

From: [Ashcraft, Susan@FGC](mailto:Ashcraft.Susan@FGC)
To: [FGC](#)
Subject: FW: MPA Integration: Review and Recommendations
Date: Monday, January 05, 2015 9:54:33 AM
Attachments: [OC MPA Integration Review and Recommendations Dec 2014.pdf](#)

This is an informational report for the February FGC binder. (public forum).

From: Mastrup, Sonke@FGC
Sent: Monday, January 05, 2015 8:04 AM
To: Ashcraft, Susan@FGC
Subject: FW: MPA Integration: Review and Recommendations

fyi

From: Samantha Murray [<mailto:smurray@oceanconservancy.org>]
Sent: Tuesday, December 23, 2014 11:37 AM
To: Ota, Becky@Wildlife; Shuman, Craig@Wildlife; Mastrup, Sonke@FGC
Cc: Samantha Murray; [REDACTED]
Subject: MPA Integration: Review and Recommendations

Happy holidays to DFW and FGC!

We are writing to share one final Ocean Conservancy piece before moving on to new opportunities. The title is *Integration of California's Marine Protected Areas: Review and Recommendations* and it is essentially an assessment of where we've been since our MPAs were established in 2012. Since multiple agencies have jurisdiction over coastal and ocean management decisions and have permitting authority for new projects, it is important that agencies understand MPAs and seek to avoid or minimize MPA impacts in their decision-making.

The goal of this document is to capture MPA integration insights and lessons learned across key agencies and identify trends, examples and best practices. We are sending it to you because you were interviewed for the project or otherwise expressed interest in seeing this paper.

We hope you enjoy it. Please don't hesitate to contact us any time with questions or comments.

Very best!!

Samantha Murray & Gia Brazil



Samantha Murray
Director, Pacific Program
M: 415.823.5577
111 SW Columbia St. Suite 200
Portland, Oregon 97201
smurray@oceanconservancy.org
[Web](#) | [Facebook](#) | [Twitter](#)

A map of California is shown in profile, facing right. The map is filled with an underwater scene. The top part of the map is a clear blue water column with a single fish swimming. The bottom part of the map is a vibrant, colorful coral reef with various types of coral and sea anemones. The map is set against a white background.

Integration of California's Marine Protected Areas: Review and Recommendations

Prepared by:
Samantha Murray & Gia Brazil



Ocean Conservancy
December 2014

Table of Contents

I. EXECUTIVE SUMMARY	1
II. BACKGROUND & PROJECT OBJECTIVES	2
CALIFORNIA’S MARINE PROTECTED AREAS.....	2
IMPACTS TO MARINE PROTECTED AREAS AND LEGAL REQUIREMENTS	2
PROJECT PURPOSE AND OBJECTIVES	4
PROJECT METHODS	5
III. OVERVIEW OF KEY AGENCIES FOR MPA INTEGRATION	5
IV. MPA INTEGRATION AND DETERMINATION OF POTENTIAL IMPACTS: A VARIETY OF AGENCY APPROACHES.....	8
INTERNAL AGENCY PROCESSES.....	8
INTER-AGENCY COORDINATION PROCESSES.....	9
V. MPA INTEGRATION: SUCCESSES	10
VI. MPA INTEGRATION: CHALLENGES AND BARRIERS	13
SHORT-TERM CHALLENGES	13
LONG-TERM CHALLENGES.....	14
VII. LESSONS LEARNED	15
VIII. RECOMMENDATIONS FOR ADVANCING MPA INTEGRATION	16
IX. APPENDICES.....	20
APPENDIX A. AGENCY RESPONDENT SURVEY TOOL	21
APPENDIX B. NGO/FUNDERS ONLINE SURVEY TOOL.....	23
APPENDIX C. LIST OF INTERVIEW RESPONDENTS	25
APPENDIX D. ILLUSTRATIVE FLOW CHART FOR CONSIDERING POTENTIAL IMPACTS TO MPAS	26
APPENDIX E. FROM OPC’S MPA PARTNERSHIP PLAN: IDEAL APPROACH TO ADDRESSING CONFLICT IN CALIFORNIA MARINE PROTECTED AREAS	27

I. Executive Summary

In 1999, the California legislature passed the Marine Life Protection Act (MLPA), which called for a statewide network of marine protected areas (MPAs). Since the MPA network was completed in 2012, agencies and numerous other groups have worked to raise public awareness of the new protections and to broadly integrate MPAs into ocean and coastal management decisions.

Multiple state and federal agencies have jurisdiction over coastal and ocean management decisions and have permitting authority for new projects, which can and do affect MPAs. Therefore, it is important that these agencies understand MPAs and seek to avoid or minimize impacts to MPAs in their decision-making. The goal of this document is to capture MPA integration insights and lessons learned across key agencies and identify trends, examples and best practices.

While every agency surveyed for this project considers MPAs in their project reviews, protocols are varied and largely informal. The agencies consider similar factors and have a common practice of engaging the Department of Fish and Wildlife (DFW) to solicit input and share information. However, agencies do not have specific or articulated thresholds for unacceptable degrees of MPA impact or standardized guidelines for the kind of activities, project types or proximities to MPAs that are allowed or prohibited. The agencies also lack explicit protocols for eliminating or minimizing unavoidable MPA impacts. California's MPAs are still relatively new and agency practices are still developing. Nevertheless, agency communication and collaboration continue to evolve positively and, moving forward, the Ocean Protection Council (OPC) stands to play a major role in formalizing enhanced inter-agency coordination.

When asked specifically about successful MPA integration activities, respondents discussed the concerted effort the planning process took and view the durability of the statewide MPA network as an incredible accomplishment. Respondents also consistently described improved communication between agencies and with non-governmental organizations (NGOs) as top successes and noted that NGOs have had a meaningful influence in advancing MPA integration in recent years.

When asked specifically about biggest challenges to date in integrating MPAs into decision-making, respondents identified both short-term and long-term factors. Short-term challenges include a need for early communication and coordination among agencies and with NGOs, as well as enhanced alignment on protocols for assessing and minimizing impacts to MPAs. Long-term challenges include a need for a mitigation structure, adequate staff capacity and long-term funding.

Lessons learned over the last two years include:

- Early and frequent communication is critical;
- Agencies want to work together;

- Having a point of contact is valuable;
- Early communication with interested parties and NGOs is key;
- It is important to clearly identify and communicate each agency's role and value;
- Ongoing outreach and education is a must; and
- OPC's role is a critical and valuable element for successful MPA integration.

Moreover, there are opportunities for better and more sophisticated coordination, as well as more formalized, aligned guidelines for evaluating and minimizing MPA impacts. Specific recommendations include:

- Execute on OPC's leadership role;
- Take coordination to the next level;
- Develop clear and aligned guidance for assessing impacts to MPAs;
- Develop systematic MPA consideration on permit applications;
- Develop clear and aligned protocols for minimizing impacts to MPAs;
- Leverage existing capacity;
- Creatively grow MPA integration capacity; and
- Institute existing best practices across agencies.

II. Background & Project Objectives

California's Marine Protected Areas

In 1999, a bipartisan California legislature passed the ambitious and visionary law known as the MLPA. In this landmark effort, the design of a new network of MPAs was entrusted to coastal stakeholders themselves, conservationists, fishermen, tribes, agency representatives and others who worked together to incorporate both scientific principles and local knowledge into MPA design. This effort was completed in 2012, when California successfully established the nation's first statewide, science-based system of MPAs. These MPAs are intended to safeguard the full range of coastal and underwater habitats, as well as the marine fish and wildlife species that inhabit the California coast. They are also intended to improve education, research and recreation opportunities that depend upon a healthy ocean.

