should the stakeholder group be?" "How should personal attacks be handled?" "What portion of the negotiations should be devoted to public comment?" "Should MPA arrays be required to meet all, most or only some science guidelines?" "Should negotiators strive to reach a single consensus document or generate several alternative options?" We contend that answering these questions wisely can make the difference between a good outcome and a great one.

A substantial body of literature addresses best practices in process design of public policy dispute resolution. Practitioners and researchers in the field have demonstrated that these "best practice" process design decisions support voluntary agreements reached through a process of principled negotiations (Susskind & Cruikshank 1987). Principled negotiation is an approach to consensus building first codified by Fisher and Ury in their well-known book *Getting To Yes* (Fisher & Ury 1981). This foundational approach was refined through years of successive analysis based on practice at the MIT-Harvard Public Disputes Program (See, for example, Susskind, McKearnan and Thomas-Larmer, 1999). The principled negotiation approach involves several core principles, which are particularly relevant to the South Coast MLPA process: (1) negotiation on the basis of interests, not positions; (2) inventing options for mutual gain; and (3) insisting on objective criteria.

Negotiating on the basis of interests contrasts sharply with positional bargaining, though the difference is not always obvious. Interest-based negotiating means that stakeholders seek solutions that will satisfy their needs (interests), rather than asking for a pre-determined outcome that they perceive will satisfy this need (a position). For example, rather than demanding a certain area be closed seasonally (a position), a negotiator may state that the regulation must ensure that the kelp within a certain area be protected (an interest). This approach allows for a greater number of options to be invented that may satisfy this stakeholder, and therefore increases the chance of finding solutions agreeable to multiple parties. Negotiating on the basis of interests is a fundamental step towards achieving the second criterion, inventing options for mutual gain. When stakeholders disclose their interests, the group as a whole can seek creative solutions that allow more parties' needs to be met, rather than fighting over positions which assume a win-lose outcome (this process is called "expanding the pie"). Time for "invention

without commitment" – that is, brainstorming options simply to explore support for these ideas – is also a very important part of inventing options for mutual gain.

Objective criteria are the yardsticks that can be used to judge the outcome of a negotiation. These standards have their basis in the concept of objective analysis, conducted "independent of the will of either side" (Fisher et al 1991). In the case of the MLPA process, rigorous objective criteria were developed in each study region: SAT guidelines were developed and codified, confirmed with the BRTF and shared with the RSG. The SAT guidelines were put forth as a "road map" for the RSG's MPA proposal development.[20]

When designing a CMSP process built on principled negotiation, an array of design decisions that are well-established in the dispute resolution field can help to ensure that principled negotiations which are perceived as fair by those involved does occur. For example, a robust stakeholder assessment can identify stakeholders willing to negotiate on the basis of interests rather than positions. Similarly, consistent decision rules can prevent personal attacks that might otherwise polarize a debate and derail negotiations. When the best practices in dispute resolution guide the process design decisions, the criteria for principled negotiation are present, and the process is more likely to lead to a "great" outcome that: has achieved nearly unanimous agreement, meets the scientific criteria, and is widely seen as fair. Future CMSP processes can build on decades of experience in the dispute resolution field to achieve stable and effective CMSP policies. What's more, great CMSP negotiations can set a great precedent for related future marine planning endeavors likely to take place among a similar set of stakeholders.

Outcomes of the South Coast MLPA Process

Successes of the Process

As described above, there were many strong features of the South Coast MLPA process, many of which reflect best practices in principled negotiation (many of which have not yet been discussed in this paper, but which we also consider critical to producing exemplary policy outcomes). Some excellent features of the MLPA Initiative process were: highly inclusive of a range of stakeholder viewpoints; open to public scrutiny; innovative technology was utilized to involve a range of stakeholders in complex planning decisions; and a set of MPA proposals was developed, which informed the final regulations. More specifically, over 60 stakeholders representing a diverse range of groups took part in the RSG. An extensive outreach campaign with dedicated staff members successfully involved hundreds of diverse members of the public (Sayce et al. 2012). The web-based GIS tool known as Marine Map won very high praise for empowering stakeholders to test the ecosystem impacts of various MPA delineations and enabling collaborative problem solving (Fox et al. 2013). The RSG generated a suite of proposals

[20] After each round of proposal development, proposals were analyzed by the SAT to gauge how well each proposal met the adopted science guidelines for habitat size and spacing and habitat representation, each of which were weighted with equal importance. The SAT's guidelines were intended to provide stakeholders and the BRTF with a set of unambiguous yardsticks by which the respective MPA proposals could be evaluated and compared. These SAT evaluations also discussed other variables of the MPA proposals including economic considerations, bio-economic modeling results, and information on marine birds and mammals and water quality consequences. The BRTF recommended strongly that proposals meet the SAT's guidelines. The California Department of Fish and Game also provided an evaluation of the alternatives to determine whether MPA proposals met feasibility guidelines and identified how specific MPA designs could be improved to better meet the guidelines.

through three rounds of work and their efforts were used by the BRTF to generate an Integrated Preferred Alternative, which in turn served as the basis for the final regulations adopted by the Fish and Game Commission (FGC).[21] These regulations designated a total of 50 MPAs and two special closures in the South Coast region. Regulations were adopted on December 15th, 2010 and have been in effect since January 1st, 2012. [22] The many well-placed process design decisions in the South Coast led to a good outcome; but several more misplaced choices caused the planning effort to fall well short of generating a stable agreement.

Shortcomings of the Process

In this paper, we highlight several problematic process design decisions, including:

1. Insufficiently Rigorous Conflict Assessment: The conflict assessment did not effectively identify or screen those not willing to negotiate towards a mutual gains solution or prepare the I-Team to deal with the full set of marine resource issues in the region that eventually posed challenges to collaboration.
2. Imbalanced Representation on the RSG: Representation on the RSG was numerically skewed towards consumptive interests, creating both a real and perceived sense of unfairness among RSG members.
3. Pre-meeting Caucusing Mobilized without Principled Negotiation Training: MLPA Initiative sponsors organized a series of meetings between commercial and recreational consumptive users before the first RSG meeting took place, but this structured caucus was not paired with training in principled negotiation. This led to the creation of a positional bloc, which apparently perceived that its interests would be best met by anchoring negotiations and engaging in positional bargaining.
4. Insufficient Carrots - Incentives to Negotiate: The process did not include an explicit promise that a consensus outcome would be implemented. Stakeholders were not made sufficiently aware that a consensus package would benefit their interests, so were not incentivized to engage in principled negotiation.
5. Inconsistent Sticks - Formal Process Guidelines: During the RSG deliberations, process guidelines were not sufficient to enforce good behavior, often leading to an atmosphere of animosity and mistrust.
6. Unclear and Inconsistent Use of Straw Voting: A straw vote decision rule was not defended and enforced when it was attacked for its use in winnowing MPA packages; this "double reverse" therefore undermined perceived process legitimacy, fairness and accountability.
7. Insufficient Boundary Conditions on Public Involvement Relative to Face-to-Face Negotiation: The public involvement in the RSG displaced time spent by RSG members directly on negotiations and restricted the ability of RSG members to openly brainstorm.

[21] The very substantial time investment of the BRTF made possible very detailed deliberation and consideration of alternatives that would have swamped an already-crowded agenda for the Commission.
[22] Some of the strong features of the MLPA Initiative were highlighted with regard to the North Central Coast study region (Gleason et al. 2009)

This context of positional bargaining and a recurring perception of unfairness impeded the ability of the process to find a stable agreement. Rather than reaching unanimous or nearly unanimous agreement on one proposal, the RSG developed 3 proposals with key design differences that could not be reconciled (Fox et al. 2013). What's more, the final RSG proposal reflects the consequences of positional bargaining and "anchoring" by consumptive users: a final proposal and suite of regulations (the IPA) that tilts towards the positions of this interest group. As a result, the objective criteria (SAT guidelines) created to guide the MPA development were not met. Just over half of the 50 MPAs in the South Coast MPA can be considered sufficiently protective to contribute towards the ecological goals of the MLPA; of these, 10 fall below the minimum size range recommended by the SAT. Many spacing guidelines were also not met (more than in any other study region), potentially compromising "the ecological connectivity of the network--even though the habitat was available to reduce these gaps (Saarman et al. 2013)." Also importantly, the process was not broadly perceived as fair and some stakeholders even perceived it as illegitimate: several process design decisions created the sense that stakeholder representation was imbalanced, that decision tools were upheld arbitrarily rather than consistently and that some stakeholders were unwilling to engage in mutual gains negotiation.

While we are not arguing that it is necessary that all stakeholders enthusiastically support a process outcome, a process can be considered stable when all stakeholders agree they "can live with" the outcome. However, the majority of South Coast MLPA RSG members report dissatisfaction with the outcomes of the process. When asked to rate their level of agreement with the statement "I am satisfied with the final MPA design adopted by the Commission on December 15, 2010" on a scale of 1 to 6, the average response was 2.5 (Appendix 3: USC Sea Grant Retrospective Study).[23] This mean score of 2.5 is strikingly low in contrast to finding from the North Central Coast RSG (the process conducted immediately prior to the South Coast) where the mean satisfaction score was 4.03. While a substantial number of stakeholders registered only tepid support for the outcome, a few members of the South Coast RSG went as far as to file litigation intending to block implementation of the very MLPA regulations which they had been charged with helping to craft.[24]

[23] These findings echo those of Harty, who also surveyed South Coast RSG members on their "overall level of satisfaction" with the process, finding a mean of 2.59, with 53% of respondents were either "very unsatisfied" or "somewhat unsatisfied." A comparison to similar surveys in other regions demonstrates that this is far lower than the mean satisfaction score of 4.03 for the North Coast RSG and somewhat lower than the mean satisfaction score of 3.0 for the Central Coast RSG.

[24] The MLPA regulations adopted by the FGC for the South, North, North Central and Central Coasts are now in effect (currently, of the five study regions, four have completed the MLPA Initiative process and regulations are currently in effect: the Central Coast, North Central Coast, South Coast and North Coast). However, on January 27, 2011, opposition groups representing consumptive users and including members of the South Coast process filed a lawsuit in the San Diego County Superior Court seeking to set aside the MLPA regulations in the North Central and South Coast study regions. These opponents of the MPA packages cited flaws in the MLPA process and stated that the FGC does not have legal authority to make decisions that effectively limit, and in some cases prohibit, their ability to fish and recreationally access designated "no fishing zones" (American Sportfishing Association n.d.). After a series of petitions and appeals, an appellate court ruling (Fourth Appellate District, Division 1) on April 15, 2013 denied Coastside's petition for Writ of Mandate. Opposition groups state they will "continue to explore all possible avenues to maximize recreational fishing access in California. One possibility is the requirement for a 5-year review of the MLPA performance, and potential adjustments of regulations, for each region (American Sportfishing Association, n.d.)."

Part II: Process Design Challenges Explored

This section describes several specific and well-intentioned process design decisions that led to unintended outcomes during and after the South Coast MLPA process.

Imbalanced Representation on the Regional Stakeholder Group

In a sequence of small, incremental decisions intended to be inclusive of and responsive to the diversity of consumptive users, the overall numerical representation on the RSG became skewed towards consumptive interests. The balance and composition of a stakeholder group is critical to its success (Pomeroy & Douvere 2008). Best practices literature recommends that the mix of interests in the stakeholder group "not be skewed toward one interest or another" (Susskind et al. 1999). Balanced representation also contributes to a sense of fairness among participants, which in turn influences long-term agreement with the process outcomes. Also importantly, when the results of the stakeholder engagement process will be used "as the basis for democratic decision making," the stakeholder group must not only represent a range of views but must also achieve balanced representation (Acland 2012).

The RSG was originally composed of only 32 primary members and reflected a balanced range of interests within the study region.[25] Alternates were also selected for each primary member.[26] However, the complexity and large scale of the region lead to (apparently) greater differentiation of stakeholders than had been the case in the other regions: even within the stakeholders representing "commercial fisheries," there were differences in target species type (bait, urchin, lobster), geography (deep water, near shore or northern and southern parts of the study region) and gear type (trawl, hook and line, trap). Because of these differences, consumptive interest groups placed pressure on I-Team staff and a decision was made to further increase the number and diversity of fishing representation. This process choice "unintentionally resulted in an imbalance between extractive and non-extractive users (Fox et al. 2013)." What's more, this problem was compounded when it was decided to include not only representatives, but also their alternates, as full deliberating members in each and every regular RSG meeting. As a result, the number of *functional* equivalents of primary RSG representatives doubled – from 32 to 64. The existing imbalance was further amplified, creating an RSG with unequal representation of fishing, consumptive and cross-interest members.

Stakeholder perceptions of fairness can greatly influence stakeholder behavior throughout a process, and the willingness of a stakeholder to abide by an outcome once it is established (Susskind & Cruikshank 1987). In the South Coast MLPA process, many participants felt that the RSG was imbalanced. When asked to indicate their level of agreement on a scale of 1 to 6 with the statement "[RSG] participants' interests were well balanced", the conservation-dominated group responded with a mean of 1.69, indicating broad dissatisfaction with the composition of the negotiating group. Overall, South Coast stakeholders responded with a mean

[25] The South Coast RSG was appointed by the Director of the DFG and the Chair of the BRTF based on recommendations made by the I-Team.
[26] Traditionally, an alternate is used when a primary member cannot attend a meeting and they communicate between each other to ensure each has the most current, relevant information. The traditional use of alternates was applied in the other regional processes, but not in the South Coast process.

of 3.02, demonstrating at best mild agreement with the statement overall. Similarly, post-process surveys conducted by Harty (2010) found that 45% of South Coast stakeholders characterized the RSG as "poorly balanced"; this contrasts with findings of 32% and 22% on the Central Coast and North Central Coast respectively.

Fox et al (2013) point out that "the numerical advantage of extractive users may have contributed to some stakeholders engaging in block voting and refraining from collaborating across interests and seeking mutual gains." Some members, who perceived that there was an imbalance in favor of consumptive interests, saw this imbalance as hindering the ability of the RSG to both reach consensus and to satisfy SAT guidelines. One such respondent stated that this imbalance was biased towards members *"opposed to the implementation of the MLPA in any form"*. Other members, who felt there weren't enough stakeholders with cross-interest perspectives, reported that *"too many stakeholders took a hardline stance"*. In his analysis of the South Coast process, Harty concludes that the lack of balanced representation "had a significant impact on the ability of stakeholders to identify cross-interest solutions and engage in mutual-gains negotiations (Harty 2010)." In the longer term, the perception of unfair process increases the likelihood that stakeholders may seek to undermine the outcome (Susskind & Cruikshank 1987).

Incomplete and Insufficiently Rigorous Conflict Assessment

A thorough and rigorous conflict assessment was not undertaken in advance of the South Coast process. While one component of a conflict assessment, a stakeholder assessment, was conducted, it was not sufficiently robust to select for those with a willingness to negotiate towards a mutual gains solution. What's more, the broader components of a conflict assessment--which would have helped the I-Team to prepare strategies to deal with challenges to collaboration in advance--were not carried out. Susskind and his colleagues assert that the best tool to help design a successful collaborative process is a conflict assessment, ideally conducted by a neutral party. This assessment should report on which groups have a stake in the conflict, what issues are important, and under what circumstances the parties will agree to participate (Susskind & Thomas-Larmer 1999). A robust conflict assessment lays the foundation for a successful process in several ways. To begin with, it allows the conveners of a collaborative process to distinguish parties who are willing to negotiate with other interests from those who are not. With this information on hand, conveners can opt to compose participation in a different way, or to implement process ground rules that more clearly establish protocols for replacing a representative. What's more, by understanding the challenges some parties may have in collaborating, concerns of these participants can be strategically addressed in order to increase these members' trust in the process and maintaining overall group morale.

When launching the Regional Stakeholder Group for the South Coast process, the I-Team conducted a highly inclusive stakeholder assessment: many stakeholders were invited to apply and over 100 candidate RSG members were interviewed, with an emphasis on populating the RSG with a broad range of stakeholders. However, the analytic component of the selection process was weak: the candidates' commitment to the process, willingness to negotiate rather than lobby (or litigate), was not rigorously evaluated. Moreover, no specific effort was devoted to documenting and anticipating the confounding effects that other active marine policy issues in the region (water quality, sand mining, military base holdings) might exert on the process of MPA designation. Based on this inclusive yet limited assessment, the I-Team made explicit

recommendations about the appointment of the RSG members which were presented to the DFG Director and BRTF Chair, who largely followed this advice in making the official appointment.

As we have already discussed, the South Coast deliberative process was characterized (though not exclusively) by positional bargaining rather than principled negotiations. As one participant stated, *"There was very little true meaningful negotiation done by the principal representatives of the commercial fishing industry. They were joined by members of the recreational consumptive fishing community who simply refused to negotiate in good faith and sought numerical superiority and community stubbornness as a virtue* (USC Sea Grant-CONCUR Retrospective Study)." The litigation filed after the implementation of the MLPA by organizations represented on the South Coast RSG (which challenged the right to existence of the regional processes) suggests that several stakeholders were unwilling to negotiate towards a mutual gains solution from the start. In hindsight, it's clear that a more complete conflict assessment (including a robust stakeholder assessment) would have supported more careful consideration of RSG composition, as well as the full set of challenges to collaboration.

Pre-Meeting Caucusing Mobilized without Principled Negotiation Training

Perceiving that consumptive users had been disadvantaged in previous regions, in the South Coast a pre-meeting caucus between these interests was organized and sponsored; however this series of preparatory meetings did not include training in principled negotiation. Without an understanding of the benefits of interest-based negotiations, this process design decision lead to the creation of a positional bloc (the Fishermen Information Committee/Fishermen Information Network [FIC/FIN] alliance). At these meetings, FIC/FIN members developed an MPA package and negotiation strategy that members brought with them to the first round of negotiation. This group apparently perceived its interests would best be met by engaging in positional bargaining and -by extension - anchoring negotiations early on. The misguided perception that cross-interest negotiating will not serve a party's own interests is a common challenge in environmental negotiations. (Indeed, our analysis suggests that many FIC/FIN member organizations could have found solutions that better served their own interests as well as a broader array of interest had they readily engaged in principled negotiation). Lacking an understanding of the possibility of "joint gains" negotiation outcomes, a great many negotiators skip over the steps they can take to "make the pie larger." They are "afraid that appearing too cooperative at the outset will be viewed as a sign of weakness" (Susskind et al. 2000). To prevent stakeholders from defaulting to a "win-lose" negotiation style, scholars and practitioners of dispute resolution have long advised providing stakeholders with training in principled negotiation to level the playing field (Wondolleck & Yaffee 2000). However, without a good understanding of the strategies and benefits of a principled negotiation strategy, FIC/FIN members created a positional bloc that destabilized negotiations.

The FIC/FIN caucus was supported for well-intentioned reasons, and indeed it had some positive outcomes. In previous MLPA study regions, some observers argued that while conservation representatives were able to meet and identify top priorities for the study region before the MLPA RSG meetings commenced, the fishing community was more disparate and would benefit from assistance to articulate well-developed priorities. Some argued that fishing interests were

disadvantaged in their negotiations compared to conservation interests because they lacked organizational support, had few paid staff, and were constrained by the long hours needed to earn a living from fishing (USC Sea Grant-CONCUR Retrospective Study). Based on the intention that pre-negotiation support would allow these groups to identify common interests and thus provide a more level playing field, the RLFF funded commercial and recreational fishermen participation in a structured caucus before the full RSG convened.

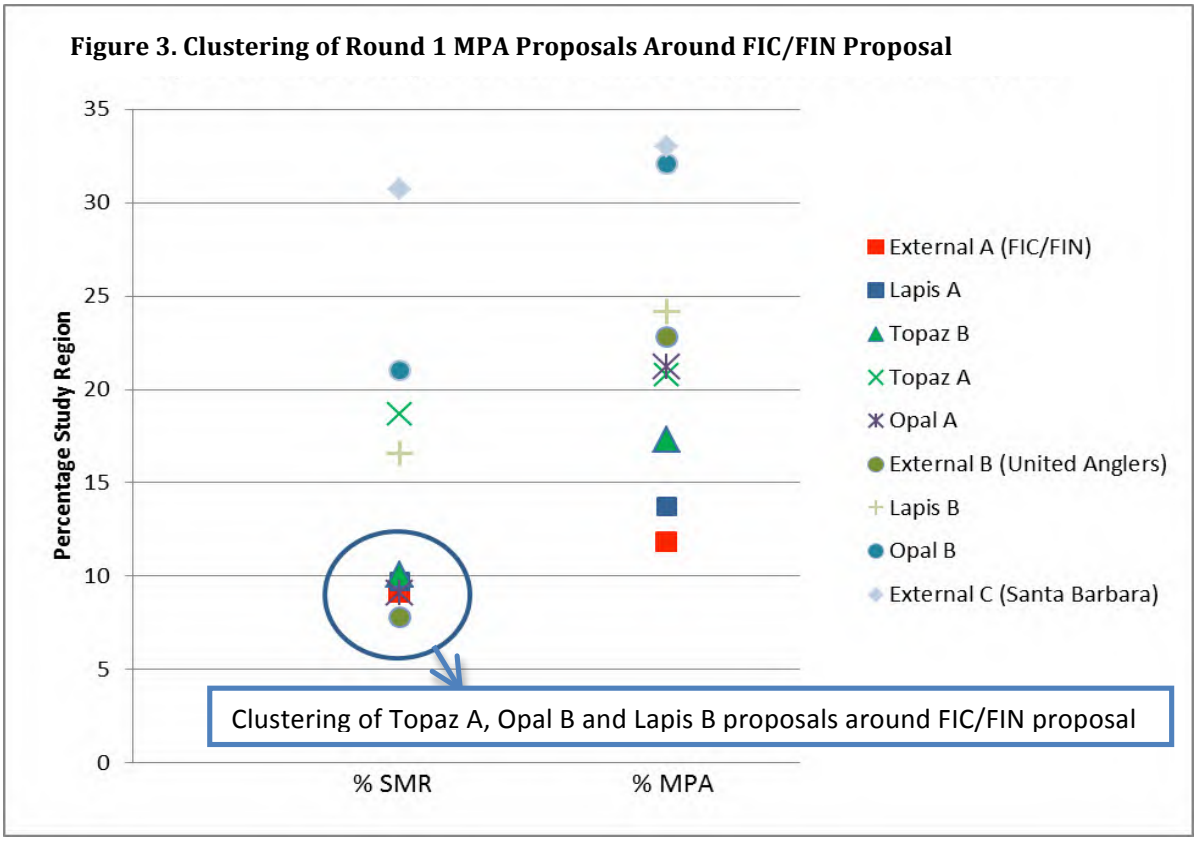
These pre-RSG negotiations included all of the fishermen on the RSG, recreational and commercial alike, as well as other fishermen from the region who were not RSG members. These caucuses allowed commercial and recreational groups to work together, significantly, some for the first time.[27] As intended, the caucus did indeed allow these groups to find a common platform before formal negotiations began. However, although two post-hoc studies of efforts in the Central Coast region had recommended negotiation and consensus-building training (Raab 2006, CONCUR Inc. 2006), the caucusing was not accompanied by training. Therefore, the caucus also encouraged these groups to create and maintain this common platform (the FIC/FIN proposal) even when it was not in the best interest of the overall group, or the individual consumptive interests.

The FIC/FIN caucus brought together the consumptive users around a hardened position before they had a clear understanding of the process and corresponding expectations for give-and-take negotiation and consensus building. Rather than going into the negotiations with multiple options and openly inventing new options, FIC/FIN members went into Round 1 with just one pre-determined proposal (expressed as a position) from which many FIC/FIN members were unwilling to deviate. In contrast, those who were not members of FIC/FIN thought that all Round 1 proposals were "soft" offers and that other parties should still be flexible and willing to integrate ideas. As one member summed it up: *"From the very beginning, the fishing community came in with a single map and a broad agreement from many of the commercial and recreational consumptive interests to support that map and to oppose all others...This of course destroyed whatever cooperation could have been achieved*."

The consumptive-leaning members' unified support for the FIC/FIN proposal resulted in a set of very similar Round 1 proposals, all of which closely matched the FIC/FIN version. As is evident in Figure 3 (below), the three work groups each emerged with one proposal that closely matched the FIC/FIN proposal, and one more moderate proposal. Figure 3 illustrates the way in which Topaz B, Lapis A, and Opal A (as well as External B) proposals all closely matched FIC/FIN in the percent of area set aside as a State Marine Reserve (SMR) (the highest level of MPA protection).

[27] To understand the significance of this agreement this initial agreement between the FIC/FIN participants, it is important to underscore that "fishermen" is far from a monolithic group and interests of recreational and commercial fishermen often diverge. Commercial fishermen fish for different target species (crab, lobster, prawn, bait fish such as sardine and anchovy, squid, urchin, and rockfish), and use different fishing methods or gear in different locations (hook and line, trawl, traps, near shore, off shore, sandy areas, etc.), which creates unique challenges for designating MPA space for different uses. Recreational fishermen are also extremely diverse, varying by the fishing method (party boat, small boat, diving vessels, kayaks, shore fishing) and target species (basses, sharks and rays, shellfish, rock fish, sculpin family etc.). For these two groups to reach an agreement on their varied interests was an enormous accomplishment. This echoes findings from the literature, which caution that "the broader and more cohesive the business coalition, the better able its members are to fend off costly regulations (Vogel 1989, 1996; in Layzer 2007)."

