

# South Coast Planning Process Intent



Blue Ribbon Task Force Motion for and Integrated Preferred Alternative.....2  
South Coast Integrated Preferred Alternative.....8  
Amended Initial Statement of Reasons.....41

**California Marine Life Protection Act Initiative**  
**MLPA Blue Ribbon Task Force Motion for an Integrated Preferred**  
**Alternative as Adopted as November 10, 2009 Meeting**  
*Document revised November 20, 2009*

***Motion made by Meg Caldwell, seconded by Dr. Jane Pisano***  
***Motion passed 5-0***

On November 10, 2009<sup>1</sup>, the Marine Life Protection Act (MLPA) Blue Ribbon Task Force (BRTF) unanimously approved a motion to forward the MLPA South Coast Integrated Preferred Alternative (IPA) marine protected area proposal, as the preferred alternative for the MLPA South Coast Study Region. The IPA, along with the three regional stakeholder group MPA proposals will be forwarded to the California Fish and Game Commission for consideration.

This document summarizes the MPAs that were identified within the BRTF motion to be included in the IPA, includes a table showing the source and regulations of the adopted MPAs, as well additional guidance the BRTF provided as part of the motion.

The motion put forth by the BRTF is to include in the integrated preferred alternative:

- All “common MPAs”<sup>2</sup> without change, unless otherwise noted below
- Naples SMCA, with the following changes:
  - Add additional allowed use: recreational take of white seabass by spear
  - Add language: This MPA is not intended to restrict use/maintenance of pipelines associated with abalone farm in this location.
- Point Dume SMR/SMCA from Option 1 from the initial options identified by the BRTF during the meeting on October 22, with the following changes:
  - Adjust SMR/SMCA boundary to the west, to conform with river mouth landmark
  - Remove allowed use: commercial take of market squid by dip net
- Palos Verdes SMR/SMCA from Option 2
- Laguna SMCA/SMR/SMCA from Option 2, with the following change:
  - Move northern boundary of SMR to conform with prominent rock feature, and adjust adjacent SMCA boundary.
- San Diego MPAs from Option 2, with the following changes:
  - Additional allowed uses in Swami’s SMCA: recreational take of white seabass by spear AND recreational take of bonito by spear
  - Remove allowed use in San Diego Scripps SMCA: recreational take of coastal pelagic finfish by dip net

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<sup>1</sup> The November 10 meeting was a continuation of a four-day BRTF meeting, which began on October 20, 2009. November 10 was the day the BRTF selected an integrated preferred alternative; however, the BRTF adopted a motion on October 22, 2009 to forward the three regional stakeholder group proposals.

<sup>2</sup> Prior to Nov. 10, the BRTF identified several areas within the study region where general agreement for MPA configuration had been tentatively reached. MPAs in these areas were referred to as “common MPAs” in documents prepared for Nov. 10, 2009.

- Additional allowed use in South La Jolla SMCA: recreational take of pelagic finfish, tunas, marlin, bonito and dorado by hook and line
- Modified boundary in Tijuana SMCA: extend southern boundary to U.S.-Mexico border
- Farnsworth SMCA, with the following changed:
  - Divide into an onshore/offshore SMCA complex, with the straight boundary that captures the 50 meter contour line within the onshore SMCA in response to DFG feasibility guidelines
  - In offshore SMCA, add the allowed use: recreational take of pelagic finfish, tunas, marlin, bonito and dorado by hook and line
  - Add language to offshore SMCA: “ To minimize anchor damage on purple coral at the Farnsworth Bank: 1) recommend that DFG study the feasibility of installing a mooring system capable of handling commercial diving and fishing boats, and 2) if it is feasible, install said system and at that time institute a no-anchoring provision for the Farnsworth Bank

In addition, the BRTF included the following recommendations to accompany the preferred alternative:

- First, to encourage a formal naming process, which both the parks commission and the fish and game commission have for exploring the use of Native American names that have been put forward for many of the shapes that are included in the recommendation; it is beyond the mission of the BRTF to engage in that naming process.
- Secondly, to harmonize the MPA goals and objectives with the actual regulations that have been moved forward and that it be done within 10 days.
- It is not the BRTF’s intent to limit boating in any of the MPAs.
- The BRTF intends to include the lawful operation of municipal facilities within these MPAs.
- Also recommend that MOUs be used among the various enforcement and managerial agencies, both those that already exist in this entire region, with the departments of Fish and Game and State Parks; there is incredible potential there. It has been shown to work in the Channel Islands and there is good will and experience here in this region.

**Source of Boundaries and Proposed Regulations for the South Coast Integrated Preferred Alternative MPA Proposal**

<b>Individual MPAs and MPA Clusters</b>	<b>Source of Boundaries*</b>	<b>Proposed Take Regulations</b>
Point Conception SMR	P1	Take of all living marine resources is prohibited. (All)
Kashtayit SMP	P1	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish, invertebrates except for rock scallops and mussels, and the harvest of giant kelp by hand. (Proposal 1 modified)
Naples SMCA	P1	Take of all living marine resources is prohibited except: 1. Recreational take of Pelagic finfish and White seabass (spear). 2. Commercial take of Giant kelp (hand harvest & mechanical harvest). (Proposal 1 modified)
Campus Point SMR	P2, P3	Take of all living marine resources is prohibited. (P2, P3)
Goleta Slough SMR	P1, P2, P3	Take of all living marine resources is prohibited. (All)
Point Dume SMCA/SMR	P1 modified-SMCA/SMR boundary moved west	SMCA: Take of all living marine resources is prohibited except: 1. Recreational take of Pelagic finfish, Pacific bonito, and White seabass (spear). 2. Commercial take of Coastal pelagic finfish and Market squid (pelagic round haul nets) and Swordfish (harpoon).  SMR: Take of all living marine resources is prohibited. (Proposal 1 modified)
Point Vicente SMR/ Abalone Cove SMCA	P2	SMR: Take of all living marine resources is prohibited.  SMCA: Take of all living marine resources is prohibited except: 1. Recreational take of Pelagic finfish, Pacific bonito, and White seabass (spear) and Market squid (Dip net). 2. Commercial take of Pacific bonito, Coastal pelagic finfish, and Market squid (pelagic round haul nets), Market squid (dip net), and Swordfish (harpoon). (P2)
Bolsa Chica SMCA/SMR	P1 modified-split into SMCA/SMR complex	SMCA: The take of all living marine resources is prohibited except the recreational take of Shore fishing (any target) by hook and line.  SMR: Take of all living marine resources is prohibited. (Proposal 1 modified)

<b>Individual MPAs and MPA Clusters</b>	<b>Source of Boundaries*</b>	<b>Proposed Take Regulations</b>
Upper Newport Bay SMCA	P2	Take of all living marine resources is prohibited except the recreational take of Shore fishing (any target) by hook & line and Finfish (hook & line). (P2)
Crystal Cove SMCA Laguna SMR Dana Point SMCA	P1 modified- Laguna SMR moved south	SMCAs: Take of all living marine resources is prohibited except: 1. Recreational take of Lobster (hoop net & diving), Urchin (diving), and Finfish (hook & line, Spear).  2. Commercial take of Lobster (Trap), Urchin (Diving), Coastal pelagic finfish & Market squid (Pelagic round haul nets).  SMR is: Take of all living marine resources is prohibited. (Proposal 1 modified)
Batiquitos SMR	P1	Take of all living marine resources is prohibited. (P1)
Swami's SMCA	P3	Take of all living marine resources is prohibited except the recreational take of Pelagic finfish, White seabass & bonito (spear). (P3 modified)
San Elijo Lagoon SMR	P1, P3	Take of all living marine resources is prohibited. (P1, P3)
San Diego-Scripps Coastal SMCA/ Matlahuayl SMR	P3	SMCA: Take of all living marine resources is prohibited except recreational take of Coastal pelagic finfish (hook & line)  SMR: Take of all living marine resources is prohibited. (P3 modified)
South La Jolla SMCA/SMR	P1 modified- new SMCA extended to state waters, original SMCA/SMR combined to SMR and north boundary brought south	SMCA: Take of all living marine resources is prohibited except the recreational take of Pelagic finfish, Pacific bonito, Marlin, tunas, and dorado (hook & line).  SMR: Take of all living marine resources is prohibited. (Proposal 1 modified)
Famosa Slough SMR	P2	Take of all living marine resources is prohibited. (P1 and P2)

<b>Individual MPAs and MPA Clusters</b>	<b>Source of Boundaries*</b>	<b>Proposed Take Regulations</b>
Cabrillo SMR	P1, P2	Take of all living marine resources is prohibited. (All)
Tijuana River Mouth SMCA	P1 modified-southern boundary extended to Mexico border	The take of all living marine resources is prohibited except: 1. Recreational take of Coastal pelagic finfish (dip net) 2. Commercial take of Coastal pelagic finfish (pelagic round haul nets). (Proposal 1)
Arrow Point to Lion Head Point SMCA	Existing closure modified (designation)	The take of all living marine resources is prohibited except: 1. Recreational take of marine aquatic plants and fishes. 2. All commercial take is allowed, though other species and gear restrictions apply. (existing closure)
Bird Rock SMCA/ Blue Cavern SMR	P2 modified-SMR/SMCA boundary adjusted north to include Bird Rock in the SMR	SMCA: The take of all living marine resources is prohibited except: 1. The Recreational take of Pelagic finfish, Pacific bonito, & White seabass (spear), Pelagic finfish (hook & line), and Market squid (dip net). 2. Commercial take of Pelagic finfish (hook & line) and Swordfish (harpoon).  SMR: Take of all living marine resources is prohibited. (P2 modified)
Long Point SMR	P3	Take of all living marine resources is prohibited. (P1 and P3)
Cat Harbor SMCA	P1	SMCA: The take of all living marine resources is prohibited except: 1. Recreational take of Lobster (hoop line and diving), Urchin (diving), Finfish (hook & line and spear), and squid (jigging). 2. The commercial take of Sea cucumber and Urchin (diving) and Lobster (trap). In addition allow mariculture for White seabass and Yellow Tail. (P1 modified)