Since the MPA network was completed two years ago, agencies, non-governmental organization (NGOs), tribes and others have worked to both raise public awareness and integrate MPAs into decision-making, enforcement and monitoring processes. During this time, those involved have discovered that the many facets of MPA implementation can be complex, yet robust integration is critical for ensuring that the full benefits of the MPA network are realized.

Impacts to Marine Protected Areas and Legal Requirements

Multiple state and federal agencies have jurisdiction over coastal and ocean management decisions and have permitting authority for new projects. Indeed, many of these decisions can and do affect MPAs, especially since California's network exists along a highly populated coastline with many existing and, in some cases, expanding uses. Therefore, it is important that

these agencies understand MPAs, properly assess potential impacts to the MPA network and effectively seek to avoid or minimize these impacts in their deliberations and decisions. Additionally, it is useful for agencies to operationalize the way they consider impacts to MPAs so that decision-making processes are consistent and aligned between agencies.

Agencies should focus their efforts to protect MPAs, especially in the case of state marine reserves (SMRs), in which:

...all extractive activities, including the taking of marine species, and...other activities that upset the natural ecological functions of the area, are prohibited. While, to the extent feasible, the area shall be open to the public for managed enjoyment and study, the area shall be maintained to the extent practicable in an undisturbed and unpolluted state.¹

Note this intent that SMRs be maintained in an undisturbed and unpolluted state does not just apply to fishing impacts, where the Legislature found and declared that, “[c]oastal development, water pollution and other human activities threaten the health of marine habitat and the biological diversity found in California's ocean waters.”²

Indeed, the MLPA acknowledges that marine life impacts may be caused by a variety of activities and further requires the identification of recommended measures to avoid or fully mitigate future impacts on wildlife and habitat within an MPA.³ Specifically, § 2862 of the California Fish and Game Code says that:

The [D]epartment [of Fish and Wildlife], in evaluating proposed projects with potential adverse impacts on marine life and habitat in MPAs, shall highlight those impacts in its analysis and comments related to the project and shall recommend measures to avoid or fully mitigate any impacts that are inconsistent with the goals and guidelines of this chapter or the objectives of the MPA.⁴

The California Environmental Quality Act (CEQA) sets forth legal requirements for assessing environmental impacts and consideration of project alternatives, finding that, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.”⁵ This direction requires that agencies broadly consider environmental impacts before approving a proposed project, but does not specifically require alternatives or mitigation measures to avoid impacts to MPAs.

¹ California. Legislature. *Marine Life Protection Act (MLPA)*, CA Codes (FGC: 2850-2863). At §2852(d).

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fgc&group=02001-03000&file=2850-2863>

² *Ibid.* At § 2851(c).

³ *Ibid.* At § 2862.

⁴ *Ibid.*

⁵ California. Legislature. *California Environmental Quality Act (CEQA)* California Public Resources Code Sections 21000- 21189.3. At §21002.

CEQA defines the purpose of an Environmental Impact Report (EIR), which is “intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”⁶ Again, while an essential tool for identifying environmental impacts of a project (both broad and specific), as well as alternatives and mitigation measures, an EIR does not require an assessment of project impacts to MPAs specifically. Moreover, not all proposed coastal projects require the preparation of an EIR, yet potential impacts to MPAs may still exist.⁷

In light of the requirements above and the relative newness of California’s 124 MPAs, Ocean Conservancy has spent the last two years working with NGO partners to ensure that agencies, including the California Coastal Commission (CCC), the State Lands Commission (SLC), the State Water Resources Control Board (SWRCB) and OPC, have the information and tools they need to understand and effectively integrate MPAs into coastal permitting and policy efforts.

Project Purpose and Objectives

State coastal management agencies have overlapping and complementary mandates, as well as varying levels of present and historical engagement with California’s MPAs. As new proposals for seawalls, outfalls, seismic surveys, desalination plants and other coastal activities emerge, these agencies must balance coastal development and use with respective agency charges to protect natural resources and uphold MPA protections and other legal requirements.

In our meetings with key agencies over the last year, various agency staff members expressed an interest in understanding the challenges and best practices used to assess project impacts and uphold MPA protections. This document is intended to be responsive to that request and is being shared with the agencies and organizations listed above, as well as our NGO partners.

The goal of this document is to capture MPA integration insights and lessons learned across key agencies and identify trends, examples and best practices. In examining the issue of integrating MPAs into state agency decision-making, the objectives of this project were to:

- Gain insights into how agencies with primary coastal management authority have approached this issue;
- Better understand successes and challenges agencies have encountered;
- Identify similarities, differences, and other trends across agencies;
- Share NGO perspectives and insights;
- Collate lessons learned and recommended improvements; and

⁶ *Ibid.* p. 3.

⁷ In the case of the Broad Beach Restoration Project, homeowners formed a Geologic Hazard Abatement District, thereby exempting them from the CEQA requirement to prepare an EIR. Yet there was substantial evidence that the proposed project would have had direct and significant impacts to the water quality and sensitive habitats inside the Point Dume State Marine Conservation Area.

- Share results and Ocean Conservancy recommendations with agencies, other decision-makers, ocean NGOs and funders.

This document is intended to complement OPC’s *The California Collaborative Approach: Marine Protected Areas Partnership Plan* (MPA Partnership Plan), which offers high-level guidance for effective MPA management and integration across the state. *Integration of California’s Marine Protected Areas: Review and Recommendations*, provides a review of MPA integration efforts over the past two years, shares specific examples, and presents recommendations for continued improvement in the future.

Project Methods

The primary method of data collection for this project was via phone interviews guided by a standardized survey tool (Appendix A) with 13 key state coastal management agency and NGO respondents from the Fish and Game Commission (FGC), DFW, CCC, SLC, SWRCB, OPC, the Natural Resources Agency, and the Ocean Science Trust (OST). Information was also collected through an online survey (Appendix B) of nine conservation NGO and foundation respondents from organizations closely involved with MPA integration efforts, including Ocean Conservancy, Natural Resources Defense Council, Surfrider Foundation, Heal the Bay and Resources Legacy Fund (Appendix C).

The information presented in this document consists of the thoughts and opinions of the respondents we interviewed and reflects a summary of feedback from the most relevant and informed agency and NGO voices on the issue, with the exception of *Section VIII. Recommendations for Advancing MPA Integration*, which includes Ocean Conservancy recommendations for continued improvement. Although we have made every effort to be accurate, this document captures respondent ideas and viewpoints and is not a comprehensive review or assessment of MPA integration.

III. Overview of Key Agencies for MPA Integration

This section summarizes the jurisdictional roles and responsibilities of the primary state agencies that work to support MPA management, oversight and integration.

FGC is the decision-making body responsible for setting policies and guiding research to ensure the long-term sustainability of California’s fish and wildlife.⁸ FGC is designated by Fish and Game Code § 1590,⁹ the MLPA¹⁰ and the Marine Managed Areas Improvement Act (MMAIA)¹¹ as the regulatory oversight and decision-making

When asked specifically if MPA integration has been a positive or negative experience, agency respondents uniformly shared that they do not view it as a burden. In fact, most believe the MLPA has actually enabled agencies to better protect and manage California’s resources.

⁸ Fish and Game Commission. *Strategic Plan: An Agenda for California’s Fish & Wildlife Resources*. Dec. 1998. Web. 18 Nov. 2014. http://www.fgc.ca.gov/strategic_plan/commplan.pdf

body for rules and regulations related to state MPAs. FGC establishes regulations to create various types of MPAs and determines what type of take, if any, is allowed in these areas. It provides an avenue for public engagement and comment and is responsible for review and approval of the *Master Plan for Marine Protected Areas*, which steered the adoption and management of the MLPA process and provided guidance on the siting of MPAs.¹² In 2014-2015, the Master Plan is being amended to focus on implementation and management, since establishment of the MPA network is now complete.