Figure 3. Clustering of Round 1 MPA Proposals Around FIC/FIN Proposal



Topaz B, Lapis A, and Opal A (as well as External B) proposals all closely matched FIC/FIN in the percent of area set aside as a State Marine Reserve (SMR) (the highest level of MPA protection). These three proposals also offered the lowest levels of overall MPA set asides. Going into the negotiations, even though some consumptive RSG members were aware that other MPA designs met their interests, they did not openly bargain or build on possible suggestions because they did not want this to jeopardize the agreements that had been made during the caucus. As one consumptive fisherman member said *"If I don't support the FIC/FIN agreement, they will throw me under the bus and I will lose what was negotiated."*
Because consumptive interests were unified early on, and many of these representatives apparently felt they couldn't deviate from the initial coalition "agreement", Round 1 failed to achieve its stated goal of "invention without commitment." As it became apparent that the consumptive RSG members had not "brainstormed" multiple options for potential MPAs, many conservation-focused RSG members perceived the lack of flexibility as a refusal to negotiate in good faith and lost trust in the process.

Due in part to this "anchoring" and positional bargaining, the ultimate regulation that emerged from this process (the IPA) fell short of the MLPA conservation goals as interpreted by the SAT in its guidelines. The SAT evaluated the likelihood that MPA proposals would meet the MLPA's conservation goals with an evaluation system that included six levels of protection ranging from very high, for no-take areas, to low for MPAs that allowed uses with the potential for habitat alteration and ecosystem-wide impacts (Saarman et al. 2013). The BRTF, from their vantage point looking at the broader policy context, then determined which levels of protection would be considered sufficient to contribute toward the MLPA's stated conservation goals.

Fox and colleagues (2013) point out that the unwillingness to integrate designs from other groups led to alternative MPA proposals in the South Coast that "shared similar geographies, but retained key design differences (e.g., specific proposed boundaries and regulations) (Fox et al. 2013)." None of the final round 3 South Coast MPA proposals, or the ultimate IPA, met all SAT guidelines. As Saarman and colleagues write, while it is evident that while the SAT guidelines influenced MPA sizing, these guidelines "were not strictly followed by decision-makers (Saarman et al. 2013)." Specifically: only 26 of the 50 MPAs delineated in the South Coast array can be considered sufficiently protective to be likely to contribute towards the ecological goals of the MLPA. Of these, 10 fall below the recommended size, 9 fall within the minimum size range and only 7 fall within the preferred size range. What's more, many spacing guidelines were not met, potentially undermining the intended ecological connectivity of the MPA network (Saarman et al. 2013). However, this outcome (relatively little area in MPA) does not necessarily indicate that the FIC/FIN alliance successfully achieved its objectives: we believe that individual FIC/FIN members could have better met their specific interests by searching more diligently for cross-interest solutions. We argue that the result of such a process would have been a more broadly supported regulation.

In hindsight, the (well-intentioned) support to "level the playing field" instead prematurely distorted the negotiations by creating a positional bloc that anchored negotiations early on, and was not prepared to invent cross-interest solutions. Mobilizing the FIC/FIN coalition without providing a solid understanding of the process and expectations of consensus building, instead led them to skip the "inventing" process and cement their positions.

Insufficient Carrots: Incentives to Negotiate

Many stakeholders in the South Coast process lacked the conviction that negotiating towards a consensus agreement would be an effective way to serve their own interests; this reduced the extent of collaboration and mutual invention that occurred during the process. Creating clear incentives for negotiation is widely recognized as a key pillar for effective mutual gains bargaining. Conveners of policy-making processes often try to identify process goals that encourage stakeholders to come to the table and negotiate in good faith towards an agreement (Susskind & Cruikshank 1987). In a survey of coastal managers that have used consensus building techniques, Poitras and colleagues (2003) identify several barriers to negotiation and collaboration, including the lack of incentive to seek a compromise.

However, the stated process goal of "Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative," had the profoundly

unintended consequence of reducing the RSG's incentive to collaborate. This goal gave RSG members the sense that it was the BRTF's role (and not the charge to stakeholders) to integrate three (likely) divergent and separate Work Group plans. This decision rule likely provided additional incentive to these members to take more absolutist positions in order to influence an outcome closer to their self-interested ideal rather than to an outcome that integrated a broad range of interests. In many public processes, a core incentive for stakeholders is that if they can negotiate an agreement that responds to all elements of the charge and has widespread support, then the decision-making body will likely adopt or commit to adopt the stakeholder group's recommendation.[28] When this process goal is made clear, negotiators can be sure that their own interests will be better met in the long run if they are able to come to consensus at the negotiating table.

When polled after the process, many RSG members reported that they perceived little incentive to negotiate. They noted the absence of "carrots" to leverage more principled negotiation (USC Sea Grant-CONCUR Retrospective Study). Members of Work Groups One and Three were, on average, ambivalent in response to whether there were clear incentives to work toward an agreement, and members of Work Group Two (dominated by fisher interests) were even less likely to see clear incentives to negotiate (see Table 2) (USC Sea Grant-CONCUR Retrospective Study).

Table 1. RSG Responses: Clear Incentives to Negotiate (Average Responses to Question 11n)

Question	Work Group 1	Work Group 2	Work Group 3	Cumulative
There were clear incentives in each step (Round 1, Round 2, Round 3) to work towards agreement in my Gems Group or proposal negotiating team.	3.47	2.55	3.67	3.29

Scale from 1 to 6, where 1 = strongly disagree and 6 = strongly agree.
(USC Sea Grant-CONCUR Retrospective Study)

Some members explained that they saw little to gain by collaborating. One member of Work Group Two who expressed the view that "there were no incentives" to negotiate explained his view on the subject: *"Representing the commercial lobster interests there was nothing we stood to gain on any level. The process was seeking the best habitat and that is the very habitat that holds lobsters."* Another member had a similarly bleak assessment, writing, *"In retrospect, I don't think anything could have been done to improve the outcome. You can't make someone agree to something they don't want nor have to agree with."* However, underlying interests were equally present in previous MLPA processes, but in these processes stakeholders were ultimately more satisfied with the process outcome, suggesting that even under these conditions a greater level of cross-interest collaboration and stakeholder satisfaction is indeed possible.

We hold that it is likely that if negotiators had perceived a strong incentive to negotiate – that by working with others to develop a cross-interest proposal that actively integrated their interests

[28] This was the dynamic at work in many other cases CONCUR has mediated, including the Guadalupe River Flood Control Project, the program design for the CALFED Water Use Efficiency Program (Fuller 2009) (Karl et al. 2007), and the consensus solutions to avoid bycatch in a series of NMFS-convened and CONCUR-facilitated Take Reduction Teams.

and preferences and had a very strong likelihood of being advanced to the Fish and Game Commission as negotiated – then more stakeholders would have come to the table more open to brainstorming cross-interest solutions.

Inconsistent Sticks: Formal Process Guidelines

During the RSG deliberations, we saw that the articulation and enforcement of process guidelines was just not sufficient to motivate and enforce good behavior. This created an atmosphere that did not adequately support cross-interest collaboration. As a precondition for effective interest-based negotiation, the conveners and mediator must "provide the context, occasion, and safe process in which parties can meet and speak to one another, listen to, and learn from one another" (Forester 1999). As Reed (2008) describes, "a successful facilitator needs...to be capable of maintaining positive group dynamics, handling dominating or offensive individuals, encourage participants to question assumptions and reevaluate entrenched positions, and get the most out of reticent individuals." We would broaden this advice, as follows: a successful team of conveners needs to be capable of maintaining positive group dynamics.

The Retrospective Study found that several RSG members felt negatively about this aspect of the process. Overall, responses were mixed. When asked if the I-Team helped to establish and enforce ground rules for participant behavior, members of the RSG gave an average rating of 3.69 out of 6, with a mode of 3.[29] Some members of the RSG thought that this type of safe process had been achieved. One such respondent wrote that the I-Team set *"clear and professional conduct guidelines"* and another respondent praised the I-Team for "*building a harmonious environment for discussion and debate."*

Yet, in conservation-dominated Group Three, several members reported concerns about intimidating behavior (by consumptive interests and/or speakers or attendees at public hearings) and offered suggestions for making the process safer, including more consistent, assertive I-Team intervention to enforce the ground rules. Several RSG members expressed the desire for consequences for stakeholders that did not follow the ground rules. In the words of one member, *"stronger consequences by facilitators and the I-Team for failure to negotiate in good faith would have been helpful*." Other members suggested removing RSG members who don't adhere to the ground rules and closing Work Group sessions to the public. One member explained, *"A stick approach may have been necessary to force compromise, however minimal, on both sides, rather than allowing blocking."* This member expressed an opinion that "*blocs of interests*" ended up wielding power and forced neutral parties to pick a side, which *"pushed people away from compromise and toward the poles"* and suggested removing members that stayed entrenched in their positions.

This sentiment was echoed in Harty's lessons learned report on the South Coast process, in which he wrote that the "SCRSG's Guidelines and Decision Rules were not sufficient, on their own, to promote desired behaviors. Enforcement was difficult, in part due to a lack of enforceable definitions about behavior" and recommends creating clear definition of important terms, like "cross-interest" and clear expectations of behavior (Harty 2010). The challenge of enforcing ground rules was compounded by the sheer size of the RSG and the public hearing-like

[29] USC Sea Grant-CONCUR Retrospective Study, Question 22, i.

environment of many of the latter RSG negotiating sessions (which were attended by hundreds of people and held inside a hotel ballroom).

I-Team members did variously attempt to enforce ground rules and promote respectful and collaborative behavior, though they did not implement any punitive consequences for members that violated the rules. In their memorandum outlining the procedure for development of the third round of proposals, the I-Team wrote, "Facilitators and senior MLPA Initiative staff will note when a stakeholder has not shown respectful behavior" (McCreary et al. 2009). However well-intentioned this mid-course guidance, the selective enforcement of these ground rules was not sufficient to compel cross-interest negotiation.

Unclear and Inconsistent Use of Straw Voting

Straw voting was used successfully in several different contexts both throughout the MLPA process and within the South Coast process. Notably, at several points in the North Central Coast and the Central Coast RSG processes, straw voting was used successfully to find widespread support for a narrowing array of MPA packages (see *Straw Voting in the North Central and Central Coast Processes* in the glossary for more background). However, on one occasion in the South Coast process, which became known as the "double reverse", this decision rule was not applied with sufficient care; nor was it upheld rigorously. The net effect was the undermining of stakeholder perception of process legitimacy. Given the sense that they were not actually able to influence process outcomes, some stakeholders became even less willing to collaborate and more entrenched in their positions.

In general, straw voting refers to those times when an informal count is taken to determine how individuals fall on the opinion spectrum relative to various options to address an issue. As opposed to taking a single majority vote, iterative straw votes can be used to clarify divergence, test for emerging agreement and move towards ideas and packages with greater support. Straw voting is a decision rule that, when applied skillfully, can propel the process towards agreement. For example, in the Central Coast RSG process, an elimination straw vote was successfully used to winnow the number of proposal packages from 6 to 3. In this effective use of a straw vote, each of the 30+ members of the CCRSG identified their first choice alternative and any proposal that received fewer than 3 votes was eliminated (10% of the CC RSG members was the threshold). In this case, the outcome of the elimination straw vote was increasing agreement on a smaller number of options.

As with any decision-making tool, straw voting does not exist in a vacuum: certain pre-conditions and boundaries must be met to use this tool fairly. First, as with ground rules, decision rules guiding straw voting must be both clearly articulated and consistently followed. Stakeholders must be aware of the consequences of the vote and how these outcomes fit into the broader process. As Lowry and his colleagues (1997) write, "Good meetings require clarity about whether decisions will be made by the group and, if so, how they will be made." Secondly, in cases where there is not relative parity, using a strict numerical tally to choose an option can be perceived unfair. In practice, such inequalities can be managed through modified procedures, such as enacting a weighting factor (e.g., requiring a majority of each kind of interest group rather than an overall majority) or requiring that, should three different interest groups be involved, an 80% or greater majority vote is needed. Lastly and most importantly, guidelines

around straw voting must be consistently applied, or it may appear that the facilitation team is biased towards one group or another.

The use of straw voting was articulated in the decision rules of the South Coast process, which were developed by the I-Team and adopted by the RSG. Accordingly, the I-Team devised a series of straw votes at various points in the MLPA Initiative process to help winnow the number of options on the table for deliberation. Straw voting was used both within work groups to make choices on MPA boundaries and regulations to create components of MPA packages and within the RSG as a whole to make choices regarding which full MPA proposals to advance to the next round of consideration, in order to arrive at a bounded number of proposals.

When used within work groups, straw voting was generally found to be an effective tool for generating these apparently Pareto optimal solutions. For instance, during Round 1 deliberations the Topaz group which, like all gems groups, represented a range of consumptive and conservation interests, emerged with one draft MPA proposal, which, according to one RSG member in a letter to the BRTF, "came together in a spirit of cross-interest collaboration."[30] During one Topaz Group work session, straw votes were taken at least twenty times on eight different MPA options (McCreary 2009). As Engel writes, "No single interest group prevailed in developing the proposal with the most support. Instead, the authors of the most broadly supported options varied."[31] [32] In these instances, straw voting was used successfully to foster cross-interest collaboration, resulting in stable decisions.

However, straw voting also served to increase polarization and mistrust in the process when used to make a more sweeping decision among the full RSG – the decision to remove 1 proposal from moving on to Round 3. As explained in the previous sections, the compound effects of the FIC/FIN caucus, positional bargaining, polarization and anchoring of negotiations severely restricted the development of cross-interest proposals. The hoped-for convergence in the MPA proposals had not begun to occur even by the end of Round 2 deliberations. As a result, there were 7 proposals on the table[33], with a low degree of overlaps in MPA location, area and levels of protection. In order to focus attention in the final Round 3 of deliberation, the BRTF requested that the RSG arrive at a bounded set of 6 proposals. To meet the BRTF's request and winnow the number of proposals on the table, the I-Team devised a straw voting process, which they presented to the RSG. They distributed a paper ballot and asked each RSG member to indicate which 5 of the 7 proposals they wanted to advance to Round 3 (see Figure 1 for an illustration of the iterative rounds of proposal development).

By a narrow margin, External Proposal C (proposed by the Santa Barbara Channelkeeper/Santa Monica Baykeeper) received the fewest votes. By the decision rules (stated by the I-Team and previously agreed upon by the RSG) this proposal was deemed excluded for further refinement in Round 2. This decision prompted a major backlash from conservation interests, who

[30] Engel, J. (2009). *Memorandum to the Blue Ribbon Task Force.*
[31] *Ibid.*
[32] As negotiators worked their way through the study region, seven different members were the primary "inventors" of MPA options that garnered the most support for a given geography (McCreary 2009).
[33] The three Gems Groups had four proposals between them and three proposals from external groups were also on the table: the Fisherman's Network (proposal External A), United Anglers of Southern California (proposal External B), and Santa Barbara Channelkeeper/Santa Monica Baykeeper (proposal External C)

mobilized and pressed for re-inclusion of the proposal. Recognizing the overrepresentation of fishing interests, potentially disruptive boisterous behavior during the gems groups' deliberations, and the fact that the straw vote had not in fact been numerically "fair", the I-Team distributed a memo indicating that External C was back on the table.[34] The reverse of the decision in turn (predictably) triggered a much bigger backlash from the fishing community. According to an LA Times article about the event, the decision *"was perceived as a slap to the face of those who had been working within guidelines during a long, arduous process that still has months to play out. The United Anglers charged that if a pro-fishing proposal had received the fewest votes it would have remained shelved."*[35] The issue of whether to carry forward External Proposal C became so roiled in controversy that at a public meeting, over 200 members of the public, alongside disenfranchised RSG members, came to the podium and declared their preference for keeping or eliminating External C.

The BRTF then acted decisively and chose to eliminate External C from further consideration – but by this point, stakeholders' trust in the process was shaken. As one stakeholder commented, *"The vote at the end of Round 2 forced the stakeholders to take sides for either the conservation or consumptive interests…[polarizing] those who saw themselves as more neutral or middle ground..."* As a result of the unclear guidelines, the reversal, and the "double reverse", what should have been a relatively minor interim step on the pathway to creation of strong platforms for final proposals instead became the focus of intensely polarized debate.

The outcome was highly divisive. One the one hand, consumptive interests' fear that behind the scenes manipulation was taking place was reinforced; on the other hand, conservation interests came to feel more strongly that the RSG's representation was balanced in favor of consumptive interests. As one member of the fisher-dominated group wrote, *"I believe the fatal mistake was to allow the external "C", proposal to 'backdoor' into the process after it had been overwhelming rejected by the RSG. At that point, a small but significant group on the preservation side knew they would not have to find the middle ground, and a smaller, but vocal segment of the fishing community came to believe that we were being herded to a predetermined outcome."* For conservation interests, the voting on External C reinforced the perception of biased representation in the RSG, in the favor of consumptive interests. One participant wrote, *"Straw voting with a highly slanted group is not conducive to any type of cross interest collaboration and only fosters bullying."*

As we reflect on the double reverse episode, we see several reasons why this may have been such a destabilizing sequence of events. First, there was a perception among some RSG members that the consumptive caucus was numerically dominant, and that any elimination voting procedure could be viewed as skewed. Second, as three different facilitators had worked with the respective Gems groups and made different choices about when and how often to use straw votes, the

[34] The decision to move all seven proposals forward for analysis was reported in a memorandum from the I-Team Executive Director Ken Wiseman to the RSG May 17, 2009. According to the memo, this decision was "made in the interest of maintaining the maximum confidence in an open and inclusive process, maximizing the amount of information available from the various evaluations, and acknowledging that with the significant stratification of the votes, acting on the vote would have led to the elimination of two draft proposals…Moving forward with all seven draft proposals is contrary to what staff indicated would be the result of the vote. However, an important goal of the MLPA Initiative is to ensure that all voices in the process are heard and given consideration; doing so both respects the intent of the MLPA and works toward the best cross-interest solution for all Californians. We believe moving all seven draft proposals forward for analysis will help achieve this goal."

[35] Thomas, Pete. June 2, 2009. *MLPA Process Gets More than A Little Bit Fishy, Pro Fishing Groups Claim* Los Angeles Times.

members of those Gems groups had different experiences, and thus, may have had different expectations about how a straw vote would unfold. The term "straw vote" typically refers to an interim step before a final decision, as it clearly was when used to craft and refine different MPA shapes in building the arrays. However, in the case of the "winnowing" straw vote, the outcome was intended to be final. This may have taken some RSG members by surprise. Third, the process was explained and implemented, then reversed, then reversed again.

Insufficient Boundary Conditions on Public Involvement Relative to Face-to-Face Negotiation

In the South Coast process, public involvement was comprehensive, but it lacked sufficient boundary conditions and as such actually reduced the ability of RSG members to engage in principled negotiations. For one thing, time devoted to public comment displaced time spent by core RSG members directly on negotiations. Secondly, all negotiation sessions were open to the public, which restricted the ability of the RSG to build relationships, discover interests and openly brainstorm - all fundamental components of principled negotiation. Lastly, public comment was highly rhetorical without adding substantive comments, serving to further polarize and escalate the debate.

Of course, actively involving the public is a fundamental component of a CMSP process. In large-scale planning processes, these opportunities for the public to observe deliberations and offer input can bring transparency to the process, provide broad-based support, and introduce new information (Gleason et al. 2013). Generally, having the public involved in the process reduces conflict, enhances stewardship, and improves resource management (Wells & White 1995, Suman et al. 1999; in Dalton 2005). However, it is critical that public involvement does not negatively impact either the time available to the RSG to engage in core negotiations, or the productivity of these negotiations. As Gunton et al 2010 report, “Simply put, having sufficient time for stakeholders to complete the negotiation process is an essential criterion for success.” Putting adequate boundary conditions on the public involvement allows the core deliberations to occur in an insulated environment conducive to brainstorming. Brainstorming is a highly productive way to find cross-interest solutions: without a public audience during RSG workgroup meetings, participants may experience an atmosphere conducive to negotiation due to real or perceived enhancement of confidentiality and a subsequent reduction in positional posturing (Fisher et al. 1991). Furthermore, those designing the process must prepare for the fact that public comment periods can also “escalate conflict and antagonize members of the public (Innes & Booher 2004).”

Borrowing from the previous study region’s procedures (Gleason et al. 2010), the entire South Coast process was open to the general public. All meetings of the RSG, SAT, and Task Force were public, noticed in advance, and webcast so that viewers could watch the proceedings live or in archives. An extensive outreach campaign was undertaken, which generated significant interest in the process. In a departure from previous MLPA study regions where outreach staff was limited, the South Coast I-Team staff included two education and outreach coordinators, in addition to two media relations staff. The coordinators mounted a comprehensive effort to engage the public (Sayce et al. 2012). They distributed numerous fliers, generated periodic newsletters, attended many ocean-related forums in the study region, and encouraged members

of the public to get involved in the process (MLPA Information Flyer, April 21, 2009)[36]. By the first South Coast RSG meeting at least 50 people attended and submitted speaker cards with the intent to address the South Coast RSG. By the fourth meeting there were over 200 members of the public crowded into meeting rooms and hallways waiting to speak. At the near-final Task Force meeting in October, there were more than 600 public speakers (Ventura County Star October 22, 2009). This comprehensive public outreach was impressive; but without appropriate structure and guidance it reduced the ability of RSG members to engage in principled negotiation, for the three reasons described below.

Insufficient Time Devoted to Actual Face-to-Face Negotiation

In the South Coast, RSG meetings were established as the primary node for the intake of public comment. This choice, by definition, reduced the amount of time spent on core RSG negotiations. The early meetings had a two-hour time block for public comment, roughly a quarter of the total RSG meeting time for the day; by the fourth meeting, public comment took almost four hours. In rating the amount of time given to various tasks, respondents noted too much time was given to "Hearing Public Comment" (with an average rating of 3.95 on a scale of 1 to 6[37]). Public comment limited the opportunity for integrative bargaining or the development of truly interest-based offers (Boulle et al. 2008).

To preserve time for RSG deliberations and to accommodate broad public comment at an accessible time, MLPA staff arranged an evening session of public comment. Over 250 people spoke at this five-hour session. While this evening session was a success in getting the public to participate, such long hours of public comment created physical demands for RSG members who had to be at the negotiating table early the next morning. A letter from one RSG member exemplifies how demanding the situation was: "*I do not believe that late-night marathons actually support our process or, therefore, serve the public. Specifically, if these occur the night before working meetings, they leave everyone exhausted and edgy instead of fresh and ready to work with good will."*[38] All of the time spent on public comments siphoned off time and energy that would otherwise have been productively spent on core negotiations. Especially with significant time devoted to technical and scientific presentations to the RSG, there was relatively little time spent actually negotiating.

Public Attendance Conflicted with RSG's Ability to be Candid

Not only did public involvement limit the amount of time spent negotiating, but that time was also made less productive by the presence of outside parties. In addition to making comments, the public was invited to observe the RSG workgroups during their "invention and brainstorming of options" phase. This choice inhibited some RSG members from more candid, forthright, open negotiation as there was no "cover" if they deviated from the stated "party line" position. The

[36]In addition to outreach from the I-Team, the recreational angler community carried out an extensive campaign to encourage participation in both the RSG and BRTF meetings. Blog posts and Facebook pages exhorted readers to participate in public hearings and to bring their families. These groups even provided busses, pizzas, and placards, as well as advice on what to include in any comments. A Friday, September 4, 2009 post on a "Stop MLPA" blog describes the September 10, 2009 RSG meeting in Los Angeles as the "Last Push to Save Fishing," and the post headline warns "The MPLA's are going to take YOUR fishing spots (Stop MLPA 2009; reposted to Bloody Decks Outdoors 2009)."[36] In addition to using social media, the groups organized rallies the previous weekend that were intended to raise public awareness of the MLPA meetings, and stimulate opposition to the MLPA Initiative outcomes.

[37] USC Sea Grant-CONCUR Retrospective Study, question 12.

[38] Cordero, R. (2009). *Letter to the I-Team dated 5-27-09.*

MLPA facilitators recognized the importance of confidentiality and building trust within the work groups, and a ground rule was proposed that no draft maps or MPA shapes brainstormed in the work group be distributed before they were deemed stable parts of a Gems group proposal. This suggested guidance proved difficult to implement and in fact reporters and bloggers attending at least one meeting were allowed to take photos, which were often then easily disseminated to the broader public. In the age of texting, blogging, and Internet access at meetings, it is nearly impossible to ensure confidentiality within negotiations of this kind.

Public access to all stages in the South Coast process highlights the tension between two process choices: on the one hand, stakeholders need space without public involvement in order to be completely candid; on the other hand, the process benefits from public access, transparency and accountability. This tension was evident in the stakeholders' reaction to the public participation; though 88 percent of RSG survey respondents described public participation in the process as "necessary" and 72 percent found it "informative," 50 percent also found it "tedious," 41 percent responded "excessive," and 32 percent found it "divisive" (USC Sea Grant-CONCUR Retrospective Study). Particularly in a large and complex geographic area, public engagement can be construed as necessary to ensure some level of representation of the full range of interests. But beyond a public education function, such a process can present more challenges than value for the core stakeholders charged with face-to-face negotiation to produce tangible options and agreements.

Escalation of Polarized Rhetoric

The massive public participation during the South Coast MPA process had the further unintended consequence of escalating the growing polarization among some RSG members and other marine stakeholders in the study region. The tone of much public comment was intense, aggressive and often personally insulting. Some RSG members complained that fishers intimidated those with conservation interests.[39] Other participants attacked the core intent of the MLPA and voiced a belief that the RSG was biased in favor of "taking away" favored fishing grounds. Because of the length of proceedings, participants were also angry and resentful of the long wait time and short amount of time they were allowed to speak. This is typical of public hearings where short time limits, lack of interchange and fear of being misunderstood force participants to use "sound bites" and extreme statements, while the conveners often do not pay attention (Innes & Booher 2004).

