

**MARINE LIFE PROTECTION ACT
PROPOSED PROCESS
JANUARY 29, 2002**

Background

The Marine Life Protection Act (MLPA) requires the California Department of Fish and Game (Department) to develop a master plan for Marine Protected Areas (MPAs) in California. This plan must include information on specific site recommendations, implementation and phasing, funding, monitoring, and management. The MLPA contains specific goals for MPAs including, but not limited to, ecosystem protection, representing habitats, helping sustain populations, improving the existing array of MPAs, and ensuring that the new system functions, to the extent possible, as a network.

In late June 2001, the Department introduced Initial Draft Concepts for MPAs to meet the MLPA goals and requirements. These Concepts were developed with the assistance of a Planning Team as required by the MLPA. While some public input was acquired prior to the release of the Concepts, they were intended as a starting point to gather more public input and develop the final master plan. Ten public workshops were held in July 2001 to begin this public input process.

One of the most frequent and important comments given at these meetings was that the Department had not effectively involved the public in early planning, and that future drafts needed to have significant levels of constituent input. In an effort to address these concerns, the Department held informal small group meetings with various constituent groups in the fall, and will hold a series of facilitated constituent workshops in 2002. The small group meetings were used to inform constituents of the MLPA process and time line, gather information on general concerns, and discuss potential processes to complete the MLPA master plan, as well as specific alternatives for MPA siting. A list of meetings held between August and December 2001 is given in Table 1.

Summaries of the July meetings and small group meetings can be found on the Department's MLPA Web site and as hard copies at Department offices. The Web site will be used as one way to keep people involved and informed as the MLPA process continues. Updates will be provided, as well as various siting alternatives, as they are developed.

The MLPA Web site address is: www.dfg.ca.gov/mrd/mlpa/index.html

As the next step, the Department will launch a series of facilitated constituent workshops. These workshops will provide a more formal forum for constituent input. The Department plans to establish one or two groups in each of four planning regions, with representatives from recreational and commercial fishing, diving, environmental, and ecotourism interests, harbor districts, scientists, and research/education and military organizations.

The Department and Planning Team have reviewed the tremendous number of comments received through the July public workshops, small group meetings, e-mails, faxes, letters, and phone calls. Using this input, the Department will launch a stepwise process to develop the MLPA master plan. The process seeks to directly involve a broad range of constituents in the planning of preferred and alternative sites, as well as developing implementation, phasing, monitoring, and management strategies. The starting point will be to review the overall goals, objectives, and intent of the MLPA, and then ask constituents to develop new options for MPA siting. The key points of this process and the phases for completing the draft master plan are detailed on the following pages.

PROPOSED PROCESS TO COMPLETE THE DRAFT MASTER PLAN

A Stepwise Process

In order to adequately address constituent concerns, allow for detailed discussion, and fulfill the requirements of the MLPA, a stepwise process will be used. This approach will ask for input on specific portions of the MLPA master plan at specific points. Through facilitated regional workshops, the goals of MLPA will be reviewed, and alternatives for MPA sites will be developed from the ground up. The steps are detailed on the following page.

How to Involve People

An important part of the process will be a series of Facilitated Constituent Workshops. Meeting moderation, format, and agenda development will be provided by a neutral facilitator to help ensure fair, open, and productive workshops. The workshops will be held regionally and seek constructive input on the development of the MLPA master plan.

Who to Involve

While the Workshops will be open to the public, comments will be received through constituent representatives allowing a working discussion.

Regional Panels will be chosen for the following areas*:

Southern California* - Pt. Conception to Mexico, including the Channel Islands

South Central California* - Pt. Año Nuevo to Pt. Conception

North Central Region - Pt. Arena to Pt. Año Nuevo

North Region - Oregon Border to Pt. Arena

* Multiple panels may be chosen within regions, to provide for their broad geographical differences.

Panels will be comprised of representatives from various constituencies. While panels will vary from region to region, the basic representation has been determined. Final panel choices will depend on nominations and suggestions for each region. Total membership will be limited to approximately 15 representatives.

