

CALIFORNIA OCEAN
PROTECTION COUNCIL

Staff Recommendation
November 28, 2006

Statewide Marine Protected Area Monitoring Program

File No: 06-090-01
Developed By: Marina Cazorla

RECOMMENDED ACTION: Consideration of the Statewide Marine Protected Area Monitoring Program, and possible: 1) determination that it is a high priority project and 2) authorization for the Secretary to take actions needed to provide up to \$2,000,000 for its planning or implementation.

OCEAN or COASTAL LOCATION: Statewide

AGENCY OR ENTITY RECOMMENDING PROJECT: State Coastal Conservancy, California Resources Agency, Ocean Science Trust

EXHIBITS

Exhibit 1: Concept budget

Exhibit 2: Letters of Support

RESOLUTION:

“The Ocean Protection Council finds pursuant to Sections 35600 *et seq.* of the Public Resources Code that the Statewide Marine Protected Area Monitoring Program, as herein described, is of high priority for ocean conservation and authorizes the Secretary to take actions necessary for its planning or implementation, including the allocation of up to \$2,000,000 for the purposes of this project.”

PROJECT DESCRIPTION:

Staff recommends that the Ocean Protection Council authorize the development and implementation of a three-year project to launch a monitoring program for statewide marine protected areas (MPAs) to be designated under the Marine Life Protection Act. The purpose of this entity is to ensure that MPA monitoring science is properly collected, managed, analyzed and disseminated. It is also essential for scientific findings to be communicated to the public and to policymakers.

The proposed project anticipates a grant of \$2,000,000 to the Ocean Science Trust to perform these functions: oversight of the acquisition and management of monitoring data for MPAs designated under the Marine Life Protection Act, analysis and distribution of monitoring data, and communication of results and findings to resource management agencies, the Legislature, stakeholders and the public. OST staff will work closely with Council and California Department of Fish and Game staff to guide this program.

Background

The Marine Life Protection Act was passed by the California legislature in 1999 (Chapter 10.5 of the California Fish and Game Code, Sections 2850 to 2863) and required the California Department of Fish and Game (CDFG or Department) to develop a plan for establishing a network of MPAs in California state waters to protect habitats and preserve ecosystem integrity, among other things. The MLPA required a comprehensive master plan which approaches MPA selection and design on a regional basis through “study regions.”

In August 2004, the California Resources Agency, CDFG, and the Resource Legacy Fund Foundation signed a Memorandum of Understanding launching the MLPA Initiative, which in turn established the MLPA Blue Ribbon Task Force, a Science Advisory Team (SAT), a statewide stakeholder interest group, and MLPA Initiative staff. Following an extensive public process, in April 2006 the MLPA Blue Ribbon Task Force formally transmitted a set of Central Coast MPA packages and a preferred alternative to the Fish and Game Commission. On August 15, 2006, the Fish and Game Commission made a final vote for a “preferred alternative” package of Central Coast MPAs.¹ These MPAs are expected to be implemented by CDFG in April 2007, pending completion of administrative law proceedings and environmental review.

CDFG staff have a schedule for completing the MLPA process in all other regions of the state by 2011, which will necessitate the completion of approximately one MLPA “study region” per year.² Collection of baseline data is needed for each new region as it is approved, as will be long-term monitoring in each region where the MLPA process has been completed and new MPAs have been designated.

Although CDFG staff has the primary responsibility for implementing the Marine Life Protection Act, the Department requested on April 20, 2006 at an OPC meeting that the Council assist the Department with the establishment of an MPA monitoring program. The Council directed staff to return to the Council with a recommendation. MPA monitoring design principles were adopted at the June 8, 2006 OPC meeting, and this staff recommendation complies with the Council’s direction to return with a recommended project.

Role and need for MPA monitoring

The MLPA requires adaptive management to ensure that a system of MPAs meets its stated goals [Section 2853 (c) (3)]. The MLPA defines adaptive management as “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. Actions shall be designed so that,

¹ <http://www.dfg.ca.gov/mrd/mlpa/commissiondocs.html>

² <http://www.dfg.ca.gov/mrd/mlpa/masterplan.html>

even if they fail, they will provide useful information for future actions, and monitoring and evaluation shall be emphasized so that the interaction of different elements within marine systems may be better understood” (Section 2852 (a)). According the MLPA *Final Draft Adaptive Management And Monitoring And Evaluation Framework*, “adaptive management requires learning from current experience to improve the process of achieving the goals of the MLPA over time. Success requires: (a) Appropriately scaled, sustained institutional capacity to make legitimate choices; (b) Possession, broad communication, and use of relevant information; and, (c) Use of (a) and (b) to effect desired changes in policies, programs, and human behaviors intended to achieve the goals of the MLPA.” In order to meet these requirements, a well designed monitoring, evaluation, and adaptive management program must be implemented in California. An initial step in implementing such an effort is to obtain baseline data for the Central Coast study region, as proposed in the Central Coast Marine Protected Area Monitoring Project, also recommended for action by the Council. The Statewide Project proposed in this recommendation would provide the larger institutional and methodological framework for developing and reporting monitoring data (baseline and longer-term) in a systematic, strategic, and scientifically valid fashion in the Central Coast and in other regions, as MPAs are designated.

Project Description

The primary functions of the MPA monitoring program are: (1) science, including developing monitoring strategies and analyzing data; (2) IT and data management; and (3) communication and dissemination of information. In cooperation with CDFG staff, the science component of the program includes developing conceptual models, plans and measures for monitoring managed ecosystems, developing externally reviewed protocols and QA/QC approaches, collecting and managing data, and completing periodic analyses, syntheses, and interpretations of data to service resources managers, policymakers, and the public. The IT and data management component of the program includes design and implementation of a data management and integration system, and development of tools to search and access information. The communication and dissemination component of the program provides structured processes for public comment on data gathering and monitoring activities, enables public and expert access to data, prepares reports and information syntheses for policy and decision makers, and generally disseminates information.