DFW implements and enforces the regulations set by FGC and provides biological data and expertise to inform FGC's decision-making process.¹³ DFW has primary statutory authority for managing and enforcing the state's MPAs and is responsible for implementing regulations, conducting research and monitoring, granting scientific collecting permits and proposing amendments to the *Master Plan for Marine Protected Areas*.

CCC's mission is "to protect, conserve, restore and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations."¹⁴ Established by the California Coastal Act, CCC is directed by California's federally approved Coastal Management Program to plan, permit and regulate the use of land and water along the California coast.¹⁵ This includes permitting of development activities that occur within or adjacent to MPAs.

SLC is charged with the stewardship of the lands, waterways and resources through economic development, protection, preservation and restoration.¹⁶ Directed by Public Resources Code § 6101-6111¹⁷ and the Public Trust Policy,¹⁸ SLC has the authority to grant permits and leases for activities that may affect MPAs, such as oil and gas operations, utilities development and geophysical surveys, and is charged with regulating marine invasive species.

⁹ California. Legislature. Fish and Game Commission. CA Codes (FGC: 1590-1591). <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fgc&group=01001-02000&file=1590-1591>

¹⁰ *Ibid.* p. 3

¹¹ California. Legislature. *Marine Managed Areas Improvement Act*. CA Codes (PRC: 36700-36900). <https://www.dfg.ca.gov/marine/pdfs/revisedmp0108b.pdf>

¹² California Department of Fish and Game. *California Marine Life Protection Act Master Plan for Marine Protected Areas*. Jan. 2008. Web. 5 Dec. 2014.

¹³ Fish and Game Commission. *About the Fish and Game Commission*. Web. 2 Dec. 2014. <http://www.fgc.ca.gov/public/information/>

¹⁴ California Coastal Commission. *Program Overview*. Web. 18 Nov. 2014. <http://www.coastal.ca.gov/whoware.html>

¹⁵ *Ibid.*

¹⁶ State Lands Commission. *About the California State Lands Commission*. Web. 18. Nov. 2014. http://www.slc.ca.gov/About_The_CSLC/About_The_CSLC_Home_Page.html#MVGv

¹⁷ State Lands Commission. CA Codes (PRC: 6101-6111). <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=06001-07000&file=6101-6111>

¹⁸ State Lands Commission. *Public Trust Policy*. http://www.slc.ca.gov/About_The_CSLC/Public_Trust/Public_Trust_Policy.pdf

SWRCB is a permitting agency whose mission is “to preserve, enhance, and restore the quality of California’s water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.”¹⁹ As outlined in the California Water Code § 174-188.5, SWRCB is responsible for permitting activities related to the state’s water resources, including activities that may impact MPAs, such as discharging wastewater or chemicals into waterways. It also has the authority to designate, delete, or modify state water quality protection areas and Areas of Special Biological Significance (ASBSs).²⁰ SWRCB can provide additional protections and help improve MPAs by designating ASBSs in areas that overlap with protected areas.

Created by the California Ocean Protection Act (COPA) in 2004,²¹ OPC is charged with ensuring that California maintains healthy, resilient and productive ocean and coastal ecosystems for the benefit of current and future generations.²² In 2013, OPC was also given the responsibility for leading policy related to the state’s MPAs.²³ Therefore, it is the lead facilitator for ensuring communication and coordination between state agencies with ocean and coastal permitting authority over projects that may impact MPAs. In December 2014, the OPC approved the MPA Partnership Plan, which outlines an interagency, public and science-informed management and governance structure to support MPA implementation.²⁴

Finally, OPC engages in a formal partnership with OST, which links OPC to the broader scientific community to support a science-based approach to coastal and ocean management. The OST Monitoring Enterprise is responsible for the design and implementation of MPA monitoring in close collaboration with OPC and DFW.

Table 1: Summary of Key MPA Agency Roles

Agency	MPA Role
Fish and Game Commission (FGC)	Oversees and establishes MPA rules and regulations
Department of Fish and Wildlife (DFW)	Enforces; directs management and monitoring of MPAs
California Coastal Commission (CCC)	Permits coastal projects, including those inside/near MPAs
State Lands Commission (SLC)	Permits coastal projects, including those inside/near MPAs

¹⁹ State Water Resources Control Board. *Mission Statement*. Web. 18 Nov. 2014.

http://www.swrcb.ca.gov/about_us/water_boards_structure/mission.shtml

²⁰ *Ibid.* p. 5.

²¹ California. Legislature. *California Ocean Protection Act*. CA Codes (PRC: 35600-35625).

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=35001-36000&file=35600-35625>

²² Ocean Protection Council. *About the Council*. Web. 2 Dec. 2014. <http://www.opc.ca.gov/about/>

²³ *Ibid.* p. 3.

²⁴ Ocean Protection Council. *The California Collaborative Approach: Marine Protected Areas Partnership Plan*. Nov. 2014. Web. 2 Dec. 2014. http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20141202/Item5-master-final-partnership-plan.pdf

State Water Resources Control Board (SWRCB)	Permits coastal projects, including those inside/near MPAs
Ocean Protection Council (OPC)	Facilitates strategic partnerships and coordinates ocean and coastal management agencies; oversees development of MPA policy
Ocean Science Trust (OST)	Facilitates science-based decision-making in ocean and coastal resources management; designs and implements MPA monitoring

IV. MPA Integration and Determination of Potential Impacts: A Variety of Agency Approaches

In this section, we describe the intra-agency and inter-agency approaches used to determine whether and to what extent a proposed project may impact an MPA, as described by interview respondents. While every agency surveyed for this project considers MPAs in their project reviews and recommendations reports, protocols are varied and largely informal.

“Many of the challenges we face are a function of the MPA network being new and the need for strong interagency coordination. We’re learning and evolving over time and have made good progress improving inter-agency communication and collaboration.”
 – Craig Shuman, Regional Manager, DFW

This is unsurprising, given that California’s MPA are relatively new and the MLPA and MMAIA lack prescriptive protocols for ensuring MPAs are maintained in an undisturbed and unpolluted state. Nevertheless, this is evolving; agencies report that they are already developing more focused approaches over time.

Internal Agency Processes

Each of the agencies surveyed considers similar factors when evaluating potential project impacts to MPAs. Broadly speaking, these include project proximity to an MPA, the type of project being proposed, and the scale and magnitude of the project. Additionally, all permitting agencies noted one informal process in common with new projects that may impact MPAs: they engage DFW’s Marine Habitat Conservation Program Manager when a project emerges, both to solicit input and ensure DFW is aware of the upcoming project.

SWRCB Discharge Policy Can Offer Additional Protections to MPAs
“We look at any special conditions when we issue permits. The Regional Boards must look to make sure any discharge won’t create impacts. If there are ASBSs – and many if not all ASBSs coincide with MPAs – we have a policy to prohibit any new discharges at all; applicants have to receive an exemption from the Ocean Plan that goes to the Board for approval. Increasing the areas of overlap between MPAs and ASBSs can provide a great opportunity to further protect MPAs”
 – Jonathan Bishop, Chief Deputy Director, SWRCB

However, agencies do not have specific or articulated thresholds for unacceptable degrees of MPA impact or standardized guidelines for the kind of activities allowed or prohibited for

specific project types, scales or proximities to MPAs. Additionally, there are generally no explicit protocols for eliminating or minimizing MPA impacts.

One exception to this is with SWRCB's Draft Desalination amendment to its Ocean Plan, which says that:

[d]ischarges shall be sited at a sufficient distance from a[n] MPA...so that there are no impacts from the discharges on a[n] MPA...and so that the salinity within the boundaries of a[n] MPA...does not exceed natural background salinity. To the extent feasible, intakes shall be sited so as to maximize the distance from a[n] MPA."²⁵

A second exception is with CCC, which developed internal guidance in 2014 for projects in, directly adjacent to, or likely to impact an MPA. If any of these factors is triggered, the applicant must: provide an analysis and rationale of site selection; identify and discuss alternatives; and lay out actions taken to minimize impacts. If no feasible, less impactful alternatives exist, CCC requires explicit identification of all potential project impacts, their magnitude and appropriate mitigation measures, which are then considered in the staff report.