Panel Representatives may include:

| | | |
|----------------------------|----------------------------|--------------------------|
| Kelp Harvesting | Recreational Angling | Coastal Communities |
| Commercial Fishing | Recreational Diving | University Scientists |
| Scientific Collecting | Non-Consumptive Recreation | Research-Education |
| CPFV (Charter/Party Boats) | Environmental Groups | US Department of Defense |

Certain State and Federal agencies or organizations will be represented either on the panels, or as consultants at the meetings. These include: Department of Fish and Game (including Planning Team), Coastal Commission, State Water Resources Control Board, Department of Parks and Recreation, National Marine Fisheries Service, National Marine Sanctuaries, National Park Service, and Pacific Fishery Management Council. The individual agencies will choose representatives for these groups.

How are Representatives Chosen?

The Department is seeking nominations for Regional Panel representatives. These nominations should be made in writing to: John Ugoretz, California Department of Fish and Game, 1933 Cliff Drive, Suite 9, Santa Barbara, CA 93109, or by e-mail to: jugoretz@dfg2.ca.gov

The Deadline for nominations is February 22, 2002.

Nominated representatives will be selected with the assistance of the neutral facilitator. Selection criteria will include: how well the nominee represents a constituency, knowledge of the issues and process, and time availability. Selection will be completed by March 1, 2002. Regional meetings will begin in the third week of March 2002.

What are the Major Concerns?

While the single most common concern from all parties is the overall scope of the MPA network, other major concerns have been expressed. Examples of these concerns include: defining the legal mandates and requirements of the MLPA, proximity of MPAs to ports or major access points, the relative need for protection in various regions, the current levels of use in particular areas, the scientific value of MPAs, and safety concerns including transit and anchoring issues. These and other concerns will help guide the workshop discussions.

Step I - Establish Regional Panels

Six regional constituent panels will be chosen to represent various constituencies at planning workshops.

Step II - Review MLPA Guidelines and Establish a Process Schedule

The first set of Regional workshops will begin in March 2002. The primary goal of this workshop is to discuss the MLPA requirements, interpretation of the MLPA mandate, and the concerns above. Department progress on the MLPA will be reviewed and discussed, as well as the basic process to complete the master plan. The MLPA goals will be analyzed, as well as potential methods to meet them. The final time line and process for future workshops will be decided. Based on these discussions, representatives will be asked to draft MPA siting alternatives for the second set of workshops.

Step III - Discussion of Alternatives

The second set of workshops will focus on spatial alternatives for MPA networks provided by panel representatives. Representatives will be asked to bring their constituencies' ideas and spatial alternatives forward. The issues of implementation, monitoring, management and funding may also be discussed. Specific agenda items will depend on plans developed during the first set of workshops.

Step IV - Determine an Initial Range of Alternatives

From these discussions, potential spatial alternatives will be developed. The alternatives will represent the range of constituent views discussed at the workshops. The range will be narrowed, to the extent possible, to facilitate review.

Step V - Socioeconomic and Scientific Review

A critical step in the process will be a technical review of spatial alternatives. Scientific review will be provided by the Planning Team, as well as external peer reviewers. External peer review of draft alternatives will provide critical input on the ecological value and potential fishery benefits of various alternatives.

The Department will support socioeconomic information gathering and analyses throughout the process. During the first two steps, social and economic experts will compile and analyze available information. During step three, the experts will analyze the spatial alternatives and provide information on potential impacts.

Step VI - Discussion of Reviews and Alternatives

The sixth step will revisit the spatial alternatives and focus discussion on the socioeconomic and scientific reviews. These discussions will be in the form of another set of workshops, larger public forums, or both, depending on constituent recommendations in step one. Final changes to the range of alternatives will be made based on these discussions. Additional discussion will focus on how best to implement the various alternatives, what types of monitoring are required, and whether certain portions should be completed prior to others through phasing. Based on these discussions the Department will draft the master plan, including a preferred and alternative MPA networks.

Step VII - Final Draft Presentation and Review

The final step will be the presentation of the draft master plan and regulatory language to the Commission, due January 1, 2003. This document will be in the form of a CEQA equivalent, providing the proposed project, alternatives, and potential effects to the environment. This begins the Commission process for public review prior to adoption of the master plan.