Initiative staff created guidelines for public comment (Marine Life Protection Act Initiative Team 2009) but these were largely ignored and ineffective. Among other process and logistic instructions, these guidelines included ground rules for the public, which described, "An atmosphere of respect and consideration among the public is essential for a productive comment period. Verbal threats, hostile comments, clapping, jeering and the like will not be tolerated and will lead to immediate dismissal." In addition, while members of the public were encouraged to provide specific comments on MPA design or boundary locations, in fact very few speakers provided substantive information or suggestions on boundaries or regulations for specific MPA proposals. In the early meetings, many comments were personalized, very generalized assertions

[39] In one case, a group of mostly Latino students from Los Angeles came to speak in favor of conservation values in designating MPAs. On a crowded night, while waiting in the hotel lobby to speak, other speakers confronted them with racial slurs, intimating that the students did not belong in the U.S. and did not belong in the proceedings. Intimidated and hurt, the students left the hotel without having their chance to speak.

about either the "right to fish" or "the need to protect the oceans for future generations." The Education and Outreach Coordinators made a concerted effort to get members of the public to focus specifically on particular MPA proposals, boundaries, or allowed uses. Another RSG member echoed the desire for more focused content, complaining of *"Too much of a belief in quantity [of comment] rather than quality"* during the public comment period. While the outreach effort made the process more participatory for the broader general public, it clearly had the unintended consequence of intensifying polarization between RSG members at the I-Team's central negotiating table.

Part III: Designing Future CMSP Processes

As Susskind and his colleagues (1999) write, "The ultimate success of every consensus building process depends on…early design decisions." Indeed, in any stakeholder process, a multitude of decisions made by conveners and facilitators come to bear on the final outcome. In the South Coast MPA planning process, several well-intentioned choices, from supporting the FIC/FIN caucus to insufficient boundary conditions on public involvement, ultimately undermined the ability of stakeholders to engage in cross-interest negotiation towards a stable agreement. Now, with the clarity of hindsight, we are at liberty to ask: How might alternative best practices in environmental and public policy dispute resolution have enabled more stable results and yielded a better precedent for CMSP in complex urban areas?

Recommendations

As we look forward to achieving a more stable solution space for agreement in future CMSP processes, seven primary lessons from the MLPA Initiative South Coast process stand out:

1. Conduct a robust conflict assessment prior to recruiting and finalizing the composition of the RSG stakeholder negotiating group.
2. Ensure equal representation on the RSG.
3. Provide up-front training in principled negotiation for stakeholder representatives.
4. Create stronger incentives for negotiation towards consensus (carrots).
5. Consistently articulate strong ground rules, decision rules and guidelines (sticks).
6. Create separate time blocks for public comment and negotiation sessions.
7. Integrate the facilitation team in deliberations on key process design choices.

Our assessment is that implementing each lesson would leverage a valuable multiplier effect especially when combined with the other lessons. For example, conducting a more robust preliminary conflict assessment can: inform effective process choices for up-front training in principled negotiation; help determine stronger incentives for participants to negotiate; help create a more trusting working atmosphere; strategically plan for efficient and effective public comment processes; and prepare the stakeholder group to be balanced and manageable. Implementation of many or all of these recommendations may well have a shaped a more stable agreement in the South Coast, and would improve cross-interest decision-making in future CMSP processes, particularly in complex urban areas.

Lesson 1: Conduct a robust conflict assessment prior to recruiting and finalizing the RSG.

We recommend that CMSP processes begin with a complete conflict assessment, that includes an analytically robust stakeholder assessment. According to Susskind and his colleagues (1999), one of the dangers "of proceeding without a conflict assessment is that an assessor may design a consensus building process that does not address the right issues (Susskind et al.1999)." A good conflict assessment "enables the assessor—and therefore the convenor—to identify the relevant stakeholders, map their substantive interests, and begin to scope areas of agreement and disagreement among them." A component of this, specifically the stakeholder assessment "allows the assessor to explore the parties' incentives and willingness to negotiate in good faith (Susskind & Thomas-Larner 1999)."

In the South Coast MLPA process, a complete conflict assessment (including a robust stakeholder assessment) would have allowed the I-Team to rethink the logic of several key decisions. They could have identified and named side issues that may derail MPA planning such as likely sticking points in negotiation and potential positional bloc negotiating behavior. This could have allowed them to rethink whether to (or how best to) convene and mobilize a FIC/FIN caucus prior to the RSG negotiations. Having more groundwork information to draw from, they could have made strategic process choices to ensure RSG members have what they need in order to maintain an overall good faith morale for negotiation. Having a strong sense of the interests and experiences of potential RSG members, they could have taken the necessary steps towards fulfilling a stakeholder group willing to engage in principled negotiations.

Lesson 2: Provide up front training in principled negotiation for stakeholder representatives.

"In resolving resource conflicts," write Gleason et al. (2010) "there is…a strong need to build capacity of stakeholders to negotiate, optimize goals and objectives, and converge around solid alternatives." To build this capacity, collaboration expert Gray (1989) emphasizes that leaders, or stakeholders, need "process literacy," including "knowledge of the process tools, both human and organizational, for designing effective collaborations." Wondolleck and Yaffee (2000) note that "lack of process skills" is a common challenge to making collaboration work. To surmount this obstacle, they recommend providing negotiation training: "Training should focus on 'people' skills, such as how to interact with different individuals or groups in various situations, and 'process skills,' such as how to structure and facilitate collaborative problem solving processes (Wondolleck & Yaffee 2000)."

Training in collaborative negotiation processes can provide stakeholders with the tools they need to succeed at the task. It can give them something to aim for, guidance for what is expected of them, help them to develop relationships, build trust, understand what they are doing, and feel optimistic. Such training encourages negotiators to prepare their positions thoroughly, identifying both their ideal outcome and their best alternative to a negotiated agreement (BATNA), before sitting down at the stakeholder table (Fisher et al. 1991 and SPIDR 1997). Training for RSG members would provide all members with education in principled negotiation that emphasizes the difference between positions and interests, value-creation, expanding the pie, and discovering opportunities for mutual gains. According to principled negotiation experts

Fisher, Ury and Patton (1991), "Unlike almost all other strategies, if the other side learns this one, it does not become more difficult to use; it becomes easier (Fisher et al.1991)."

Training could clarify the role of the RSG in the MLPA Initiative process, transforming all participants, regardless of prior skill level, into collaborative negotiators that are more prepared for the MPA development task at hand. If the process includes alternates (to primary members) in the stakeholder group, alternates should be included in the training so that they are prepared in the same manner as their primaries. In the RSG South Coast process, to a limited extent the I-Team used the agenda items of ground rule development to provide some basic coaching on collaborative process; however, this introductory coaching falls short of even a short 2-day training course to impart and practice the techniques of principled negotiation.

In the USC Sea Grant-CONCUR Retrospective Study, stakeholders responded that a training workshop in mutual-gains negotiation early in the process would have been very helpful; the average rating was 4 out of 6 with a mode of 5.[40] Training could have helped RSG members see the process not as a competitive fight but as more of a dance, where negotiators are negotiating partners; there is competition and expression within a harmonious process (Young & Schlie 2011). In addition, the training could have done a better job of explaining the process and setting expectations earlier about the role of the RSG, the Task Force and the Fish and Game Commission as the ultimate decision-maker. Since many stakeholders expected more control over the final outcome, once the Task Force and the Commission made their decisions, many members of the RSG felt that the process was biased and were left dissatisfied. In hindsight, the I-Team should have been explicit at the outset of the FIC/FIN caucus that the pre-negotiation goal was to discuss interests and develop options, but that there would be more give and take once the full group convened. They could have gone so far as to say that a proposal developed in caucus would not be entertained by the full RSG unless it was part of a set of alternative options. With training in principled negotiation strategy, it is ever more likely that stakeholders would have seen the value of this move, electing voluntarily not to anchor negotiations with a conservative MPA proposal or engage in positional bargaining.

Lesson 3: Create stronger incentives for negotiation towards consensus (carrots).

In order for mutual gains bargaining to be effective, the parties involved must have incentive to wholly engage. Conveners of policy-making processes often try to identify incentives to encourage stakeholders to come to the table and negotiate in good faith towards an agreement (Susskind & Cruikshank 1987). Setting SAT guidelines up front and then enforcing them consistently as a hard benchmark in proposal evaluation would more effectively define the parameters of negotiation for equal buy-in. Once there is buy-in however, there must be greater commitment to implement the stakeholders' recommendations. To effectively accomplish greater commitment to implementing the stakeholder recommendations, the role of a BRTF-like entity (if one is included in the overall process) could be modified. For example, in Raab's (2006) evaluation of the Central Coast RSG process, he suggested the BRTF and DFG give the stakeholders more encouragement to create consensus, including, "a clear promise that if the stakeholders are able to reach agreement on a single package of MPAs, that the [BRTF] will

[40] USC Sea Grant Retrospective Study, Question 22 b.

recommend this single package to the [DFG] as its preferred alternative, and that the [DFG] will, in turn, recommend it as its preferred alternative to the [FGC] (Raab 2006)."

Another option is to have the BRTF act as a "super mediator" that actively lays out the objective criteria that must be met in order for the agreement to be considered acceptable. In other words, the BRTF could clearly and decisively state that it would like a solution with specific attributes, does not wish the RSG to advance more than one proposal, or it will not entertain a proposal that does not meet SAT guidelines. What's more, the BRTF could work actively to bridge apparently intractable issues related to meeting SAT guidelines in tough geographies. This type of role could serve to take pressure off of the RSG while channeling their efforts towards one negotiated proposal. As another alternative, the process could be re-designed to incorporate would-be BRTF members directly into the RSG. As active policy wise and politically savvy stakeholders, they could provide the RSG with valuable political insight throughout the process while fostering political buy-in for a single RSG determined package and building trust within the communities that make up a single negotiating body.

Another way to effectively accomplish greater commitment to implementing the stakeholder recommendations is to more closely link the BRTF deliberations to the work of RSG. The BRTF could provide multiple iterative rounds of feedback to the RSG while driving the RSG towards a single consensus package. The BRTF could successively increase the level of detail in the feedback they provide to the RSG without unilaterally changing MPA packages RSG members develop and agree upon. As evaluator Raab puts it, "…rather than change those packages, [BRTF members] can attach their own specific comments to each package, specifying what they like, what they do not like, and what they would like to see changed (Raab, 2006)." This allows both groups to provide input and direction on the project outcomes while respecting one another's efforts.

Lesson 4: Consistently articulate strong ground rules, decision rules and guidelines (sticks).

It is crucial to build and maintain trust in negotiating groups by enforcing strong ground rules, articulating strong criteria and making decisions in a consistent manner. This gives participants confidence in the integrity of the process. Dispute resolution experts Susskind and Field (1996) write that, "Not only are reputations ruined by exaggerations and misstatements that must be retracted or contradicted later on, but trust, once lost, is almost impossible to regain" (Susskind & Field 1996). Conveners of CMSP processes should not only provide, but be willing and able to enforce, certain and serious consequences for obstructionist behavior. I-Team staff could thank and excuse or remove RSG members who are actively working to undermine the RSG process. The more steps that can be taken – both up front and strategically throughout a process - to improve, enhance, and build trust, the better for all parties involved and the greater the likelihood for collaboratively negotiated and stable outcomes.

Consistency is also key: making decisions in a predictable manner throughout the process, such as by ensuring that decision rules such as straw voting are consistently applied, gives RSG members greater confidence in the integrity of the process. It also provides the assurance that stakeholders are in fact able to influence the outcomes of the process, a key to willing engagement in principled negotiation.

The process should also articulate stronger guidelines - objective criteria for MPA designations. Region-specific SAT guidelines should be established earlier in the RSG process so that any geography-specific constraints that would otherwise inevitably lead to an unfulfilled guideline could be pre-identified. This way, as RSG members begin the MPA development process, they have a clear sense of what the range of acceptable MPA design packages would be. These grounded, prepared guidelines serve as a foundation for building trust towards the process among participants.

Lesson 5: Create separate time blocks for public comment and negotiation sessions.

It is critical to strike a balance between thorough public involvement and providing an insulated space with sufficient time for core RSG negotiations. In the South Coast MLPA process, time devoted to public testimony ended up dramatically reducing productive RSG negotiation time, while increasing stress and polarization among the RSG, and negatively affecting public participants. On the other hand, the process also used open houses to effectively engage members of the public in the South Coast MLPA process. We recommend shifting the public comment gathering process away from the core RSG negotiations to this open house format. This recommendation is in keeping with best practices of public participation, which recommend that the public be offered interesting, useful, informative means for providing meaningful contribution (International Association for Public Participation 2007).

Public involvement could be more meaningful, useful and informative if the general public were invited to an open house at the start of each round of RSG proposals. Staff could give an energized presentation with an update on the process and invite everyone to stop by "stations" set up around the room at their leisure. The stations could include bulletin boards, images, and information for the MLPA process and for each proposal. There could also be other stations, such as a station of I-Team members, which might have cookies, coffee, and informal standing cocktail tables to promote comfortable expression and approachability for asking questions. There could also be a station to meet RSG members and one to meet BRTF members. Another possibility is to have a station with computers set up for participants to access an online survey. One station could be to learn about multiple additional methods of delivering comments and there could be a station where participants might draw their own MPAs for a specific site, with the SAT guidelines listed. SAT members might even be on hand for answering their questions, giving them an idea of what MPA planning really looks like. There could be an interview station at the end where participants may fill out a survey on the event, express their project opinions, and tell their ideas directly to a staff member who will write or otherwise record them.

All information gained from the event stations, surveys, and other forms of public participation should be well illustrated, accurately summarized, and presented to the RSG and BRTF at a separate, joint meeting for the sole purpose of processing and understanding this information. The I-Team staff would compile public comment separately, summarize it effectively and accurately present the range and frequency of public comments, interest and ideas to the joint RSG and BRTF. At the next public event, the Staff, RSG, and BRTF are then responsible for expressing back to the public how their input affected their next round of proposal development. This way, the public is meaningfully included, the RSG and BRTF understand public concerns

equally, accountability exists, and negotiation sessions are kept separate for their maximum effectiveness.

Lesson 6: Ensure equal representation on the RSG.

According to Susskind and his colleagues (1999), "In recommending who should participate, the assessor should think about inclusion and balance. All categories of stakeholders should be identified, and an approximately equal number of representatives from each major category should be determined. Ideally, the resulting mix should not be skewed toward one interest or another." Balanced size and diversity of representation on the RSG will help to enhance the efficiency and effectiveness of the facilitation and negotiations while enhancing the ability for stakeholders to build relationships, problem solve, and trust. To do so, we recommend appointing seats to more nearly equal number of participants for consumptive and non-consumptive members. A robust stakeholder assessment that is adhered to by process staff will set the negotiation process up for success if the selected mix of participants is not skewed one way or another with representation. If there appear to be more stakeholders on one side than another, consider the first suggestion of consolidating their interests into a representative able to represent their viewpoints.

Lesson 7: Integrate facilitation team in deliberations on key process design choices.

When the CMSP process includes a senior policy level of decision makers such as the BRTF, the facilitation team should be closely integrated in deliberations on all key process design choices and rigorous discussion of implications for a stakeholder engagement process. During the South Coast process, the facilitation team was not present at most BRTF meetings, and only occasionally conferred with the BRTF. This lack of opportunities to discuss the process caused an inadvertent disconnect, which, if corrected, might have led to the realization of the process recommendations provided in this paper in real time. Most notably, at a May, 2009 BRTF meeting, a member of that body stated the hope, as the meeting was winding down in a live streamed recording, that straw voting would not be used to exclude proposals. In fact, the I-Team had already developed and internally agreed upon a process game plan to take a straw vote if necessary to achieve the target number of proposals at the next day's RSG meeting.

This disconnect in process design contributed to the sense among stakeholders that inconsistent process design decisions were being made, and fueled the concern that *"behind the scenes manipulation"* towards a pre-determined outcome was taking place. After this inconsistency occurred, the I-Team requested a conversation with the BRTF to discuss process design for the third round of MPA development, thus mitigating further discrepancies. In the future, building consistent dialogue between the facilitator and any group making significant decisions that will shape how the stakeholder process will unfold would help eliminate mistrust of the process. Ensuring that this dialogue occurs before the decisions are made would further ensure that best practice facilitation practices are considered and implemented in the CMSP process.

As we reflect on the MLPA Initiative South Coast process and consider other CMSP planning processes, we can identify several critical process design choices that should be discussed jointly between the senior policy level and facilitators in a robust strategic planning process. These include:

- Establishing and reaffirming whether a stakeholder group is devising options, or negotiating to produce a final, widely supported preferred alternative;
- Establishing the number of proposals which should advance at each round of planning activity;
- Establishing decision rules for winnowing plan options;
- Determining relative weight of science guidelines relative to the exercise of policy discretion;
- How to handle the tradeoffs between time deadlines and a structure that enables robust rounds of stakeholder deliberation;
- Organizing training in principled mutual gains negotiation for both the RSG and BRTF;
- How to strike a balance between structured negotiations and more informal public comment; and
- Confirming the identification and selection of a preferred alternative.

Conclusions

The MLPA Initiative South Coast process illustrates multiple challenges that are ultimately universal to Coastal and Marine Spatial Planning. CMSP is an active field with multiple applications for local and global communities; future CMSP projects may look to the challenges of and lessons learned from the California MLPA Initiative South Coast process to inform and strengthen their own efforts. In the South Coast, the inherent complexity of the region, combined with insufficient adherence to best practices, led to a minimally collaborative stakeholder-driven process. With greater attention to the key lessons learned in this paper, future processes will find themselves better positioned for success with alternative choices that enable a more stable agreement.

Each one of these recommendations has intrinsic merit, but they have even greater power when adopted in combination. The overarching conclusion is that a strategic effort to anticipate process challenges and account for them is highly likely to yield large benefits in a successful CMSP effort. A successful strategic effort should include: conducting a robust conflict assessment prior to recruiting and finalizing the RSG; providing principled negotiation training for RSG members; creating stronger incentives for negotiation towards consensus; consistently articulating strong guidelines, ground rules and decision rules; separating public comment from negotiation sessions; ensuring equal representation on the RSG; and integrating the facilitation team into deliberations on key process design choices. Ideally, all of these improvements would be features of a well-structured CMSP effort. For resource managers and political leaders facing these choices and concluding that across-the-board adoption of these principles is not possible, we argue that adopting most of these improvements and adhering to them consistently will improve the satisfaction and perceived legitimacy of a CMSP effort.

Specifically, preparation in advance of the first RSG meeting to conduct a robust conflict assessment and training in principled negotiation for RSG members would have helped avoid the creation of a positional bloc and cleared up misunderstandings about the process goals. What's more, if the RSG had been empowered to strive for a single proposal that would likely be adopted if it gained cross-interest support, stakeholders would likely have tried harder to develop a collaborative proposal. Similarly, stronger ground rules promoting respectful, cross-interest

collaboration (paired with more certain consequences for non-compliance) would likely have helped to foster more productive dialogue. Consistent decision rules would have promoted a sense of process legitimacy and increased trust in the process. Separating the public comment from the RSG meetings is another alternative process choice that would have encouraged a better outcome. Regardless of the larger decision-making process, RSG collaboration would be easier with a more balanced group. Greater integration of the facilitation team and key process decision choices would have increased trust in the process and laid the groundwork for a stable solution space.

As other states and nations look to build on California's path-breaking work on the MLPA Initiative process to designate marine protected areas and conduct CMSP for offshore renewable energy generation, lessons from the South Coast can help inform smarter process design choices. We forecast that this prospective advantage will be amplified if launched from the outset of a CMSP process, particularly in complex, densely populated, and high-use areas. The varied experience of California's MLPA process in the four regions that have completed their process to date shows that one set of guidelines can yield significantly different results in different locations and contexts. For more meaningful collaboration, convening agencies, ocean and coastal users, and professionals engaged in process design and mediation would do well to consider the South Coast's example analyzed in this article.

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Appendix 1: Chronology of South Coast MLPA Initiative Meetings and Outcomes

Figure 4 (next page) depicts the primary meetings and outcomes of the major bodies of the South Coast MLPA Initiative: the South Coast Regional Stakeholder Group (RSG, in blue); the Science Advisory Team (SAT, in yellow); and the Blue Ribbon Task Force (BRTF, in green). The red square depicts meetings among both the SAT and BRTF.

The RSG was established and tasked with developing a set of three MPA proposals over three rounds of negotiations. The BRTF and SAT provided feedback regarding how well each round of proposals met MLPA goals, and then the RSG refined proposals in each round based on scientific and policy advice from the SAT and BRTF.

The BRTF then reviewed the final set of three proposals and developed one final proposal, called the Integrated Preferred Alternative (IPA), to be recommended to the Fish and Game Commission (FGC). The FGC had sole authority to develop, adopt and implement the final regulation. Figure 1 (above, in the main body of this paper) also depicts the process of proposal development, iterative feedback, and proposal winnowing that characterized the South Coast RSG process.

Figure 4. Chronology of South Coast MLPA Initiative Meetings and Outcomes

Appendix 2: Glossary of Terms

Blue Ribbon Task Force (BRTF): A task force composed of seven public leaders selected by the secretary of the California Resources Agency (now the California Natural Resources Agency) for their professional and public policy experience. The BRTF was responsible for overseeing the MPA proposal development process, reviewing the final set of proposals, and using these proposals to develop an Integrated Preferred Alternative to present to the California Fish and Game Commission.

California Fish and Game Commission (CFGC or California FGC): A state entity with the authority to establish a network of MPAs under the MLPA, and modify that network as needed. In the South Coast, the California FGC was the final step in the MPA development and implementation, as it reviewed and adopted the BRTF's Integrated Preferred Alternative.

Cross Interest: The intention of the MLPA is to include a comprehensive range of voices on the RSG - including commercial and recreational fishing, consumptive and non-consumptive diving, conservation, education, scientific research, ports and harbors. The intention of the process is to negotiate across these interests by developing a range of mutually beneficial agreements.

Department of Fish and Game (DFG): A state entity, which played multiple roles in supporting the MLPA Initiative, including guidance about MPA feasibility. The DFG manages new MPAs as they are established by the California FGC, including enforcement activities. The California Department of Fish and Game is now known as the California Department of Fish and Wildlife.

I-Team: A team of state employees and independent contractors (including GIS experts, facilitators and planners), which provided day-to-day technical support and management of the MLPA Initiative.

Marine Life Protection Act (MLPA): Passed in 1999, the MLPA requires California to reevaluate all existing marine protected areas (MPAs) and potentially design new MPAs that together function as a statewide network. The MLPA has clear guidance associated with the development of this MPA network. MPAs are developed on a regional basis with MLPA and MPA specific goals in mind, and are evaluated over time to assess their effectiveness for meeting these goals. The MLPA is part of the California Fish and Game Code. The MLPA was originally designed in a top-down, staff-centric manner with modest input from stakeholders and without rigorous scientific input. As a result, the MLPA met with public resistance, particularly from commercial and recreational fishers. In 2002, the DFG again implemented the MLPA, this time including stakeholder groups, but lost funding in 2003 due to a poor fiscal year.

Marine Life Protection Act Initiative (MLPA Initiative): In 2004, the DFG received funding from several organizations to initiate a modification of the MLPA planning process, the MLPA Initiative. The MLPA Initiative did not change the legal requirements of the MLPA, instead it modified the structure and process by which the legal requirements were implemented. The MLPA Initiative requires California to reevaluate all existing marine protected areas (MPAs) and potentially design

new MPAs that together function as a statewide network. MPAs are developed on a regional basis with MLPA and MPA specific goals in mind, and are evaluated over time to assess their effectiveness for meeting these goals. For this process, the coast was divided into five study regions including the North Coast (NC), the North Central Coast (NCC), the South Coast (SC), the Central Coast (CC) and the San Francisco Bay (not yet implemented). For each region, a Blue Ribbon Task Force (BRTF), a Scientific Advisory Team (SAT) and a Regional Stakeholder Group (RSG) was established.

Marine Protected Areas (MPAs): MPAs are discrete geographic marine or estuarine areas designed to protect or conserve marine life and habitat. Three types of MPAs are designated in California: state marine reserve (SMR) - some recreational uses allowed and all consumptive uses are prohibited; state marine park (SMP) - recreational fishing is allowed and commercial extraction is prohibited; and state marine conservation area (SMCA) - specified commercial and recreational activities are allowed such as fishing for certain species, but not others, etc.

Regional Stakeholder Group (RSG): A deliberative body composed of a diverse cross-section of interest groups with a stake in the MLPA Initiative, the RSG worked collaboratively with the I-Team, the SAT, the DFG and the CDPR to develop a set of MPA proposals. The proposals were to be based on RSG interests, public input, regulatory policy and socioeconomic and scientific information.

Scientific Advisory Team (SAT): The SAT was composed of technical experts in a range of fields including marine ecology, fisheries, the design of marine protected areas, economics and social sciences, who were appointed by the director of the California DFG to help advise the MLPA process. The SAT set forth MPA guidelines to address the size, spacing, and representativeness of habitat types captured in the MPA arrays. The BRTF made clear its preference for MPAs that met the SAT guidelines and that each individual guideline was weighted with equal importance. To facilitate adherence to these guidelines, the SAT reviewed and commented on scientific papers relevant to MLPA implementation, reviewed alternative MPA proposals presented by the RSG, reviewed master plan documents, responded to scientific issues presented in those documents, and addressed scientific questions raised by the BRTF and stakeholders.

South Coast Regional Stakeholder Group (SCRSG): The Regional Stakeholder Group (RSG) for the South Coast Marine Life Protection Act process. See Regional Stakeholder Group.

Straw Voting in the North Central and Central Coast Processes: Straw voting was used successfully in both the North Central and Central Coast processes to both formulate and winnow proposals. For example, in the North Central process, nine proposals were on the table at the end of Round 2 of MPA proposal development. At that point, the BRTF sent a strong message, that they wanted the stakeholders to winnow the number of packages to three to create greater clarity in Round 3 as well as a manageable workload for the planning team and SAT in doing subsequent evaluations. Two of the Gems Groups, Emerald and Turquoise, were able to create a single unified proposal.

