



Staff Recommendation

June 10, 2025

Item 8

Action Item:

**Consideration and Approval of Disbursement of Funds for
Marine Protected Area Enforcement and Compliance**

Staci Lewis, Ph.D., Marine Protected Area Network Program Manager

Recommended Action: Authorization to disburse up to \$5,081,000 for Marine Protected Area (MPA) Enforcement and Compliance through the following projects:

- 8.1 Up to \$4,661,000 to California Department of Fish and Wildlife Law Enforcement Division to increase the capabilities to enforce MPA regulations.
- 8.2 Up to \$420,000 to the MPA Collaborative Network to increase MPA compliance and to broaden the reach of MPA outreach into more diverse communities.

Location: Statewide

Strategic Plan Goals and Objectives: Goal 3: Enhance Coastal and Marine Biodiversity; Objective 3.1: Protect and Restore Coastal and Marine Ecosystems; Goal 2: Advance Equity Across Ocean and Coastal Policies and Actions; Objective 2.1 Enhance Engagement with Tribes Objective, and Objective 2.2 Enhance Engagement with Underserved Communities

Equity and Environmental Justice Benefits: By improving MPA enforcement, Item 8.1 will lead to healthier ecosystems, with direct benefits to coastal communities, thereby advancing Goal 4 of OPC's Equity Plan (Lead the state in a comprehensive approach to coastal and ocean science through intentional investments in research and monitoring). By directly engaging underrepresented communities in coast and ocean stewardship and ensuring equity concerns are elevated to MPA enforcement and management agencies, Item 8.2 will address the following priorities in OPC's Equity Plan: Goal 1 (Establish and implement more equitable and sustainable community engagement and funding) and Goal 3 (Lead equitable ocean and coastal policymaking in California).

Findings and Resolution:

Staff recommends that the Ocean Protection Council (OPC) adopt the following findings:

“Based on the accompanying staff report and attached exhibit(s), OPC hereby finds that:

1. The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the California Ocean Protection Act;
2. The proposed project is consistent with the adopted State Water Resources Control Board’s Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling.; and
3. The proposed projects are not ‘legal projects’ that trigger the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section, section 15378.”

Staff further recommends that OPC adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

“OPC hereby approves the disbursement of up to \$5,081,000 for Marine Protected Area Enforcement and Compliance through the following projects:

- Up to \$4,661,000 to California Department of Fish and Wildlife Law Enforcement Division to increase the capabilities to enforce Marine Protected Area regulations.
- Up to \$420,000 to the MPA Collaborative Network for the engagement and empowerment of underrepresented communities in MPA management.

This authorization is subject to the condition that prior to disbursement of funds, California Department of Fish and Wildlife Law Enforcement Division and MPA Collaborative Network shall submit for the review and approval of the Executive Director of the OPC detailed work plans, schedules, staff requirements, budgets, and the names of any contractors intended to be used to complete the projects, as well as discrete deliverables that can be produced in intervals to ensure the projects are on target for successful completion. All projects will be developed under a shared understanding of process, management, and delivery.”

Executive Summary:

The first investment to the California Department of Fish and Wildlife (CDFW) Law Enforcement Division (LED) (Item 8.1) would lead to increased enforcement presence throughout the MPA network by better utilizing data and statistics to improve enforcement efforts, extend patrol time in MPAs, provide for a well-maintained and reliable patrol fleet, and acquire technologically advanced equipment to keep LED on the forefront of marine enforcement. An increased enforcement presence throughout the MPA network will help safeguard our coastal and marine

ecosystems and better protect the areas that enhance marine biodiversity for the benefit of everyone in California.

The second investment (Item 8.2) will continue the MPA Collaborative Network's Compliance Initiative. With this next investment, the MPA Collaborative Network (MPA CN) will continue to fill a crucial gap in convening partners with shared jurisdiction and complementary roles and provide trainings and resources to enforcement officers and allied agencies. This project will also enable the MPA CN to broaden their outreach efforts to include new and underrepresented communities in MPA events and activities. Overall, building connections between the public and state agencies and across enforcement and judicial officials will result in a more effective, locally informed MPA Management Program that will increase the benefits of the MPA network.

Project Summary:

Background:

The first-ever [Decadal Management Review](#) (DMR) of California's MPA Network was released in 2023, resulting in [a prioritized list of adaptive management recommendations](#). This list included specific recommendations related to MPA Enforcement and Compliance, including Recommendation 20 (To increase enforcement capacity) and Recommendation 21 (To enhance MPA citation record keeping and data management). As the primary agency tasked with enforcement for California state waters, California Department of Fish and Wildlife Law Enforcement Division (CDFW LED) patrols the MPA Network and numerous offshore banks. [Previous OPC funding](#) helped CDFW LED achieve consistent MPA enforcement efforts statewide, with increased enforcement patrols, equipment maintenance, and technical improvements for reporting and enforcement efficiency. This investment will allow CDFW LED to continue these efforts and further advance DMR Recommendations 20 and 21.

As a women-led 501(c)(3) nonprofit organization that facilitates the efforts of 14 grassroots chapters across California, the MPA Collaborative Network (MPA CN) has supported MPA enforcement trainings for federal and state agencies (e.g., California State Park and National Oceanic and Atmospheric Administration (NOAA) Office of National Marine Sanctuaries), produced officer reference guides and State Park and National Marine Sanctuaries Interpreter Guides, worked with district attorney offices to increase awareness and prosecution of MPA violations, and fostered tribal engagement for inclusion of land acknowledgements on MPA signs. Through this investment, MPA CN will continue efforts from [previous OPC funding](#) on enforcement, compliance, equity, and ocean access to advance DMR Recommendation 22 (Increase information gathering regarding MPA violation prosecution and judicial outcomes) and Recommendation 7

(Expand targeted outreach and education materials and events to under-represented user groups).