Inter-agency Coordination Processes

Agencies noted that, while sister permitting agencies can and sometimes do offer additional information to inform the review of a project and its potential impacts to MPAs, there is not an explicit and formal process for coordinating on this specific issue.

Although CEQA § 21080.3 requires that the lead agency for a project consult with all responsible agencies and trustee agencies before determining whether a Negative Declaration or EIR is required,²⁶ communication between agencies may not always specifically include a discussion of project impacts to MPAs. Nevertheless, agency respondents agree that regular and frequent communication between them is critical when a project will have potential impacts on MPAs.

Best Practice for Interagency Coordination

SWRCB convenes regular working groups with other agencies to share information, raise concerns and coordinate efforts. Although these working groups are typically program specific (e.g., Desalination, Once-through Cooling), they are an excellent example of a way in which agencies can collaborate more intentionally and improve consistency in decision-making.

The OPC stands to play a major role in formalizing this inter-agency coordination. According to its own five-year strategic plan²⁷ and the new authority granted under the MLPA in 2013²⁸, the

²⁵ State Water Resources Control Board. *Draft Amendment to the Water Quality Control Plan for Ocean Water of California Addressing Desalination Facility Intakes, Brine Discharges, and to Incorporate Other Nonsubstantive Changes*. 3 July 2014. Web. Dec. 21, 2014.

http://www.waterboards.ca.gov/water_issues/programs/ocean/desalination/docs/draft_desal_amend070314.pdf

²⁶ California. Legislature. *California Environmental Quality Act*. CA Codes (PRC: 21000-21006).

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=20001-21000&file=21000-21006>

²⁷ Ocean Protection Council. *A Vision for Our Ocean and Coast: Five-Year Strategic Plan 2012-2017*. Web. 18. Nov. 2014. http://www.opc.ca.gov/webmaster/ftp/pdf/2012-strategic-plan/OPC_042412_final_opt.pdf

²⁸ *Ibid.* p 3.

OPC is the primary coordinating body for ocean and coastal permitting agencies and is responsible for the direction of MPA policy. It is also the lead agency for coordinating and overseeing implementation of the MPA Partnership Plan. Under these authorities, respondents noted that OPC will support implementation of MPAs through strategic partnerships; coordinate MPA integration with other ocean and coastal management agencies; and develop multi-agency guidance for permit and regulatory requirements for activities or impacts in or around MPAs. Longer-term, it will develop a comprehensive plan that identifies the overlapping and complementary ways in which these agencies should engage in in MPA-related decision-making.²⁹

Diablo Canyon Seismic Survey: A Case Study in the Value of Communication

California's Central Coast hosts both the Diablo Canyon nuclear power plant, which generates energy to meet the needs of more than three million Californians, and multiple earthquake faults. To better understand this geology, Pacific Gas and Electric (PG&E) proposed a controversial seismic imaging project in 2012: towing a quarter-mile-wide array of underwater air cannons that would emit 250-decibel blasts underwater every 15 seconds, 24 hours a day for several weeks. Experts raised concerns over substantial impacts to local marine life, including inside the Point Buchon State Marine Reserve. And because there was no conclusive evidence that the proposed seismic survey would answer the most critical questions about the power plant's safety and how to reduce risk, the CCC ultimately denied the permit.

The proposed Diablo Canyon Seismic Survey was the first large, multi-agency project that would have had significant MPA impacts since the network was completed. Initial communication between permitting agencies was disjointed, NGO engagement was limited, and agency understanding of MPAs was varied. However, in the months that followed, agencies began collaborating more closely, NGOs provided technical and MPA expertise to decision-makers, and previously reticent fishermen, community members and tribes vocally expressed support for protecting the local SMR and marine wildlife inside.

Although it took many public meetings and there were early inefficiencies, this project ultimately laid the foundation for improved coordination and communication on future projects among state coastal management agencies and NGOs.

V. MPA Integration: Successes

This section focuses on what agency and NGO respondents view as best successes to date and what is working with regard to MPA integration. When asked, respondents nearly unanimously identified the inclusive MPA design process and significant improvements in internal and external communication.

²⁹ Respondent interview. 26 Sept. 2014.

Community Engagement and Education

The greatest overarching success most frequently described by respondents is the realization of the MPA network itself. They noted that the planning and designation process was a concerted effort that included significant financial investment, tens of thousands of volunteer hours, and the involvement of hundreds of stakeholders statewide, as well as numerous agency representatives. Moreover, a broad array of impacts – both fishing and non-fishing – were taken into consideration for MPA siting by the Regional Stakeholder Groups, Blue Ribbon Task Force, and FGC during the MLPA design phase. MPAs in all four study regions are now in the water and here to stay; agencies consistently view this success as an incredible accomplishment.

An MPA Presentation to CCC:

Setting a Strong Example for Interagency Communication

During the May CCC meeting in Inverness, CA, Cat Kuhlman (OPC) and Becky Ota (DFW) provided an overview to Commissioners on California’s MPAs and the science-based, multi-stakeholder process by which they were designed. Presenters also outlined the implementation activities that are underway by DFW and OPC and identified opportunities for collaboration between these bodies and CCC. This presentation represents a strong step forward in opening the lines of communication and coordination between DFW and its sister agencies on MPA integration. State Lands Commissioners have indicated they are interested in receiving a similar presentation in early 2015.

In recent years, MPAs have become a recognized part of California’s landscape. There have been vast improvements in the public visibility of MPAs as a result of regulatory and interpretive signage, as well as the addition of MPA data layers in some parts of the state in Garmin GPS units. Targeted outreach to tourism and recreation audiences has also helped elevate the profile of MPAs. Projects such as MPA Watch and the MPA Collaborative Implementation Project are evolving and providing expanded capacity for MPA management and integration at the local level. Compliance today is reported to be generally good in areas where District Attorneys, City Attorneys and County Attorneys are producing stronger enforcement cases and penalties for those caught in violation. Finally, legal challenges to the MLPA have been resolved and vocal opposition to the protected areas themselves has—for the most part—quieted, where potential negative short-term economic impacts to fishermen have largely not materialized. NGOs have been key players in supporting all of these

Multi-Agency Collaboration: Improving with Every Project

“Among other local, state, and federal marine resource regulations, I believe MPA impacts were the biggest driver to bring all the marine resource agencies to the table to understand impacts with the Broad Beach project. Early consultation with DFW regarding MPA concerns helped initiate a multi-agency collaborative process for coordination of all marine resource regulations applicable to the project area. This process has helped all agencies to better understand MPA restrictions and has provided a mutually beneficial and supportive working relationship among the agencies. Agency collaboration through the Broad Beach project should serve to provide successful agency collaboration with future projects with potential to affect MPA resources.”

– Jason Ramos, Environmental Scientist
California State Lands Commission

efforts, particularly in ongoing engagement and education of the public. Respondents recognize there is still more to do, but view these examples as excellent indications of effective MPA implementation.

Communication Between Agencies

Agency respondents consistently stated that communication across agencies has always existed, but that MPA integration efforts have illuminated the critical importance of earlier and more frequent dialogue. While there is room for improvement, collaboration continues to evolve and agencies feel their coordination processes, on the whole, are effective for addressing projects with potential MPA impacts. DFW staff in particular noted that this philosophy of heightened collaboration is paving the way for more successful interactions with other entities, such as tribes.

The Broad Beach Restoration Project: a Case Study in MPA Education and Communication with NGOs

Broad Beach is a shoreline neighborhood in Malibu faced with coastal erosion issues that have been exacerbated in the last 10 years due to rising high tides, winter storms and the inability of beach sand to retreat landward. In 2014, homeowners proposed the Broad Beach Restoration Project before CCC and SLC.