Jade, the other Gems Group, however, had two packages with several strong common elements but was unable to negotiate a single unified proposal. Two of the most active members of that Gems Group, moreover, strongly preferred separate external proposals. It seemed that an impasse could be brewing, but the facilitation team found a solution: RSG members were given two certain pathways to ensure that their proposals would continue to Round 3. One pathway was to create a single unified package within a Gems Group and another was to merge an internal proposal with an external proposal. While this meant that four packages were selected for the third round rather than three, this solution gave stakeholders a clear incentive and pathway to merge, avoiding the need for an "elimination straw vote." The strong conservation faction in the Jade Gems Group was able to merge their work with an external proposal with a strong conservation emphasis. The other faction within the Jade Gems Group had a strong fishing emphasis and was able to merge their package with an external package developed by the fishing community.

In the Central Coast, straw voting was used at the end of the first round of proposal development to yield a manageable number of proposals for refinement and evaluation by the SAT and planning team. At one point in the Central Coast process, there were a total of six proposals, and the BRTF, recognizing the press of time and the need to manage staff resources, called on the RSG and the I-Team to winnow the number of proposals to three. At the time, one of the proposals, Proposal B, literally designed the entire Central Coast study area as an MPA. Additionally, there were two competing sets of proposals from the conservation community that placed various degrees of emphasis on non-consumptive diving along Cannery Row. Noting that there were just over 30 primary members of the RSG, the I-Team deliberated and crafted a straw voting protocol that asked each RSG primary member to identify their first choice alternative. Further, they established a first cut decision rule that would winnow out any proposal that did not garner support from three members –or about ten percent of the RSG primary members. This decision rule proved effective; after this straw vote, there were three proposals that advanced to form the basis of the final RSG proposals.

Department of Parks and Recreation (DPR or CDPR): A state agency which provided guidance to the SCRSG and BRTF about the state's interests in marine parks and associated terrestrial areas. The CDPR manages 280 diverse park units, and aims to preserve the state's biological diversity, protect its natural and cultural resources, and create opportunities for high-quality outdoor recreation.

Work Groups (Round 3): During the final round of RSG proposal negotiations, the I-Team and BRT jointly appointed three groups identified by interest. These groups and their goals as accorded by the BRTF are as follows:

Work Group One (the "Cross Interest" Group):
Meet SAT guidelines while meeting the diverse interests of the RSG members.

Work Group Two (mostly fishing and ports representatives):
Meet SAT guidelines where possible while trying to minimize negative socioeconomic impacts and ensure the support of broader interests, including local entities and organizations outside of

the RSG.

Work Group Three (mostly conservation interests):

Meet preferred SAT guidelines while trying to be sensitive to socioeconomic impacts and keeping cross-interest support; they chose to focus their MPA design on diverse, unique and quality habitats.

Appendix 3: Findings from USC Sea Grant-CONCUR Retrospective Study on the South Coast Regional Stakeholder Group Process

Authors:

Phyllis Grifman, USC Sea Grant Program, www.usc.edu/org/seagrant, grifman@usc.edu

Scott McCreary, CONCUR, Inc., www.concurinc.com, scott@concurinc.net

Meredith Cowart, CONCUR, Inc., www.concurinc.com, meredith@concurinc.net

Introduction

To understand the experience of the participants in the South Coast process, we invited all members of the South Coast Regional Stakeholder Group for the Marine Life Protection Act Initiative to participate in an online survey. The survey was open for 45 days, from January 18 to March 4, 2011 and extensive follow up contacts were made to ensure broad representation across Round 1 and Round 2 Gems groups, and Round 3 proposal groups.

The survey questions were drawn from an evaluation framework developed by the U.S. Institute for Environmental Conflict Resolution (Orr 2008) and from CONCUR in its capacity as an organization striving to advance best practices in environmental and public policy dispute resolution. Through a mix of closed-ended and open-ended questions, the survey addresses a wide range of topics related to best practices in the field of environmental conflict resolution. Closed-ended questions used a scale of 1– 6, where 1 = strongly disagree and 6 = strongly agree. Thus a mean score of 3.5 is neutral, anything above 3.5 is considered a positive response, and anything below 3.5 is considered a negative response. For the open-ended questions, respondents were able to submit comments of any length. For the purpose of more finely analyzing differences in perspectives across interest groups, we have in most cases sorted responses by Round Three work group.

Key Findings

Process clarity and meeting the RSG process objective:

- Most members of the RSG did not correctly identify the objectives of the RSG process;
- As a result, most members of the RSG, and in particular Work Group Two, felt that the objective that they identified was not met;
- Those who correctly identified the objective of the RSG process felt this objective was met;
- However, both the group that identified the objective correctly and other RSG members exhibited little buy-in to the stated goals of the process.

Polarization:

- Across the survey questions, there was a high divergence of responses along "party lines" among Work Group One (Cross-interest group), Work Group Two (Fishing and ports interests) and Work Group Three (Conservation interests). Often, members of Work Groups Two and Three had opposing responses to the questions asked, while Work Group One was split (see for example responses to incentives to negotiate; incorporation of information into the process, balance of stakeholder representation, satisfaction with the SAT, among others).

Incentives to negotiate:

- Work Group Two reported little incentive to negotiate, while Work Group Three reported sufficient incentive and Work Group One was split.

Incorporation of information into the process:

- Work Group Two felt that the information provided was inadequate for creating a robust plan. In particular, members felt scientific information provided was not robust and that the fishermen's local knowledge was overlooked;
- Both Work Group One and Work Group Three felt that the information provided was sufficient; in particular, members were impressed with the scientific information but felt that the economic reports were unreliable.

Creating a safe space to negotiate:

- Work Group One and Work Group Two report that they felt safe to express themselves during the RSG process, while Work Group Three was somewhat less positive in this regard.

Stakeholder composition

- Most members of the RSG felt that the participants represented the full range of affected concerns;
- Work Group Two felt that the participants' interests were well-balanced while Work Group One agreed but felt less positively and Work Group Three felt strongly that participants' interests were imbalanced.

Satisfaction with the process

- The RSG as a whole, and in particular Work Group Two, reported dissatisfaction with the RSG process and the final MPA design.

Results

***Survey Response Rate**:* The survey received 45 responses (out of 62 possible respondents) for a response rate of 73 percent.

1-3. Participant Demographics:
Questions 1-3 established participant demographics, regarding which interest(s) they represented and which workgroups they belonged to in each round. RSG members were asked to check the category/categories that best describe(s) the interest or organization they represented in this process. Their responses are as follows:

Interest Represented	Response Percent	Response Count
Public Agency	31.1	14
Tribal Representative	0	0
Environmental/Conservation	26.7	12
Recreational Fisherman	15.6	7
Commercial Fisherman	20.0	9
Consumptive Spear Diver	4.4	2
Non-consumptive Recreational Diver	11.1	5
Kayak fisherman	8.9	4
Marine Educator or Researcher	15.6	7
Recreational/Commercial Business Interest (other than fisherman)	15.6	7
Community or Private Citizen	6.7	3
Other	24.4	11

Responses for "Other":
- Conservationist (as opposed to preservationist)
- Cross-Interest Participant
- DFG Groundfish Taskforce
- Kayak Guide, Naturalist, Scuba Diver, Sailor, Non-consumptive user, fisherman
- Tackle Shops
- tribal
- Wildlife / birds & mammals
- Surfer, founder The Surfers Party
- Tackle Manufacturer
- NGO
- Department of Defense

The distribution of responses across Gems groups is quite even (15 Lapis, 15 Topaz, 13 Opal, 2 skipped the question). All Round 3 Work Groups are represented and the number of individual responses is fairly even across these groups (16 Group One, 13 Group Two, 13 Group Three, 2 skipped the question). However, response rates did vary here: Group One had a response rate of 70%

(16/23), Group Two 54% (13/24) and Group Three 87% (13/15).

4. Attendance/Participation in SCRSG Meetings and Gems Groups:

Most respondents attended all full SCRSG meetings and Gems work sessions, according to responses to Question 4.

5 - 7. Stakeholder Views on the Primary Objective of the RSG and whether it was Achieved:

One indicator of success in Environment and Public Policy (EPP) practice is whether an assembled stakeholder group meets its intended objective. A key choice in process design is often whether to accord stakeholders authority to craft a final solution, or whether to create the opportunity for stakeholders to develop one or multiple recommendations for the final decision making entity.

In the case of the SCRSG, a core objective – at least on paper - was that stakeholders would formulate alternative proposals, which would in turn be considered by the Blue Ribbon Task Force in developing a recommendation for an integrated preferred alternative package to be recommended to the final decision-making body, the CA Fish and Game Commission (represented as option "5c" below). The SCRSG Adopted Groundrules explicitly outline this goal:

> "*The charge of the SCRSG is to develop multiple marine protected area (MPA) proposals for consideration by the MLPA Blue Ribbon Task Force (BRTF). In meeting that charge, the SCRSG members have three primary goals to achieve for the south coast study region including: 1) Review and refine the regional profile; 2) Draft and adopt regional goals and objectives and; 3) Draft and refine alternative MPA arrays." - SCRSG Adopted Groundrules dated October 7, 2008.*

The primary objective was *not* to reach consensus around a single design package. However, given the complexity of the MLPA Initiative, our inquiry looked at how completely RSG members internalized this objective during the SCRSG process..

While the stated objective was in fact met - three proposals were generated by the Round Three working groups and delivered to the BRTF -this objective was not identified by the majority of stakeholders in this survey. Not a single work group had a majority of respondents who identified the primary objective correctly as "Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative". In fact, Work Group One was the only group in which "Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative" was the answer selected most often.

Question 5: From the beginning of the process I understood that the primary objective of the SCRSG process was to attempt to develop:	**Work Group 1**	**Work Group 2**	**Work Group 3**	**Cumulative**
a. A single MPA proposal built by consensus	20%	8%	23%	18%

b. Multiple MPA proposals, one of which would be adopted by the Task Force as the preferred alternative	20%	50%	31%	34%
c. Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative	33%	17%	23%	23%
d. Other (please specify)	27%	25%	23%	25%

As a result many stakeholders -- most noticeably members of Work Group Two -- were left feeling that the primary objective of the RSG process was not achieved.

Question 6 (Where 1=Strongly Disagree & 6=Strongly Agree)	**Work Group 1**	**Work Group 2**	**Work Group 3**	**Cumulative**
6. The objective described in question #5 was achieved.	3.53	1.70	3.38	2.95

We can next consider the link between an understanding of the stated purpose of the RSG primary process objective and responses to the question of whether this objective was met. As can be seen in the following Table, only those stakeholders who identified the primary objective as 5c had a positive response (on average) to the question of whether the objective was achieved.

Perceived Primary Objective (Question #5)	**Average Rating of Agreement as to Whether the Objective was Achieved (Question #6)**
a. A single MPA proposal built by consensus	1.86
b. Multiple MPA proposals, one of which would be adopted by the Task Force as the preferred alternative	2.00
c. Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative	4.30

7. Primary Objective (Open-Ended Question):

RSG members were given the opportunity to elaborate on the subject of whether the RSG process met its objective through an open-ended question with the following prompts:

> We would like to hear more about your thoughts on whether the RSG process met its objective. We welcome your responses as to what worked well and what could have been improved, for example:
> - If you feel the objective described above was achieved, what were the critical factors that made this possible?
> - If you feel the objective described above was not successfully achieved, what prevented its achievement?
> - What outcomes did you hope to achieve through your participation in the SCRSG?
> - Were these outcomes consistent with the objective you identified for the planning process?

Group One Comments on the Primary Objective of the RSG

Even amongst those Work Group One members who correctly identified the primary objective as "Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative," there were significant concerns that the proposals developed by the RSG for the BRTF were hampered by an imbalance of stakeholders' interests, the use of voting, and insufficient time.

Even though the prompts reinforce the assumption that the SCRSG completed its work when the Round Three proposals were transmitted to the BRTF, many respondents expressed that they didn't feel the objective had been fully met because they were dissatisfied with the BRTF's IPA. Nearly half of the members of Work Group One articulated their feeling that the IPA fell short of SAT guidelines. One such member wrote:

> "I felt that the objective was partially achieved because the BRTF selected MPAs that were created by the SCRSG, and based much of the preferred alternative on the map created by [Work Group 1], which met the guidance of meeting the science guidelines while minimizing economic impacts, and having cross-interest support. However, I think the BRTF failed in upholding their own goals of meeting science guidelines while minimizing social economic impacts because in the end, the network did not completely meet the science guidelines for spacing or habitat replication."

Group Two Comments on the Primary Objective of the RSG

Only two members of Work Group Two correctly identified the primary objective of the RSG process as "Multiple MPA proposals, which would be considered and used by the Task Force to develop an integrated preferred alternative." This apparent disconnect between intended purpose and perceived purpose may contribute to the highly critical tone of many of the responses from members of Group Two.

Group Two members described their feelings that they felt there had been "behind the scenes manipulation" that the SAT information was "politically bought" and one reported frustration that the "hundreds of years of first-hand knowledge the fisherman had about the sea" hadn't been utilized. One, in reference to the evolving guidelines from the SAT as the previous region's guidelines were adapted to the South Coast region, wrote that the "strategy of changing the metrics during the design process cost credibility more than it engendered a sense of openness."

Group Three Comments on the Primary Objective of the RSG

Many of the responses from members of Work Group Three are similar to those from members of Work Group One, demonstrating concern regarding the imbalance of stakeholders' interests, the corresponding impact of majority voting to test preferences, and frustration with the degree to which the BRTF's IPA failed to adhere to SAT guidelines.

One member (who incorrectly believed the goal to be "A single MPA proposal built by consensus" and described all other options as "failure fallback options") succinctly described this full suite of concerns, saying: "The objective was not met because the science guidelines were not met. The composition of the RSG was fisheries interests heavy by about 60/40 percent so no consensus was possible that also followed the science guidelines and legally satisfied the MLPA." Another member (who correctly identified the objective) had similar concerns, but added on a positive note that "the objective of developing a range of options for the BRTF was eventually achieved."

Echoing this sentiment, another member acknowledged that the RSG successfully met its objective by developing a range of alternatives, saying that "we achieved [the SCRSG objective] the first time we presented any proposals (I believe there were ten or so)." However, she dismissed this achievement as too basic, saying that simply meeting the stated objective was "[n]ot really a big deal in my opinion" since achieving multiple proposals "is the easiest thing to do."

8 – 10. Rating of Evolving Proposals Relative to Meeting Interests and SAT Guidelines:

Questions 8, 9 and 10 asked respondents to rate their Gems Group Proposal, their Round 3 Proposal, the Blue Ribbon Task Force's IPA and the Commission's Preferred Alternative on the basis of how well these work products took account of their interests, took account of the full range of interests, and met SAT guidelines respectively on a spectrum of 1= "not at all" and 6 = "completely".

For all three questions, the Round 3 Proposal received the highest average scores followed by the Gems Group Proposal, which also received positive average scores, followed by the BRTF's IPA, which received negative average scores, followed by the Commission's Preferred Alternative which received the lowest average scores.

11. Evaluating the RSG Process:

Question 11 asked respondents to rate their agreement with various statements related to process where 1="completely disagree" and 6="completely agree." Their responses were as follows:

Question 11	Work Group 1	Work Group 2	Work Group 3	Cumulative
a) The length of time allotted for this process was appropriate	3.94	2.45	4.23	3.57

Question 11	Work Group 1	Work Group 2	Work Group 3	Cumulative
b) I had adequate time between meetings to prepare	4.69	4.09	4.46	4.52
c) The participants, as a group, represented the full range of all affected concerns	4.31	4.55	4.15	4.30
d) Participants' interests were well-balanced	3.56	4.27	1.69	3.02
e) The size of working groups was conducive to effective participation	3.94	4.00	3.62	3.73
f) The participants had sufficient authority to make commitments on behalf of their organizations or constituencies	4.40	4.82	4.31	4.23
g) Participants communicated effectively with their constituents	4.25	4.70	4.08	4.26
h) The process helped you gain a better understanding of other participants' views and perspectives	5.06	5.36	5.08	5.02
i) I felt safe to express my point of view at all times throughout the RSG process.	4.13	4.64	3.46	4.0
j) The participants, as a group, sought options or solutions that met the common needs of all participants	3.25	2.91	2.23	2.75
k) Participants negotiated based on interests as opposed to positions	2.75	3.22	2.67	2.71
l) At the start of the process I was willing to work cooperatively with other participants	5.88	5.91	5.17	5.70
m) At the end of the process I was willing to work cooperatively with other participants	4.38	3.55	4.08	3.93
n) There were clear incentives in each step to work towards agreement in my Gems group or proposal negotiating team	3.47	2.55	3.67	3.29

Question 11	Work Group 1	Work Group 2	Work Group 3	Cumulative
o) As a result of the process I have more trust in and a better working relationship with fellow participants	3.56	3.09	3.85	3.34
p) I am satisfied with the RSG process	3.20	1.82	3.23	2.74
q) I am satisfied with the final MPA design adopted by the Commission on December 15, 2010	3.44	1.36	2.46	2.50

Elaboration on 11.c. and 11.d.

The balance and composition of a stakeholder group is critical to its success. According to Lawrence Susskind and his colleagues (1999), "In recommending who should participate [in the stakeholder process], the assessor should think about inclusion and balance. All categories of stakeholders should be identified, and an approximately equal number of representatives from each major category should be determined. Ideally, the resulting mix should not be skewed toward one interest or another." As Pomeroy and Douvere (2008) note, it is difficult but important to ensure equitable representation in the CMSP process specifically. Therefore, we asked RSG members to rate their agreement as to whether the stakeholder group represented the full set of interests without being redundant and whether the group was properly balanced (i.e., between consumptive and non-consumptive users, or between local interests and broader statewide interests).

On average, each of the round three work groups responded positively to the question of whether participants, as a group, represented the full range of all affected concerns:

Question 11c	Work Group 1	Work Group 2	Work Group 3	Cumulative
11c. The participants, as a group, represented the full range of all affected concerns.	4.31	4.55	4.15	4.30

In stark contrast, responses to the question of whether participants' interests were well balanced varied considerably by work group:

Question 11d	Work Group 1	Work Group 2	Work Group 3	Cumulative
11d. Participants' interests were well-balanced	3.56	4.27	1.69	3.02

Similarly, Harty's (2010) survey on the SCRSG process found that most survey respondents – 70% - felt that the RSG was at least slightly imbalanced. On a scale of 1 (poorly balanced) to 6 (well balanced) the mean score was 3.0 (Harty 2010). In comparing the SCRSG to previous study regions, Harty points out that the "SCRSG had the most significant level of dissatisfaction regarding overall balance among the three Initiative study regions." Open-ended responses indicate that many stakeholders felt the "environmental and non-consumptive representatives were far outnumbered by consumptive representatives (Harty 2010)." Please see Question 13 for the open-ended responses to this Sea Grant-CONCUR survey on the subject of stakeholder representation.

Elaboration on 11p.

Question 11p	Work Group 1	Work Group 2	Work Group 3	Cumulative
11p. I am satisfied with the RSG process.	3.20	1.82	3.23	2.74

These responses closely match those reported by Harty (2010), in which the mean "overall level of satisfaction" with the SCRSG process to develop MPA proposals was 2.59, with 53% of respondents either "very unsatisfied" or "somewhat unsatisfied." While this number is not dramatically lower than the mean satisfaction score in Harty's previous study on the Central Coast Regional Stakeholder Group process (3.0), it certainly reflects a less positive reflection than a parallel study on the North Central Coast RSG process (4.03).

12. Allocation of Time to RSG Tasks:

In rating the amount of time given to various tasks (where 1 = "too little" and 6="too much"), overall respondents felt too little time was given to "Receiving technical briefings from the I-Team and SAT" (average rating = 3.23), too little time was given to "Negotiation of MPA proposals in Gems work groups" (average rating = 2.50), and too much time was given to "Hearing Public Comment" (average rating = 3.95). Harty (2010) also found that survey respondents wanted more time – on a scale of 1 (too short) to 6 (too long), the mean response was 2.33. Compared with the other study regions, the South Coast RSG felt the most time pressure.

13. Open-Ended Question on Stakeholder Representation:

RSG members were given the opportunity to elaborate on the subject of stakeholder representation through an open-ended question with the following prompts:

We would like to hear more about your thoughts on the subject of stakeholder representation. We welcome your responses as to what worked well and what could have been improved, for example:

- If in your view there was a proper balance of stakeholder interests, what about the representation worked particularly well?
- If in your view there was an imbalance of interests, please describe a fairer distribution and explain your rationale.

- How did the balance of stakeholder interests affect the RSG process?
- What, if any, interests were not represented by SCRSG stakeholders?

Group One Comments on Stakeholder Representation

Members of Work Group One tended to identify the higher number of RSG members with consumptive interests as the biggest challenge related to stakeholder representation. They further noted that the interests among non-consumptive users differed much more than the interests among consumptive users did, making it more difficult for non-consumptive users to negotiate as a cohesive bloc. Several Group One members also felt there weren't enough stakeholders with cross-interest perspectives. As one member put it, "too many stakeholders took a hard-line stance."

According to one member, as a result of these imbalances, when "things came down to pure votes for decision-making…a cross-interest, inclusive result did not occur." Others noted under-representation by "people who use the ocean but don't get directly involved in its management," fluent Spanish speakers, and those concerned with coastal habitats.

Group Two Comments on Stakeholder Representation

Some Group Two members felt there was a good balance of stakeholder interests, while others were of the opinion that stakeholder representation was unbalanced ("towards preservationists" as one such member put it). When prompted to name interests that were not well represented, Group Two members named: subsistence anglers, pier and shore anglers, coastal-dependent small business owners and recreational boaters.

Group Three Comments on Stakeholder Representation

Members of Work Group Three almost unanimously stated that there was an imbalance in favor of consumptive interests. In the view of some Group Three members, this imbalance hindered the ability of the RSG as a whole to reach consensus or satisfy SAT guidelines because these interests "opposed to the implementation of the MLPA in any form." Furthermore, several Group Three members felt that the addition of more consumptive representatives after the RSG was initially formed undermined the process and that many of the consumptive representatives represented redundant interests.

From the perspective of Group Three members, under-represented interests included: science-interests, State Parks and other resource management agencies, non-consumptive divers, the majority of Californians who voted for the MLPA, Tribal representatives, Latinos, the education community, the tourist industry and those concerned with protecting marine resources. One commonality with the critique of Group Two members was an under-representation of the tourist industry -- though the focus of Group Three members was on the portion of the tourist industry that supports non-consumptive uses.

14. Science Advisory Team

A core feature of the MLPA Initiative was the appointment of an interdisciplinary team of Science Advisory Team (SAT) members by the director of the California Department of Fish and Game to advise the process. The SAT's role was to develop scientific recommended guidelines for size, spacing and species protection of the MPAs, to evaluate RSG proposals, and provide informed recommendations to the BRTF. SAT members represented several sub-disciplines in marine biology,

fisheries, oceanography and ecology, and included representatives of government agencies (i.e., CA State Water Resources Control Board) and academic scientists.

In Harty's 2010 study, SCRSG members were asked "How helpful was the following assistance provided by the SCRSG throughout its process by the Science Advisory Team?" on a scale of 1 (Very unhelpful to 6 (Very helpful) regarding: Direct Interaction with the SAT (3.88); SAT Answers to Science Questions (3.38); SAT Briefings (3.62); and SAT Evaluation of MPA Proposals (3.75) Responses. Overall, these responses indicate a neutral to slightly positive view of the roles played by the SAT.

In this USC Sea Grant-CONCUR Post Hoc survey members were given the opportunity to further explain their thoughts on the make-up and actions of this group with the following prompt:

As a follow up to the last question, do you have any further comments regarding the composition of the Science Advisory Team?

Group One Comments on the SAT

Members of Work Group One were divided in their assessment of the Science Advisory Team's composition. Some members wrote favorably of the SAT. For example, one member wrote, "I think the SAT was fairly appointed and had a strong composition of different scientists with expertise on south coast ocean resources." Another member shared similar sentiments: "The scientific advisory team was full of people who knew what they were doing and had the best interest of the resource in mind. They certainly did their job well and I think that this was one of the better pieces of the whole MLPA process."

Other members of Work Group One expressed their concern (shared by some members of Work Group Two) that the potential of grant funding for MPAs generated bias: "I think the SAT was biased toward MPAs - many of the scientists receive funding to study MPAs." Their work products were biased towards favoring arrays produced by the workgroups dominated by environmental interests." Another respondent noted that a SAT with greater number of fishery scientists "might have improved trust of data being used to determine resources and socioeconomic uses of different geographies."

A contrasting dissatisfaction with the composition of the SAT was also expressed by one respondent, who noted a shortage of members with "expertise in evaluating the non-consumptive value of living marine resources."

Group Two Comments on the SAT

All of the follow-up comments about the SAT offered by Group Two members were critical. Here, almost half the comments addressed concern about potential SAT member bias due to their grant and funding streams. One such respondent expressed that "The SAT is driven by the need to get follow up funding to support the MLPA." Another reported that "They stand to gain financially from grants inside the MLPA-I -- and later on by grants dependent on the adoption of more new MPAs--particularly SMRs."

Other Group Two members were frustrated by evolving SAT guidelines, saying that "SAT science was in constant change." Some felt the data should have been fully collected before the process started. Several members had specific critiques of the SAT's scientific advice or the models they generated during the RSG deliberations. The Bio-economic model and analysis of larval

behavior and current patterns were specifically criticized. Another respondent felt the SAT tended to exclude local knowledge.

Group Three Comments on the SAT

In contrast to the prevalent critiques of Work Group Two, members of Work Group Three offered largely positive reviews of the composition and work of the SAT. One member stated that "the composition of the SAT was quite good, with knowledgeable, reputable, and largely objective scientists reflecting proper range of academic discourse on complex ecological synthesis."