Individual MPAs and MPA Clusters	Source of Boundaries*	Proposed Take Regulations
Farnsworth Onshore SMCA/ Farnsworth Offshore SMCA	P1 modified-split into 2 SMCAs at 50 m contour line	<p>Onshore SMCA: The take of all living marine resources is prohibited except:</p> <ol style="list-style-type: none"> <li>1. Recreational take of Pelagic finfish, bonito and White Seabass (spear), Market squid (dip net), and Marlin, tunas, and dorado by Trolling (hook &amp; line).</li> <li>2. Commercial take of Coastal pelagic finfish and Market squid (Pelagic round haul nets) and Swordfish (Harpoon).</li> </ol> <p>Offshore SMCA: The take of all living marine resources is prohibited except:</p> <ol style="list-style-type: none"> <li>1. Recreational take of Pelagic finfish, Pacific bonito, and White seabass (spear), Market squid (dip net), Marlin, tunas, and dorado by Trolling (hook &amp; line), and tunas, marlin, bonito, dorado and pelagic finfish (hook &amp; line).</li> <li>2. Commercial take of Coastal pelagic finfish by Pelagic round haul nets; Market squid by Pelagic round haul nets; and Swordfish by Harpoon. (P1 modified)</li> </ol>
Casino Point SMR	P2	Take of all living marine resources is prohibited. (P2)
Lover's Cove SMCA	P1, P2	The take of all living marine resources is prohibited except the recreational take of Pier fishing (any target) by hook & line. (P1, P2)
Begg Rock SMR	P1, P2	Take of all living marine resources is prohibited. (P1, P2)
San Clemente Military Closure 1	P1, P2, P3	Managed and enforced by the U.S. Navy as a federal Safety Zone, this area will be restricted to military training only. Due to access restrictions resulting from the Safety Zone, the marine environments will not be exposed to any take other than that resulting from military training operations. (All)
San Clemente Military Closure 2	P1, P2, P3	Managed and enforced by the U.S. Navy as a federal Safety Zone, this area will be restricted to military training only. Due to access restrictions resulting from the Safety Zone, the marine environments will not be exposed to any take other than that resulting from military training operations. (All)
+13 existing state MPAs within the Channel Islands National Marine Sanctuary		

\* Note: P1 = SCRSO MPA Proposal 1 P2 = SCRSO MPA Proposal 2 P3 = SCRSO MPA Proposal 3

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

**Total number of MPAs/closures:** 50  
 Number of SMRs: 28  
 Number of SMCAs: 19  
 Number of SMPs: 1  
 Number of SMRMAs: 0  
 Number of Military Closures: 2

MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
Point Conception SMR	76435	North Mainland	Eastern boundary runs from shore due north-south at 120 degrees, 25.00 minutes longitude to state water line; North-western boundary runs from shore due east-west at 34 degrees, 27.00 minutes latitude to state water line.	SMR	Very high	Take of all living marine resources is prohibited.	This SMR is not intended to and will not regulate military activities. DFG and US Department of Defense should coordinate regulatory language similar to Vandenberg SMR.
Kashtayit SMP	76454	North Mainland	Western and eastern boundaries line up with the onshore Gaviota State Park's west and east boundaries. Western boundary is a straight line due south from shore to 34 27.30' N Southern boundary is straight line along 34 27.30' N between the east and west boundaries lines. Eastern boundary is straight line due north from 34 27.3' N to shore Northern boundary is mean high tide line	SMP	Low	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish, invertebrates except for rock scallops and mussels, and the harvest of giant kelp by hand.	None
Kashtayit SMP (continued)							

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MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
Point Conception SMR	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-1,O-2,O-3), G3: (O-1), G4: (O-1,O-2), G5: (O-1,O-2,O-3,O-4,O-5), G6: (O-1,O-2,O-3,O-4)	This MPA includes a major biogeographic boundary and is designed to protect key important habitats including an upwelling zone, oil seeps, pinnacles, rocky reefs, kelp forest, deep rock, and harbor seal haulouts.  It includes numerous research and monitoring sites (PISCO, MARINe, and CRANE) and also represents a site of cultural significance for the Chumash.	Access to this site is difficult given the distance from Santa Barbara Harbor and the small boat launch at Gaviota, allowing for high conservation value while minimizing socioeconomic impacts.
Kashtayit SMP	G3: (O-1,O-3), G5: (O-2,O-4,O-5), G6: (O-1)	This is intended as a heritage site with significant educational opportunities. Kashtayit SMP is contiguous to an existing State Park, Gaviota State Park, the traditional Chumash village site of Kashtayit. As a Traditional Cultural Place that plays a significant role in Chumash maritime culture, it is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and Chumash maritime cultural preservation and revitalization.	As a Traditional Cultural Place that plays a significant role in Chumash maritime culture, this SMP is ideally suited for tribal co-management to promote both 1) protection consistent with the MLPA, and 2) cultural preservation and revitalization, consistent with the objectives of the MLPA.  The SCRSG recommends: 1)establishing Chumash co-management for this SMP. Chumash government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and Chumash cultural preservation; 2)that Parks and Recreation considers creating a Cultural Preservation site to overlap this SMP to further the goals for the area; and 3)establishing recreational fishing at a moderate-low level of protection that improves conservation benefits while allowing for traditional practices.
Kashtayit SMP (continued)			Chumash tribal groups will seek to formulate an agreement with appropriate State departments, e.g., Fish and Game and Parks and Recreation, that would delineate a co-management relationship, and include specifying any cultural gathering (extraction) which are not currently options under DFG's regulated activities.  As the original inhabitants of this area, the Chumash will bring cultural and environmental values that sustained their culture for millennia.

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Naples SMCA	76424	North Mainland	Western boundary: 119 degrees 58.0 minutes Eastern boundary: 119 degrees 56.0 minutes Offshore boundary: 34 degrees 25.0 minutes	SMCA	Low	The take of all living marine resources is prohibited except: 1. The recreational take of Pelagic finfish by Spearfishing; and White seabass by Spearfishing. 2. The commercial take of Giant kelp by Hand harvest; and Giant kelp by Mechanical harvest.	This MPA is not intended to restrict use/maintenance of pipelines associated with abalone farm in this location.
Campus Point SMR	76445	North Mainland	North: MHTL South: State waters line East: Landmark = Campus Point/Goleta Point West: 119 53.6'	SMR	Very high	Take of all living marine resources is prohibited.	Designation is not intended to impede ongoing operation, maintenance, and monitoring associated with UCSB seawater intake and outfall.

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Naples SMCA	G3: (O-1,O-2,O-3), G4: (O-4), G5: (O-1,O-4,O-5), G6: (O-1,O-2)	This small MPA has been designed to provide protection for a highly productive, unique offshore rocky reef with exceptional substrate diversity and relief, low-impact rural adjacent land uses, intertidal areas, surfgrass, kelp forest, and a harbor seal haulout. This is a well-known and iconic area used by divers, surfers and kayakers and includes a long-term scientific research and monitoring sites for PISCO and LTER.	<p>This SMCA has been created below the minimum size guidelines in order to minimize socioeconomic impacts to halibut and lobster fisheries. It allows for pelagic finfish by spear to accommodate the continuation of this recreational activity. Finally, this SMCA would allow for kelp harvest in order to offset the socioeconomic impact of placing an SMR over the existing kelp lease adjacent to UCSB.</p> <p>This is also an area that plays a significant role in Chumash maritime culture, it is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and 3) Chumash maritime cultural preservation and revitalization. Proposal recommends that DFG explore establishing Chumash co-management for this SMCA. Chumash government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and Chumash cultural preservation.</p>
Campus Point SMR	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-1,O-2,O-3), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-1,O-2,O-3,O-4,O-5), G6: (O-1,O-3,O-4)	To protect habitat and species diversity. This SMR represents and protects a wide diversity of habitat types including eelgrass, surfgrass, kelp, rocky reefs, shallow subtidal, rocky intertidal, oil seeps, sand, and the estuarine inputs of Devereux Slough.	<p>The existing kelp lease in this location would need to be relocated. Continuation of kelp reefs on either side of this SMR allow for comparison of fished vs non-fished areas. Notable species in the areas include snowy plovers, sea otters, lobsters, nearshore rockfish, abalone, seabass, sea cucumbers, grunion spawning, and sand dollar beds.</p> <p>This area also has one of the longest histories of scientific research (MARINE and LTER monitoring sites) in part due to the close proximity of UCSB and the Marine Science Institute, and incorporates the public outreach potential and enforcement already in place with the UC Natural Reserve at Coal Oil Point and an active community presence along the coast, especially from the UCSB campus.</p>

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MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
Goleta Slough SMR	76444	North Mainland	Located at the terminus of the Goleta Valley watershed, the boundaries of the Goleta Slough SMR are the extent of estuary waters that lie within the inland waters as described under title 14. The inland boundaries are where the mean high tide line borders the following landmarks: The Atascadero Creek Rock Groin, the south end of the San Jose Creek Cement Flood Control Channel, the La Patera Creek/Fairview Avenue Bridge, and the Glen Annie Creek/Hollister Avenue Bridge. This SMR does not extend into the ocean beyond the intertidal zone.	SMR	Very high	Take of all living marine resources is prohibited.	There is an intent to allow all activities as required under other law, wetland restoration activities, maintenance of adequate water circulation, required maintenance of existing infrastructure including bridges and pipelines, express intention for support of the issuance of permits as required to allow limited collecting for the purposes of education and research, express intent for the issuance of permits required to conduct small scale experimental manipulation for the purpose of scientific research, express intent not to increase the level of risk of liability otherwise inherent to the operation of the encircled Santa Barbara Airport facility or Goleta Sanitary District POTW.
Point Dume SMCA	76427	North Mainland	Western boundary runs from the shore due north-south along the 118 degrees 53.00 minutes W to state waters; the eastern boundary runs from river mouth to state waters along 118 degrees 49.20 minutes W	SMCA	High	The take of all living marine resources is prohibited except: 1. The recreational take of Pelagic finfish by Spearfishing; Pacific bonito by Spearfishing; and White seabass by Spearfishing. 2. The commercial take of Coastal pelagic finfish by Pelagic round haul nets; Market squid by Pelagic round haul nets; and Swordfish by Harpoon.	None
Point Dume SMR	76422	North Mainland	Western boundary runs from the river mouth due north-south to State Waters along 118 degrees 49.20 W; The eastern boundary uses a landmark at the west side of Paraside Cove Beach, where the wide portion of the beach meets the bluff (at the western edge of the Paraside Cove parking lot).	SMR	Very High	Take of all living marine resources is prohibited.	None