This project would have imported 600,000 cubic yards of sediment to the site, making it the biggest beach nourishment project ever undertaken in southern California. The project would have resulted in 100% mortality to the intertidal and subtidal organisms located within the dune and beach berm footprint, including within the Point Dume State Marine Conservation Area.

By the time this project was proposed, MPA understanding and communication between agencies and NGOs had both developed significantly: CCC received a formal MPA educational presentation from OPC and DFW earlier in 2014 (see text box on page 11); expanded MPA education efforts had been undertaken by NGOs with both staff and commissioners at CCC and SLC; and key ocean NGOs were participating in standing monthly calls with CCC Executive Director Charles Lester, in an effort to identify issues of concern in projects like Broad Beach, so they could be discussed and addressed early in the process.

Although CCC staff amendments would have addressed nearly all NGO and community concerns, project proponents ultimately withdrew the proposal to address additional concerns raised by the Commissioners and reapply at a later date. But the Broad Beach Restoration Project showed that enhanced understanding, open lines of communication and early input can effectively resolve MPA and conservation concerns in an even, deliberative way, without the need for public conflict. When project proponents, agencies and NGOs are all communicating openly, tensions are eased and positive outcomes are facilitated.

Communication with NGOs

Agencies agree that the NGO community has had a meaningful influence in achieving improved communication and advancing MPA integration. NGOs have educated both commissioners and staff on the meaning and value of MPAs, highlighted specific project concerns, provided compelling scientific and anecdotal information to consider, and raised public awareness. In many cases, NGOs have successfully advocated for project improvements that have effectively

minimized MPA impacts and have ensured the inclusion of long-term monitoring plans to track future impacts. This consistent NGO engagement has helped bring continuity across projects and agencies.

An example of this evolution to more open lines of communication between agencies and NGOs is the standing monthly calls between CCC's Executive Director and key NGO representatives. These calls allow early and regular discussion of upcoming meeting agenda items and afford NGOs an opportunity to share information, discuss upcoming projects, express concerns and even identify solutions. This mechanism has already proven invaluable in facilitating early resolution to issues related to the Broad Beach Restoration Project.

VI. MPA Integration: Challenges and Barriers

This section focuses on what agency and NGO respondents view as the biggest challenges to date in integrating MPAs into decision-making. When asked specifically about barriers, respondents identified both short-term and long-term factors that affect their ability to consider MPAs in a consistent and aligned manner. While we report on both kinds of challenges here, our recommendations focus on opportunities for agencies to actively improve MPA integration in the short-term. Longer-term challenges will require continued attention and focused strategies over time.

"It took a lot of work to get everyone in the same place on the vision of where we are going with MPA integration. A year ago we didn't fully understand that we had to organize ourselves and that each agency plays an important role in its success. I'm happy to say we've rounded the corner."

– Cat Kuhlman, Executive Director, OPC

Short-Term Challenges

Early Communication and Coordination among Agencies

Sometimes the greatest successes grow out of the greatest challenges. The most common challenge identified by respondents was lack of early and frequent engagement between agencies and with other entities. In the early days since establishment of the statewide MPA network, many agencies lacked MPA experience and expertise and did not know what it meant to integrate these protections into their decision-making processes. As new projects emerged in a post-MPA world, agencies began to encounter competing values and multi-agency jurisdictional issues, as in the proposed Diablo Canyon Seismic Survey (see text box on page 10).

Early Communication and Coordination with NGOs

Moreover, lack of early communication with key NGO and other stakeholder groups has, at times, created conflicts when topics and issues of importance to these groups were not included or considered in decision-making. This lack of coordination sometimes resulted in open conflict in the public eye, project delays, and a lack of alignment in MPA requirements and decision-making.

Aligned Protocols for Assessing Impacts to MPAs

While projects are and largely must be handled on a case-by-case basis for each agency and each project, it is crucial that the methods used to assess MPA impacts and—even more importantly—the outcomes of these decision-making processes align from agency to agency. Without consistent protocols for determining whether a proposed project will have impacts on an MPA, agencies may evaluate and prioritize different information, which could lead to erratic permitting decisions.

Aligned Protocols for Minimizing Impacts to MPAs

While completely avoiding impacts to MPAs is optimal, there may be circumstances where impacts are unavoidable. Just as contemplated in CEQA,³⁰ there may likewise be cases where specific economic, social, safety, or other conditions make project alternatives infeasible and result in the approval of a project that may impact MPAs.

However permitting agencies do not currently have clear and consistent protocols they use to ensure that such impacts to MPAs are minimized, such as: early identification of project alternatives; maximum permit length; or monitoring and reporting requirements.³¹ This variability can mean a lack of comprehensive protection for MPAs and result in divergent requests for project modifications from different agencies. Agency respondents also reported this challenge can create project delays, where agencies and applicants spend more time finding ways to minimize impacts on a piecemeal basis.

“Creating processes for considering potential impacts to MPAs is an ongoing job. It involves considering the many interests and activities happening with other agencies, private entities, citizen science groups or the Collaboratives. It’s an ever-changing playing field that we’re still trying to get our hands around.”

– Becky Ota, Marine Habitat Conservation Program Manager, DFW

Long-Term Challenges

Mitigation Structure

Additionally, there is currently no mitigation structure in place to compensate for negative impacts from a project.³² Agencies noted this as a key challenge to helping offset unavoidable MPA impacts. They described the difficulty of identifying suitable mitigation ratios in the case of MPAs, due to a lack of scientific understanding for what constitutes adequate compensation for a specific impact. This underscores the pressing need to identify and implement consistent core protocols for assessing and minimizing impacts. Finding longer-term mitigation solutions will be necessary for tapping into mitigation funds, such as those outlined in the SWRCB’s Desalination Ocean Plan amendment and its adopted Once-through Cooling Policy, which specifically identify

³⁰ *Ibid.* p. 3. At §21002.

³¹ Project alternatives and mitigation measures to lessen environmental impacts are required by CEQA, but it does not require avoidance of MPAs. Therefore a preferred siting alternative with respect to preserving the integrity of MPAs may actually have equivalent environmental impacts overall.

³² Again, CEQA requires mitigation for broad environmental impacts, but not for impacts to MPAs.

improvement of MPAs as mitigation measures. These policies could offer a new source of funding for MPAs or actions that could improve their effectiveness and resilience.

Staff Capacity

Insufficient staff capacity is a common and ongoing challenge faced by all agencies. While most respondents acknowledge the value of the communication processes they have developed for coordinating on MPA projects, they also describe a struggle to execute these processes within their own agencies and with other agencies, as well as with project applicants and the public.

Coastal permitting agencies recognize DFW’s crucial role as the lead MPA management agency and look to DFW staff for insights and guidance on understanding MPAs. They report that DFW does an impressive job with the resources it has, but most respondents agree that it suffers more acutely from insufficient capacity and believe additional staff would greatly enhance long-term MPA integration efforts.

Long-term Funding

Funding was identified as both an existing and long-term challenge. Agencies recognize the critical need to identify new and sustainable sources of funding, especially as existing bond funds become depleted. They widely agree that MPA funding in the future must shift away from General Funds that are unstable and unpredictable and recognize that existing primary private donors, such as Resources Legacy Fund, will not fund MPA efforts in perpetuity. They report that part of this effort will require leveraging existing resources and finding ways to keep stakeholder energy and motivation high after the initial excitement of MPA designation fades. Agencies see a key role for NGOs in helping address these long-term funding challenges, noting this sector has a greater ability to access non-government funds, generate support and advocate for legislation.

VII. Lessons Learned

Below, we present MPA integration lessons learned by agency and NGO respondents.