It is anticipated that the majority of the OPC grant funds would be used for hiring of personnel, including a program leader, and perhaps contractors with technical expertise, but funds may also be used for capital and other expenses related to information management and communications. The specific scope of work for the OPC grant will be finalized through joint discussions between the new OST Executive Director, OPC staff and CDFG staff. See Exhibit 2 for a concept budget.

Ocean Science Trust

In 2000 Governor Davis signed into law the California Ocean Resources Stewardship Act (CORSA), which allows the Secretary for Resources Agency to form the California Ocean Trust, now called the California Ocean Science Trust (OST). The mission of the OST is to operate as a non-profit organization to fund marine and coastal research in California and to encourage coordinated, multi-agency, multi-institution approaches to ocean science. OST is able to combine

public resources with those from the private sector and nonprofit organizations in order to promote new coastal and ocean research, education, and management approaches in California.

OST's authorizing legislation identifies ten members of the trust, forming a board of trustees appointed by the Secretary of the California Resources Agency, Secretary of the California Environmental Protection Agency (one seat), and the Director of Finance (one seat). In addition to one representative of the Resources Agency and its constituent departments, the Secretary for Resources also appoints three trustees from a list of ocean resource management/science candidates jointly submitted by Chancellor of the California State University and President of the University of California; two trustees nominated by ocean and coastal interest groups; and two representatives of the general public with experience as trustees or directors of for-profit or nonprofit corporations.

PROJECT FINANCING

Funding Sources:

Ocean Protection Council (Coastal Conservancy)	\$2,000,000
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Total Project Cost	\$2,000,000
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Staff anticipates that this project will be funded by Tidelands Oil funds appropriated to the Secretary of Resources in FY 04/05 for projects authorized pursuant to the Ocean Protection Act. The Resources Agency has entered into an interagency agreement with the Coastal Conservancy to administer these funds on behalf of the Council and recommend projects for funding. These funds are to be expended by the Conservancy in concert with the Council for programs and projects that the Council finds to be of high priority. If authorized by the Council, Conservancy staff will recommend a grant of \$2,000,000 to the Ocean Science Trust for consideration at the Conservancy's next public meeting on November 9, 2006.

CONSISTENCY WITH OCEAN PROTECTION COUNCIL STRATEGIC PLAN: The project is consistent with Section II, Priority Goals and Objectives, Goal E, Objective 1 of the OPC Five-Year Strategic Plan (adopted by the Council in June 2006) which states that OPC should "identify and fill critical needs in executing the MLPA" and "make resources available to design and implement a comprehensive MPA monitoring program." The project is also consistent with Section II, Priority Goals and Objectives, Goal B, Objective 2, which states that OPC should "support the establishment of a comprehensive monitoring program focused on Marine Protected Areas established under the Marine Life Protection Act and structured to be beneficial to other programs, including the Marine Life Management Act."

CONSISTENCY WITH OCEAN PROTECTION COUNCIL'S INTERIM PROJECT SELECTION CRITERIA & GUIDELINES:

Mandatory Criteria

1. Furthers the following statutory purposes and policies of the Ocean Protection Act:

- **Improves management, conservation, and protection of coastal waters and ocean ecosystems:** This project will manage, analyze and disseminate essential data to support marine protected areas in a manner that supports management and conservation of marine ecosystems.
 - **Improve monitoring, data gathering, and advances in scientific understanding of the ocean and coastal environment:** The main objective of this project is to acquire, manage, analyze and disseminate scientific data needed to manage marine protected areas and the ocean environment.
 - **Improves the health of fish and fosters sustainable fisheries in ocean and coastal waters:** This project will support sustainable fisheries management by improving scientific data and adaptive management for marine protected areas. Marine protected areas are one tool for fostering more effective fisheries management.
 - **Helps to coordinate the collection and sharing of scientific data:** This project will benefit from and support coordination, collection, and sharing of scientific data by promoting multi-institutional scientific cooperation and making project data public.
2. **Consistent with the purposes of the funding source:** See Project Financing Section above.
 3. **Has demonstrable support from the public:** This project has support from the Department of Fish and Game, The Ocean Conservancy, NRDC and the MLPA Initiative. See Exhibit 2 for letters of support.
 4. **Relates directly to the ocean, coast, associated estuaries, and coastal-draining watersheds:** This project will promote ocean and coastal marine resource management and conservation by improving the collection and use of data on and understanding of marine species, populations, habitat quality, and ecosystem condition.
 5. **Has greater-than-local interest:** The statewide marine protected area monitoring program launched by this project will generate data and knowledge that promote statewide marine resource scientific research, conservation, and improved resource management.

Additional Criteria

The project would not occur without Council participation: This project would not occur without Council funding and support because there is currently no other effort to fund marine protected area monitoring.

The project helps resolve more than one issue: This project will support scientific research and marine resource management under the MLPA.

The project is ready to implement (grantee or contractor will start and finish the project in a timely manner): Ocean Science Trust is ready to begin implementing the proposed project as soon as funds are available.

The project involves a combination of local, state, or federal agencies or is a public/private partnership: This project is a partnership with Ocean Science Trust and the Department of Fish and Game. The monitoring program launched by the project will partner extensively with other state and federal agencies, academic institutions, and private organizations.