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Goleta Slough SMR	G1: (O-4,O-5), G2: (O-1), G3: (O-2,O-3), G4: (O-1,O-2), G5: (O-2,O-3,O-4,O-5), G6: (O-2,O-4)	<p>This MPA provides an important estuary environment close to study opportunities. This area provides nursery area for juveniles and contains valuable habitat estuarine grasses. Provides foraging area for various bird species.</p> <p>Protecting this area from fishing impacts provides for more natural ecosystem function, protects the natural diversity and abundance of marine life, and the structure, function, and integrity of its included marine ecosystems and network function of the array as a whole, as below. It helps sustain, conserve, and protect marine life and avian populations. It improves educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance. It protects marine natural heritage, including protection of representative and unique marine life habitats.</p>	The proposed Goleta Slough SMR is home to a persistent run of endangered steelhead trout, primarily up San Jose Creek. Its brackish, intertidal zone teems with a diverse assemblage of mollusks, crabs, grunion, tidewater gobies, and sticklebacks. Non-native mullet are observed along with major seabird feeding and nesting areas. An effort to remove and replace non-native plants along its banks is ongoing.
Point Dume SMCA	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-2,O-3,O-4), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-1,O-3,O-5), G6: (O-3,O-4)	Intent is to meet habitat replication for key important habitats. Co-located with an ASBS for water quality considerations. This stretch of coast encompasses some of the most diverse habitats in Los Angeles County, including an upwelling zone, submarine canyon habitat, unique spur and groove reef structures, extensive kelp, and diverse understory algal habitat. This is also an area of high species diversity. There is long-term monitoring and research opportunities in this area. This is also an area that plays a significant role in Chumash maritime culture, it is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and 3) Chumash maritime cultural preservation and revitalization.	We allowed for squid and coastal pelagic species seining, spearfishing for pelagics and harpooning for swordfish [all high LOP activities] to generate cross interest support from conservation and consumptive communities. The SCRSG also recommends that DFG explore establishing Chumash co-management for this SMCA. Chumash government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and Chumash cultural preservation.
Point Dume SMR	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-2,O-3), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-1,O-3,O-5), G6: (O-3,O-4)	Intent is to meet habitat replication for key important habitats. Co-located with an ASBS for water quality considerations. This stretch of coast encompasses some of the most diverse habitats in Los Angeles County, including an upwelling zone, submarine canyon habitat, unique spur and groove reef structures, extensive kelp, and diverse understory algal habitat. This is also an area of high species diversity. There is long-term monitoring and research opportunities in this area. This is also an area that plays a significant role in Chumash maritime culture, it is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and 3) Chumash maritime cultural preservation and revitalization.	<p>The Point Dume SMR is intended to work as a cluster with the Point Dume SMCA. Dume SMR/SMCA cluster is preferred size with very high-high LOP.</p> <p>The SCRSG also recommends that DFG explore establishing Chumash co-management for this SMCA/SMR complex. Chumash government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and Chumash cultural preservation.</p>

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Point Vicente SMR	76423	South Mainland	MPA Boundaries: North -33.44.8 East -118.23.8 South - Out to state waters	SMR	Very high	Take of all living marine resources is prohibited.	Collection for monitoring wastewater discharge and EPA superfund site should continue in this area with valid permits.
Point Vicente SMR (continued)							
Abalone Cove SMCA	76429	South Mainland	Western boundary is 118 23.8, and lines up with Long Point. Eastern boundary is 118 22.5, and also lines up with an easily recognizable coastal point. Southern Boundary is out to state waters	SMCA	High	The take of all living marine resources is prohibited except: 1. The recreational take of Pelagic finfish by Spearfishing; Pacific bonito by Spearfishing; White seabass by Spearfishing; and Market squid by Dip net. 2. The commercial take of Pacific bonito by Pelagic round haul nets; Coastal pelagic finfish by Pelagic round haul nets; Market squid by Pelagic round haul nets; Market squid by Dip net; and Swordfish by Harpoon.	Collection for monitoring wastewater discharge and EPA superfund site should continue in this area with valid permits.
Abalone Cove SMCA (continued)							
Bolsa Chica SMCA	76437	South Mainland	Extent of estuary in state waters between the south side of the Warner Ave bridge and the next bridge south	SMCA	Moderate low	The take of all living marine resources is prohibited except the recreational take of Shore fishing (any target) by Hook and line. Shore fishing in designated areas only.	Current title 14 regulations regarding boating, swimming, wading, park hours, etc. shall be retained. See sections 76c-f in title 14.

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Point Vicente SMR	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-1,O-2), G3: (O-3), G4: (O-1,O-2), G5: (O-1,O-2,O-3,O-4,O-5), G6: (O-1,O-3)	Located at the only true headland (Palos Verdes Peninsula--ref. SAT definition) within the Southern Biogeographical Region (ref. Draft Master Plan) and the South Coast Study region, this Point Vicente SMR/Abalone Cove SMCA cluster captures all but 3 key habitats across a broad range of depths. It provides a high level of protection, at larger than preferred size (19.85 sq. statute miles) and solves the complex puzzle of accomplishing all of this within the most highly populated coastal county in all of California, while being mindful of the likelihood of extreme negative socioeconomic impacts to the surrounding ports, communities and and coastal dependent entities.	This MPA does not include much hard 30-100 meter habitat, which is rare in the study region and can only be found in this area at Rocky Point, much farther to the north. The socioeconomic consequences of placing an MPA that includes Rocky Point would be excessively high and affect many commercial, recreational fisheries and the infrastructure of several diverse working ports and harbors. Sufficient persistent kelp to satisfy SAT guidelines does not exist in this cluster and can only be achieved by generating unacceptable cost and conflict by going either north or east on the peninsula.  This cluster along the Palos Verdes peninsula provides a unique opportunity in that numerous studies for water and sediment quality have been conducted for many years, providing baseline information.
Point Vicente SMR (continued)			The Point Vicente Interpretive Center and museum is a famous spot for observing migrating whales from shore looking south, due in part to its high elevation. This area has all the right conditions to attract large whale species: steep, deep drop-off coupled with robust upwelling. Additionally, there is interpretive signage the California Coastal National Monument has placed on an east facing overlook at the Center, describing the ecological importance of the exposed offshore rocks there, which are under federal jurisdiction above mean high tide.
Abalone Cove SMCA	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-1,O-2,O-4), G3: (O-1,O-2), G4: (O-1,O-2), G5: (O-1,O-2,O-3,O-4,O-5), G6: (O-1,O-4)	This MPA cluster protects the only true south-facing headland in the study region. Species afforded protection are lobsters, sea urchins, rockfish, and rocky inter-tidal (tide pool) inhabitants.  Together with Point Vicente SMR a total area of 19.85sq statute miles is covered. For additional details refer to rationale for Point Vicente SMR.	This MPA is near an EPA superfund site and has been consistently monitored for a number of years. Studies have found no adverse effects on marine species; however some residual human health risks are present from consumption of certain fish species. Collection of samples for monitoring activities should continue in this area. Rocky inter-tidal and shallow rock habitats and caves provide shelter for many species. The area may also contain hydrothermal vents and oil seeps. San Pedro traditional [small-vessel] seine fleet uses area for approximately 50% of income therefore this high LOP activity will be allowed.
Abalone Cove SMCA (continued)			Persistent kelp guideline is not met in this area due to requirement to stay 1/2 mile from major outfall, however this MPA cluster should meet maximum kelp guideline. This MPA contains nearly a third of the available deep rock in the study area, the rarest habitat in this region. In addition coupled with the Point Vicente SMR, this MPA cluster achieves the preferred size in the most densely populated area of the south coast.
Bolsa Chica SMCA	G5: (O-4,O-5), G6: (O-4)	To protect nursery habitat and estuarine ecological process. Designation achieves protection and representation of a tidally influenced coastal wetland while allowing shore-based fishing in areas designated by the ecological reserve manager.	None specified

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
Bolsa Chica SMR	76448	South Mainland	Entire Bolsa Chica Wetlands above the Pacific Coast Highway Bridge to the southern boundary of the Bolsa Chica SMCA	SMR	Very high	Take of all living marine resources is prohibited.	The intent of this designation is to allow all restoration activities including dredging.
Upper Newport Bay SMCA	76441	South Mainland	Seaward boundary extends to the Pacific Coast Highway. The inland boundary extends to Jamboree Road.	SMCA	Moderate low	The take of all living marine resources is prohibited except the recreational take of Shore fishing (any target) by Hook and line; and Finfish by Hook and line.	Restrictions exist regarding: swimming areas, boat speed, shoreline access and access fees. These are intended to continue.  Intended to allow routine maintenance, dredging, monitoring, research and education, and habitat restoration to continue.
Crystal Cove SMCA	76425	South Mainland	Western boundary extends from the east jetty to the Coast Guard buoy outside Newport Harbor. The south boundary continues from the buoy at a diagonal to where it hits the eastern boundary coming off Abalone Point at 33 degrees 32.4' N 117 degrees 49.2' W. Eastern boundary runs north from 33 degrees 32.4' N 117 degrees 49.2' W along the 117 degrees 49.2' W line to Abalone Point. North boundary is MHTL.	SMCA	Moderate low	The take of all living marine resources is prohibited except: 1. The recreational take of Lobster by Hoop net; Lobster by Diving; Urchin by Diving; Finfish by Hook and line; and Finfish by Spearfishing. 2. The commercial take of Lobster by Trap; Urchin by Diving; Coastal pelagic finfish by Pelagic round haul nets; and Market squid by Pelagic round haul nets.	None
Laguna SMR	76421	South Mainland	West boundary is off Abalone Point at about 117 49.20' and goes south until it intersects the south boundary coming off a small point at about 33 30.05' North/East boundary is MHTL	SMR	Very high	Take of all living marine resources is prohibited.	It is not the intent of this MPA to impede ongoing Clean Water Act mandated monitoring, maintenance and marine life sampling for pollutant effects associated with the Aliso Creek mid-level sewer outfall.