- *Early and Frequent Communication is Critical.* This observation extends across sectors and scales (i.e., agency to agency, state to local level, agency to applicant, and agency to NGO). An effective—and ideally agreed upon—plan for communication that outlines what information should be shared and when upon receipt of a project proposal (or prior to its submittal) would help further streamline inter-agency communication and align solutions. Moreover, communicating

“I want agencies to know that they have friends in other agencies. Some won't always know what to do with MPAs. Call us; we're here to help! The MLPA stipulates adaptive management, so we're going to design and then make sure it works. We're not trying to build something and then throw away the key. We can explore solutions and ways to overcome agencies' challenges. Agencies might think we're not interested in their problem, but it's our problem, too.”
—Sonke Mastrup, Executive Director
Fish and Game Commission

with and being responsive to applicants, interest groups and the public can help illuminate topics of importance early on and reduce potential conflicts.

- Agencies Want to Work Together. Agencies respect their colleagues in other agencies and want to share information and expertise to find better ocean and coastal management solutions.
- Having a Point of Contact is Valuable. There is tremendous value in having a forward facing point of contact for MPAs. This helps avoid confusion and streamlines open channels of communication.
- Early Communication with Interested Parties and NGOs is Key. This allows NGOs to discuss concerns with constituents and identify potential solutions with agency staff early on. Furthermore, it creates the opportunity to bring additional scientific or technical information into the process to support decision-making. This also creates an opportunity for NGOs to be supportive of agency actions in public forums, demonstrating alignment and approval from key interest groups.
- It is Important to Clearly Identify and Communicate Each Agency's Role and Value. This is essential for the ongoing protection and success of MPAs and for fostering continued ownership and stewardship.
- Ongoing Outreach and Education is a Must. DFW, OPC and NGOs must continue to reach out to commissions and boards about MPAs and why they are important. This will keep MPAs at the forefront and create continuity in decision-making over time.
- OPC's Role is a Critical and Valuable Element for Successful MPA integration. Using tangible actions, OPC must demonstrate strong leadership as the central coordinator and backbone of MPA policy and integration efforts.

VIII. Recommendations for Advancing MPA Integration

Since 2012, agencies have made tremendous strides in advancing MPA integration efforts. There is a strong recognition of the value of California's MPA network and a concerted effort to more effectively collaborate and coordinate in decision-making. This is evidenced by the way projects have been handled over the last two years: where agencies struggled to communicate with one another and understand MPA requirements in the face of proposed seismic surveys at Diablo Canyon, those same agencies proactively discussed the importance of protecting marine life inside an MPA at Broad Beach and have prioritized and streamlined coordination. Given this evolution and the release of the OPC's MPA Partnership Plan, now is the perfect time to build upon this momentum and take the next steps to more deeply integrate MPAs into the fabric of California. Moving forward, there is an opportunity for better and more sophisticated coordination, as well as more formalized, aligned guidelines for evaluating and minimizing MPA impacts. In this final section, we offer specific

"The really exciting part is how the MPA network is working to align various mandates and getting agencies to understand that we are all serving ocean health for a sustainable future."

– Skyli McAfee, Executive Director, OST;
OPC Science Advisor

recommendations for building on past success and ushering in a new era of enhanced alignment.

Execute on OPC's Leadership Role

OPC plays a vital role in successful MPA integration and is perceived as the clear leader in directing MPA policy. It is the only agency of its kind in California and must continue to demonstrate leadership by actively convening and coordinating MPA integration activities, while spearheading and facilitating long-term solutions to ongoing challenges. To support this role and to complement its recent efforts in crafting and adopting the MPA Partnership Plan, OPC should:

- Work with agency staff to develop multi-agency guidance that provides clear information about core permit and regulatory requirements for activities or impacts in or around MPAs;
- Stay abreast of all pending state and federal projects and policies that may impact MPAs;
- Scan the horizon to forecast future state and federal projects and policies that may impact MPAs well before they're considered by state agencies;
- Act as the connector for all agencies on projects and policies that may impact MPAs, especially for projects subject to multiple coastal and ocean authorities;
- Track and account for the aggregate impacts that multiple layers of projects and policies will have on the overall integrity of the MPA network and the species and habitats it was designed to protect;
- Work with permitting agencies to help determine which agency should hear a project first, rather than putting this burden on the project applicant;
- Encourage agency staff to consider and share integrated strategies for preventing or reducing threats to the MPA network in new projects and policies on MPAs; and
- Convene DFW, CCC, SLC, SWRCB and California State Parks for an annual MPA workshop for the purpose of:
 - Sharing best practices and lessons learned on MPA integration; and
 - Forecasting upcoming projects that may impact MPAs.

Take Coordination to the Next Level

The next step in agency collaboration is to agree on what it means to truly coordinate and undertake some key actions to support these enhanced coordination efforts:

- Create more formalized—and ideally transparent—guidelines for inter-agency coordination that provides comprehensive guidance for agency interactions;
- Designate a formal MPA point of contact for each agency, who participates in monthly inter-agency calls—organized and led by OPC—to forecast and discuss upcoming projects, share information and strategize about best approaches for decision-making. This could open up opportunities to: generate solutions together; share and leverage resources to better align; reduce duplication of efforts; and grow capacity to address MPA issues; and

- Each agency could coordinate regular (i.e., monthly) calls with key NGOs to share information and discuss upcoming projects, meeting agenda items, potential topics of concern and possible solutions.

Develop Clear and Aligned Guidance for Assessing Impacts to MPAs

To address the challenges that arise from varied approaches for assessing MPA impacts, agencies could create comprehensive policy guidance that provides a step-by-step approach for determining whether a project is likely to impact an MPA. This would produce a systematic and practical approach that would also memorialize institutional knowledge and produce consistency in the event of staff or leadership turnover.

Ocean Conservancy has developed an *Illustrative Flow Chart for Considering Potential Impacts to MPAs* (Appendix D). We recognize that each agency will have its own decision-making process for considering project impacts to MPAs. This tool is intended only to guide the process of reviewing MPA considerations and is not intended to supplant in-house expertise or specific project considerations. However, something of this nature could support agency alignment. It could also complement Appendix E from the OPC's MPA Partnership Plan, which details an approach to addressing conflict in an MPA, once identified (Appendix E).

Develop Systematic MPA Consideration on Permit Applications

SLC's geophysical survey permit application has an MPA check box that requires applicants to consider whether an MPA may be impacted by the proposed project. If the answer is yes, the applicant must demonstrate that it has engaged with DFW for proper authorizations and permits (i.e., scientific collecting permit, if needed) and must include records of consultation in their pre-survey notification. If the answer is no, SLC crosschecks this with an MPA map overlaying the location of the project to ensure accuracy of the claim. SLC plans to provide these maps to the public in the near future. Systematically implementing both the MPA check box and map overlay for other SLC permit applications and for applications with other agencies would be exceedingly valuable.

Develop Clear and Aligned Protocols for Minimizing Impacts to MPAs

Using CCC internal guidance as a starting framework, OPC and permitting agencies could develop multi-agency guidance on siting alternatives, project length restrictions, project type and scope thresholds, pilot project requirements and mandatory ongoing monitoring. This would help systematically reduce potential impacts to MPAs, create greater consistency in decision-making and ensure that cumulative impacts are tracked and understood.

Leverage Existing Capacity

Continuing to shift the paradigm of the predominantly top-down management style to a more balanced bottom-up/top-down approach that effectively utilizes the knowledge and resources at the local level could also improve capacity. The MPA Collaborative Implementation Project is helping to achieve this and continued priority should be given to ensure long-term engagement, growth and success of this program. The MPA Partnership Plan lays out some excellent steps in this direction.

