30x30 Draft Decision-Making Framework for Coastal Waters

CALIFOR

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OPC Contributing Authors

Anh Diep Jenn Eckerle Michael Esgro Kaitlyn Kalua Abby Mohan

Introduction

In October 2020, Governor Newsom issued <u>Executive Order N-82-20</u> (1), which advanced biodiversity conservation as an Administration priority and elevated the role of nature in fighting climate change. Part of this Executive Order committed California to conserving 30% of its lands and coastal waters by 2030 (the "30x30" target) – putting California at the leading edge of an international movement to protect nature (1), (2).

In 2022, the California Natural Resources Agency released <u>Pathways to 30x30</u> (3), which defines 30x30 Conservation Areas and details strategies and opportunities for achieving the initiative's goals. 30x30 will create and expand enduring conservation measures across a broad range of landscapes and seascapes in California to protect biodiversity, expand access to nature, and mitigate and build resilience to climate change.

For the purposes of California's 30x30 goal, an area is considered a "30x30 Conservation Area" if it meets the following definition: "Land and coastal water areas that are durably protected and managed to sustain functional ecosystems, both intact and restored, and the diversity of life that they support."

The Ocean Protection Council (OPC) is leading implementation of 30x30 in coastal waters. California's coastal waters are a complex mosaic of overlapping marine managed areas¹ that vary widely in purpose, level of protection, managing agency, and potential biodiversity benefits. California's statewide network of 124 marine protected areas (MPAs), covering 16.2% of coastal waters, aligns with the definition of conservation set forth in *Pathways to 30x30* as it was created to provide durable protection and ecosystem-level benefits. Conserving an additional 13.8% of coastal waters by 2030 will require action across four fronts:



Adaptively managing the state's marine protected area (MPA) network



Strengthening biodiversity conservation in California's federallymanaged National Marine Sanctuaries



Supporting tribally-led conservation, including through the creation of Indigenous Marine Stewardship Areas



Exploring the role of other marine managed areas beyond MPAs and Sanctuaries in conserving biodiversity

^{1 &}quot;Marine Managed Area" (MMA) is a named, discrete geographic marine or estuarine area along the California coast designated by law or administrative action, and intended to protect, conserve, or otherwise manage a variety of resources and their uses. The resources and uses may include, but are not limited to, living marine resources and their habitats, scenic views, water quality, recreational values, and cultural or geological resources.

Technical Advisory Panel

To provide scientific guidance on 30x30 implementation, OPC has partnered with the California Ocean Science Trust (OST) to convene a 30x30 Technical Advisory Panel. Members include leaders in marine ecology, fisheries, marine spatial planning, social-ecological systems, and environmental justice. During the winter of 2023 and spring of 2024, the panel worked to translate policy objectives for 30x30 Conservation Areas – such as durability, effective management, and biodiversity benefits – into a clear and objective framework for transparent decision-making regarding what types and levels of marine protection are consistent with California's definition of a 30x30 Conservation Area.

Decision-Making Framework

Understanding and assessing the ways that marine managed areas benefit biodiversity, human access, and climate resilience can be complex. The international scientific community has been grappling with this challenge for many years and has developed robust tools for evaluating the effectiveness of marine protections, including <u>The MPA Guide</u> (4) and the International Union for Conservation of Nature (IUCN) <u>site-level tool</u> for evaluating other effective areabased conservation measures (OECMs) (5) (Figure 1). A key consideration in evaluating any area for 30x30 inclusion begins with durability. According to *Pathways*, areas with species and habitat protection designations that have gone through a formal rulemaking or other enforceable decisionmaking process not subject to simple reversal are considered durable in coastal waters.



Figure 1. International and state guidance incorporated into the 30x30 decision-making framework for coastal waters.

OPC and the 30x30 Technical Advisory Panel have integrated these resources into a decision-making framework tailored to California (Figure 2). The framework further relies on additional guidance specific to California, including reports OPC Science Advisory Team reports and lessons learned from the first decadal management review of California's MPA network (6), (7).

Acknowledging the diversity and complexity of marine managed areas in California, the framework provides guidance both for areas established primarily for the purposes of biodiversity conservation (e.g., California's MPA Network, National Marine Sanctuaries) as well as areas established for purposes other than biodiversity conservation (e.g., areas established to protect water quality or promote the recovery of depleted fish stocks).