Two areas of focus and expertise called out as missing were a strong representation of native science and the need for a "jack of all trades" biologist. A further concern was the perceived "lack of accessibility of SAT members".

Several Group Three members commented on the lack of adherence to SAT guidelines in the development of RSG proposals and BRTF/Fish and Game Commission Integrated Preferred Alternative. One suggested that the SAT should have asserted a firmer position because "their guidelines [were] never…met throughout the entire MLPA process."

15. Blue Ribbon Task Force

Like the identification of the SAT members, the appointment and deliberations of the Blue Ribbon Task Force were a central part of the architecture of the MLPA Initiative process. The BRTF was a body appointed by the secretary California Natural Resources Agency and comprised of seven experienced policy-makers. The primary roles and responsibilities of the BRTF included: oversee and provide policy guidance to the regional MPA planning process; direct funding and capacity for the MLPA Initiative; and review and recommend alternative MPA network proposals for the region, including an integrated preferred alternative, to the California Fish and Game Commission.

Harty (2010) asked RSG members several questions to evaluate their satisfaction with the BRTF. The survey responses he received led him to conclude that "the depth of dissatisfaction when compared with the NCCSR, particularly for the content of the IPA…is noteworthy (Harty 2010)." In this USC Sea Grant-CONCUR Post Hoc survey, RSG members were asked to further explain their thoughts on the composition and actions of the BRFT with the following prompt:

In the same vein, do you have any further comments regarding the composition of the Blue Ribbon Task Force?

Group One Comments on the BRTF

For the most part, the members of Work Group One had positive comments about the composition of the BRTF. One member noted: "Of everything within the process, I had the least amount of disagreement with this group of folks. They seemed sincere, in my opinion." Similar comments were: "the composition of the BRTF was great" and "the BRTF was put together well with a good balance of perspectives."

Other Group One members were more critical of the BRTF's composition. One member noted that "unlike the RSG, the composition of the BRTF was not a representative balance of California stakeholders," and another member questioned whether members of the BRTF had the knowledge and background necessary to "objectively do the job before them."

Other comments from Group One were aimed at the BRTF's deliberations and results. Many were frustrated with the BRTF's Integrated Preferred Alternative. One respondent wrote that this

"final product does not meet the mission guidelines that were originally established" and another member felt it was "unfair that the BRTF was able to bend the guidelines for themselves and were held to a different standard in determining their preferred alternative."

Group Two Comments on the BRTF

Group Two members strongly critiqued the BRTF, expressing their belief that the members were inherently driven by political motivations and/or lacked first-hand knowledge of the ocean. One observed that "BRTF members were chosen and appointed for their experience in public policy and politics. In that regard, they were chosen well. Unfortunately, they mostly lacked any good understanding of MPA and fisheries management science"

Several respondents worried that as political appointees, BRTF members either brought their own agendas or had to be responsive to their appointing authorities "I think all were tasked by higher ups in the State government… [and] had to follow what they had been tasked to do." Another member expressed the view that "the Marine Life Protection Act is supposed to be about ecosystem management. MLPAI left out the ocean pollution and coastal development parts of that equation: MLPAI is about fishermen and their impacts on the ecosystem, and to a much lesser extent, the impacts of so called non-consumptive users. The members of the BRTF should therefore be well versed in fisheries management."

A few Group Two members questioned whether the BRTF had too much influence over the final work product and one advocated reducing the BRTF's power to alter MPA dynamics. A few asked whether the BRTF should be part of the process at all.

Group Three Comments on the BRTF

The comments from members of Work Group Three regarding the BRTF were slightly less critical than those from Work Group Two, but still reflected concerns that the BRTF was primarily politically motivated and lacked scientific understanding of the issue, among others. One Group Three member described the BRTF as "businessmen and politicians deciding environmental issues" While another commented that "The BRTF should be composed of individuals who have a clear understanding of the ocean in some capacity as part of their normal profession. Ideally, also, they should not be tied so closely to politics."

Other Groups Three critiques of the BRTF were the imbalance of represented interests and the decision-making process itself. One area of concern was that the BRTF was not well-balanced – members felt that non-consumptive interests were under-represented and that the "well-do-do white dominant culture" was over-represented. Similarly, another respondent wrote that, "because of their own livelihoods, the BRTF was over-zealous of recreational fishing. Several Group Three members also noted that some BRTF members missed essential meetings where the Integrated Preferred Alternative was assembled. Other Group Three members complained that the BRTF was inaccessible throughout the process.

16. Safe Process

As a precondition for effective interest-based negotiation, the convener and mediator must "provide the context, occasion, and safe process in which parties can meet and speak to one another, listen to, and learn from one another" (Forester 1999). To determine whether the SCRSG process established this productive process environment, RSG were asked closed- and open-ended questions

to better understand their level of comfort and safety. Members of Work Group One and Work Group Two responded positively to the closed-ended question of whether they felt safe to express themselves throughout the RSG process, while the responses from Work Group Three were somewhat less positive:

Question 11i	Work Group 1	Work Group 2	Work Group 3	Cumulative
11i. I felt safe to express my point of view at all times throughout the RSG process.	4.13	4.64	3.46	4.00

RSG members were asked to elaborate on the subject of a safe process through an open-ended question with the following prompts:

- If you felt secure in expressing your point of view, what were the factors that made this possible?
- If, on the other hand, there were times that you did not feel comfortable expressing your point of view, please provide the context.
- What could have been done to make you feel safer?
- What specific steps could have been taken differently?

Group One Comments on Safe Process

Some members of Work Group One responded that they felt secure expressing their points of view throughout the process, while others reported that they felt unsafe or unable to express their viewpoints and would have preferred more rigorous intervention by the facilitators and the I-Team. One respondent in the former group wrote that the I-Team set "clear and professional conduct guidelines," while another reported that there was "common respect" within the group.

The latter group responded that there were disruptive and rude remarks made, and that the intervention by the facilitators and the I-Team was not sufficient in lessening the hostility of the conversations. Several members called for more directive facilitator/I-Team intervention for those moments when (as one member wrote) "people were completely out of line (e.g. making negative racial/cultural remarks or plugging their ears when a RSG member was trying to talk)."

Another member noted that "when fellow workgroup members would talk over other members, or discredit their role or background" it was often fellow workgroup members who would "step into the role of moderation." As members of the cross-interest work group, several Group One members reported feeling stuck in the middle. One member reported feeling "hammered by both sides (consumptive and environmentalists) for not siding with their interests/ shapes." Another member described their situation in similar terms: "As an RSG member who was really there to reach compromise (because of the organization I represent), I ended up feeling marginalized."

There were reports of both consumptive and non-consumptive stakeholders breaching ground rules. In addition, several members also spoke of intimidating behavior from members of the public including yelling, threatening, attacks on vehicles, and posting harsh personal criticism on web boards. Such actions illustrate a generally hostile environment in which some members felt uncomfortable, unsafe or unable to express their interests.

Group Two Comments on Safe Process

The majority of Work Group Two members reported feeling comfortable and safe throughout the process. Only two wrote of personally feeling unsafe because "it was not safe to disagree with presented material" and because "I was surrounded by people a lot smarter and wiser."

Some members of Group Two acknowledged that other stakeholders may have felt unsafe but that they themselves were not phased. Several Group Two members acknowledged heated conversations in which "harsh words" were exchanged but readily accepted this as being part of the process. One noted "I agree that insult and intimidation have no place in our work, but that should not have meant that ones' ideas could not be challenged and analyzed: this was no place for someone who could not take some heat and defend his or her positions." Another recalled: "Sure, I had people yell at me with faces beet red, but then again, I just suggested an MPA that would have left that person out of work." A third noted: "If I sat with my mouth shut because I thought some one would get upset I should have stayed home."

Group Three Comments on Safe Process

Two members of Work Group Three reported feeling safe during the RSG process. All other Group Three members recalled concerns about intimidating behavior by consumptive interests and/or the public, or getting insufficient time to air their views as a result of the large size of RSG meetings and time constraints.

Several Group Three members offered suggestions for making the process safer including: a more aggressive/ I-Team intervention in ground rules enforcement; more closely checking the backgrounds of RSG members; spending more time in smaller work groups with a wider cross-section of interests;closing Work Group sessions to the public; and removing RSG members who don't adhere to the ground rules.

17. Incentives to Negotiate

Creating incentives for negotiation is widely recognized as a key pillar for effective mutual gains bargaining. Conveners of policy-making processes often try to identify incentives to encourage stakeholders to come to the table and negotiate in good faith towards an agreement (Susskind and Cruikshank, 1987). However, members' survey responses indicate that the incentives to negotiate were not strong. On average, members of Work Groups One and Three were essentially neutral in response to the question of whether there were clear incentives to work toward an agreement throughout the RSG process. Members of Work Group Two responded less positively, indicating that on average they saw fewer clear incentives to negotiate.

Question 11n	Work Group 1	Work Group 2	Work Group 3	Cumulative
11n. There were clear incentives in each step (Round 1, Round 2, Round 3) to work towards agreement in my Gems group or proposal negotiating team.	3.47	2.55	3.67	3.29

RSG members were given the opportunity to elaborate on the subject of incentives to negotiate through an open-ended question with the following prompts:

- What were your incentives to pursue cross interest negotiation?
- What were the carrots and sticks?
- If you did not negotiate towards a cross interest agreement what kept you from doing so?
- What other incentives could have been offered to encourage RSG members to make agreements across interest groups?

Group One Comments on Incentives to Negotiate

Several members of Work Group One saw clear incentives to negotiate, while an approximately equal number did not. Those who reported pursuing cross-interest negotiations provided the following incentives for doing so:

- "I pursued cross interest because I am a cross-interest representative."
- "[T]o get the best MPA network possible given the vast array of interests - that is meet science guidelines while not alienating the fishing interests."
- "The goals of sustained marine health/diversity (conservation) and economic stability are worthy goals, and as such, incentives in their own right!"
- "I was motivated by the statement that the BRTF would reward groups that met the guidance."
- "The greatest incentive was that if we developed a cross-interest map, [it] would be the basis or foundation for the BRTF's IPA."

Other members of Work Group One did not see clear incentives to pursue cross interest negotiations, and some blamed this on the lack of "carrots" and/or "sticks" which they suggest could have been used to leverage more principled negotiation:

- "There weren't any strong sticks for work groups that did not achieve the guidance of meeting science guidelines, while minimizing negative socioeconomic impacts and achieving cross-interest support."
- "There were no sticks whatsoever for consumptive groups."

- "Initially I had external pressure to pursue cross-interest negotiations. However, this waned as I tried to negotiate and was repeatedly met with an unwavering position. If there was a stick used to encourage others to negotiate, I never saw it."
- "I don't think there were a lot of incentives to negotiate. From the very beginning, the fishing community came in with a single map and a broad agreement from many of the commercial and recreational consumptive interests to support that map and to oppose all others. There was very little true meaningful negotiation done by the principal representatives of the commercial fishing industry. They were joined by members of the recreational consumptive fishing community who simply refused to negotiate in good faith and sought numerical superiority and community stubbornness as a virtue. This of course destroyed whatever cooperation could have been achieved and I have to lay this fault on the I-Team for letting them get away with it."

Several other members echoed the sentiment of this last respondent in terms of placing the responsibility on the I-Team for the lack of carrots and sticks. One such member wrote: "Unfortunately incentives used were not consistent or followed by I-Team or task force. The only way for incentives to work is if they are true to process parameters and changes don't take place midstream." Another member suggested that "stronger consequences by facilitators and the I-Team for failure to negotiate in good faith would have been helpful."

Group Two Comments on Incentives to Negotiate

Only two members of Work Group Two indicated that they felt there were incentives to pursue cross interest negotiations. The other members either reported a lack of incentives, the impossibility of incentives, or confusion about the meaning of the term "cross-interest." One member who was of the opinion that "there were no incentives" explained his view on the subject as follows: "Representing the commercial lobster interests there was nothing we stood to gain on any level. The process was seeking the best habitat and that is the very habitat that holds lobsters." Another member was similarly bleak in his appraisal: "In retrospect, I don't think anything could have been done to improve the outcome. You can't make someone agree to something they don't want nor have to agree with."

While some Group Two members felt that terms such as "cross interest" needed to be more clearly defined, several other members seemed to suggest that cross-interest negotiation was never the true intent of the RSG process. One such respondent noted: "The groups were purposely divided by interests/positions with no concern about reaching cross-interest support. The obvious game plan was that by so doing Bookends would be created between Groups Two & Three with Group One appearing as the cross-interest plan. When Group Two fell apart so did the wizards attempts to rig the compromise plan."

A similar sentiment is shared by another member who wrote: "I believe the fatal mistake was to allow the external "C" proposal to back door into the process, after it had been overwhelming rejected by the RSG. At that point, a small but significant group on the preservation side knew they would not have to find the middle ground, and a smaller, but vocal segment of the fishing community came to believe that we were being herded to a predetermined outcome...Another major mistake was the BRTF, directing (not guidance), the I-team to divide the RSG into 3 work groups with distinct book end goals, and a still largely undefined middle ground."

Group Three Comments on Incentives to Negotiate

Three members of Work Group Three reported sufficient incentives to pursue cross-interest negotiation, while the rest did not. For one respondent "the primary carrot was the adoption of a workgroup proposal by the BRTF as preferred. The stick seemed to be that the proposal wouldn't be considered if it missed the mark too badly." However, for other members the incentives were not sufficient:

- "I can't remember a compelling incentive. There was something about if there was total consensus at certain times then that proposal would go forward to the BRTF. Or the BRTF was likely to adopt a single consensus proposal. But I don't think anyone had any confidence that those proposals would be adopted by the BRTF, or that one proposal submitted wouldn't be minced up by the BRTF in the long run anyway."
- "A stick approach may have been necessary to force compromise, however minimal, on both sides, rather than allowing blocking. Once mind blocks were identified (people not allowing others to concede, in fear of weakening a united front) they should have been removed immediately. These blocks of interests ultimately ended up with more power and forced neutral parties to pick a side in order to protect their interests and to have some type of voice and support. It pushed people away from compromise and toward the poles."

Some members of Group Three suggested that cross-interest negotiations were simply not possible given the negotiating position taken by consumptive users, or as one such member put it "cross interest agreement would be impossible because the fishermen walked into this process arguing from a position instead of listening to the science." Another member felt that "fisherman had NO incentive to negotiate, and every incentive to dig heals in and say NO to every suggestion. I don't see a way to fix this." Another member explained how this perception affected their participation in the process as follows: "Once I was told that certain participants were not planning on compromising, I lost incentive to keep conceding points."

Other Group Three members made the following recommendations to incentivize negotiation:

- "Those working in good faith should get some of their interests better represented (carrot) while those obstructing the process should have diminished discussion time (or face dismissal)."
- "Recommend starting with 3 interest groups like in Round 3 (consumptive-based, science-based, and cross-interest), then in each successive round strongly encourage convergence by emphasizing where arrays do not meet science/DFG guidelines and highlighting where socioeconomic impacts are greatest."

18. Building and Maintaining Agreements

RSG members were given the opportunity to elaborate on the subject of building and maintaining stable agreements through an open-ended question with the following prompts:

- What could have been done to broaden stakeholder support for specific Round 3 proposals?
- How could Round 3 proposals have been fashioned so that the Task Force would have

been willing to recommend one without modifications?

- What other types of trades could have been made in order to strengthen agreements and "expand the pie"?

Group One Comments on Building and Maintaining Agreements

The members of Work Group One had varied responses to these questions. Some felt that adherence to SAT guidelines should have been more strictly enforced. One such member wrote that "the most important thing that could've been done is an insistence that all proposals (including the IPA and final product) meet the minimum set of guidelines." Another member, in reference to the evolving guidelines from the SAT as the previous region's guidelines were adapted to the South Coast region, suggested that "the rules need to be consistently applied from the beginning, especially the SAT guidelines and the DFG feasibility. Some of these guidelines changed at the end of the process. I observed a change in behavior of the fisherman towards the end of Round 3 because they felt the SAT, DFG, were biased against their interest, and their positions hardened as a result." Still another member felt that "without an understanding that failing to meet the guidelines would result in a proposal being dropped from consideration, cross-interest agreements fell apart after the individual workgroup work was done. For example, several members of the fishing, conservation, government, science and education communities in WG1 supported our final map in round three, but when they saw the products from the other workgroups (which didn't meet the BRTF) guidance, they ended up defecting support to another proposal."

Others argued that stricter adherence to ground rules and an open process might have helped. One member pointed out that an "objective structure (ground rules and enforcement of them, incentives etc) and consistency in facilitation are key to successful negotiations of agreement." This same member felt that "bad behavior was rewarded and the facilitators and I-team bent the rules/changed facilitation mid-stream to accommodate certain interests. As a result facilitation in round 3 seemed biased. This limited any sort of stable agreement and instead strong-arm tactics were used by both sides." Another member suggested that "more transparency in the process would have made stakeholders more willing to commit to specific compromises and negotiations."

Other Group One members felt that there was insufficient time to negotiate in Round 3. One such member wrote that "time in round 3 was a factor. There was a disconnect between the SAT reviews and information getting back to work groups in time to adjust array proposals before Task Force reviewed them. As a result the arrays presented were still in "draft" form and it left the door open for debate by different RSG members on different geographies. The task force had to come up with an IPA because of nature of proposals that were presented to them. In the future, I think the RSG needs more time to effectively respond to feedback from SAT and there needs to be more frequent work group sessions to work through issues at some of the "ground zero" geographies."

Still other members suggested that a stable agreement was reached (or was within reach) but that the BRTF chose to ignore this. One such member argued that "Proposal 1 from Round 3 had cross-interest support and met the science guidelines and yet the BRTF still felt the need to change it. It's unclear what would have had to happen in order to ensure that they would recommend a proposal without modifications." Another member shared the same sentiment in their response: 'I think the round 3 proposals were fashioned in a way that the BRTF had an option to adopt WG1's proposal in it's entirety, but that they caved to political pressures to change it in certain places." Another member felt that "had the BRTF followed through on meeting their own guidance they could have easily

submitted either of the proposals prepared by the cross interest group and conservation element." Still another member suggested that "a vote should have been taken to show stakeholder support. The RSG should have had a chance to do a round 4 after the BRTF meeting."

Other members of Group One wrote that a stable agreement was simply not possible because of the position taken by consumptive interests. One such member wrote: "I'm not sure anything could have been done to broaden stakeholder support for Round 3 proposals. The RSG was very divided and the fishing interests clearly had a strategy and were not interested in deviating from that strategy. If the focus is to push for nothing or the very minimum, I don't know how you get participants to shift from that mindset." Another member suggested that "the biggest thing that should have been done, was to shake apart the position formed by the coalition of fishermen that formed in advance of the SCRSG. With this position in place, consumptive users had no need, interest, or incentive to negotiate."

Group Two Comments on Building and Maintaining Agreements

The members of Work Group Two were similarly divided in their responses. Amongst those who felt an agreement was possible, time and stakeholder size/composition were often viewed as obstacles. Several members called for more time to negotiate. Another member suggested that "the final proposals could have been much better if the RSG was given more time to develop and polish them, along with the freedom of choice and real porosity between work groups that was lacking." Another member felt that "if the right group of RSG and staff would have been put into WG1, it is my opinion that a consensus still could have been reached. WG1 had the right group of enviros, and scientists, but failed in the fishermen and middle of the road people not put into that group…We needed a short round four, with the WG1 component I suggested. A little more money, to buy a little more time, and we could have made some big improvements; sold it to most of the RSG, BRTF and Fish & Game Commission (FGC), and the public. That would have lead to 'buy in', by most, and a greater chance for long term success of the MLPA."

Several members found fault with the BRTF. One such member wrote: "I don't believe it was the fault of the RSG as a whole that the BRTF did a complete turnabout and refused to choose one of the round 3 proposals as its preferred alternative. The BRTF simply lacked the political will to make a choice. Their action in crafting a Frankenpackage IPA was tantamount to declaring the RSG had failed." Another member suggested opening the BRTF process "to input, choice by choice." While in fact, the elements of the IPA were subject to comments as part of the CEQA process, apparently some respondents were not aware of this requirement or felt it was insufficient.

Others felt that agreement was simply not possible. One such member wrote, "It is impossible to reach agreements that make every one happy," or as another member put it, "The outcome was set from the beginning. Shut down fishing in a very large area of prime fishing grounds."

Only one member suggested a means of "expanding the pie," advocating "commission involvement to provide mitigation to impacted stakeholders" such as open lobster (commercial) fishing around rock jetties off of San Pedro-Long Beach to mitigate the loss of Palos Verdes, among other suggestions.

Group Three Comments on Building and Maintaining Agreements

The members of Work Group Three were also divided in their responses. Some wrote that agreement was not possible. For example, one such member wrote, "I see no answer to this. The BRTF would never have taken a proposal from us as is. Too many politics and threats involved."

Another member wrote, "I don't think it's possible to get everyone on the same page with one proposal AND meet the science guidelines. For instance, one proposal came out of the far[North] process but it is very weak."

Others suggested an agreement may have been possible with more time, or changes to the composition (of the RSG or Working Groups). One such member lobbied for "more time spent on details and SMCA regulations instead of dismissing them in favor of the SMRs and then scrambling to solidify take regulations in the last 10 minutes." Another member suggested that "more time or a more balanced group may have helped broaden support for the cross-interest round three proposal." Still another member wrote "I think that like minded stakeholders need to work together on specific interests. I would rather be in a room of like minded people working from the SAT analysis and try to meet the guidelines. The consumptive user will do the same from their point of view. I think the BRTF can take those points of view in conjunction with the intent of the MLPAI and the SAT and come up with a proposal that looks at the socioeconomic and ecological points of view and develop an array that strikes a reasonable balance. I think the agreement is strengthened by process, eg: like minded groups and a good BRTF evaluation team."

Others felt that stronger adherence to SAT/DFG guidelines should have been enforced. For example, one member wrote "I think that if the scientific guidelines are truly important, there has to be consequences for not meeting them. And there weren't any. Only lip service was paid toward this goal from the BRTF and the I-team. Perhaps any proposal that meets the scientific guideline would be accepted by the BRTF, or the first one that does gets accepted (probably unrealistic) or any proposal that doesn't ultimately will not get considered. Fish and Game and State Parks also need to get their act together (and guidance) at the BEGINNING of the process. They effectively scuttled some agreements at the last minute because we didn't have their guidance till later, and many thought it was ineffective anyway." Another member called for "stricter rules on preferred science guideline adherence," and suggested that, "all proposals should have met all science guidelines minimally, with a percentage of preferred size reserves required."

19. Evaluating Public Comment:

RSG members were asked to evaluate the role of public comment in the process by selecting all applicable descriptors from a list and/or providing their own descriptor[s]. The results are as follows:

Descriptor of Public Comment Process	Response Percent	Response Count
Necessary	88.6	39
Informative	72.7	32
Helpful	61.4	27
Tedious	50.0	22
Excessive	40.9	18
Divisive	31.8	14
Other (please specify)	27.3	12
Distracting	22.7	10
Balanced	9.1	4

Responses for "Other" were largely focused on the amount of time devoted to hearing public comment. Some RSG members felt that too much time was spent on hearing public comment. For example, one such member wrote that, "Verbal testimony needs to be limited to reasonable amount of time." Another felt that "It was informative to a certain extent. But after awhile, it was rare that we heard anything new." Still another member suggested that there was "Too much of a belief in quantity rather than quality." At the same time, other RSG members expressed a conflicting view. One such member wrote: "I would have appreciated more time be given to speakers." Another member felt that, "It didn't matter what the public said, what can you say in 30 seconds?"

Several RSG members also commented on the inclusion of children in the process. One member suggested that this amounted to "propaganda." Along the same lines, another member described the public comment process as "great theatre as both sides tried to use the process to their advantage."

20. The Role of Information:

Question 20 asked respondents to rate their level of agreement with various statements related to the role information played in shaping their work; their responses were as follows:

Question 20	Work Group 1	Work Group 2	Work Group 3	Cumulative
a) All RSG members had full access to relevant information they needed in order to participate effectively in this collaborative process	4.75	2.70	4.62	4.05
b) The information used was of a sufficient quality for the outcomes of the process	4.44	2.10	4.58	3.78
c) The information used can be characterized as the best available	4.00	1.60	4.15	3.44
d) The expertise provided by the I-Team was appropriate	5.00	3.70	4.46	4.42
e) The expertise provided by the SAT was appropriate	3.88	2.30	5	3.76
f) The agreement(s) reached were improved as a result of information integrated into the process	4.31	3.10	4.58	3.93
g) Information was made available in a timely fashion	3.19	1.50	3.77	2.91
h) The rationale for the SAT guidelines on size, spacing and habitat representation was well documented and clearly presented	4.13	2.20	5.08	3.88
i) Socioeconomic data was well documented and clearly presented	2.75	2.40	3.54	2.88

Question 20	Work Group 1	Work Group 2	Work Group 3	Cumulative
j) The Regional Profile was a legitimate effort to build an information base	4.31	3.11	4.85	4.10
k) There was sufficient opportunity for participants to contribute to the fact-finding effort	3.75	2.10	4.50	3.43
l) By the end of the process the scientific evidence of the benefits of creating a network of MPAs in Southern California had been well established	4.06	2.40	4.15	3.58

21. The Role of Information and Analysis in the RSG Process

RSG members were given the opportunity to elaborate on the role information played in shaping their work through an open-ended question with the following prompts:

- How did the new information you absorbed shape and/or alter your point of view?
- What information was most compelling?
- What key information was most lacking?
- Were there any data sets or analyses that stood out as being particularly complete or helpful?
- Were there any data sets or analyses that stood out as being particularly incomplete or unhelpful?
- Was there any information that you did not fully understand?