Creatively Grow MPA Integration Capacity

Capacity is an ongoing and long-term challenge. With limited budgets and uncertain future funding sources, it is vital that agencies find innovative ways to grow capacity. There are numerous groups with the willingness and capacity to contribute to MPA integration efforts. To effectively utilize these resources, agencies must methodically identify specific needs and gaps and then be explicit about the ways in which external groups can effectively help fill those gaps. This is preferred to the current and more prevalent approach, where partners offer, often unsolicited, assistance in the ways they believe are most helpful.

Using a model similar to the Central Coast Monitoring Survey that OST is undertaking, OPC could facilitate such an effort, where it builds an inventory of existing needs, activities and gaps, and then matches those to external capacity.

Institute Existing Best Practices Across Agencies

Table 2 provides an overview of what Ocean Conservancy views as best practices and protocols and indicates agencies' actions to date in these areas. Taking steps to incorporate these activities could help agencies expand their MPA integration success.

Table 2: Existing Permitting Agency Best Practices and Protocols

Practice/Protocol	CCC	SLC	SWRCB
<i>Receive MPA Briefing by DFW & OPC</i>	•		
<i>Designate MPA Point of Contact</i>	•	•	•
<i>Clear Protocol for Agency-to-Agency Coordination</i>			
<i>Interagency Working Groups on Coastal Issues</i>			•
<i>Interagency Working Group on MPAs</i>			
<i>Protocol for Early Engagement of Key NGOs (e.g., standing calls with key NGOs)</i>	•		
<i>Clear Guidance for Assessing MPA Impacts</i>	•		
<i>MPA Check Box on Permit Application</i>		•	
<i>MPA Map Overlay on Permit Applications</i>		•	
<i>Clear Protocols for Minimizing Unavoidable MPA Impacts</i>			
<i>Established Permit Time Limits if MPA Impacts are Unavoidable</i>			
<i>Established Monitoring Requirements if MPA Impacts are Unavoidable</i>			

IX. Appendices

Appendix A. Agency Respondent Survey Tool

MPA Comparative Analysis – Survey Tool

Project objectives:

- Gain insights into how various agencies have integrated MPAs into their decision-making processes;
 - Better understand challenges agencies have encountered in dealing with projects with an MPA nexus as well as solutions for overcoming them;
 - Identify similarities, differences and other trends across agencies;
 - Collate case studies, lessons learned and recommendations for improving MPA integration into decision-making;
 - Share results with agencies, other decision-makers, ocean NGOs and funders.
-

Background:

- Since planning process is over and MPAs are established, agencies are increasingly faced with how to integrate MPA considerations into decision-making processes.
 - Many agencies talk to each other and coordinate efforts, but our goal with this endeavor is to capture insights and lessons learned across key agencies and identify some trends, examples and best practices.
 - To our knowledge, there isn't another study such as this aimed at capturing the collective knowledge, lessons learned and recommendations in one place.
 - The information we're collecting is confidential. We won't attribute specific ideas or quotes to you without prior consent.
 - Do you have any questions before we begin?
-

SECTION 1: BACKGROUND

1. How does your agency interface with/protect MPAs?
 - a. How does it view this role/responsibility?
 2. Please briefly describe your role at the agency as it relates to MPAs.
-

SECTION 2: AGENCY PROCESSES, PROCEDURES, AND CONSIDERATIONS

3. Do you have any standardized processes or key criteria for determining whether a project has implications for MPAs and to what level? Please explain.
 4. Do you have any standardized processes or procedures for dealing with projects that do/may have impacts to MPAs or is it on a case-by-case basis? Please explain.
 5. What processes do you use for engaging and coordinating with other agencies?
 - a. Has this evolved over time? If so, how?
 - b. What are the strengths/challenges with these collaborations?
-

SECTION 3: SUCCESSES, CHALLENGES AND SOLUTIONS

6. What are the agency's top 2-4 successes with regard to MPA integration?
 - a. Is there a specific project or policy that you see as a big success in terms of how the agency seamlessly integrated MPA? *(If so, we will dig into the specifics of the project and how it evolved over time to achieve the outcomes it did).*
 - b. What made this project so successful?
 - c. Did NGO or community participation influence this success?
 7. What are the top 2-4 challenges your agency has encountered integrating MPAs into decision-making processes?
 - a. Is there a specific project or policy that was particularly difficult? If so, why? *(If so, we will dig into the specifics of the project and how it evolved over time).*
 - b. How did you overcome these challenges?
 - c. Is there something local communities or NGOs could have done differently to support more successful resolution of this challenge?
-

SECTION 4: LESSONS LEARNED AND RECOMMENDATIONS

8. What are some key lessons learned with regard to MPA integration? *(If we talked about a specific project in the previous section, focus on those lessons learned as well as general).*
 9. What recommendations or tips would you have for someone coming into your agency about how to successfully navigate MPA integration?
 10. What are some things you (and your agency) have learned in dealing with MPAs that would be valuable for other agencies to know?
-

SECTION 5: LOOKING FORWARD

11. What future plans and/or goals does your agency have related to integrating MPAs into future decisions?
 - a. Do you see your agency developing comprehensive agency guidance on MPAs? Do you think this is a good idea? Why?
12. What do you think are the key sources of funding to support long-term MPA integration?
 - a. Any out-of-the-box ideas for funding?
13. More broadly, what other opportunities do you see for the future of MPA implementation/integration?
14. Looking forward, how would you define successful MPA implementation?
 - a. What recommendations do you have for achieving this?

Appendix B. NGO/Funders Online Survey Tool

MPA Comparative Analysis DRAFT NGO/Funder Survey Tool

Survey objectives:

- Gain insights and perceptions of the progress agencies have made (or not made) in integrating MPAs into their decision-making processes;
 - Better understand challenges NGOs/funders have encountered with MPA integration activities as well as solutions for overcoming them;
 - Identify projects and policies that have successfully integrated MPAs, as well as effective processes for integrating MPAs.
-

SECTION 1: BACKGROUND

1. Please briefly describe your role at your organization as it relates to MPAs.
-

SECTION 2: SUCCESSES, CHALLENGES AND SOLUTIONS

2. What are the top 2-4 agency successes with regard to MPA integration over the last two years? (*Specific project or policy examples encouraged*).
 - a. How did agency actions or activities influence this success?
 - b. How did NGO or community participation influence this success?
 3. What are the top 2-4 challenges for integrating MPAs into decision-making processes? (*Specific project or policy examples encouraged*).
 - a. How were these challenges overcome? If still in progress, what do you see as key solutions?
-

SECTION 3: AGENCY PROCESSES, PROCEDURES, AND CONSIDERATIONS

4. What (if any) are the processes or procedures that agencies are utilizing that are demonstrating leadership (or current best practices) in MPA integration? Please specify agency(ies).
5. Where do you think agencies are falling short?
 - a. What is needed for improvement?
6. Rate the relative success of each agency in understanding, prioritizing and successfully integrating MPAs into their policies and projects (1 lowest, 10 highest):
 - a. CCC
 - b. SLC
 - c. Water
 - d. Optional comments

7. Rate the relative success of DFW in supporting other state agencies' efforts to integrate MPAs (1 lowest, 10 highest).
 - a. Optional comments.
-

SECTION 4: LESSONS LEARNED AND RECOMMENDATIONS

8. What are some key lessons learned with regard to MPA integration that would be valuable for agencies to know? And the broader MPA community?
-