For areas that were established for the primary purposes of biodiversity conservation² (for example, the California MPA Network or National Marine Sanctuaries) – biodiversity protections will be evaluated using The MPA Guide. The MPA Guide is a science-based, policy-relevant framework to help understand, evaluate, and plan MPAs and their expected outcomes for nature and people. The MPA Guide assesses the quality of MPAs by describing what conservation outcomes can be expected based on what is happening in an MPA.

Areas that are fully or highly protected according to the MPA Guide, such as California's MPA Network, will automatically qualify as 30x30 Conservation Areas. Fully or highly protected areas have the greatest potential to protect biodiversity, confer resilience, and benefit species and ecosystems. Areas that are lightly protected may still qualify if they provide access and climate resilience benefits (see detailed criteria below). Areas that are minimally protected or allow any activity incompatible with biodiversity conservation will not qualify.

For areas that were created for primary reasons other than biodiversity conservation (for example areas created for water quality protection or fisheries management), biodiversity protections will be evaluated using the IUCN OECM site-level tool, tailored for California. These areas may qualify as OECMs³ and they offer a significant opportunity to recognize *de facto* effective long-term conservation that is taking place. The IUCN site-level tool evaluates on a case-by-case basis the biodiversity, threats, and pressures in an area, then evaluates management measures in place to determine if the area achieves conservation of nature as a whole or to identify future opportunities for increased biodiversity protections.

² Article 2 of the Convention on Biological Diversity (CBD) defines a protected area as "a geographically defined area, which is designated or regulated and managed to achieve specific conservation objectives." (16)

³ OECMs are defined by the CBD as "a geographically defined area other than a Protected Area, which is governed and managed in ways that achieve positive and sustained long-term outcomes for the in situ conservation of biodiversity, with associated ecosystem functions and services and where applicable, cultural, spiritual, socio–economic, and other locally relevant values." (20)



Figure 2. Proposed decision-making framework for candidate 30x30 Conservation Areas.

To qualify as a 30x30 Conservation Area, OECMs must also demonstrate that they promote access to nature and climate mitigation or resilience (see detailed criteria below). *Confirmed OECMs in coastal waters that also provide access and climate resilience benefits will qualify as 30x30 Conservation Areas.*

By delivering effective, *in place* conservation of biodiversity, these areas can contribute to sustaining existing biodiversity values and improving biodiversity conservation outcomes (e.g., by conserving important ecosystems, habitats, enhancing resilience to threats). These areas can also play a critical role in connecting the seascape between fully and highly protected MPAs.

The three aspects that will be evaluated for all candidate 30x30 Conservation Areas will be biodiversity, access and climate mitigation and resilience.

Biodiversity

Biodiversity refers to the variety of life, from genes to species to ecosystems. California is considered a global "biodiversity hotspot," home to an exceptional variety of species and ecosystems yet also threatened by biodiversity loss. The first level of evaluation will look at the protections to biodiversity an area confers. Both The MPA Guide and the IUCN site-level tool for identifying OECMs ask evaluation questions about biodiversity that are aligned with the biodiversity conservation priorities laid out in *Pathways to 30x30*:

- Ensure conservation of habitats that represent the full diversity of California's ecosystems, especially rare or remnant habitat types
- Protect areas that are adjacent or linked to existing conserved areas to support large, interconnected watersheds and seascapes
- Restore degraded habitats
- Target areas for conservation with high species richness, endemism (species only found in one place), and species rarity
- Prioritize places that support exceptional biocultural significance, which account for the interconnected nature of people and places
- Ensure conservation and restoration of corridors that are essential to fish and wildlife movement and that serve as climate refugia for native species

While The MPA Guide provides explicit guidance regarding the types and levels of human activity that are compatible with each level of protection, the IUCN site-level tool incorporates a case-by-case approach to evaluating threats, pressures, and management measures at candidate OECMs.