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Bolsa Chica SMR	G1: (O-4), G2: (O-1), G3: (O-3), G4: (O-1,O-2), G5: (O-3,O-4), G6: (O-4)	The purpose of this MPA is to protect estuarine habitat, which serves as a nursery for a number of fish species and includes special status bird species.	<p>Located at Bolsa Chica estuary and near the traditional Tongva village area of Povuu'nga Komiik (aka Puvungna East), this Traditional Cultural Place plays a significant role in Tongva tribal culture. It is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and 3) Tongva maritime cultural preservation and revitalization.</p> <p>The SCRSG also recommends that DFG explore establishing Tongva co-management for this SMCA. Tongva government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and</p>
Upper Newport Bay SMCA	G3: (O-2), G4: (O-1), G5: (O-1,O-4,O-5)	This wetland currently under restoration/dredging activities offers limited recreational fishing opportunities while protecting nursery habitats for several fish species such as halibut, and sand bass. Monitoring programs are in place due to restoration activities that are ongoing.	<p>Attempted to include the marsh area on the south end of Shellmaker Island and all water inland from that point, excluding the area that goes under Jamboree road. The area intends to protect the south end of Shellmaker Island to North Star Beach at (33 degrees 37.380 minutes)</p> <p>Due to the comments made in State Parks guidance document, this area designation has been changed to an SMCA. Local resources manage and enforce regulations in this MPA area.</p>
Crystal Cove SMCA	G3: (O-1,O-2,O-3), G5: (O-1,O-2), G6: (O-1,O-2)	This MPA will resolve DFG boundary feasibility issues and maintain legacy protection of intertidal invertebrate species such as kelleet whelks, top shells, limpets and sea cucumbers and abalone while allowing lobster and urchin and fin fish take. It is also intended as a heritage site with significant educational opportunities. Crystal Cove SMCA is contiguous to an existing State Park, and is in the traditional Juaneno/Acjachemem area of Umuqpat. As a Traditional Cultural Place that plays a significant role in Juaneno/Acjachemem culture, it is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and 3) Juaneno/Acjachemem maritime cultural preservation and revitalization.	<p>It is the intent of this MPA to allow sport fishing and commercial fishing while continuing legacy protection of intertidal and sub tidal areas that support educational and restoration activities.</p> <p>The SCRSG recommends:</p> <ol style="list-style-type: none"> <li>1) establishing Juaneno/Acjachemem co-management for this SMCA. Juaneno/Acjachemem government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and Juaneno/Acjachemem cultural preservation;</li> <li>2) that Parks and Recreation considers creating a Cultural Preservation site to overlap this SMCA to further the goals for the area; and</li> <li>3) establishing recreational fishing at a moderate-low level of protection that improves</li> </ol>
Laguna SMR	G1: (O-1,O-2,O-3,O-4), G2: (O-2), G3: (O-2), G5: (O-3), G6: (O-1,O-3,O-4)	This will serve as a backbone regional SMR for ecologically important size and spacing linkages. The reserve includes a good representation of variety of rocky and sandy habitats, including diverse rocky intertidal, shallow kelp reefs. This reserve captures maximum kelp, providing connectivity between PV and Point Loma to achieve SAT guidelines.	This reserve was designed to protect significant marine resources while meeting as many of the SAT habitat guidelines as possible while reducing the impact on offshore recreational and commercial uses, and maintaining access for consumptive use in the state park to the north.

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Dana Point SMCA	76426	South Mainland	Northern boundary extends from shore, a line due west off the small point to approximately 33 30.05 N 117 46.0 W, then south along a line from 33 30.05 N 117 46.0 W to 33 30.0 N 117 46.0 W, then along a south-eastern diagonal line from 33 30.0 N 117 46.0 W to a navigational buoy (at approximately 33 27.3, 117 43.3) then east to the corner of the break wall at approximately 33 27.483 N 117 42.285 W then along break wall at mean high tide line then along shore at mean high tide line	SMCA	Moderate low	The take of all living marine resources is prohibited except: 1. The recreational take of Lobster by Hoop net; Lobster by Diving; Urchin by Diving; Finfish by Hook and line; and Finfish by Spearfishing. 2. The commercial take of Lobster by Trap; Urchin by Diving; Coastal pelagic finfish by Pelagic round haul nets; and Market squid by Pelagic round haul nets.	None
Batiquitos Lagoon SMR	76449	South Mainland	Boundary is inland of the I-5 (the Pacific Coast Highway Bridge)	SMR	Very high	Take of all living marine resources is prohibited.	Activities such as dredging and habitat restoration are allowed
Swami's SMCA	76451	South Mainland	North: 33 02.7' South: 33 00.5' East: MHTL West: State waters line	SMCA	High	The take of all living marine resources is prohibited except the recreational take of Pelagic finfish by Spearfishing; Pacific bonito by Spearfishing; and White seabass by Spearfishing.	Designation is not intended to impede beach nourishment borrowing and receiving activities. It is not the intent of this MPA to impede ongoing Clean Water Act mandated monitoring, maintenance and marine life sampling for pollutant effects associated with the San Elijo sewer outfall.
Swami's SMCA (continued)							

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
Dana Point SMCA	G1: (O-5), G3: (O-1,O-2,O-3), G5: (O-1,O-2), G6: (O-1,O-2)	This MPA will resolve DFG boundary feasibility issues and maintain legacy protection of intertidal invertebrate species such as kellet whelks, top shells, limpets and sea cucumbers and abalone while allowing lobster and urchin and finfish take.	<p>It is the intent of this MPA to allow sport fishing and commercial fishing while continuing legacy protection of intertidal and sub tidal areas that support educational and restoration activities.</p> <p>It is not the intent of this MPA to impede ongoing Clean Water Act mandated monitoring, maintenance and marine life sampling for pollutant effects associated with the Aliso Creek mid-level sewer outfall.</p>
Batiqitos Lagoon SMR	G1: (O-3,O-4,O-5), G2: (O-2), G3: (O-1), G4: (O-1,O-2), G5: (O-4,O-5)	The purpose of this MPA is to protect estuarine habitat, which serves as a nursery for a number of fish species and includes special status bird species. An SMR at this site would enhance the existing education and outreach programs already in place in the lagoon. It is a key site in traditional Luiseno territory. As a Traditional Cultural Place that plays a significant role in Luiseno culture, it is ideally suited for tribal co-management to promote 1) education and outreach, 2) marine stewardship, and 3) Luiseno maritime cultural preservation and revitalization.	<p>The site is one of the few remaining wetlands on the Southern California coastline and currently managed as a nature reserve by the Department of Fish and Game.</p> <p>The SCRSR recommends that DFG explore establishing Luiseno co-management for this SMCA. Luiseno government and non-government entities will seek to formulate MOUs with appropriate State departments, e.g., Fish and Game and Parks and Recreation for education and outreach, marine stewardship, and Luiseno cultural preservation.</p>
Swami's SMCA	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-2,O-3,O-4), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-3,O-4,O-5), G6: (O-3,O-4)	To protect habitat and species biodiversity. This SMCA protects and replicates the closest persistent kelp forest/surfgrass habitat and associated species south of the Palos Verdes SMR, to meet size and spacing guidelines. It adds connective resilience to the macro-algae ecosystem's food web function, while preserving a naturally bio-diverse biological interaction with the permanently open outlet of San Elijo Lagoon.	SMCA meant to be SMP if a MLPA-compatible moderate-high LOP State Park mission statement evolves for this area (current State Park mission statement includes activities not consistent with a moderate-high LOP). MPA boundaries off the full minute to avoid two popular State Beaches at Moonlight and Cardiff-Seaside with their extensive parking lots. This MPA incorporates two existing ocean SMCA's, fronting state beaches, at Encinitas and San Elijo and a large campground catering mostly to surfers, attracted by a dozen reef-shaped surf spots. There are multiple public access points and a dozen great surf spots, Native American submerged cultural sites, large parking lots serving beach-tourism based local economies including retail surf shops and manufacturing, restaurants and hotels, close to UCSD, Palomar and Mira Costa Colleges.
Swami's SMCA (continued)			<p>The south boundary was sited to avoid, to the extent possible, the 1/4 mile buffer around the sewer outfall. MPA is SAT minimum ~9 square miles to minimize impacts to Oceanside harbor fishing efforts.</p> <p>MPA protects two reefs with persistent kelp forests and extensive surfgrass habitat, contiguous with the large sandy area fronting San Elijo Lagoon that was historically a consistent producer of halibut, sand bass, grunion, sharks, rays and all other sandy habitat species. The flat sandy-conglomerate deposit reefs in North San Diego county do not have the vertical relief or rock garden variety of the study areas finest at La Jolla, are less biodiverse and require larger areas to capture species for a lifecycle. But their extensive kelp and surf grass beds are important for all larvae settlement, retention, protection and juvenile growth, and favored lobster habitat.</p>

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

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San Elijo Lagoon SMR	76450	South Mainland	Extent of estuary within state waters. Seaward or west boundary is at the west side of Highway 1 Bridge.	SMR	Very high	Take of all living marine resources is prohibited.	Designation is not intended to impede protection, restoration, maintenance or management activities including estuary mouth opening, scientific research, dune restoration, deposition of sediment and related activities as needed. Boating, swimming, wading, and diving not related to the activities described above are prohibited. Other restrictions exist regarding allowed management activities.
San Diego-Scripps Coastal SMCA	76428	South Mainland	North: 32 53' South: 32 52' East: MHTL West: 117 16.4' (Tenth of a minute line that anchors at Point La Jolla.)	SMCA	Moderate low	Recreational, coastal pelagic finfish, by hook and line.	Designation is not intended to impede pier maintenance or research activities, scientific collection by SIO/UCSD, the Southwest Fisheries Science Center and Birch Aquarium or laboratory tank ocean water intake and discharge activities by these entities.
San Diego-Scripps Coastal SMCA (continued)							