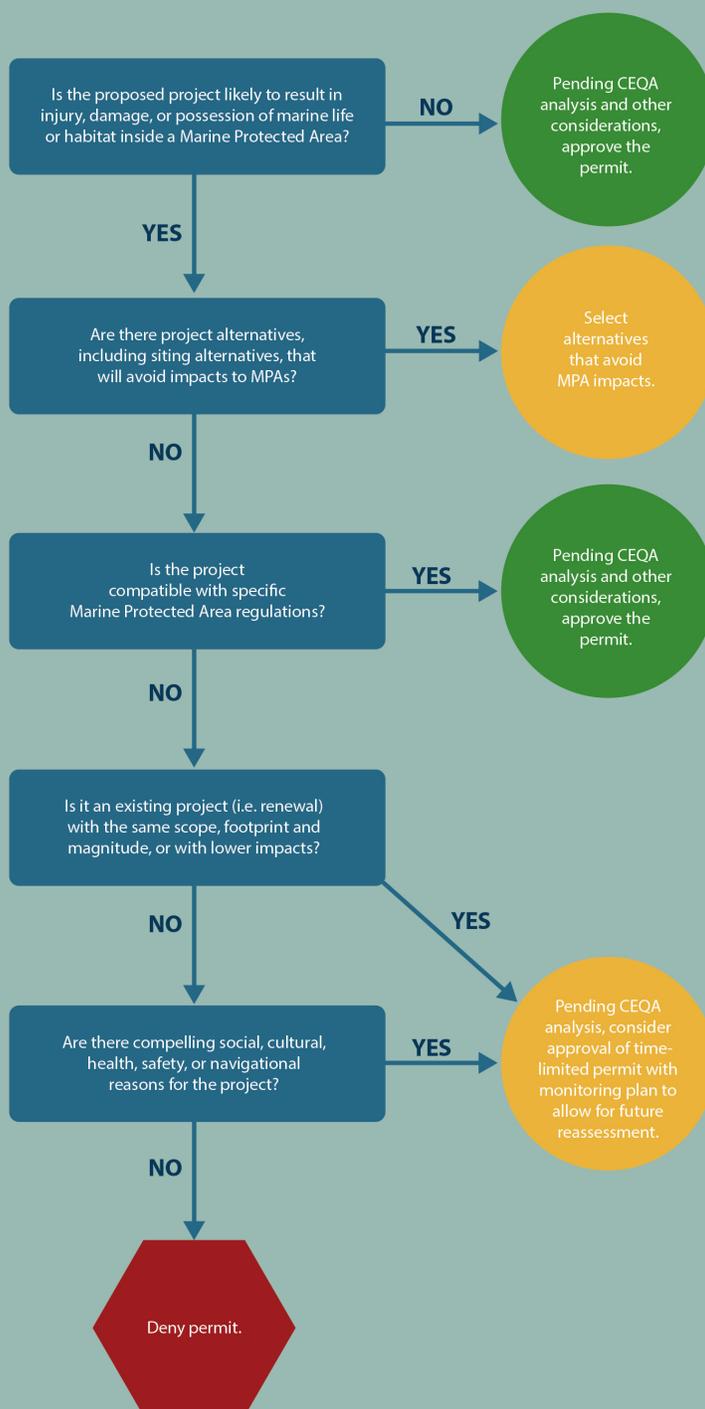
SECTION 5: LOOKING FORWARD

9. What opportunities do you see for the future of MPA integration?
10. Looking forward, what does achieving successful integration of MPAs by agencies into their ocean and coastal management decisions look like?
 - a. What recommendations do you have for achieving this?

Appendix C. List of Interview Respondents

Agency Respondent	Agency
Alison Dettmer	California Coastal Commission
Becky Ota	Department of Fish and Wildlife
Calla Allison	Natural Resources Agency
Cassidy Teufel	California Coastal Commission
Cat Kuhlman	Ocean Protection Council
Craig Shuman	Department of Fish and Wildlife
Cy Oggins	State Lands Commission
Jason Ramos	State Lands Commission
Jennifer DeLeon	State Lands Commission
Jennifer Lucchesi	State Lands Commission
Jonathan Bishop	State Water Resources Control Board
Skyli McAfee	Ocean Science Trust
Sonke Mastrup	Fish and Game Commission
NGO/Funder Respondent	Organization
Dana Roeber Murray	Heal The Bay
Gia Brazil	Ocean Conservancy
Jenn Eckerle	Natural Resources Defense Council
Kaitilin Gaffney	Resources Legacy Fund
Karen Garrison	Natural Resources Defense Council
Matt Armsby	Resources Legacy Fund
Samantha Murray	Ocean Conservancy
Sarah Sikich	Heal The Bay
Stefanie Sekich	Surfrider Foundation

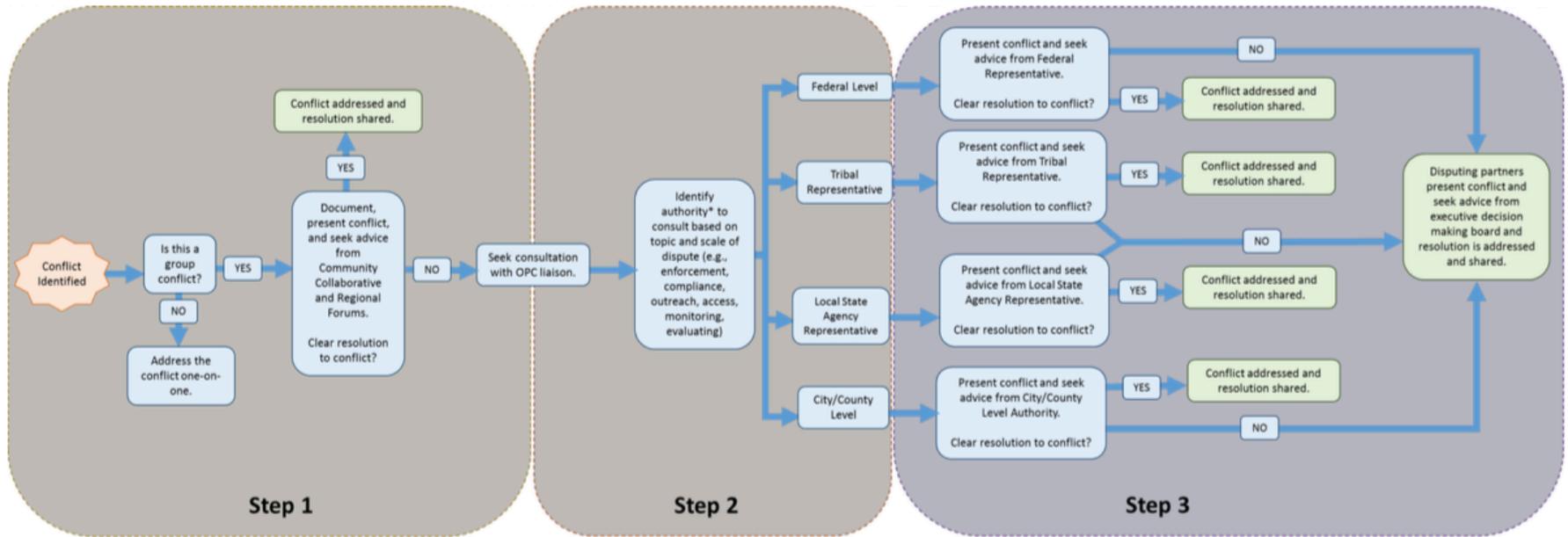
Illustrative Flow Chart for Considering Potential Impacts to MPAs*



* Each agency will have its own decision-making process for considering project impacts to MPAs as well as the full range of other environmental issues and impacts. This tool is intended only to guide the process of reviewing MPA considerations; it is not intended to supplant in-house expertise or specific project considerations.

Appendix E. Ideal Approach to Addressing Conflict in California Marine Protected Areas

The State encourages conflict resolution processes that do not let disagreements escalate and, to the extent possible, promotes resolution at the local scale using minimal resources. Partners are encouraged to work together in collaboration with local authorities, such as city, county, or tribal governments or community councils to develop solutions and tools that resolve conflicts and issues equitably. Below is a graphic depiction of the recommended incremental approach and process to addressing conflict in California Marine Protected Areas.



*Please Refer to Table 1, Table 2, and Table 3 to Identify Authority