Access

Coastal waters provide numerous benefits to people (8). Managers must consider the multiple ways that individuals and communities benefit from ocean ecosystems, including the provision of cultural, aesthetic, or spiritual values, tribal subsistence and other practices, and recreational and educational opportunities such as hiking, boating, water sports, fishing, and more (7). Supporting ongoing provision of these benefits will require expanding conservation of lands, rivers, and coastal waters that can be sustainably and equitably managed to reflect the needs and interests of local communities and California Native American tribes. *Pathways to 30x30* identified several priorities for expanding access to nature; the 30x30 Technical Advisory Panel is building off these priorities and incorporating additional guidance to evaluate access (2):

- Provide for a wide variety of outdoor recreation experiences across conserved areas
- Protect California Native American tribal ancestral lands and waters for cultural practice, ceremony, tribal management, and traditional gathering
- Protect and restore natural areas and connections within and near urban and rural communities that have barriers of access to nature
- Increase number of points and quality of infrastructure (boat ramps, marinas, etc.) for accessing coastal waters
- Incorporate programming, education, outreach, and engagement that is accessible and representative of California's cultural diversity

Climate

Healthy natural ecosystems are essential to maintain community health and well-being in a warming world. Science-driven, nature-based approaches must be expanded across the state to protect California from the effects of climate change. Such approaches must be dynamic and adaptive, inclusive of multiple forms of knowledge, and wherever possible, achieve multiple benefits. *Pathways to 30x30* identified conservation priorities to mitigate and build resilience to climate change. Building off those priorities and previous reports and evaluations in California, including a report to the OPC Science Advisory Team on Climate Resilience (7), the Technical Advisory Panel is developing guiding questions to evaluate the climate resilience and adaptative management readiness of candidate 30x30 Conservation Areas that are aligned with the conservation priorities identified in *Pathways to 30x30*:

- Conserve and manage coastal waters to remove and store carbon dioxide from the atmosphere
- Conserve land and coastal waters that buffer climate impacts and build resilience to protect climate vulnerable communities and ecosystems

- Establish and conserve places where biodiversity will be conserved under future climate conditions, and that will serve as refugia for plants and animals by accommodating future range shifts
- Improve habitat connectivity and other actions that build the resilience of species and habitats by facilitating plant and animal migration and gene flow
- Support early detection of climate change parameters by coupling biological and environmental (physical/chemical) monitoring

Proposed Evaluation Process

Marine managed areas will be assessed at the individual site level using the decision-making framework described above. If an area, for example, a National Marine Sanctuary, has designated zones within its boundaries, individual zones will be evaluated separately. Before, during, and after the evaluation process, OPC will work closely and transparently with other state agencies along with federal, tribal, and non-government partners.

Additional guidance regarding the biodiversity evaluation component of the IUCN OECM site-level tool, evaluation of access benefits, and evaluation of climate mitigation and resilience benefits is under development with the 30x30 Technical Advisory Panel. This additional guidance is anticipated to be available for review during the public comment period and regional workshop series.

In addition to identifying existing 30x30 Conservation Areas in coastal waters, moving forward, this proposed decision-making framework and process will support identification of potential new conservation measures to address major threats to biodiversity in coastal waters, to be designed and implemented in partnership with state and federal agency partners, California Native American tribes, coastal communities, conservation organizations, and fishermen.

Next Steps

OPC will host a series of in-person regional workshops during summer 2024 to engage with local community members and gather critical local insights and feedback on the draft evaluation criteria, regional threats and pressures in coastal waters, and opportunities for strengthening and improving protections. Workshops are planned for locations in Arcata, Monterey, and San Diego; final details will be posted on OPC's <u>30x30 webpage</u>. OPC will also host two online webinars on the draft criteria at the beginning and end of summer 2024. During this time, OPC will also accept written feedback on the framework at <u>30x30coastalwaters@resources.ca.gov.</u>

Following the public comment period, the evaluation criteria will be finalized in consultation with the Technical Advisory Panel in Fall 2024, with evaluations for areas in coastal waters expected to begin in late Fall and early Winter 2024. OPC is anticipated to bring the final framework, along with potential

preliminary determinations regarding 30x30 Conservation Areas, for consideration and possible adoption at the December 9, 2024 Council meeting.



Figure 3. Timeline for public comment on draft decision-making framework and evaluation process.

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