Table 1. Small Group Meetings held between August 1, 2001 and December 15, 2001.

| Date | Group Name or Affiliation | Region(s) Discussed |
|--------|---|---------------------------------------|
| Aug 7 | United States Air Force | South - Vandenberg AFB |
| Aug 9 | United States Marine Corps | South - Camp Pendleton |
| Aug 20 | Lompoc Recreational Anglers | Pt. Arguello to Pt. Conception |
| Aug 21 | ISP Alginates | South Central |
| Aug 22 | United States Navy | South - San Clemente Island |
| Aug 27 | Department of Defense | South |
| Aug 28 | Sea Life Supply | South Central |
| Aug 28 | Aquarius Dive Shop | Monterey Bay |
| Aug 28 | Bamboo Reef Dive Shop | Monterey Bay |
| Aug 29 | Monterey Bay Dive Center | Monterey Bay |
| Sep 4 | Monterey CPFV | Santa Cruz to Pt. Sur |
| Sep 5 | Friends of Ed Ricketts | Monterey Bay |
| Sep 5 | City of Avalon | Catalina Island |
| Sep 6 | Squid Fishery | South Central |
| Sep 7 | Bolinas Rod and Gun Club | Pt. Reyes and Duxbury |
| Sep 9 | United Anglers and CenCal Divers | South Central |
| Sep 10 | Tide Pool Coalition | Monterey Bay |
| Sep 13 | The Abalone Farm | Monterey Bay |
| Sep 13 | Monterey Harbormaster | Monterey Bay |
| Sep 13 | Recreation Diving and CPFV | Catalina Island |
| Sep 14 | Santa Barbara Recreational Anglers | South |
| Sep 18 | Elkhorn Slough Reserve Center | Elkhorn Slough |
| Sep 20 | Scientific Supply Collectors | South Central and South |
| Sep 25 | Morro Bay CPFV | South Central - Southern ½ |
| Sep 25 | California Marine Affairs and Navigation Conference | All Regions |
| Sep 25 | Hopkins Marine Station | Monterey Bay |
| Sep 25 | Monterey Bay Aquarium | Monterey Bay |
| Sep 26 | Santa Monica Bay Restoration Project | Santa Monica Bay |
| Sep 27 | Environmental Groups | South Central |
| Sep 28 | Santa Cruz Recreational Skiff Anglers | South Central |
| Oct 1 | Recreational Divers | Pt. Piedras Blancas to Pt. Conception |
| Oct 2 | Santa Cruz CPFV | South Central - North ½ |

| Date | Group Name or Affiliation | Region(s) Discussed |
|--------|--|-------------------------------------|
| Oct 7 | Los Angeles Council of Divers | South |
| Oct 11 | Crescent City Fishermen | North |
| Oct 11 | Humboldt Bay Harbor Recreation and Conservation District | North |
| Oct 11 | Natural Resources Defense Council, Environmental Defense, and other environmental groups | North Central |
| Oct 16 | Small Boat Commercial Salmon Fisherman's Association | North Central |
| Oct 16 | Fisherman's Marketing Association of Bodega Bay | North Central |
| Oct 23 | Alliance of Communities for Sustainable Fisheries | South Central |
| Oct 24 | Alliance of Communities for Sustainable Fisheries | North Central |
| Oct 25 | Santa Barbara Country Fish and Game Commission | South - General and Channel Islands |
| Oct 26 | Mayor of Monterey | Monterey - General |
| Oct 26 | Kelp Harvesters | All Regions |
| Oct 29 | Small Skiff Fishery | South Central - Southern ½ |
| Oct 29 | Alliance of Communities for Sustainable Fisheries | Monterey |
| Oct 30 | Alliance of Communities for Sustainable Fisheries | South Central |
| Nov 1 | Monterey County Fish and Game Commission | Monterey - General |
| Nov 7 | North Coast Sea Urchin Divers | North and North Central |
| Nov 7 | National Park Service | North |
| Nov 8 | Humboldt State University | North - Humboldt Bay |
| Nov 13 | San Diego Council of Divers | South - San Diego |
| Nov 13 | Nearshore Fishery | South Central - Southern ½ |
| Nov 13 | Alliance of Communities for Sustainable Fisheries | South Central - Southern ½ |
| Nov 14 | American Oceans Campaign | South |
| Nov 16 | Pacific Abalone Farm | Monterey Bay |
| Nov 27 | Santa Barbara Commercial Fishing and Environmental Group | South - Pt. Conception to Pt. Dume |
| Nov 27 | Coalition of Organizations for Ocean Life | South-central |
| Dec 3 | Friends of Ed Ricketts | Monterey Bay |