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
San Elijo Lagoon SMR	G1: (O-2,O-3), G3: (O-3), G4: (O-1,O-2), G5: (O-3,O-5), G6: (O-4)	<p>Protects important nursery habitat, ecological processes and provides research opportunity. This designation achieves representation and protection of a healthy and permanently tidally influenced lagoon, and links adjacent or nearby marine habitats together as a protected ecological unit. Lagoon is an important resting, stopover and feeding site for an array of migratory birds and waterfowl.</p> <p>Protects important habitat types and ecological processes such as nutrient cycling, larval exchange, and food supply. Protects nursery habitats for marine species. Provides unique research opportunities for study into relationship of estuarine and marine ecosystems.</p>	Currently no boat access is allowed. An outstanding array of management and stewardship infrastructure exists including CDFG, County of San Diego, San Elijo Lagoon Conservancy. Provides unique research opportunities for study into relationship of estuarine and marine ecosystems. Forthcoming guidance from department managers of adjacent ecological reserve is intended to be incorporated relative to allowed take.
San Diego-Scripps Coastal SMCA	G1: (O-2,O-3,O-4), G3: (O-1,O-2), G4: (O-1), G5: (O-4,O-5)	Protects most of the unique Scripps Canyon branch of La Jolla's submarine canyon system and associated species biodiversity, and the southern-most natural California mussel bed in the study region. Provides for Goal 3 opportunities.	<p>San Diego-Scripps Coastal SMCA forms a cluster with the Matlahuayl SMR and extends from its northern and western borders, adding another 1.45 sq mi to the cluster for critical additional protection of complementary key food web habitats and biodiversity. Replaces the existing ASBS-designated San Diego-Scripps SMCA, expanded to include the 1972 UCSD 800 acre submerged lands lease, which encompasses most of the unique Scripps Canyon branch of La Jolla's submarine canyon system, fronting UCSD's terrestrial Scripps Coastal Reserve property. Birch Aquarium, Scripps Institution of Oceanography and UCSD have used Scripps Pier and Scripps Canyon for marine biology and oceanography research and teaching activities since 1957.</p> <p>Scripps Canyon is unique in the study area, a narrow, steep-walled, deep rock fissure approaching shore at a 90 degree angle, reaching a depth of 500 feet about twice the length of Scripps Pier offshore,</p>
San Diego-Scripps Coastal SMCA (continued)			interrupting and collecting the southward streaming Oceanside littoral cell's constant flow of sand, detritus and estuarine nutrients. The canyon is a reliable haven for a wide variety of deep water species in close proximity and trophic interaction with nearshore species assemblages. Detritus, mainly tangled kelp and surfgrass from north San Diego County, piles into a spacious, well-oxygenated mat on the canyon floor that provides both forage and shelter from predators for a host of small crustaceans - a rare circumstance that allows the mat to achieve one of the highest secondary production levels every recorded, with up to three million small crustaceans counted per cubic meter - forming a reliable and nutritious food web base for the highly productive La Jolla reef and Canyon ecosystem and fishery.

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
San Diego-Scripps Coastal SMCA (continued)							
Matlahuayl SMR	76430	South Mainland	North: 32 52' South: MHTL East: MHTL West: 117 16.4 (Aligned with Point La Jolla)	SMR	Very high	Take of all living marine resources is prohibited.	This MPA does not intend to limit boating or boat launch access except to maintain existing regulations regarding boat launching areas and anchoring times. The designation is not intended to impede pier maintenance or research activities, scientific collection by SIO/UCSD, the Southwest Fisheries Science Center and Birch Aquarium or laboratory tank ocean water intake and discharge activities by these entities.
Matlahuayl SMR (continued)							

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
San Diego-Scripps Coastal SMCA (continued)			<p>Protection and ongoing long-term natural habitat restoration of the upland portion of the Scripps Coastal Reserve and it's drainage into the shoreline mouth of Scripps Canyon, ensures control of non-point source surface run-off to bring water quality discharges up to ocean ASBS standards. There is current reserve monitoring and enforcement by SIO and Natural Reserve System (NRS) staff and docents, UCSD police, and La Jolla Lifeguards in conjunction with the DFG.</p> <p>Recommend DFG to consider MOU with Kumeyaay communities to create an educational and stewardship partnership MPA aimed at enhancing cultural, educational, and historical opportunities present at this site.</p> <p>Purpose is to allow the taking of bait fish by jigging in the Scripps Pier shadows where they congregate. This location is the primary kayak fisherman's bait source for La Jolla fishing.</p>
Matlahuayl SMR	G1: (O-1,O-2,O-4,O-5), G3: (O-1), G4: (O-1), G5: (O-1,O-4,O-5)	Protects an unique sheltered cove and varied reef structure and associated species, kelp forest and contiguous sandy bottom interface at the head of the La Jolla Submarine Canyon's southern branch. Current home to many large tame specimens of a wide variety of species.	This ASBS area is famous for leopard shark breeding, southern most squid spawning and once-great abalone habitat. Heavily fished outside the reserve, a slight expansion to existing corner landmark and tenth of a minute will provide some incremental additional resident species protection. Adjusts existing SMCA boundaries to meet DFG guidelines and simplify take regulations for this well established small La Jolla Cove ASBS Reserve. Does not meet DFG guidelines to extend to state waters line because further expansion west would be detrimental to fishing.
Matlahuayl SMR (continued)			<p>La Jolla Cove is the number one recreational ocean fishing and non-consumptive tourist destination in the south coast study area, serving millions of divers, kayakers, surfers, swimmers and paddlers. Safe kayak launch and the only drive-on-beach small boat launch in region. Extensive parking and shoreline observation opportunities with many amenities and good access points along the proposed SMR. UCSD and SIO overlook. La Jolla, from Matlahuayl, means place of caves in the Kumeyaay language. (Not la joya or the jewel in Spanish, as is commonly believed.) The sea caves included in this SMR and other ceremonial and submerged sites are vital to the cultural heritage of the Kumeyaay.</p> <p>Recommend DFG to consider MOU with State Parks and Kumeyaay communities to create an educational and stewardship partnership MPA aimed at enhancing cultural, educational, and historical opportunities present at this site.</p>

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
South La Jolla SMCA	76431	South Mainland	North: 32 49.5 South: 32 48.0 East: 117 19.0 West: State waters line	SMCA	High	The take of all living marine resources is prohibited except the recreational take of Pelagic finfish by Hook and line; and Pacific bonito by Hook and line.	This SMCA allows for the continuation of Department of Defense activities.
South La Jolla SMR	76453	South Mainland	North: 32 49.5 South: 32 48.0 East: MHTL West: 117 19.0	SMR	Very high	Take of all living marine resources is prohibited.	None
Famosa Slough SMR	76432	South Mainland	Boundaries: (per DFG feasibility guidelines) Western: 32 degrees 45.063' N / 117 degrees 13.749' W (Famosa Blvd) Eastern: 32 degrees 45.078' N / 117 degrees 13.628' W Northern: 32 degrees 45.416' N / 117 degrees 13.746' W (San Diego River Channel) Southern: 32 degrees 44.944' N / 117 degrees 13.720' W	SMR	Very high	Take of all living marine resources is prohibited.	The Slough has been the site of major restoration activity, including 2.2 acres of wetland along West Point Loma Boulevard. The terracing, removal of construction rubble and creation of berms was completed in December 2005. Future restoration activities should be allowed to continue with appropriate permitting.
Famosa Slough SMR (continued)							All activities as required under other law, wetland restoration activities, maintenance of adequate water circulation, express intention for support of the issuance of permits as required to allow limited collecting for the purposes of education and research, express intent for the issuance of permits required to conduct small scale experimental manipulation for the purpose of scientific research.

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
South La Jolla SMCA	G1: (O-3,O-5), G2: (O-1,O-3,O-4), G3: (O-2,O-3), G5: (O-1,O-2), G6: (O-1)	This SMR/SMCA cluster was specifically designed in part to: address socio-economic impacts and allow existing military activities to continue.	This SMCA has been created below the minimum size guidelines in order to minimize socioeconomic impacts to commercial recreational, and CPFV fishermen out of San Diego and Mission Bay harbors. Its proximity to many academic and research facilities will provide opportunities for education, study, and ongoing monitoring as well as collaborative research with local fishermen. This offshore SMCA was created to allow military activities to continue.
South La Jolla SMR	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-1,O-2,O-3), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G6: (O-1,O-2)	This small SMR has been designed to provide protection for a portion of the most diverse and extensive representation of marine life and habitats within the entire south coast study region. This biological hotspot includes dense kelp forest, rocky and sandy intertidal areas, rocky reefs, and the scarce hard 30 -100 meter habitat. It includes some of the oldest, long-term and well studied temperate marine systems with current research and education being conducted by UCSD, SCRIPPS, SIO, La Jolla Ecological Reserve, SDSU, and CRANE.	This SMR has been created below the minimum size guidelines in order to minimize socioeconomic impacts to commercial recreational, and CPFV fishermen out of San Diego and Mission Bay harbors. Its proximity to many academic and research facilities will provide opportunities for education, study, and ongoing monitoring as well as collaborative research with local fishermen.
Famosa Slough SMR	G2: (O-3), G3: (O-1,O-2,O-3), G4: (O-2), G5: (O-1,O-3,O-4,O-5), G6: (O-4)	Protect estuary habitat and provide for educational and recreational opportunities.  The Famosa Slough State Marine Reserve (SMR) was designed to protect a 37-acre urban wetland in San Diego estuary habitat and provide for outstanding educational and recreational opportunities. It is a significant feeding and resting site for ducks and shorebirds including a myriad of heron and tern populations using the Pacific Flyway.	Miles of coverage: 37 acres. Captures the following habitats/features: shallow water habitat (<30 m), soft, sandy bottom, brackish wetland, salt marsh.  Originally part of the Mission Bay wetland complex, the slough is flushed with salt water from the river channel, and collects rainwater and runoff from its 300-acre watershed. The 12-acre channel portion and the 25-acre southern portion of the slough are managed by the City's Park and Recreation Department. The southern portion was acquired by the city in September 1990. Both portions are accessible by the public, and benches are located at view areas.  Despite its small size and urban surroundings, the slough is a functioning wetland with freshwater, brackish and salt marsh habitats, teeming with small fish, crabs, and mollusks. Year-round bird life is rich and diverse. Popular with bird watchers, the slough supports an impressive array of avian species.
Famosa Slough SMR (continued)			Goal 1 (Objectives 1 and 3: With the dramatic decline of wetlands along the California coastline, this SMR protects unique biodiversity, natural trophic structure and food webs in area exposed to the semi-diurnal tidal fluctuations characteristic of San Diego (objective 4). Once part of the Mission Bay complex, protecting this area with a SMR promotes recovery of natural communities from disturbances (objective 5).  Goal 3. Famosa Slough SMR supports all objectives outlined in this Goal, including protecting an area in close proximity to Pt Loma and San Diego communities for the purpose of enhancing educational and scientific use.  Goal 4. With the exponential expansion of urban growth and development, Famosa Slough is one of the few coastal wetlands remaining along the California coastline, and therefore protects a key unique habitat in Southern California (objective 1)

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
Famosa Slough SMR (continued)							
Cabrillo SMR	76438	South Mainland	This shape proposes three corners fixed at the following points: from shore due west to: *the northwest corner is located at 32 deg 40.600', -117 deg 15.000' then due south to *the southwest corner would be fixed at 32 deg 39.700', -117 deg 15.000' then due east to *the southeast corner would be fixed at 32 deg 39.700', -117 deg 14.300' then due north to shore	SMR	Very high	Take of all living marine resources is prohibited.	None
Tijuana River Mouth SMCA	76452	South Mainland	From shore a straight line due west to 32 34.0 N 117 9.0 W then a straight line from 32 34.0 N 117 9.0 W south to US/Mexico border then follow study region boundary due east to mean high tide line	SMCA	High	The take of all living marine resources is prohibited except: 1. The recreational take of Coastal pelagic finfish by Dip net. 2. The commercial take of Coastal pelagic finfish by Pelagic round haul nets.	The deposition of sediment will be permitted in the near shore zone adjacent to the TRNERR for any research, restoration, beach or dune nourishment projects including opening the mouth of the Tijuana River if it is blocked. This will be done in accordance with agency permitting.  The City of Imperial Beach would be allowed to continue their beach replenishment and maintenance program. They would be made aware of the damage of kelp removal in beach grooming procedures.