Group One Comments on the Role of Information

Members of Work Group One had only positive comments in regards to the interactive suite of GIS tools know as Marine Map. One respondent described Marine Map as "extremely helpful in providing information necessary to create maps that met the science guidelines and minimized socioeconomic impacts." Another member of Group One wrote, "Marine Map was quite helpful and probably the single best tool made available to us."

Group One members had more mixed commentary on the content, focus, underlying assumptions and methodology employed in the Ecotrust Analysis. While one Group One member described the Ecotrust data as "helpful," most other Group One comments on Ecotrust expressed one or more critiques. Specific concerns expressed about Ecotrust analysis were the "worst-case impact nature of the information", and the "lack of third party verification."

The lack of a companion, non-consumptive economic study was also a point of contention. For example, one member wrote that "the economic reports on where and how much the fishing interests used a particular region were not particularly well done and were in fact used more as a weapon by commercial fishing stakeholders than as a tool to help with the process. There was no

third-party verification of the information. I think the economic data introduced into the south coast process was the single biggest impediment to attaining an array which met SAT guidelines." Another member felt that, "consumptive economic data did not account for fishing behavior and therefore was an inaccurate portrayal of impact, and resulted in angering many poorly informed members of the public." Still another member suggested that, "the socioeconomic data needs to be expanded to include ancillary businesses that support recreational activities like sport diving, kayaking etc. This was really lacking in certain geographies (i.e. Orange County/Laguna Beach) and the socio-economic information was incomplete."

Other information that members described as missing or lacking includes:

- Specific harvest data: "Recording area is too broad. Where fisher's fished should have been tied to harvest data so that the real areas of importance could be identified,"
- Biologic modeling: "Could have been used more. The information on sources and sinks coming out of that effort could have been used better,"
- Kelp and rocky bottom information: "was flawed and missing", and
- Other fishery management restrictions.

Group Two Comments on the Role of Information

The members of Work Group Two were varied in their responses to this question. The most positive comments Group Two members made about the role of information were related to Marine Map and one specific data layer ("data that was particularly complete: shallow water sans kelp").

Group Two member critiques on data and information included a variety of concerns about specific data layers and data gaps, the timing and pacing of information representation, and a "moving target" with respect to objectives for kelp.

One Member of Group Two thought socioeconomic data was well documented but poorly presented and was critical of data on habitat "deeper than 100 feet…spillover data on California lobster, and the size and spacing connection of Santa Barbara Channel Islands to the coast of Ventura and Santa Barbara County." Another member felt that "spatial coverage of data was plagued with gaps and misclassification." Among the areas called out for potential coding and misclassification problems were areas where rip-rap exists above the water level and within "benthic data in many areas." Bird, mammal, and water quality data were also called out as needing improvement.

Another Group Two member wrote that there was "not enough time for folks with day jobs and lack of familiarity with the science to get up to speed. There should have been joint meetings between the SAT and the RSG. More information should have flowed both ways!"

Another Group Two member was frustrated with the "the constant shifting of acceptable SAT goals." The "mis-representation of the data-skewed graphs." was also a cause for concern. Another member wrote, "There was plenty of information provided, some timely, some not so much."

The representation of kelp designation was a major concern mentioned by several Group Two members. One observed that the aerial representation was over-weighted. One noted the efforts of some RSG members to self-fund more up to date data: "A small number of us paid to have a kelp study done in Laguna as Marine Map did not reflect what was really there, it was disregarded." Another concern was the use and metric of mean MPA size.

Group Three Comments on the Role of Information

More than half of Work Group Three respondents praised Marine Map. One member wrote, "When employed by the most skilled of the RSG members the Marine Map tool was amazing in defining the best scientific rationale for each MPA and the network."

Other information presented in the analysis was also called out for praise. One respondent wrote that "the research analysis done on marine ecosystems including the biodynamics, larval transport, food transport and understanding currents, upwelling etc. was very compelling."

Group Three members concerns about data and analysis included the coverage and scope of socioeconomic information, the linkage of estuarine and marine ecosystems, the exclusion of cumulative impact assessment of multiple types of takes, and pace and method of data presentation.

Several members of Work Group Three were critical of socio-economic data generated by the Ecotrust analysis. Two concerns expressed were the reliance of the methodology on self-reporting by the fishing community and the focus on consumptive versus non-consumptive uses. According to one member, "Socioeconomic data was near to useless due to its focus and dishonest participation from the fishermen. It also ignored the increases in revenue bound to happen after the MPAs are established." Another member felt that, "The scientific evidence was reasonably well presented, it was the economic argument/evidence that was lacking…The single most glaring absence of information was an estimate of positive socioeconomic benefits. There was a concentration of the negative ones but no effort made to study the positive ones."

As far as specific information that members felt was either lacking or missing, one respondent wrote that "The estuarine, lagoon, and bay interface with the marine ecosystem is very complex. I thought this area was glossed over and needed more discussion." This same respondent added that "A lot of fisheries type data seemed to be exempted from the process - from my perspective, for political reasons."

The manner in which data was weighted, scaled, and represented in Marine Map was a concern to some Group Three members. One noted: "One Ecotrust dataset (I believe) that was misleading were the heat maps in Marine Map that indicated the amount of fishing conducted in certain areas. It was not scaled by dollars or effort. So if a fishery that brought in 1% of the total revenue occurred in a particular place but fishing was conducted all the time in that particular place than it would appear bright red making it appear as if it was as valuable as another fishery that brought in 50% of total revenue. Also, the impacts of fishing and history of the fisheries would have been helpful to set the appropriate context." Another member suggested that "additional data layers on existing and future uses" were lacking.

Another type of analysis that was called as missing was to examine the cumulative impacts of multiple takes on the marine ecosystem. One member wrote that the "SAT missed the boat on not analyzing the effect of multiple allowed takes on the MPA food web/ecosystem. This resulted in MPAs being created with potential success compromised by multiple allowed takes. The separation of pelagics from MPA effects was also not scientifically justified, considered over the whole network or in terms of effect on MPA food webs."

In addition, one member suggested information needed to be simplified and another wrote that "critical information for decision making was often not available when we needed it and we were forced to make (bad) decisions because of it."

22. Evaluation of the I-Team in Guiding the Process

Question 22 asked respondents to rate their agreement with various statements related to the I-Team's role in guiding and facilitating the process, their responses were as follows:

Question 22	Work Group 1	Work Group 2	Work Group 3	Cumulative
a) The I-Team established and clearly explained the process structure	4.63	3.20	4.85	4.31
b) A training workshop in mutual-gains negotiation early in the RSG process would have been very helpful	4.53	3.50	4.54	4.05
c) The I-Team kept us on track and proceeding in a timely manner	4.63	3.70	4.54	4.33
d) The I-Team helped us manage technical discussions efficiently	4.13	3.70	3.54	3.67
e) The I-Team dealt with all the participants in a fair and unbiased manner	3.75	4.00	4.62	3.84
f) The I-Team made sure that the views and perspectives of all participants were considered in the process	4.31	4.20	4.15	4.07
g) The I-Team made sure that no one dominated the process or other participants	3.88	3.80	2.77	3.43
h) The I-Team helped the participants test the practicality of the options under discussion relative to SAT guidelines and socioeconomic impacts	4.19	3.44	3.33	3.59
i) The I-Team helped to establish and enforce ground rules for participant behavior	3.88	4.20	3.15	3.69
j) The I-Team encouraged participants to engage in interest-based, mutual-gain negotiations	4.56	4.22	3.46	3.95

23. I-Team

RSG members were given the opportunity to elaborate on the subject of the I-Team's role in facilitating this process with the following prompts:

- Were there process decisions made by the I-Team that you feel may have helped move the process forward?
- Were there process decisions made by the I-Team that you feel detracted from the process?
- If there were times you felt the I-Team was particularly successful in making sure the perspectives of all participants were included in the process, please provide the context.
- If there were times you felt that the I-Team did not adequately ensure that the perspectives of all participants were being included in the process, please provide the context.

Group One Comments on the I-Team

The members of Work Group One varied in their responses to these questions. On the positive side, one member praised the I-Team for "building a harmonious environment for discussion and debate." This sentiment was echoed by another member who wrote that the I-Team "did a really good job of making sure all perspectives of all participants were heard." Still another member wrote that the I-Team staff were "dedicated, hard-working, and were doing the best they could under very trying circumstances." However, these same members tempered their praise by respectively critiquing the I-Team for conflicting DFG guidance, absenteeism (in the final Round Three meeting) and inconsistency in terms of voting.

Several other Group One members commented on the subject of voting – specifically regarding the vote on Proposal C[41]. For one member voting was "a big distraction," for another member it "detracted from the process," and for another member it "showed the bias of the I-Team for the non consumptive side." At the same time, another member criticized the I-Team for allowing the Lapiz group to include two arrays in Round Two and suggested that the I-Team "seemed to bend over backward to make sure the consumptive users stayed with process." Other critiques of the I-

[41] Straw voting is generally when an informal count is taken to determine how individuals fall on the opinion spectrum of an issue. In the MLPA Initiative process, straw voting was used both to make procedural decisions and to test the scope of agreement regarding major decisions along the way. In the South Coast process, the I-Team devised a series of straw votes at various points in the MLPA Initiative process to help winnow the number of proposals on the table for deliberation. For more on the merits and drawbacks of straw voting, see main document.

At the end of Round 2, a total of 7 external and internal (gems groups) proposals were to be considered by the BRTF for the final Round of proposal deliberation. At this time, the BRTF requested that the RSG winnow the number of proposals. To do so, the I-Team generated a paper ballot and asked each RSG member to indicate which 5 proposals they wanted to advance to the next Round.

By a narrow margin, External Proposal C received the fewest votes, and by the decision rules stated by the I-Team and previously agreed upon by the RSG, was deemed excluded. This decision prompted a major backlash from conservation interests, who mobilized and pressed for re-inclusion of the proposal. The I-Team distributed a memo indicating that External C was back on the table. This in turn (predictably) motivated a much bigger backlash from the fishing community, causing the I-Team to reverse its reversal. Given the strong reaction to the voting process and the "double reverse," the Task Force, concerned about adequate representation of environmental interests, decided to place the question of all proposals back on the table.

Team included: constantly changing incentives and ground rules, inconsistently enforcing ground rules and not ensuring adequate time for negotiations.

Group Two Comments on the I-Team

Members of Work Group Two also expressed frustration with voting and time constraints. For example, one member wrote that "voting disenfranchised large fractions of the RSG," while another member wrote that "the I-Team consistently struggled with the challenge of having to deliver results by an inflexible deadline....As a consequence, many essential steps were truncated or eliminated completely. Informational documents essential for informed decision making were NOT delivered in a timely fashion to the BRTF, the SAT, to the RSG nor the public. Decisions that should have been postponed for lack of timely document delivery were often made in haste. This was certainly a serious, persistent violation of the Bagley-Keene Open Meeting act, and destroyed the trust of many RSG members as well as many members of the public."

Several members also critiqued the clarity of the process. Others felt the I-Team didn't help participants test the practicality of proposals relative to socio-economic impacts – as one such member explained, "socio-economic impacts were so poorly presented that there's no way the I-Team could help participants" to do so.

Group Three Comments on the I-Team

The responses of members of Work Group Three were primarily concerned with voting, behavior ground rules and SAT guidelines.

One member described the voting process as "extremely discouraging" and further explained that "straw voting, which is supposed to be non-binding was used to make decisions when some stakeholders were under the impression that it was just an indication that they may be willing to consider such an outcome, for the sake of progress. The result was decisions they could not in fact live with."

Several members suggested that the I-Team didn't do enough to make consumptive users adhere to the ground rules for behavior. From the perspective of one such member, "facilitators could not control the obstinate fisherman. I was interrupted when I spoke and generally given no respect by the consumptive side." Along similar lines, another member wrote that the I-Team "did not act sufficiently to minimize delay, obstruction, and bullying tactics."

Several members were concerned that too much focus was placed on cross-interest negotiation when, according to one such member, "the primary emphasis should have been on meeting adequate, long-term science guidelines as mandated by the MLPA."

24. Clarity of the RSG Process

Question 24 asked respondents to rate their agreement with various statements related to the clarity of the process, their responses were as follows:

Question 24	Work Group 1	Work Group 2	Work Group 3	Cumulative
a) Thinking back to the outset of the RSG process, I had a very clear understanding of the way in which proposals would be selected to move forward to the Task Force and Fish and Game Commission	3.88	2.10	4.31	3.58
b) Thinking back to the outset of the RSG process, I had a very clear understanding of the relationship between the final RSG proposals and the preferred alternative recommended by the Task Force	4.13	2.40	3.77	3.53
c) Thinking back to the outset of the RSG process, I was very confident that a negotiated agreement supported by the RSG would carry great weight with the BRTF as they deliberated to recommend a preferred alternative	4.44	3.90	4.77	4.35
d) Thinking back to the outset of the RSG process, I was very confident that a negotiated agreement supported by the RSG would carry great weight with the Commission as they deliberated to choose a preferred alternative.	4.25	3.80	4.62	4.36

25. Suggestions for Improving the Process

Group One Suggestions for Improving the Process

The members of Work Group One suggested improving this process in several ways, including: more balanced representation on the RSG and SAT; greater process clarity and stricter adherence to the process guidelines; and awarding the RSG greater decision-making power in approving the final IPA.

Some members suggested that the process would have been improved if the interests had been more balanced in both the SAT and RSG. One member wrote that "the SAT team was too closely aligned with the environmental interests and not receptive to input by the other interests" Another member called for "more balanced representation on the RSG," although this respondent didn't specify how RSG membership should have been changed.

Other Group One members reported that the process could be improved by making the process and incentives clearer and by more strictly enforcing those guidelines. One such member summed it up as follows: "My top suggestion is to be more clear upfront on the planning guidance,

ground rules for negotiations, and consequences/incentives for meeting those guidelines and adhering to the ground rules, AND to award/enforce those incentives/consequences throughout the entire process. It all comes down to clarity and consistency from leadership, which I do not feel was very well executed through the RSG process." Another member called for "Increased transparency and a more clear description of how the plans were going to be dealt with in the end."

Other Group One members advocated for giving the RSG a larger say in developing the final IPA. One member wrote that they were "not sure a BRTF was necessary." Similarly another member wrote that "the process itself was absolutely great, it was the implementation that lacked." One member recommended that the "RSG goal should have been to create one alternative for consideration by the Commission." Another member simply wrote "ALLOW THE STAKEHOLDERS TO VOTE!"

Group Two Suggestions for Improving the Process

Like Group One, Group Two members felt that more balanced representation was needed on the SAT (but did not mention the need for more balanced representation on the RSG), that the process should have been more consistent and that the stakeholders should have had more say in the final IPA. Several members also suggested that more time was needed to adequately address the issues at hand. One such member wrote, "More balanced SAT with clear dissenting opinion voice to RSG. DFG and Commission involvement with mitigation proposals to offset socioeconomic impacts of MPA proposals!!"

Other Group Two members felt the process could have been more consistent. For example one member wrote that "if the rules were in place before the game started and if the goal posts didn't keep moving this could have been a collaborative process that was well facilitated." Another member echoed this sentiment, saying "DON'T CHANGE THE RULES ONCE THE GAME STARTS."

This idea that the RSG should have been allowed to reach a final agreement was echoed by other Group Two members. For example, one member called for "Less manipulative planning, more funding and less inflexible dead lines, with a stronger determination to allow a truly collaborative, bottom-up stakeholder process to prevail. What we got instead was a top-down decision that bears all the flaws that lack of time and timely information brought to the process."

The need for more time was cited by several other members of Group Two. One member felt there was a need for "more time to get the true facts on the areas in question." Another member requested, "More opportunity to complete round 3 proposals coupled with a full RSG being present during the designing of any combined proposal as each component MPA was considered."

Group Three Suggestions for Improving the Process

Group Three members called for improving the balance of the RSG, greater emphasis on adherence to SAT guidelines as opposed to cross-interest support and generally expressed greater satisfaction with the process

Like Group One, several respondents recommended improving the balance of the RSG: "Ensure stakeholder representation numbers reflect goals of the act rather than oiling the squeaky wheel." Another member wrote "I think up and down voting with an imbalanced RSG group needs to be avoided, but I am not sure exactly how, at the moment."

Other members suggested that SAT minimal guidelines should be "force-followed by all groups, with better rational why they needed to be followed in order to comply with the goals of the MLPA."

Another member made the following suggestion: "place greater emphasis (for RSG and BTF) on overall meeting adequate (not just minimum) long-term science and DFG guidelines instead of unwise over-emphasis on cross-interest support and short-term adverse economic effects."

Other Group Three members expressed satisfaction with the RSG process the way it was. As one member wrote: "Incredible process - imperfect, but looking back, its hard to make substantive suggestions for improvement. All interests were represented, thousands of little decisions were made to create the various MPA alternatives, and a few major decisions were made based on politics to create the final plan." Another member described it as "a well orchestrated process" and another member that "it was a very challenging undertaking that was carried out as well as could be expected."

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Susskind, L., McKearnan, S., & Thomas-Larmer, J. (1999). *The Consensus Building Handbook: A Comprehensive Guide to Reaching Agreement.* Thousand Oaks, CA: Sage Publications.

FGC**@FGC**

From:	Veronika Michels
Sent:	Wednesday, May 6, 2026 4:57 PM
To:	FGC
Cc:	Kathryn Gonzalez-Valle; Jaketwomey; Mekayli Claros; Samuel Adeyeye; Kpan; Leilasalam; Clara Castronovo
Subject:	Written Comments for May 19th, 2026 FGC Meeting (CALPIRG Students)
Attachments:	May 19th - CALPIRG Support Packet - 2026_compressed (3).pdf

Dear Commissioners,

Our last support packet for now at least! Thanks for all your thoughtful review.

Find attached compiled comments from our chapters, with special highlights on our work in Southern California added in, as well.

Thank you!

Best,

Veronika Michels
Organizing Director
CALPIRG Students

Register to vote at studentvote.org

CALPIRG Students

Dear California Fish and Game Commission, Governor Newsom, and Secretary Crowfoot,

Our ocean is in trouble. After decades of industrial fishing and new impacts from marine heat waves, many of the most beloved species are disappearing. One of the best things we can do to protect our ocean is protect critical habitats like kelp forests and rocky reefs. Marine protected areas, which prohibit destructive activities and allow ocean ecosystems to recover.

The South Coast is located at the convergence of two major ocean current systems and is thereby characterized by extremely variable oceanographic conditions and a strong gradient in water temperature along the coastline. Due to these unique conditions, our shores are filled with invertebrate species like California spiny lobster, garibaldi, leopard sharks, large pods of common dolphins, bat rays, giant black sea bass and humpback whales. Our marine protected areas help give safe havens for these animals, and many more.

As a student-directed and student-funded organization representing over 25,000 dues-paying student members in the state of California, we're urging you to take action to protect our ocean and our futures. We are proud of much of the work our state has been doing to protect nature, but in order to follow through on the vision of our state outlined in the Nature Based Solutions Executive Order N-82-20, and Senate Bill 337 (to conserve 30 percent of California's lands and coastal waters by 2030), we need to take further action.

As our planet changes, so must our approach to managing our oceans. Over the past three years, we've engaged with Californians up and down the state, from our inland schools, to the coasts, and have seen overwhelming public support, especially from students. After all, it will be today's youth that will be most impacted by the decisions made in the MPA Decadal Management Review process.

Therefore, we are hereby stating our support for the following petitions to be approved:

- Petition 2023-24 (Laguna Beach SMCA (no-take))
- Petition 2023-33 (Point Dume SMCA, Cabrillo SMR)
- Petition 2023-34 (Farnsworth Onshore and Offshore SMCAs)

We are hereby recommending denying the following petitions:

- Petition 2023-14 (Point Vicente SMCA (no-take), Swami's SMCA, Point Dume SMCA)

Best,
Jake Twomey, CALPIRG Students Board Chair
Katharine Pan, , Protect our Oceans Campaign Coordinator UC Riverside
Mekayli Claros, Protect our Oceans Campaign Coordinator UC San Diego
Lainey Goldberg, Protect our Oceans Campaign Coordinator UC Irvine
Samuel Adeyeye, Protect our Oceans Campaign Coordinator UCLA

CALPIRG Students

Since January of 2023, CALPIRG Students has:

- Educated over 131,000 students and community members about marine protected areas and the opportunity to strengthen ocean protections. This happened through face to face conversations at public education events and during class presentations across eight UC campuses.
- 755 people have volunteered on the campaign.
- 21,816 have signed petitions in support of strengthening and expanding California's network of marine protected areas.
- 48 faculty and key voices have signed on.
- Students earned coverage in news outlets 39 times to reach more Californians about the campaign.
- Please review the recent San Diego Union Tribune documentary "Future Oceans" about our efforts: https://www.youtube.com/watch?v=fmapiPahnX4 (The segment featuring CALPIRG Students begins at the 14:40 timestamp)

UC San Diego Students host a press conference with speakers from Scripps Institution of Oceanography, to educate the public about the success of existing marine protected areas in protecting biodiversity, and the need to expand MPAs in California.

CALPIRG Students

Community members, students from UCSB, UCLA, UCR, and UCSD at California Ocean Day, April, 2026, in Sacramento.

CALPIRG Students

UC Riverside and UCLA meet up at Santa Monica for a beach cleanup event with volunteers.

UC San Diego chapter hosts an educational outreach event about our state's marine protected areas.

CALPIRG Students

Over Spring of 2025 and 2026, we partnered with Environment California to knock on doors in San Diego, from Sunset Cliffs, to North Park, to Encinitas, just to name a few places. Here are some highlights from our conversations at the door:

CALPIRG
Students

CALPIRG Students

Community engagement on the beach at Santa Monica.

CALPIRG Students

Voices for our Oceans

To: Governor Gavin Newsom, CA Fish and Game Commission,

While approximately 16% of California's coastal waters are conserved, only 12% have the level of protection scientists say is needed to defend against biodiversity loss and climate impacts. California's unique network of 124 Marine Protected Areas (MPAs) makes the state a global leader in protecting the critical habitats and life existing in and around our oceans. However, with a warming planet, and historic species extinctions, it is clear that California must strengthen and expand our existing network of protections with highly and fully protected MPAs. Highly protected areas only allow light extractive activities, while fully protected areas do not allow any extractive or environmentally destructive activities. **I am asking you to call for the adoption of more highly and fully protected marine areas, which must be the standard for protecting 30% of our ocean by 2030.**

Sincerely,

Name	Title	Quote of Support
David Checkley	Emeritus Professor, UCSD, Scripps Institution of Oceanography	The ocean is an integral and essential part of planet Earth. It must be protected to ensure its continued ecosystem services to the humankind, from food to recreation to the air we breath, the wind we feel and use and the water we need.
Dimitri Deheyn	Research Scientist, Marine Biology Research Division, Scripps Oceanography, UC San Diego	Coastal MPAs are the lungs of the oceans and the planet. They are key for valuable resources supporting society!
Julia Diaz	Associate Professor, Scripps Institution of Oceanography	The ocean provides natural services that support our daily lives. Protecting the ocean is protecting people.
Tobias Fischer	Professor and Director of the Earth Research Institute, UCSB	When I go into the ocean, I feel the vastness of the water all around me with its calming effect. This water is precious for our living planet and for that reason we must protect it.
Suellen Hopfer	Associate Professor of Public Health, UCI	The ocean is a vital resource for human life
Gregory F. Grether	Professor, Ecology and Evolutionary Biology, UCLA	As an ecologist, I know the value of marine ecosystems, and as a scuba diver, I have seen the devastating consequences of leaving them unprotected.