Project Summaries:

8.1 Increase CDFW LED’s capabilities to enforce Marine Protected Area regulations

This investment will increase law enforcement patrols in the MPA network, support data analysis of enforcement statistics, and maintain critical enforcement equipment and surveillance technologies. More consistent enforcement patrols in and around the MPA Network will reduce violations, thereby improving compliance to MPA regulations and maximizing ecological benefits. Analysis of enforcement data and statistics will help CDFW LED assess and understand current compliance levels and factors affecting compliance dynamics. On a case-by-case basis, this investment will also support critical patrol boat maintenance and operational costs. Finally, this investment will support the acquisition and implementation of advanced surveillance technologies, such as improved marine radars, infrared devices, night vision goggles, spotting scopes, and mounted cameras. Maintaining critical equipment and investing in the latest advances in technology are vital for efficient and effective enforcement and predictive policing.

Successful outcomes of the MPA network are directly dependent on the success of enforcement efforts on the water and along the coastline. Safeguarding our coastal and marine ecosystems and protecting the areas that enhance marine biodiversity provide benefits for Californians.

8.2 Increase MPA compliance and to broaden the reach of MPA outreach into more diverse communities

With this investment, MPA Collaborative Network (MPA CN) will continue its Compliance Initiative to bolster compliance and enforcement of California’s network of MPAs by training more officers and prosecutors and supporting more community specific and diverse outreach campaigns. MPA CN will also fill a crucial gap in convening partners with shared jurisdiction and complementary roles along the coast. By facilitating trainings, outreach to district attorneys to present at trainings, collecting enforcement data from allied agencies, and providing MPA Officer Reference Guides to officers, the MPACN will provide connection across allied agencies and allow for partners to capacity share. This ultimately bolsters enforcement presence on the coast as partners complement each other’s efforts. With this investment, individual Collaboratives will broaden their scope of outreach to include new and diverse communities to increase compliance. Overall, through this project, the MPACN will continue to increase compliance through local participation in MPA management, building connections between the public and state agencies and resulting in an effective, locally informed MPA Management Program that maximizes ecological benefits for marine and coastal ecosystems.

Advancing MPA CN’s Compliance Initiative will ultimately lead to broader awareness of local MPA locations, regulations, ecology, wildlife, cultural and tribal importance, and stewardship opportunities for California’s coast and ocean.

Equity and Environmental Justice Benefits:

Healthy marine ecosystems translate directly to economic, cultural, and health benefits for coastal communities. Many of the habitats contained within MPAs provide needed ecological benefits that in turn improve the well-being of nearby human communities. For example, rocky intertidal habitats provide accessible opportunities for the public to observe marine life, protect against shoreline erosion, and harbor harvested species.

This investment would support improved enforcement of MPA regulations leading to healthier ecosystems, with direct benefits to coastal communities. This investment will also enable the MPA Collaborative Network to broaden the scope of MPA outreach to include new and diverse communities in order to increase compliance. By directly engaging underrepresented communities in coast and ocean stewardship and ensuring equity concerns are elevated to MPA enforcement and management agencies, these projects will address the following priorities: Goal 1 (Establish and implement more equitable and sustainable community engagement and funding); Goal 3 (Lead equitable ocean and coastal policymaking in California),; and Goal 4 (Lead the state in a comprehensive approach to coastal and ocean science through intentional investments in research and monitoring).

Projects Timeline:

The contract with CDFW LED will run from July 2025 through March 2028. The grant with MPA Collaborative Network will be for two years, from July 2025 through July 2027.

Project Financing:

Staff recommends that the Ocean Protection Council (OPC) authorize encumbrance of up to \$5,081,000 to support the following agency and grantee for Marine Protected Area Enforcement and Compliance

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| Ocean Protection Council | \$5,081,000 |
| 8.1 California Department of Fish and Wildlife Law Enforcement Division | \$4,661,000 |

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|-------------------------------|--------------------|
| 8.2 MPA Collaborative Network | \$420,000 |
| TOTAL | \$5,081,000 |

The anticipated source of funds will be disbursed from OPC’s Once-Through Cooling Interim Mitigation Program Fund Fiscal Year 2023/2024 that are deposited into the Ocean Protection Trust Fund. This program directs up to \$5.4 million in mitigation payments annually to support increases in marine life associated with MPAs in the geographic region of coastal power plants uses once-through cooling technology, including advancing the priorities of the MPA management program and marine restoration. The proposed project advances enforcement of MPA regulations statewide and outreach and education to improve compliance of MPA regulations statewide to ensure increases in marine life through effective management of the MPA network.

Consistency with California Ocean Protection Act:

The proposed project is consistent with the Ocean Protection Act, Division 26.5 of the Public Resources Code, because it is consistent with trust-fund allowable projects, defined in Public Resources Code Section 35650(b)(2) as projects which:

- Improve management, conservation, and protection of coastal waters and ocean ecosystems.

Compliance with the California Environmental Quality Act (CEQA):

The proposed project is not a legal project that triggers CEQA from review under the California Environmental Quality Act (“CEQA”) pursuant to 14 Cal. Code of Regulations Section 15306 because the project involves only enforcement and outreach activities that will not result in a serious or major disturbance to an environmental resource.