**California MLPA South Coast Study Region**  
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Famosa Slough SMR (continued)			Goal 5. Management objectives of the Famosa Slough have consistently focused on providing opportunities for long-term monitoring, education and public outreach (objective 2). As a discreet inland waterway and estuary bounded on all sides by public landmarks, the Famosa SMR has clear, easily recognizable boundaries (objective 4). The purpose of this SMR is to continue protecting this area for the long-term refurbishment and conservation of a critical area used as a nursery for coastal marine fishes and as part of the Pacific flyway for migratory birds (objective 5).
Cabrillo SMR	G1: (O-1,O-2,O-3,O-5), G3: (O-1,O-2,O-3), G4: (O-1), G5: (O-1,O-2,O-3,O-4,O-5), G6: (O-1)	Cabrillo National Monument has administrative jurisdiction that extends offshore and the NPS is committed to managing the area in a manner consistent with the goals and values of the NPS and the MLPA. There are few areas where there is a juxtaposition of a SMR with a place-based manager (the NPS). This unique opportunity enhances the efficiency and effectiveness of managing the MPA through collaborative science, resources management and protection, law enforcement, education and outreach.	The NPS is working on a Memorandum of Understanding with the State regarding the implementation of the MLPA. Cabrillo has a 20 year long term intertidal monitoring study. Research is being conducted by PISCO. Approximately 1,000,000 people visit the area annually which provides access to the ocean for thousands of school children and other groups. A SMR is consistent with the federal laws governing the NPS. It is recognized that the areas offshore are valuable fishing grounds for urchins and lobsters, as well as vessels traveling from San Diego Bay. This design protects the diversity of nearshore resources ecosystems.  Peer-reviewed science indicates that this is an area of greater biological diversity and the invertebrates along this section of mainland coast are larger than other areas along the mainland. There are long term monitoring studies in place and the area is easily accessible.
Tijuana River Mouth SMCA	G1: (O-5), G3: (O-2,O-3), G6: (O-1,O-2)	Research and monitoring opportunities at the proposed MPA connected with Tijuana River Estuary, a National Estuarine Research Reserve site, creates the most intact contiguous estuarine/marine complex in the Southern California bioregion. The MPA would include a river mouth delta, soft sediment, largest south coast region offshore cobble reef 3 by 3 km, major barred sand bass spawning area, persistent kelp bed, surfgrass, freshwater plume; five key habitats included.	This MPA site is primarily delineated following Goal 3, Objectives 2 and 3 in the MLPA. This shape accommodates recreational fishing and concerns voiced by the City of Imperial Beach. This MPA was sited specifically to avoid existing pipelines, in an effort to meet water quality guidelines.  Monitoring longshore ocean currents, larval migration and retention centers for unique species and fish populations from Mexican waters have great importance to Baja California and California. Sharing data is enhanced by a collaborative effort between researchers and institutions in both nations.

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Arrow Point to Lion Head Point SMCA	76456	East Channel Islands	This area is bounded by the mean high tide line, a distance of 1000 feet seaward of mean lower low water, and the following points: 33 degrees 28.66' N. lat. 118 degrees 32.31' W. long.; 33 degrees 28.82' N. lat. 118 degrees 32.31' W. long.; 33 degrees 27.24' N. lat. 118 degrees 29.90' W. long.; and 33 degrees 27.17' N. lat. 118 degrees 30.10' W. long.	SMCA	Low	Prohibits all recreational take except marine aquatic plants and fishes. Allows all commercial take, though other species and gear restrictions apply.	None
Bird Rock SMCA	76436	East Channel Islands	Area bounded by the state water boundary and the following lines: 118 degrees 29.300' W 33 degrees 27.500' N 118 degrees 27.000' W	SMCA	High	The take of all living marine resources is prohibited except: 1. The recreational take of Pelagic finfish by Spearfishing; Pelagic finfish by Hook and line; Pacific bonito by Spearfishing; White seabass by Spearfishing; and Market squid by Dip net. 2. The commercial take of Pelagic finfish by Hook and line; and Swordfish by Harpoon.	None
Blue Cavern SMR	76439	East Channel Islands	Area bounded by the mean high tide line and the following lines: 118 degrees 29.300' W 33 degrees 27.500' N 118 degrees 27.000' W	SMR	Very high	Take of all living marine resources is prohibited.	None
Blue Cavern SMR (continued)							

**California MLPA South Coast Study Region**  
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*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Arrow Point to Lion Head Point SMCA	G1: (O-5), G2: (O-2), G3: (O-1,O-2), G6: (O-1)	Retain existing protections for biohabitats and other highly immobile species	None specified
Bird Rock SMCA	G1: (O-1,O-2,O-3), G2: (O-1,O-2,O-3,O-4), G3: (O-2,O-3), G4: (O-1,O-2), G5: (O-1,O-3,O-4,O-5), G6: (O-1,O-3,O-4)	Together with near shore Blue Cavern SMR, provide a backbone MPA on the leeward side of Catalina Island. Provide protection for deep water species like rockfish while providing for recreational and commercial take of pelagic species.	Create an area offshore of the science center that allows for pelagic finfish to be caught in deep water.
Blue Cavern SMR	G1: (O-1,O-2,O-3,O-4), G2: (O-1,O-2,O-3), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-1,O-2,O-3,O-4,O-5), G6: (O-3,O-4)	Blue Cavern SMR, clustered with offshore Bird Rock SMCA provides a backbone MPA for the leeward side of Catalina Island. This MPA was carefully designed with 2 goals in mind: 1) To expand the tiny existing USC Wrigley Marine Lab MPA to include the ecologically important offshore Bird Rock and extend the coastal reserve further east; and 2) To balance (& improve in long term) recreational fishing opportunities for island residents and visitors to Isthmus area by providing open fishing areas around major mooring coves, piers, and reefs, including Isthmus Reef and Ship Rock. Northern region of Santa Catalina Island hosts highly diverse features including along shore headland, coves, sea caves, walls, reefs and stable sand habitats; and unique offshore rocks and reefs.	Design was carefully crafted to minimize impacts to sport fishers, especially by excluding Isthmus Reef and Ship Rock, along with Isthmus Cove, Fourth of July Cove, and Cherry Cove. To accomplish the necessary separation between Bird Rock and Isthmus Reef the boundary line between them runs due north of south tip of Big Fisherman Cove. Designed as cluster with Bird Rock SMCA to allow for offshore fishing opportunities valuable to the economy of Catalina, but together achieve backbone high value MPA.
Blue Cavern SMR (continued)		Proposed MPA contains key habitat giant kelp, elk kelp, and surfgrass. Will protect and enhance fishes and invertebrates, including sea bass, rockfishes, sheephead, kelp bass, halibut, abalone, lobster, cucumbers, mussels, limpets, and rock scallops. This is expansion of existing reserve by USC Wrigley Marine Science Center, so great opportunity for enhanced research, monitoring, and education.	Kept area as small as feasible to minimize socio-economic impacts. Outside the SMR, the entire island region from Isthmus cove to the West End is open for recreational finfish enjoyment. Recommended for MPA status in Santa Catalina Island report by Parnell, Miller, & Dayton (2006). Great location for student and visitor education about values of Marine Protected Areas. Careful design of this and adjacent MPA balance protection and recreational fishing opportunities and provide unique opportunity for study of full take, fish only take, and no take effects on similar marine communities. Rocky intertidal community at Bird Rock has been monitored since 1982. Bird Rock subtidal sea palm, surfgrass, kelp, and sea wall habitats have been studied for decades, but without benefit of resource protection that would greatly increase the value of scientific studies.

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Cat Harbor SMCA	76457	East Channel Islands	Straight line between two locally known prominent points (Cat Head Point on western shore and Pin Rock on eastern shore) Approximate locations: 33 degrees 25.315' N/118 degrees 30.760' W 33 degrees 25.500' N/118 degrees 30.280' W	SMCA	Moderate low	The take of all living marine resources is prohibited except: 1. The recreational take of Lobster by Hoop net; Lobster by Diving; Urchin by Diving; Finfish by Hook and line; and Finfish by Spearfishing. 2. The commercial take of Sea cucumber by Diving; Lobster by Trap; and Urchin by Diving. Mariculture for White Sea Bass and Yellow Tail. Recreational fishing for squid by jigging	None
Long Point SMR	76455	East Channel Islands	North: 33 25.5' South: MHTL East: landmark = Long Point West: 118 24'	SMR	Very high	Take of all living marine resources is prohibited.	None
Long Point SMR (continued)							
Long Point SMR (continued)							