CALPIRG Students

Name	Title	Quote of Support
Alejandro Camacho	Professor, UCLA Law	It is vital for virtually all life on the planet
Adrian Borsa	Professor, UC San Diego, , Scripps Institution of Oceanography	N/A
Ahmyia Cacapit	PhD Candidate at Scripps Institution of Oceanography	The ocean is vital to maintain biodiversity, cultural heritage, and socioeconomic security for many communities. Sustaining healthy marine ecosystems is necessary to secure a prosperous future.
Emma Combs	President / University of San Diego Sustainability Club	The ocean is not only a precious resource but a work of art that we can all enjoy. The ocean can bring bipartisan support together.
Jessica Toth	Executive Director, Solana Center for Environmental Innovation	We don't want to see our land-based litter become marine debris. That's why Solana Center for Environmental Innovation's vision is a world with oceans and landfills free of discarded valuable resources.
Megan Kassebaum	Co-President, Seal Society at UC San Diego	The ocean provides so much for us humans and its importance is overlooked. While often reduced to the beach and the fish we consume, the ocean is an integral part of our interconnected environment, and damaging the ocean has widespread and hidden detrimental consequences. Creating these MPA is crucial in preserving the rich biodiversity, economic benefits, and global processes the Pacific Ocean provides.
Robin Fator	Marketing and Development Manager	I swim, boogie board, and surf in the San Elijo MPA. Clean water, protection for plants and animals, and a thriving ecosystem make spending time at the beach an amazing experience. It is inspiring to see what this level of protection offers marine life. I love seeing schools of fish, flocks of birds, and thriving tidepools. Please protect the ocean, it is vital to our existence!
Nan Renner	I cannot speak for my organization. I	The ocean makes like possible on our

Name	Title	Quote of Support	
		share professional information here for identification purposes only. I serve as Senior Director of Strategic Partnerships, Birch Aquarium at Scripps Oceanography	amazing Earth! We live on an ocean planet, with 71% of the surface covered by the ocean. We should protect biodiversity and ecosystems simply because they exist. Also, ocean protection and healthy marine habitats will help mitigate climate change. We need to restore and regenerate damaged ecosystems for current and future generations. I love the ocean because ocean life blows my mind, expands my heart and makes me feel connected with the living planet. I swim in MPAs frequently. They are a refuge for me too.
Glen MacDonald PhD		Professor / UCLA, Professor of Geography	It is impossible to articulate the importance of the ocean in a sentence - it is central to human existence.
Gregory F. Grether		Professor, Ecology & Evolutionary Biology, UCLA	
Muriel Spooner		Co-chair Conservation Committee/San Diego Bird Alliance	The ocean supports a treasure trove of seabirds and shorebirds. They are heavily impacted by human activity and marine protected areas is vital to preserve these birds. Good for birds, good for people, good for the planet.
Kim Stanley Robinson		Writer, self employed	See “Ministry For The Future”
Malik Ayesh		Night Market Coordinator	If you go to the gym like me you’ll know you don’t want to rely on lactic acid fermentation to work out!
Xocoyotzín Torres		Chĭcano at Large	As an Indigenous person, stewardship of the land and waters is vital to ensure the wellness of the seventh generation from today. Protect our planet today, for the future.
Emiliano Gomez		Academic/UC Berkeley	We all depend on it
Elizabeth Hoover		Associate Professor, Environmental Science, Policy & Management	
Tae-Yeoun Keum		Assistant Professor of Political Science, UCSB	As we grapple with the crisis of a warming planet, oceans and their

Name	Title	Quote of Support
		delicate ecosystems remain some of the most vulnerable, yet least understood, areas of our shared world. Protecting our oceans is a foundational, non-negotiable element of any effort to chart out a sustainable future for future generations.
Ejaaz Mason	Lecturer in Earth Systems, Stanford University	I come from New Orleans, LA, one of the most unique and historically relevant places in the U.S. So much of our nation's history and present have come from my hometown. But year after year I have to watch helplessly as my city and the surrounding areas are consumed by rising seas. Each year during hurricane season I wait nervously hoping that another Hurricane Katrina won't completely decimate all that I love and hold dear. And as our ineffective state and federal government, dominated by those who still call climate change a hoax, continue to do nothing but exacerbate my city's environmental challenges, I fear that in no time at all it might be too late to save New Orleans. But it's not too late to fight for my hometown and definitely not too late to fight for coastal communities in my new home of California. Now is the time to act to save not only my home but all of the coastal communities around the world. As a leader of not only America but the entire world, California needs to be a shining example of what environmental sustainability can look like. So let's fight. Now, now, NOW!
Chase Hobbs-Morgan	Lecturer, UC Berkeley Geography	
Daphnie Sicre	Assistant Professor, UCR, Theatre, Film & Digital Production	As a former scuba diver, I have always loved the ocean and all the creature who live in it. We need to respect them and take care of them- there is only

CALPIRG Students

Name	Title	Quote of Support
		ONE!
Grace Wu	Assistant Professor, UCSB	It is where life originated, flourished, diversified and it remains home to a vast array of life on earth.
Allison Sunnaa	Animal Care Supervisor at Pacific Marine Mammal Center	Humans have been abusing the oceans non stop for the past few hundred years. With how much research that shows the negative effects of our actions, it's our job to rectify these. The ocean holds so much mystery and is one of the largest testaments to how wonderful our Earth is. We need to do our best to protect it!
Trisha pereira	Business Owner at Records on Demand, Sacramento, CA	We are loosing our underwater animals. All water should be Mpa. This is their world we should leave it alone
Lori Klinger	Registered Nurse	If the ocean loses its health, it destabilizes so many other systems that keep life on Earth going.
Idonya pinckney	Scuba Instructor	The ocean is one of our greatest resources and we still have so much to learn from it. We know how fast it can regenerate, if we protect it.
Ted Cumming	Owner Spectre Dive Boat (Channel Islands)	I have worked as a charter boat captain for 50 years in the Channel Islands. I've seen positive changes through the increase in MPAs. I feel a deep connection to the life of the islands both above and below the ocean surface.
Bruce Dilts	Scuba Diver / Pacific Ocean Sports/PADI	Our oceans need protection because our lives depend on it.
Leo Cabranes-Grant	Professor	Water is the source and protector of life
Laura Marques	Teaching Professor at UCSB, Spanish and Portuguese	We need the ocean; it is one of our most valuable resources
Coda Concannon	Beekeeper	We need the ocean for our own survival. Critters of the ocean, little and big, are the basis for a healthy

Name	Title	Quote of Support
		thriving marine habitat. Without their environmental regulation, our survival is impossible.
Cecilia Lunaparra	Councilmember, City of Berkeley	
Alex LeBrun	Lecturer, Cal Poly SLO, Philosophy	These bodies of water are the only ones we've got.

CALPIRG Students

Voices for our Ocean (Extended)

Our oceans are amazing. In the Arctic Sea, polar bears hunt on ice floats. In the Atlantic, beaked whales surface for air, then dive thousands of yards underwater. Shelves of rock, layered with barnacles, seaweed, and snails, form habitats for sand crabs, striped bass, and lobster. In the Pacific, 15-foot long octopuses climb over boulders. And in oceans across the globe, coral reefs and give rise to thriving underwater communities, where sharks hunt, sea turtles glide, and seals forage.

But our oceans, and all the marine life they hold, face increasing risk:

1. Stop drilling: When we drill, we spill -- and black, sticky oil drowns birds and extinguishes vibrant underwater habitats. We need to stop offshore drilling in America's oceans.
2. Reduce plastics: Whales, seabirds, dolphins, and sea turtles all face health risks from the plastic pollution. We need to ban single-use plastic bags, foam cups, and foam takeout containers and tackle the larger problem of plastic waste
3. Protect threatened species: Acoustic noise, as well as certain fishing and shipping practices, threaten the health and safety of our marine mammals. We should stand up for our sea's most vulnerable animals and work to win policies that will protect our endangered ocean species.
4. Create protected areas: One of the best ways to replenish fish populations, protect ocean habitats and marine species, and build ocean resiliency in the face of climate change is to protect key habitats that sustain ocean life. In pursuit of fulfilling California's pledge to conserve 30% of our land and coastal waters by 2030, we support protecting 30% of our ocean are highly or fully protected.

We want to keep our oceans healthy and our sea animals safe so future generations can experience and wonder at the beauty of our seascapes. That's why we support added protections for our oceans.

Name	Title	Quote of Support
Jodi Charrier	Natural Resource Management Specialist, NMFS, Santa Rosa	I'm passionate about conservation.
KC Fockler	Surfrider Foundation, Education Coordinator for North Orange County, Huntington Beach	
Mitch Silverstein	San Diego County Policy Coordinator, The Surfrider Foundation, Oceanside	
Hansika Nath	International Student	I believe Climate Change and Environment conservation should

Name	Title	Quote of Support
	Representative, USAC, Los Angeles	be a global priority at this point however the lack of initiatives and efforts in the government spaces are appalling. I believe CALPIRG and this program is a step in the right direction!
Phoebe Chiu	Undergraduate Student Association Council Facilities Commissioner, Los Angeles	My name is Phoebe Chiu (she/her). I am an elected council member of UCLA and a long-term California resident, born in Oakland, raised in the San Francisco Bay Area, and attending UCLA. I vouch for increasing the number of California Marine Protected Areas (MPAs) to 30% of the coastline in this year's internal review process for the 30x30 Plan occurring within the California Department of Fish and Wildlife ending in April 2023. One of my favorite activities in California is visiting the tidepools by the beaches in Monterey and seeing the thriving wildlife. For me, marine life is one of the prettiest sights in California, and I want more of our community to have the opportunity to experience the natural beauties of our state by expanding the number of MPAs. Beyond that, the ocean is a critical tool to tackle climate change, with wetlands and seagrasses absorbing five times the carbon of land-based forests and wetland ecosystems being more protective than constructed seawalls. Also, while the fishing industry might provide pushback on increasing MPAs, protecting marine life is critical for ensuring a healthy fish population, especially if fish migrate closer to the polls if we allow the temperatures of our oceans to rise due to a lack of protection. Lastly, over 40% of the US population lives in coastal counties, and nearly 75% of coastal areas do not have adequate plans to address future sea level rise, which could be up to 6 ft. California is not immune to this issue. Therefore, I want to become a Voice for Our Oceans to call upon the California Department of Fish and Wildlife to consider younger and future generations at risk of displacement if we do not overhaul our plans to protect our homes and ocean.
Kristin Dobbin	Assistant professor of Cooperative Extension, Berkeley	It is critical that we follow our youth leaders in protecting our oceans and their futures
Kate Harrison	Councilmember, Berkeley City Council	They are the heart of our ecosystem.
Yan Zhao	Vice Mayor, City of Saratoga	According to scientists' research, at least 30% of California must be protected in order to protect the state from environmental collapse. Our oceans are obviously incredible homes to lots of

Name	Title	Quote of Support
		beautiful creatures. It's our duty and obligation to protect our oceans so that we can save the earth for the generation to come.
Maddalena Bearzi	President and co-founder of Ocean Conservation Society, Marina del Rey	At Ocean Conservation Society, we have been studying dolphins and whales off Southern California for over 25 years – one of the longest-running investigations on marine mammals worldwide. We believe that protecting the areas frequented by these animals, and including them in the design and expansion of MPAs and MPA networks, is essential to ensure that the connection between critical habitats remains unbroken.

CALPIRG Students

Community Engagement and Education

UCSB students hold a news conference in advance of going to Sacramento. Leona Gomez, a senior majoring in communications, tells the UCSB audience that conservation depends on both individuals engaging civically and government support.

Students from CALPIRG Students at UC Berkeley gather outside the CA Natural Resources Agency (top), UC Berkeley student Bella Ibarra testifies in support of expanded marine protection areas (bottom, middle).

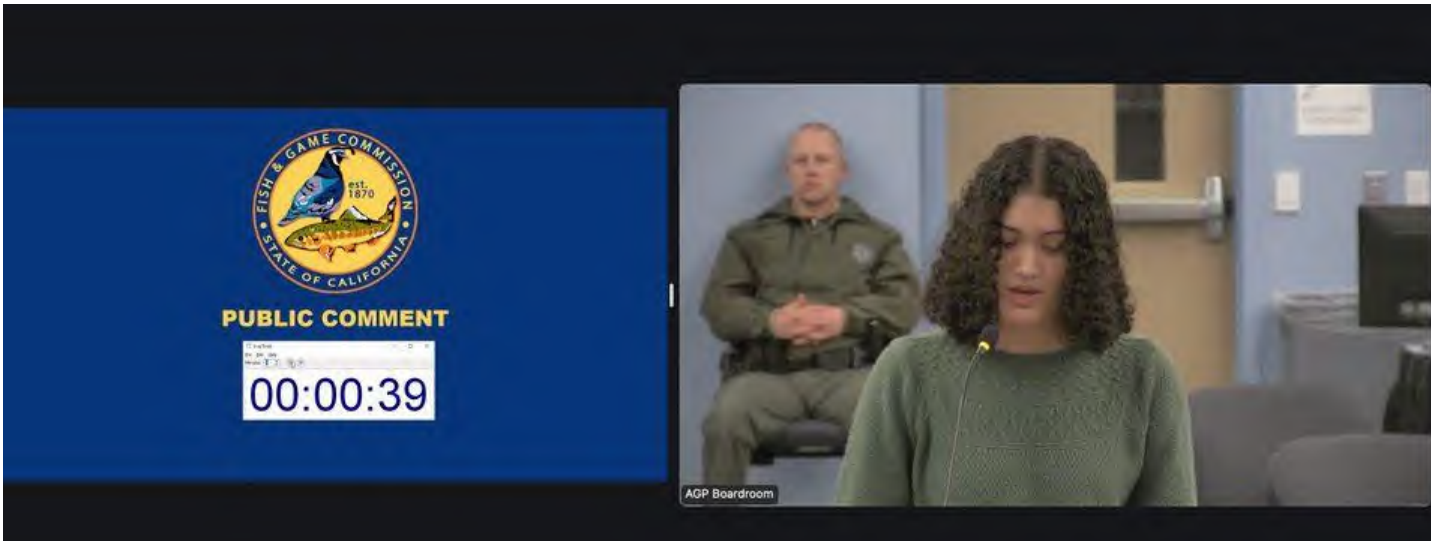
CALPIRG Students

Clara Castronovo and Caia Lomeli delivered support to the acting director of the Ocean Protection Council, Jenn Eckerle. March 2023

CALPIRG Students Board Chair, Clara Castronovo, delivers support to decision makers at an international conference on Marine Protected Areas (IMPAC5) in Vancouver, Canada. Spring 2023

Above: CALPIRG students (from left) Toby Ngo, Byul Sak, and Kate Burkhardt testify in favor of expanded Marine Protected Areas. Bottom: CALPIRG students and staff take a photo with CA Fish and Game Commissioners - 2023

CALPIRG Students



Student leader at UC Davis, Neha Janz, speaks to the FGC on ocean protections on behalf of her campus.

CALPIRG Students

We hosted big events to engage the public and spread awareness:

- Organized Ocean Day 2023 with Environment California, and partners like Surfrider, Oceana, and Azul - and had 200 people in attendance.
- Generated media attention during Earth Day events
- 100 video interviews of student comments on why we need increase ocean protections

CALPIRG Students at an event to celebrate Marine Protected Areas and California's actions on ocean conservation with California's Senate President pro Tempore Toni G. Atkins.

CALPIRG Students

UC Davis chapter hosts educational events to call for stronger ocean protections. Spring 2025

Left: UCLA chapters tabling to sign up new members behind the campaign to expand marine protections in California. February, 2023 - Right: CALPIRG volunteers make recruitment announcements in lecture halls at UCLA, March 2026

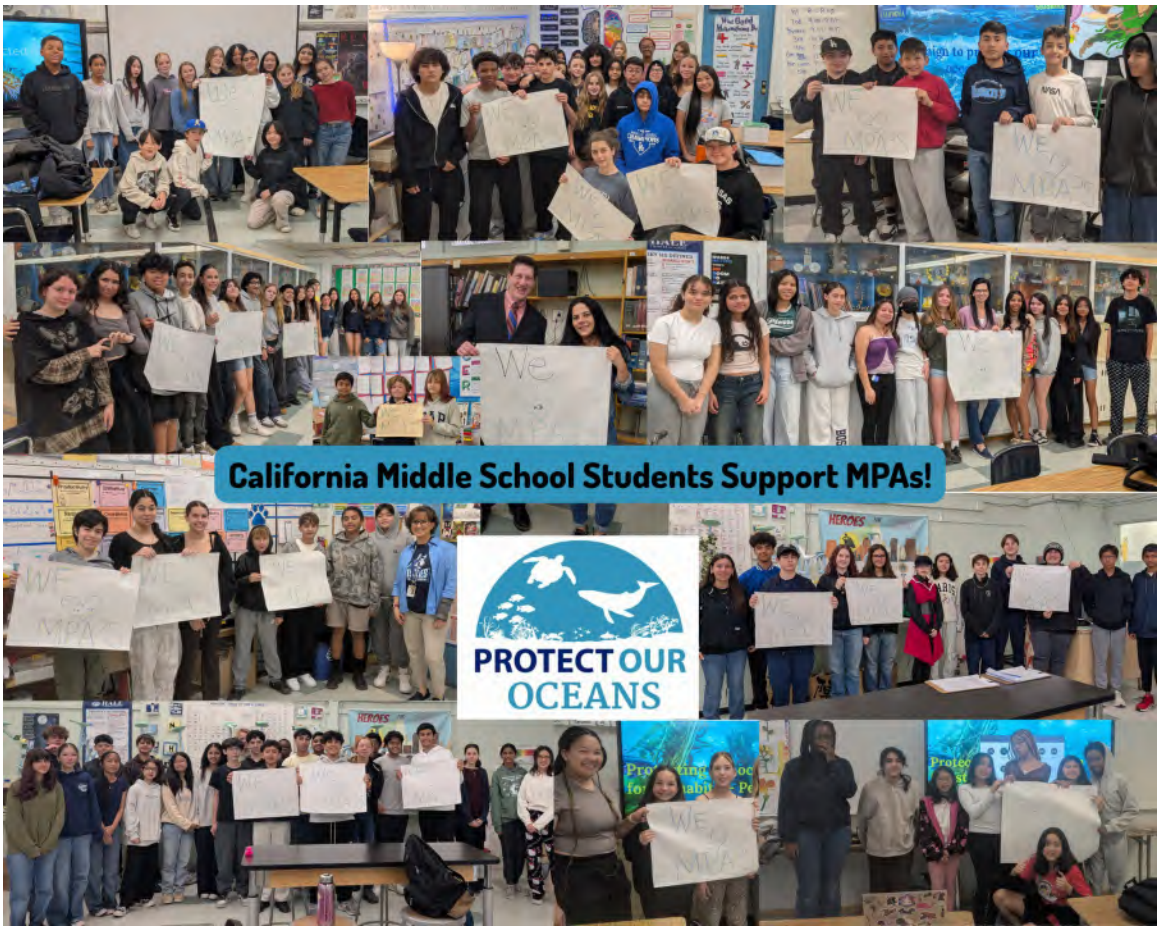
"Water your fave things about the ocean" campaign event at UCSB. Campaign Rally for the oceans at UC Davis. Spring 2026

CALPIRG Students

CALPIRG's Ocean Rally at UCLA in February (bottom) and April (top) 2026.

UC Santa Barbara students pass a resolution in support of expanded and strengthened marine protected areas, after engaging thousands of students on their campus around the issue. February 2026

CALPIRG Students



CALPIRG activists also educated middle school students in the Los Angeles area about the benefits of MPAs for endangered species. Over 200 students and their teachers participated in a lesson about the endangered Southern Sea Otter and the importance of habitat protection through Marine Protected Areas! April, 2025

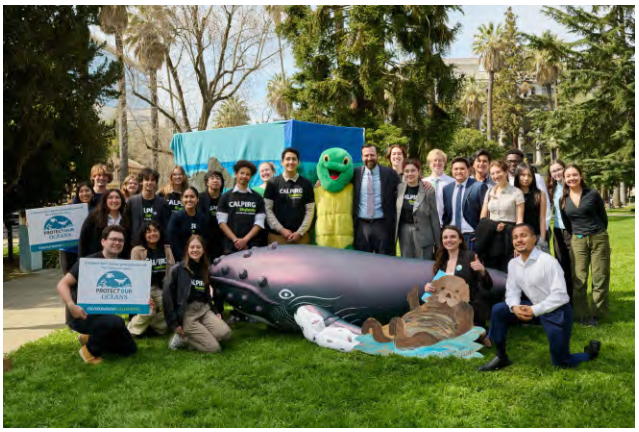
UC Santa Cruz (left) and UC San Diego volunteers (right) table to recruit new volunteers and build support for the Protect Our Oceans campaign, March 2026

CALPIRG Students

Students at UC Berkeley got coverage on local TV for Earth Day, 2025, after their event with city councilmembers and Senator Scott Wiener at the Aquarium of the Bay in San Francisco.

Students at UC Riverside (left) and UC Irvine (right) do education on campus. Spring 2025

CALPIRG Students



Lobby Day in Sacramento around strengthening ocean protections in Spring of 2025.

CALPIRG Students

Students host a press conference in Sacramento, February 2023, to deliver support for stronger and expanded marine protected areas in California.

CALPIRG at UC Davis hold an ocean species matching game and petitioning table for the Protect Our Oceans campaign (left). UC Riverside students (right) collect photo petitions for their campaigns. January, 2026

CALPIRG Students

UC Santa Barbara's "Carbs, Clay, and Coral" event at UC Santa Barbara. CALPIRG at UC Santa Barbara hosted a "Carbs Clay and Coral" event where volunteers built tiny coral reefs out of pasta, educated people about the campaign to expand Marine Protected Areas in California, and signed petitions. January 2026

Left: Students from UC Santa Cruz met with docents at Natural Bridges to talk about the Protect Our Oceans campaign. - Right: Students from CALPIRG's Protect Our Oceans campaign at UCLA and UC Riverside held a beach cleanup at the Santa Monica pier. They filled up a whole large trash can, and got beach goers to sign their petition!

CALPIRG Students

UCLA Students with Assemblymember Robert Garcia, February 2026

Left: Students meeting with staff from the office of Assemblymember Leticia Castillo. Right: UCLA Students meeting with with Assemblymember Ash Kalra. February 2026

CALPIRG Students

Students at UC San Diego (left) and UC Davis (right) launch their education drives to protect our oceans in February, 2026.

UC Santa Barbara (left) and UCLA (right) students collect support for their Protect Our Oceans campaign. Spring 2026

CALPIRG Students

UC Santa Barbara students at their Love your MPA Valentine's Event.

UCSB Students educating students at their petition table, and "Why we should protect our oceans" banner-signing event (Spring, 2024)

Alex Borgas coordinating an incredible MPA Educational Event for our City Ocean Day in Santa Barbara. The hourlong event featured an educational program led by Doctor Alex Wrobel, a UCSB lecturer in the Geography Department, and Lennon Thomas, a researcher in UC Santa Barbara's Environmental Markets Lab. Participants walked through multiple locations near UCSB's Campus Point MPA, and learned about the science behind MPAs, their benefits to wildlife and challenges and opportunities in creating and managing the areas. (Earth Day 2025)

CALPIRG Students

During the walkthrough, Dr. Wrobel emphasized the importance of the interconnectedness of nature, explaining that the benefits to MPAs, as well as the ongoing threats to the oceans, can have ripple effects throughout many other parts of the ecosystem and the broader environment. (Earth Day 2025)

To end off an awesome Youth Earth Week, UCSB hosted a Save our Oceans Concert, featuring three local bands, and so many students! In addition to great music, over 150 students signed the petition throughout the night. (Earth Day 2025)

CALPIRG Students

CALPIRG Students Board Chair and UCSB student Jake Twomey collecting petitions to strengthen and expand marine protected areas (top left). Alex Borgas and Diana Ruvalcaba Nunez, both UCSB students, using their Spring break to talk to community members about the campaign to protect our oceans! (Top right, and bottom row).

CALPIRG
Students

CALPIRG Students

Media Coverage on the campaign to Protect Our Oceans

UCSB Students rally for ocean protections

Photo by: KSBY

By: Sydney Morgan

Posted at 4:52 AM, Mar 01, 2023 and last updated 4:52 AM, Mar 01, 2023

UCSB Students are hosting a rally for ocean protections in preparation for their Sacramento Lobby Day.

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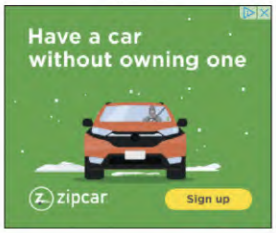

https://www.ksby.com/news/ucsb-students-rally-for-ocean-protections

EAST BAY TIMES

Letters to the Editor | Letters: Flood solutions | Protect

Expand Marine ProtectedAreas for ocean health

California's oceans are severely under threat from practices we have known for a while are dangerous, like offshore oil drilling and overfishing. From the sea otters in kelp forests to the whales far into the Pacific Ocean, the species that make our coastline special are suffering. It is time to stand up for our oceans and stop dangerous activities so our ecosystems can bounce back, and ensure that the oceans we grew up with will remain for generations to come.

Marine Protected Areas have helped habitats thrive away from harmful human activities in California. It only makes sense to continue what is working, and increase California's Marine Protected Areas to 30% in order to protect the oceans we all love. California, with its iconic coast, can be a leader on ocean conservation and set the standard for the country and the world to follow.

Clara Castronovo*Piedmont*

https://www.eastbaytimes.com/2023/01/20/letters-1127/

CALPIRG Students

Culver City Observer

UCLA Students Host Ocean Carnival In Support Of Increased Ocean Protections

Mar 09, 2023 0

https://www.culvercityobserver.com/story/2023/03/09/news/ucla-students-host-ocean-carnival-in-support-of-increased-ocean-protections/12281.html

Santa Barbara Independent

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Letters

Oceans Day

By **Hudson Truchard, S.B.**
Mon May 13, 2024 | 6:03am

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As a kid, I was constantly at the beach, its vast ecosystems inspiring me to pursue a career in a STEM field. To this day I chase the wonder I felt looking at the mini ecosystems of tide pools, fascinated by the diverse life my two sisters and I found within them.

In order to do my part and push the Legislature to truly start gearing toward passing more climate conscious bills, I went to Sacramento CalPIRG to take part in Oceans Day, a massive coalition of environmental organizations all working toward one important goal: ensuring California's oceans and coastlines remain the important social and environmental asset they are. We hosted a press conference where various senators and assemblymembers spoke on the sheer importance of the bills they were championing, and their hopes to make strides toward a more equitable, environmentally sustainable future for California.

To ensure that future generations can be instilled with the same wonder I felt as a child, we need to push for the expansion and continued protection of our Marine Protected Areas to guarantee that we are not just idly waiting for the inevitable collapse of California's amazing coastline. MPAs are shown to be a critically important tool that we need to utilize if we want to protect the immense biodiversity and cultural significance of our coastline as they protect marine species from threats like overfishing, pollution, and habitat destruction.

https://www.independent.com/2024/05/13/oceans-day/

CALPIRG Students

THE GUARDIAN
UNIVERSITY OF CALIFORNIA, SAN DIEGO

UCSD CALPIRG Students Rally to Advocate for Marine Protected Areas

Melanie Khachatryan • Mar 5, 2023

https://ucsdguardian.org/2023/03/05/ucsd-calpirg-students-rally-to-advocate-for-marine-protected-areas/

'Save Our Oceans!' UC Santa Barbara Students Lobby to Maximize California's Marine Protected Areas

Ocean-Minded Activists Go to Sacramento Seeking to 'Protect Nature and Biodiversity for Generations'

By **Callie Fausey**
Mon Mar 06, 2023 | 3:21pm

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https://www.independent.com/2023/03/06/save-our-oceans-uc-santa-barbara-students-lobby-to-maximize-calif
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Santa Barbara Today
By the People, for the People

COMMENTARY ELECTIONS GOVERNMENT IMMIGRATION INTERNATIONAL RELATIONS LAW POLITICAL PART

Senate Supports Expanded Marine Protections, MTP Petition Goal Met

UCSB student government backs plan to protect 30% of California's coastal waters by 2030, while mobility program secures ballot initiative.

Mar. 12, 2026 at 4:50pm

https://nationaltoday.com/us/ca/santa-barbara/news/2026/03/12/senate-supports-expanded-marine-protections-mtp-petition-goal-met/ *rnias-marine-protected-areas/*

THE DAVIS enterprise

UCD students bring attention to oceans

Monica Stark, Enterprise staff writer Apr 25, 2025 Updated Apr 25, 2025 0

https://www.davisenterprise.com/news/ucd-students-bring-attention-to-oceans/article_615ebc3e-b87a-4b6e-83ea-7b8f17584859.html

The Mercury News

Letters to the Editor | Letters: UC Berkeley offers too little sec

State must expand MPAs to restore kelp

Northern California's kelp forest coverage has decreased by 95%. Kelp forests are a key part of Californian identity, and it would be heartbreaking to lose this aspect of nature.

When I was in elementary school, we learned about local geography, and my class did a project about kelp forests. Each student did a project about a different animal, from fish to sea otters, and we made a collective classroom display about the diverse ecosystem as a whole. Since then, our kelp forests have been decimated, beginning with a 2014 ocean warming event.

https://www.mercurynews.com/2025/11/14/letters-berkeley-security-conservative-event/

CALPIRG Students

Sunday, April 12, 2026

DAILY NEXUS

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

STUDENT GOV

Senate supports expanded marine protections, MTP meets petition goal

March 12, 2026 at 9:50 am by Wynne Bendell and Olek Zurek

The 76th Associated Students Senate formally signed on to support expanded California marine protections at its last meeting of winter quarter on March 4. Later in the meeting, the Mobility Transportation Program announced it received enough petition signatures to get its fee initiative on the spring election ballot.

The Senate unanimously adopted a resolution expanding marine protected areas and fully protecting 30% of California's coastal waters by 2030. Shengyu Zheng / Daily Nexus

More from Daily N

2025 Best Of Interactive Map

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https://dailynexus.com/2026-03-12/senate-supports-expanded-marine-protections-mtp-meets-petition-goal/

‘Future Oceans,’ a look at San Diego County’s marine protected areas | San Diego Tribune

CALPIRG at UC San Diego and our friends at Environment California helped film a documentary last year with the San Diego Tribune. This week, it was finally released! The 35-minute film discusses threats to our oceans, and investigates San Diego County's 11 marine protected areas, along with proposals around expanding the existing Cabrillo Marine Reserve in San Diego. ***Watch the film on YouTube >>***

The segment featuring CALPIRG Students begins at the 14:40 timestamp

‘Future Oceans,’ a look at San Diego County’s marine protected areas

CALPIRG Students

Stu News Laguna
Laguna Beach's Online Newspaper and Community Forum

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Letters to the Editor

We need to expand our Marine Protected Areas

More than 90% of Orange County's kelp forests have been lost since the 1980s due to overfishing of urchin-eating species like lobster and sheephead (Orange County Coastkeeper). These kelp forests are a key base for ocean ecosystems up and down the coast, homing countless species of marine animals. They are iconic parts of California's identity, and they are what make our oceans unique.

I have grown up in Laguna Beach, snorkeling through the kelp forests and watching them change through the years. Marine Protected Areas were established along Laguna Beach coasts in 2012, and since then, I have seen the beautiful ecosystems slowly build back to their true beauty.

The biodiversity along our beaches has thrived over the past 10 years, and I have seen firsthand the effectiveness of establishing Marine Protected Areas, which protect our ecosystems from harmful human activities that prevent them from thriving.

We need to protect our oceans so that they can thrive once again. By expanding Marine Protected Areas, we can revive more of these beautiful coastlines.

Kate Trevino
UCLA 2027
Laguna Beach

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https://stunewslaguna.com/letters-to-the-editor-050526/#more-43243

CALPIRG Students

Petitions In Support of Strengthening and Expanding Marine Protected Areas

Loca Crampin, UC Berkeley
Marleny Avila, UC Berkeley
Gabriela Rojasgarcia, UC Berkeley
Ronan Munoz, UC Berkeley
Ashley Nguyen, UC Berkeley
Yawei Zhang, UC Berkeley
Aysha Berry, UC Berkeley
Sofia Lopez Domingwez, UC Berkeley
Daniel Zlagan, UC Berkeley
Evalyn Flores, UC Berkeley
Dylan Hayes, UC Berkeley
Solange Deborah, UC Berkeley
Luiza Bacetti, UC Berkeley
Krish Bala, UC Berkeley
Howard Yao, UC Berkeley
Margarita Fedorova, UC Berkeley
Frederic Esters, UC Berkeley
John de Vere, UC Berkeley
Eliana Bazzo, UC Berkeley
Jinwoo Choi, UC Berkeley
Joy Tang, UC Berkeley
Sergio Gonzalez, UC Berkeley
Maya Ali, UC Berkeley
Mikayla Llamas, UC Berkeley
Pritesh Patel, UC Berkeley
Marco Green, UC Berkeley
Stacey Parra , UC Berkeley
James Bogursky, UC Berkeley
Delaney Marquette, UC Berkeley
Hope Tran, UC Berkeley
Paola Adame, UC Berkeley
Gargi Jejurikar, UC Berkeley
Emily Shu, UC Berkeley
Ashlyn Torres, UC Berkeley
Nicole Nguyen , UC Berkeley
Nicole Honguan, UC Berkeley
Karol Perez, UC Berkeley
Elizabeth Roeder, UC Berkeley
Ashlan Fortino, UC Berkeley
Greta Greco, UC Berkeley
Daisy Loya, UC Berkeley
Weijie Ma, UC Berkeley
Ryan Justice-Williams, UC Berkeley
Salvador Chavarria, UC Berkeley
Jenna Grant, UC Berkeley
Maisey Mansson, UC Berkeley
Alexis Hara, UC Berkeley
Mengyan Fang, UC Berkeley
Paulo Verzosa, UC Berkeley
Lia Lubit, UC Berkeley
Susan Wu, UC Berkeley
Hudson Dopp, UC Berkeley
Max Arellane, UC Berkeley
Daniel Kim, UC Berkeley
Hal Kikutani, UC Berkeley
Sheraz Shriqui, UC Berkeley
Conrad Tetrault, UC Berkeley
Willie Macharia, UC Berkeley
Diego Carranza, UC Berkeley
Sachin Rao, UC Berkeley
Haniya Irfan, UC Berkeley
Miriam Ramos, UC Berkeley
Shayan Premaratne, UC Berkeley
Denisse Ochoa Nguyen, UC Berkeley
Priyam Baruah, UC Berkeley
Luela Di Padova, UC Berkeley
Jorge Yorto Panduro, UC Berkeley
Sarah Chapman, UC Berkeley
Jennifer Rodriguee, UC Berkeley
Ethan Loth, UC Berkeley
Natalie Anaya, UC Berkeley
Kennedy Holloway, UC Berkeley
Victoria Phelps, UC Berkeley
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brittney alvarez, Los Angeles, CA
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Sofia Daniel, San Diego ,CA
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Tami Barmache, Los Angeles ,CA
Sam Garrett, San Diego ,CA
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Fennel Horiuchi, Los Angeles ,CA
Stella Gong, Los Angeles ,CA
Luke Marler, Chico ,CA
Van Santander, Santa Cruz ,CA
Madeleine Bakken, Los Altos ,CA
Leela Graves, El Cajon ,CA
zimin cohen, Morgan Hill ,CA
Claire Gonzales, Santa Cruz ,CA
jenna vela, Bonny Doon ,CA
Nolan Sagehorn, Santa Cruz ,CA
Madison Barcelos, Tuolumne City ,CA
Emilio Navarra Garza, Lodi ,CA
Sora Feeney, Albany ,CA
Manuel Guevara, Fairfield ,CA
Sebastian Fernandez Garcia, Sacramento ,CA
Ryan Bartholomew, Santa Cruz ,CA
Alexander Wille, Santa Cruz ,CA
Mika Ameling, Santa Cruz ,CA
Layla Jowaniyah, Santa Cruz ,CA
Mary jo Santander, Los Angeles ,CA
Halea Robertson, San Jose ,CA
Tessa Sapiro, Irvine ,CA
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Bhiyu Guendulain, San Diego ,CA
Koen Kuder, Santee ,CA
Christian Camacho, Santa Clarita ,CA
Winnie Chen, San Diego ,CA
Tonantzin Orosco, Lakewood ,CA
Aidric Hoover, San Diego ,CA
Isabelle Walker-Aguero, San Diego ,CA
Siya Maheshwari, San Marcos ,CA
Nathan Dowd, San Diego ,CA
Janessa Garcia, San Diego ,CA
Riley Huffstutter, San Diego ,CA
Stacy Yang, San Diego ,CA
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Anna Pham, San Diego ,CA
Yicin Chiu, Sebastopol ,CA
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Raija Hammad, Laguna Hills ,CA
Gia Castillo, San Diego ,CA
Ian Kim, ,CA
Leela Noguchi, San Diego ,CA
Xochilt Carpio, Los Angeles ,CA
Yipenz Zhang, San Diego ,CA
Henry Chen, San Diego ,CA
Noel Garcia, San Diego ,CA
Josephine Lukkonen, San Diego ,CA

CALPIRG Students

Amy Wang, Thousand Oaks ,CA
Yanyan Liang, Oakland ,CA
Yaro Bilaniuk, Long Valley ,NJ
Andrea Cantero, Chula Vista ,CA
Ryan Yu, Thousand Oaks ,CA
Karen Cantero, Chula Vista ,CA
Camila Coffelt, Chula Vista ,CA
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Ainsley Bock, San Diego ,CA
Nicholas Noonan, Los Angeles ,CA
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Nicolette Reese, San Buenaventura (Ventura) ,CA
Kyra Brantley, Temecula ,CA
Sofia Dilena, San Luis Obispo ,CA
Jiaye Tian, Los Angeles ,CA
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Ceyda Akkus, Irvine ,CA
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Erin Bartholomew, Goleta ,CA
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Roisin Gross, Santa Barbara ,CA
Ana Rodriguez, Katy ,TX
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Kody Lien, La Jolla ,CA
Evan Yoon, La Jolla ,CA
Damian Nguyen, Rancho Cucamonga ,CA
Isabel Bedwell, La Jolla ,CA
Mikayla Bulaon, La Jolla ,CA
Eidan Sanchez, San Diego ,CA
Jack Newell, Arlington ,VA
Ifunanya Okoroma, San Diego ,CA
Kaylee Tran, San Diego ,CA
Alven Hsu, ,
Arielle Ho, Fremont ,CA
Kate Mumford, Jackson Heights ,NY
Lindsey Meyer, Gig Harbor ,WA
Rebecca Peters, La Jolla ,CA
luke Gusdorf, Van Nuys ,CA
Gabriela Felix, Norwalk ,CA
Joshua Camacho, La Jolla ,CA
Mariana Trujillo, La Jolla ,CA
Toren D'Nelly-Warady, La Jolla ,CA
Camille Wakasa, Los Angeles ,CA
Kaushal Jagdish, La Jolla ,CA
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Mike Johnson, La Jolla ,CA
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Calista Rapolla, Elk Grove ,CA
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Cascade Stensland, San Diego ,CA
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Karl Fernandez, Las Vegas ,NV
Dayanna Corona, San Ysidro ,CA
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Evaleen Thao, La Jolla ,CA
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Raha Parsaei, San Diego ,CA
Gavin Valdez, La Jolla ,CA
Skylar Xia, San Diego ,CA
Nancy Li, San Diego ,CA
Vera Huahg, La Jolla ,CA
Reuben Fujikawa, Encinitas ,CA
Tammy Htoy, Daly City ,CA
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Ryan Belista, La Jolla ,CA
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Kaya Morales, San Diego ,CA
Giovani arteaga, San Diego ,CA
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James Streett, La Jolla ,CA
Tanishq Rathore, La Jolla ,CA
Tino Trangia, Roseville ,CA
Ryan Clevenger, La Jolla ,CA
Katie Cheng, La Jolla ,CA

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Chanel Corpuz, La Jolla ,CA
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nicole mikhail, La Jolla ,CA
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Clarity Cooper, La Jolla ,CA
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Dakota Leatham, Tucson ,AZ
Brin Lieber, Tucson ,AZ
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Ryann Rosenstein,
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Jen Lir Wu, UC Davis

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aidan stecher, UC Berkeley
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Carolina Diaz, UC San Diego
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Abdullah Al, UC San Diego
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Ana Flores, UC San Diego
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Celia De, UC San Diego
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kevin ramirez, La Jolla
ACE Kaito Zaitsu, Costa Mesa
Ella kincheloe, White Plains
Colin Turner, Alpine

SCIL
Social Compassion in Legislation

May 7, 2026

Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

RE: Decadal Management Review – Petition for regulation change number 2023-24MPA: SUPPORT

Dear Commissioners:

I am writing as the President and Founder of Social Compassion in Legislation, an animal protection advocacy organization, and as a 5-year former member of the Laguna Beach Environmental Sustainability Committee, to urge the Commission to accept the 2023-24MPA petition submitted by the Laguna Bluebelt Coalition to extend the Laguna Beach SMCA no-take regulation down to the southern border of the city of Laguna Beach. During my time on the Committee, we voted to support the petition, which was also supported by the full city council.

Beyond the difficulties in enforcing the different rules within the same city limits, as outlined in the petition, and which would be relieved if this petition is accepted, it is imperative that we protect our marine ecosystems to the level that is commiserate with their sensitivity and importance to biodiversity.

The critical habitat provided by kelp forests for many species is essential for those species to thrive and contribute to the health of our ocean. It is Ime to fully protect this habitat by making it a no-take area. Additionally, by extending the no-take area, we will be removing deadly obstacles for migrating whales, which are known to come very close to shore.

We applaud the state's management of our marine protected areas and marine conservation areas. Our coastal city relies on the MPAs and SMCAs to keep our oceans clean, marine ecosystems vibrant, beaches beautiful, and economy thriving. We are always striving to be better stewards of our environment, and as such, we strongly believe that this request is imperative to the protection of our marine areas.

For these reasons, we urge the Commission to accept petition 2023-24MPA.

Sincerely,

Jodie Marcus

Founder and President
Social Compassion in Legislation

From: Krista Maloney <[redacted]>
Sent: Monday, May 11, 2026 04:58 PM
To: FGC <FGC@fgc.ca.gov>
Subject: Public comment

Dear California Fish and Game Commission,

I am writing in support of petition 2023-24MPA_AM1 to expand the existing marine protected area along the South Laguna coastline from Table Rock to the southern city limits.

Laguna Beach contains some of California's most ecologically important nearshore marine habitat, including kelp forests and rocky reef ecosystems that support Garibaldi, spiny lobster, sea bass, abalone, marine mammals, and many other species. These ecosystems are increasingly vulnerable due to warming waters, marine heatwaves, sea urchin overgrazing, habitat disturbance, and other cumulative human impacts.

Protecting the currently unprotected South Laguna stretch would help create a continuous and consistent marine protected area along Laguna Beach's coastline. This would improve public understanding and compliance, simplify enforcement, and strengthen long-term ecosystem resilience.

Kelp forests are especially important because they provide habitat, support biodiversity, buffer coastal impacts, and help sequester carbon. Scientific research has consistently shown that well-managed no-take marine protected areas can increase marine biodiversity, biomass, and ecosystem recovery over time, while also benefiting surrounding areas through spillover effects.

Given the ongoing decline of kelp ecosystems across California, this proposal represents an important opportunity to proactively safeguard a uniquely valuable section of coastline before further degradation occurs.

Thank you for considering public input on this matter and for your continued stewardship of California's marine ecosystems.

Sincerely,

Krista Maloney

San Francisco, CA

From: Anne Greene <[redacted]>
Sent: Monday, May 11, 2026 10:48 AM
To: FGC <FGC@fgc.ca.gov>
Subject: Protect South Laguna Beach coastline

Dear Commissioner,

Laguna Beach is home to some of the most ecologically rich and visually stunning coves and shorelines in California. Much of the city's coast is already safeguarded by the Laguna Beach State Marine Reserve (SMR) and the adjacent no-take State Marine Conservation Area (SMCA). However, a critical stretch of coastline in South Laguna -- from Table Rock to the southern city limits -- remains unprotected.

This section contains fragile kelp forest and rocky reef ecosystems, vital habitat for the Garibaldi (California's state marine fish), spiny lobster, sea bass, abalone, and other marine mammals. Across California, kelp forests have declined sharply in the past decade due to warming waters, marine heatwaves, overgrazing by sea urchins, and human impacts. In South Laguna, lobster traps, boat anchoring, and fishing pressure damage the rocky seafloor that kelp needs to grow, slowing recovery.

Without stronger protections, these habitats are at risk of long-term loss.

Extending the SMCA boundary to the Southern City Limits Will:

Support ecological recovery: *No-take MPAs are scientifically proven to increase the abundance, size, and diversity of marine species within their boundaries. This benefits adjacent non-protected areas through a spillover effect.*

Create a continuous protected coastline: *A single, consistent no-take zone across all of Laguna Beach will eliminate confusing patchwork rules, improving compliance and public understanding.*

Simplify enforcement: *Uniform boundaries will make it easier for lifeguards, wardens, and the public to follow and enforce MPA regulations.*

Boost ecosystem resilience: *Healthy kelp forests help buffer the coast against climate impacts, sequester carbon, and provide critical habitat for commercially and recreationally valuable species.*

Sincerely,

Anne Greene

FGC**@FGC**

From: Elaine Fassel
Sent: Friday, May 8, 2026 5:36 PM
To: FGC
Subject: Fish & Game Commission - appeal

With respect, may I please ask that you consider expanding the Marine Protected Area in beautiful Laguna Beach. Many are aware that this is one of the most blessed areas as it is ecologically rich and they appreciate its coves and shorelines and wish it remain as pristine as possible in these days of such abuse and pollution of our oceans and waterways. It contains important but now threatened kelp forests which feed fish and sequester carbon and are vital habitat for the Garibaldi, the spiny lobster, sea bass and abalone. These magnificent forests have sharply declined lately because of the warming waters brought to us by human driven climate change because of our continuing use of fossil fuels. These waters and kelp forests are withering away and overgrazed by sea urchins as well as by those of our own species via.fishing pressure, boat anchoring and lobster traps. Unless we protect the kelp we will lose these habitats, forever!
Please support ecological recovery and create a continuous protected coastline and simplify enforcement so that lifeguards and wardens as well as the public will follow and enforce MPA regulations.
With gratitude,
Elaine Livesey-Fassel, [redacted]. L.A.California 90064, [redacted]

P.O. Box 1383, Laguna Beach, CA 92652 • www.LagunaCanyonConservancy.org

May 11, 2026

CA Fish and Game Commission
P.O. Box 944209, Sacramento, CA 94244-2090
Via Email: fgc@fgc.ca.gov

RE : Laguna Beach Marine Protected Area Southern Extension Petition

Dear Commissioners,

The Board of Directors of Laguna Canyon Conservancy requests that the commission support recommending the additional inclusion of just over 1.3 miles to the southern boundary of Laguna Beach's already existing Marine Protected Area.

This act of environmental stewardship by your commission is important because:

-The small addition of 1.32 square miles will create a total of 11.1 sq.mi. that still does not come close to meeting a preferred size of 18 sq. mi. for a successful Marine Protected Area.

-Fishing is allowed off larger neighboring Dana Point and Newport Beach cities and that industry will benefit from even more increased residual improvements in kelp forest ecosystems recently reported by scientific study of Laguna Beach's MPA. (*See Reef Check Foundation Report 2/2026*)

-Increasing the size of any protected area along the California coast is beneficial for the migration of gray whales that is necessary for their existence. Laguna's rocky coast area is a vital part of the marine life corridor between Palos Verde Peninsula and La Jolla Cove.

-This revision will make monitoring and protection of the boundary area more consistent for the city's lifeguards, police officers and park rangers. It will be more understandable to the public when ALL of Laguna's coastline is known to be a protected area.

Please be strong environmental stewards and support a complete Marine Protected Area along Laguna Beach's coastline. Thank you for your efforts.

Laguna Canyon Conservancy is a non-profit, all-volunteer environmental organization founded in 1988 to Save and Protect Laguna Canyon. LCC members have been involved in expanding the South Coast Wilderness nature reserves of Orange County that now include over 22,000 acres of parks, open space, and marine preserves. For more information, please visit: www.LagunaCanyonConservancy.org

Sincerely,

Gayle Waite, President

G2KR Written comments May 19 FGC meeting, Agenda Item 2, 2023-24MPA_AM1
By Keith Rootsaert

I was diving at Lovers Point in Pacific Grove, scouting a location for our first kelp restoration project in 2018, looking for reefs that were medium sized and surrounded by sand. I swam over this rock and, sticking out near the bottom, I saw a top-down view of two long prickly antennas poking out onto the sand. I'm in Monterey Bay but I knew instantly that I had spotted a lobster! The northern limit for lobster was Santa Barbara. I once saw a lobster on a night dive at the Breakwater in 2009 but imagined it must have been rescued from a restaurant aquarium, but here was another one!

As the ocean heats up, divers are finding lobsters more often in Monterey. There is now one at Point Lobos that divers can predictably find when they have enough air at the end of their dive to look in the granite boulders by the launch ramp.

I commented at the April 21 Regional DMR meeting that Duxbury Reef could become a refugia for lobsters in the future as the average species is moving north 4 km per year. After the meeting, two of the Save Duxbury opponents to the petition approached me in the hallway and told me I was wrong about my prediction. They conceded that the lobsters were already there.

When I went to visit my sister Michelle in San Clemente, I dove on Table Rock aboard the Raptor out of Dana Point Harbor twice, 5 years apart. I always know we have arrived when I see the hundreds of commercial lobster pots all over the place so the dive boat has to weave a path into the site. Somehow the captain skillfully drops an anchor between the pots and we giant stride into the water. Recreationally we can harvest lobster here, but the captain cautions us not to take from the traps. "They work hard for them" he said.

Table Rock lobster traps highlighted with a red diamond, November 30, 2024. Photo: Keith Rootsaert

The water is 20' deep and kind of warm to my Monterey senses. It seems like a good place for kelp to grow, but there are only low lying red and brown algae on the rocks along with some gorgonians. There are scattered lobster traps about every 20 feet, some of them have

two or three jailed lobsters staring back at me while some pots are abandoned with dead fish and lobster carcasses inside. Every crack between the rocks is loaded with medium sized purple urchins. The larger holes are home to crowned urchins cohabiting with moray eels. What could have been a nice dive site was just sad, and although I could dive at that depth and temperature for 90 minutes, after an hour I had seen enough. I returned to the boat and said to the divemaster, "What a disaster".

Lobster coming north on the Davidson Current is one of Monterey divers' biggest fears. We like to spot cool and unique wildlife on our dives, but lobsters reproducing all over the place means a lobster fishery like at Table Rock all over the place. I'm trying to engage fishing NGOs to prohibit fishing urchin predators like sheephead, and lobster north of Point Conception now, before those species robustly extend their range and it gets harder to convince fishers to not fish them with hundreds of traps and buoys in the kelp forests tangling and pulling out the kelp. Table Rock was my lesson.

This petition seeks to close Table Rock, 3 Arches Bay, and 1000 Steps Beach to commercial lobster fishing, which I think is an idea long overdue. Yes, commercial fishermen need a place to catch lobster, but they are not really getting value out of this place anyways because the lobsters from Mexico hit the market first and are cheaper, driving profits down. There are so many competing participants in the California lobster fishery that they have reduced the lobster resource to the point where they must hold multiple permits to earn a living. This place would be better as a scuba diving site.

What I've discovered in years of FGC meetings is that California's MPAs opponents and proponents are divided into two camps; fishers vs. people who love to walk on the beach and not see hundreds of floating buoys tangling up migrating whales. Tourists with children who don't want to witness a sea lion entangled with fishing gear slowly sawing its head off. Locals who volunteer to clean up fishers' lead weights and hooks. Reef Checkers who count what remains after the fishers take what they want. Scuba divers are divided similarly; there are spear fishers vs. people who like to look and take pictures of the fish.

The scuba diving shops cater to both consumptive and non-consumptive divers, which is intriguing because their interests are in conflict. If a diver kills the fish the other divers will not be able to look at it. It turns out that fish are not just "of the ocean" they live in a certain place and when that fish is taken another one just doesn't swim up from the deep and assume its place. The dive shops essentially sold fishing gear that fished themselves out of business.

Over 500 divers at San Carlos Beach 10th Annual Chocolate Abalone Contest March 26, 2000. Photo: Aquarius Dive Shop. Watch the May 12, 1991 video here.

The heyday for scuba diving was in the 1990s when hundreds of divers learned to dive in kelp forests full of fish. But as hunting divers depleted the fish, the lookie loos lost interest and left the sport.

It is time to reconsider that divers are an authentic constituency, a constituency in trouble; suffering from destruction of the natural environment, even by its own consumptive constituents. The dive magazines will show pretty pictures to convince folks to travel to resorts in warmer latitudes, but those coral reefs are bleaching. People travel to dive in California's kelp forests, but we just don't have them like the websites advertise. Diving businesses are desperate and knowingly disappointing the divers, but the divers can do so much more with their skill set by practicing ecotourism for kelp restoration and feeling proud of their contribution to the sport they love, benefiting and growing the constituency.

Petition 2023-24MPA to stop commercial fishing along this section of the Laguna Coast is a good one because it allows other constituencies to enjoy these sites. Let the lobsters eat the urchins, the kelp will come back and this will be a beautiful site for the scuba divers, the expensive houses on the bluffs above, and for the people on the beach walking their dogs and looking out at the ocean at sunset as pods of whales blow in the distance.

I concede there is a small opportunity cost to the commercial fishing fleet, but there is so much more to be gained by other authentic and worthy constituencies.