**California MLPA South Coast Study Region**  
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*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
Cat Harbor SMCA	G3: (O-1), G6: (O-1,O-4)	Protects unique area and improves recreational opportunities [goal 3]. This SMCA also protects eel grass habitat, and strives to improve water quality by proposed ASBS designation.	<p>This SMCA provides a protected area at Catalina harbor to improve recreational fishing opportunities, protect eel grass habitat and strive to improve water quality by proposed ASBS designation. This SMCA allows existing white seabass pen-rearing activities in Cat Harbor.</p> <p>This SMCA eliminates commercial fishing except for commercial lobster, sea urchins and sea cucumbers, alleviating interactions with and disturbance from commercial fishing activities such as purse seine and brail squid fishing employing high wattage attracting lights.</p>
Long Point SMR	G1: (O-1,O-2,O-3,O-4), G2: (O-1,O-2,O-3), G3: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-1,O-3,O-4,O-5)	<p>This headland/cove studded MPA was designed specifically to meet Goal 3 and 4 elements, including improving educational and study opportunities and protecting natural heritage habitats and species.</p> <p>This area, not far from the Catalina Island Marine Institute, represents the warmest, most wave-sheltered portion of the East Channel Islands Bioregion, encompassing highly diverse features including headlands, calm coves with unique, research-studied stable sand species assemblages, deep water elk kelp, and the best known (most highly visited) giant black sea bass spawning aggregation site in California.</p>	<p>Ten key habitats are well represented and two important nursery habitats: shallow surfgrass and deep elk kelp. Long Point and Blue Cavern are the only MPAs at Catalina with substantial forests of sand-based deepwater elk kelp that provide intricate thickets sheltering a wealth of fishes and invertebrates. The well-studied stable sand habitats in this area harbor ecologically unique species assemblages. This MPA will protect the best known and most-visited giant sea bass spawning aggregation site in southern California. Though a protected species, these incredibly huge fish are currently subject to bycatch and uninformed spearing, and their prey are actively fished. Another fish in need of protection is the California sheephead, an ICUN "vulnerable" species that is currently harvested commercially (live trapping) and recreationally all around the island.</p>
Long Point SMR (continued)			<p>A recent Sea Grant Study (Caselle et al. 2009) at Catalina found that trophy fishing caused declining male size that adversely affects reproduction in the species. Long Point SMR is a great location for educational programs about marine reserve values. Nearby Button Shell (Camp Fox) and Toyon Coves (Catalina Island Marine Institute) contain popular camps where thousands of school children and families learn about marine ecology and values of Marine Protected Areas. Scientists working through the USC Wrigley Marine Lab conduct research in this MPA and can readily compare Long Point reserve to other Catalina MPAs. This SMR is below minimum size because its primary purpose is for MLPA Goals 3 and 4: to improve educational and study opportunities in representative/unique habitats for their intrinsic value consistent with protecting biodiversity.</p>
Long Point SMR (continued)			<p>Here the outreach/study opportunities and habitat/species diversity can be captured without extending so far offshore that it impacts pelagic fishing by sport vessels and deepwater commercial fishing. The MPA also provides regional representation around Catalina as recommended by Parnell, Miller, &amp; Dayton (2006). SMR is designed to capture adequate representation of diverse key habitats, yet minimize negative socioeconomic impacts by avoiding popular fishing areas and mooring coves from Avalon to Long Point.</p>

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Farnsworth Offshore SMCA	76434	East Channel Islands	From 33 21.0 N lat and 118 30.0 W long a straight line due west along 33 21.0 N lat to 3 nautical miles offshore (state water line) then, continue southward along the state water line to 33 19.0 N lat then, a straight line due east to 33.19.0 N lat 118 29.0 W long then, a diagonal line northwest to 33 21.0 N lat and 118 30.0 W	SMCA	High	The take of all living marine resources is prohibited except: 1. The recreational take of Pelagic finfish by Spearfishing; Pacific bonito by Spearfishing; White seabass by Spearfishing; Market squid by Dip net; and Marlin, tunas, and dorado by Trolling (hook and line). 2. The commercial take of Coastal pelagic finfish by Pelagic round haul nets; Market squid by Pelagic round haul nets; and Swordfish by Harpoon. Allow recreational take of bonito and pelagic finfish by hook and line.	To minimize anchor damage on purple coral at the Farnsworth Bank: 1) recommend that DFG study the feasibility of installing a mooring system capable of handling commercial diving and fishing boats, and 2) if it is feasible, install said system and at that time institute a no anchoring provision for the Farnsworth Bank.
Farnsworth Offshore SMCA (continued)							
Farnsworth Onshore SMCA	76433	East Channel Islands	From shore a straight line due west along 33 21.0 N lat to 33 21.0 N lat and 118 30.0 W long then, a diagonal line southeast to 33.19.0 N lat 118 29.0 W long then, a straight line due east to 33.19.0 N lat 118 27.9 W long then, a straight line due north along 118 27.9 W long to shore Northwestern boundary is mean high tide line	SMCA	High	The take of all living marine resources is prohibited except: 1. The recreational take of Pelagic finfish by Spearfishing; Pacific bonito by Spearfishing; White seabass by Spearfishing; Market squid by Dip net; and Marlin, tunas, and dorado by Trolling (hook and line). 2. The commercial take of Coastal pelagic finfish by Pelagic round haul nets; Market squid by Pelagic round haul nets; and Swordfish by Harpoon.	None
Farnsworth Onshore SMCA (continued)							
Casino Point SMR	76440	East Channel Islands	Area created by the mean high tide and existing buoys and lines maintained by the City of Avalon.	SMR	Very high	Take of all living marine resources is prohibited.	None

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
Farnsworth Offshore SMCA	G1: (O-1,O-2,O-3,O-4), G2: (O-1,O-2,O-3,O-4), G4: (O-1,O-2), G5: (O-1,O-3,O-5), G6: (O-1,O-4)	Backbone MPA cluster for southwest region of Santa Catalina Island hosting high diversity of habitats and communities representing productive, wave-exposed portion of east islands bioregion. Differing exposures to swells, headlands, spectacularly unique offshore Farnsworth Bank (existing MPA and ASBS) and other deepwater pinnacles, diverse rocky intertidal, shallow/deepwater reefs and sand plains add to biodiversity within the MPA cluster. Cluster contains persistent key habitat giant kelp forests, surfgrass, and purple hydrocoral. Will enhance likely to benefit species including rockfishes, kelp bass, scorpionfish, giant sea bass, sheephead, angel shark, abalone, lobster, cucumbers, and rock scallops. Protects highly significant endangered intertidal black abalone and subtidal white abalone habitat.	Utilizes whole minutes of lat/long, cluster consistent with meeting minimum size to count as backbone MPA to minimize socioeconomic impacts to fisheries. Kept some deep rock reefs outside MPA cluster to north to provide fishing habitat to make up for losses at Castle Rock, San Clemente Island Military Closure. Allows coastal pelagics/squid fishing, while maintaining high level protection.  Cluster meets minimum habitat representation for rocky intertidal, kelp, deep rocky reefs 30-100m, sandy beaches, and soft bottom habitat 0-30m, 30-100m, 100-200m & >200m. Recommended for MPA status in Santa Catalina Island report by Parnell, Miller, & Dayton (2006). Avoids active coves/campgrounds such as Little Harbor and Ben Weston Beach that are used by shore fishers and fished from small boats and kayaks. Relatively far from and well-spaced between major overnight mooring areas at Avalon and Cat Harbor.
Farnsworth Offshore SMCA (continued)			It also took into consideration bottom fisheries that were closed at Swat 1 at Catalina.  Created cluster with boundary approximating 50 m depth contour to allow for more hook and line fishing in the offshore portion of the cluster while maintaining a high level of protection for the cluster.
Farnsworth Onshore SMCA	G1: (O-1,O-2,O-3,O-4), G2: (O-1,O-2,O-3,O-4), G4: (O-1,O-2), G5: (O-1,O-3,O-5), G6: (O-1,O-4)	Backbone MPA cluster for southwest region of Santa Catalina Island hosting high diversity of habitats and communities representing productive, wave-exposed portion of east islands bioregion. Differing exposures to swells, headlands, spectacularly unique offshore Farnsworth Bank (existing MPA and ASBS) and other deepwater pinnacles, diverse rocky intertidal, shallow/deepwater reefs and sand plains add to biodiversity within the MPA cluster. Cluster contains persistent key habitat giant kelp forests, surfgrass, and purple hydrocoral. Will enhance likely to benefit species including rockfishes, kelp bass, scorpionfish, giant sea bass, sheephead, angel shark, abalone, lobster, cucumbers, and rock scallops. Protects highly significant endangered intertidal black abalone and subtidal white abalone habitat.	Utilizes whole minutes of lat/long, cluster consistent with meeting minimum size to count as backbone MPA to minimize socioeconomic impacts to fisheries. Kept some deep rock reefs outside MPA cluster to north to provide fishing habitat to make up for losses at Castle Rock, San Clemente Island Military Closure. Allows coastal pelagics/squid fishing, while maintaining high level protection.  Cluster meets minimum habitat representation for rocky intertidal, kelp, deep rocky reefs 30-100m, sandy beaches, and soft bottom habitat 0-30m, 30-100m, 100-200m & >200m. Recommended for MPA status in Santa Catalina Island report by Parnell, Miller, & Dayton (2006). Avoids active coves/campgrounds such as Little Harbor and Ben Weston Beach that are used by shore fishers and fished from small boats and kayaks. Relatively far from and well-spaced between major overnight mooring areas at Avalon and Cat Harbor.
Farnsworth Onshore SMCA (continued)			Created cluster with boundary approximating 50 m depth contour to allow for more hook and line fishing in the offshore portion of the cluster while maintaining a high level of protection for the cluster.
Casino Point SMR	G3: (O-1,O-2,O-3)	This SMR has been requested by Catalina Island residents. Designed to meet Goal 3 of MLPA: Protect habitat and fish for non consumptive diver enjoyment. Currently divers in this City of Avalon Dive Park are at risk of injury due to fishing activities allowed to occur in the area. The City of Avalon Dive Park is well known, accepted by the public, and easily identified by buoys and lines maintained by the City of Avalon	MPA drawn on existing buoys that currently demarcate an official dive park established and maintained by the City of Avalon. Buoy displacement is minimal due to sheltered location near Avalon harbor.

**California MLPA South Coast Study Region**  
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*Adopted on: November 10, 2009 — File modified December 5, 2009*

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Lover's Cove SMCA	76446	East Channel Islands	Area below the mean high tide and the following lines: 33 degrees 20.700 minutes N 118 degrees 18.900 minutes W	SMCA	Moderate high	The take of all living marine resources is prohibited except the recreational take of Pier fishing (any target) by Hook and line.	None
Begg Rock SMR	76442	West Channel Islands	All state waters surrounding Begg Rock.	SMR	Very high	Take of all living marine resources is prohibited.	This SMR is not intended to and will not regulate military activities. DFG and US Department of Defense should coordinate regulatory language similar to Vandenberg SMR.
San Clemente Pending Military Closure 1	76443	East Channel Islands	This is an APPROXIMATE polygon representing the Federal closure on San Clemente Island called SWAT-1	Undesignated	N/A	Managed and enforced by the U.S. Navy as a federal Safety Zone, this area will be restricted to military training only. Due to access restrictions resulting from the Safety Zone, the marine environments will not be exposed to any take other than that resulting from military training operations	This area is a Federal Safety Zone managed by the U.S. Navy
San Clemente Pending Military Closure 2	76447	East Channel Islands	This is an APPROXIMATE polygon representing the Federal Closure located on the east side of San Clemente Island called SWAT-2.	Undesignated	N/A	Managed and enforced by the U.S. Navy as a federal Safety Zone, this area will be restricted to military training only. Due to access restrictions resulting from the Safety Zone, the marine environments will not be exposed to any take other than that resulting from military training operations	This area is a Federal Safety Zone managed by the U.S. Navy
Richardson Rock SMR	76408	West Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Judith Rock SMR	76419	West Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Harris Point SMR	76409	West Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
South Point SMR	76418	West Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Carrington Point SMR	76410	West Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Skunk Point SMR	76420	West Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Painted Cave SMCA	76415	Mid Channel Islands	None	SMCA	Moderate low	The take of all living marine resources is prohibited except: 1. The recreational take of Lobster by Hoop net; Lobster by Diving; and Pelagic finfish by Spearfishing. 2. The commercial take of Lobster by Trap.	None

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
Lover's Cove SMCA	G3: (O-1,O-3)	To provide a recreational opportunity for those who fish from the pier where cross channel boats dock while still providing protection for species viewed from glass bottom boat tours from Avalon. This is strictly a Goal 3 MPA.	Wanted to make straight lines to meet feasibility concerns over odd shape that previously existed. In addition wanted to allow pier based fishing as several visitors use the pier for that purpose while not allowing it in other areas of the MPA.
Begg Rock SMR	G1: (O-1,O-2,O-3,O-4,O-5), G2: (O-1,O-2,O-3,O-4), G4: (O-1,O-2), G5: (O-2,O-3,O-4,O-5), G6: (O-3)	Unique, highly-exposed offshore rock/pinnacle ecosystem with ridges; Deep water hard and soft bottom habitats; rare lumpy form of purple hydrocoral. Enhance rockfish and scallops.	None specified
San Clemente Pending Military Closure 1	G1: (O-1,O-2,O-3,O-4), G2: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-3), G6: (O-3,O-4)	This MPA has been included per BRTF guidance.  This represents a military closure on San Clemente Island called SWAT-1. When finalized by the government, entry into this area will be prohibited for safety reasons whether or not it is designated as an MPA equivalent; therefore, it will effectively be a no-take area except for military exercises.	None specified
San Clemente Pending Military Closure 2	G1: (O-1,O-2,O-3,O-4), G2: (O-1,O-2,O-3), G4: (O-1,O-2), G5: (O-3), G6: (O-3,O-4)	Protects habitats and biodiversity. This above minimum size backbone regional SMR equivalent contributes to ecologically important size and spacing linkages representing northeastern exposure conditions off San Clemente Island in the East Channel Islands Bioregion. This MPA protects six key habitats in an ASBS, including beaches, rocky shores, shallow reefs and sand, persistent kelp and surfgrass as well as associated species.	None specified
Richardson Rock SMR	None Specified	None	None
Judith Rock SMR	None Specified	None	None
Harris Point SMR	None Specified	None	None
South Point SMR	None Specified	None	None
Carrington Point SMR	None Specified	None	None
Skunk Point SMR	None Specified	None	None
Painted Cave SMCA	None Specified	None	None

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	MPA ID	Bioregion	MPA Boundaries (Exact or Approximate)	Designation	Level of Protection	Proposed Take Regulations	Other Proposed Regulations
Gull Island SMR	76416	Mid Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Scorpion SMR	76417	Mid Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Footprint SMR	76411	Mid Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Anacapa Island SMCA	76413	Mid Channel Islands	None	SMCA	Moderate low	The take of all living marine resources is prohibited except: 1. The recreational take of Lobster by Hoop net; Lobster by Diving; and Pelagic finfish by Spearfishing. 2. The commercial take of Lobster by Trap.	None
Anacapa Island SMR	76412	Mid Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None
Santa Barbara Island	76414	Mid Channel Islands	None	SMR	Very high	Take of all living marine resources is prohibited.	None

**California MLPA South Coast Study Region**  
**Description of MPAs: MLPA South Coast Integrated Preferred Alternative (IPA)**  
*Adopted on: November 10, 2009 — File modified December 5, 2009*

MPA Name	Regional Goals/ Objectives	Site Specific Rationale	Other Considerations
Gull Island SMR	None Specified	None	None
Scorpion SMR	None Specified	None	None
Footprint SMR	None Specified	None	None
Anacapa Island SMCA	None Specified	None	None
Anacapa Island SMR	None Specified	None	None
Santa Barbara Island	None Specified	None	None

**California MLPA South Coast Study Region**  
**Consideration of Existing State MPAs in the MLPA South Coast Integrated Preferred Alternative (IPA)**  
*File Created November 19, 2009; Revised December 5, 2009*

<b>Existing MPA</b>	<b>Retain</b> (no changes to boundaries or regulations)	<b>Modify</b> (included with boundary or regulation change)	<b>Remove</b> (not included)	<b>BRTF Rationale for Decision</b>
Refugio SMCA			Remove	Not included in any SCRSG MPA Proposals.
Goleta Slough SMP		Modify regulations. Replace with Goleta Slough SMR.		Included in all SCRSG MPA Proposals.
Big Sycamore Canyon SMR			Remove	Not included in any SCRSG MPA Proposals.
Abalone Cove SMP		Modify boundaries and regulations. Replace with Abalone Cove SMCA.		Provide higher level of protection plus a more feasible overall shape.
Point Fermin SMP			Remove	Local managers would like to maintain MPA, but doesn't meet feasibility guidelines (only P1 included - more permissive than existing MPA)
Bolsa Chica SMP		Modify boundaries and regulations. Replace with Bolsa Chica SMCA/Bolsa Chica SMR.		Included in all SCRSG MPA Proposals in some form. Split into SMCA/SMR to allow continued shore fishing in northern portion while providing increased protection to larger southern portion of estuary.
Upper Newport Bay SMP		Modified boundaries and regulations. Replace with Upper Newport SMCA.		Included in all SCRSG MPA Proposals in some form. Used Proposal 2 shape due to improved boundaries and regulations.
Robert E Badham SMCA		Modify boundaries and regulations. Replace with Crystal Cove SMCA.		Consolidated into one MPA based on advice from DFG and managing entities. Simplified and made uniform allowed uses.
Crystal Cove SMCA		Modify boundaries and regulations. Replace with Crystal Cove SMCA.		Consolidated into one MPA based on advice from DFG and managing entities. Simplified and made uniform allowed uses.
Irvine Coast SMCA		Modify boundaries and regulations. Replace with Crystal Cove SMCA.		Consolidated into one MPA based on advice from DFG and managing entities. Simplified and made uniform allowed uses.
Heisler Park SMR		Modify boundaries. Replace with Laguna SMR.		Incorporated into a larger, backbone SMR to expand scope of protection.
Laguna Beach SMCA		Modify boundaries and regulations. Replace with Laguna SMR.		Incorporated into a larger, backbone SMR to expand scope of protection.
South Laguna Beach SMCA		Modify boundaries and regulations. Replace with Laguna SMR.		Incorporated into a larger, backbone SMR to expand scope of protection.

**California MLPA South Coast Study Region**  
**Consideration of Existing State MPAs in the MLPA South Coast Integrated Preferred Alternative (IPA)**

*File Created November 19, 2009; Revised December 5, 2009*

<b>Existing MPA</b>	<b>Retain</b> (no changes to boundaries or regulations)	<b>Modify</b> (included with boundary or regulation change)	<b>Remove</b> (not included)	<b>BRTF Rationale for Decision</b>
Niguel SMCA		Modify boundaries and regulations. Replace with Dana Point SMCA		Consolidated into one MPA based on advice from DFG and managing entities. Simplified and made uniform allowed uses.
Dana Point SMCA		Modify boundaries and regulations. Replace with Dana Point SMCA		Consolidated into one MPA based on advice from DFG and managing entities. Simplified and made uniform allowed uses.
Doheny SMCA			Remove	Not included in any SCRSG MPA Proposals.
Doheny Beach SMCA			Remove	Not included in any SCRSG MPA Proposals.
Buena Vista Lagoon SMP1			Remove	Per Department of Fish and Game Guidance
Agua Hedionda Lagoon SMR			Remove	Not included in any SCRSG MPA Proposals.
Batiquitos Lagoon SMP		Modify boundaries and regulations. Replace with Batiquitos SMR.		Moved boundary inland of I-5 bridge. Based on consideration of fishing off the bridge and the interest in the Batiquitos Lagoon Foundation to make the MPA an SMR.
Encinitas SMCA		Modify boundaries and regulations. Replace with Swami's SMCA.		Incorporate into Swami's SMCA to achieve backbone protection for nearshore and deep rock habitats.
Cardiff-San Elijo SMCA		Modify boundaries and regulations. Replace with Swami's SMCA.		Incorporate into Swami's SMCA to achieve backbone protection for nearshore and deep rock habitats.
San Elijo Lagoon SMP		Modify boundaries and regulations. Replace with San Elijo Lagoon SMR.		Convert to SMR to represent significant estuarine protection; important nursery habitat and ecological processes and provides research opportunity.
San Dieguito Lagoon SMP			Remove	Managers do not want an MPA here. Request to match designation at San Dieguito to Carpinteria Salt Marsh and Tijuana Estuary for monitoring purposes.
San Diego-Scripps SMCA		Modify boundaries and regulations. Replace with San Diego-Scripps Coastal SMCA.		Included within San Diego-Scripps Coastal SMCA to achieve protection of canyon and nearshore habitats.
La Jolla SMCA		Modify boundaries and regulations. Replace with Matlahuayl SMR.		Included within Matlahuayl SMR to achieve representation of nearshore and other habitats.

**California MLPA South Coast Study Region**  
**Consideration of Existing State MPAs in the MLPA South Coast Integrated Preferred Alternative (IPA)**  
*File Created November 19, 2009; Revised December 5, 2009*

<b>Existing MPA</b>	<b>Retain</b> (no changes to boundaries or regulations)	<b>Modify</b> (included with boundary or regulation change)	<b>Remove</b> (not included)	<b>BRTF Rationale for Decision</b>
Mia J Tegner SMCA		Modify boundaries and regulations. Replace with Cabrillo SMR.		Supports the goals of the national monument and increases protection for this area. Expands size and cleans up boundaries to make more enforceable.
Catalina Marine Science Center SMR		Modify boundaries and regulations. Replace with Blue Cavern SMR.		Included to achieve nearshore habitat protection including emergent rock and reef protection, and to continue to provide research opportunities. Boundaries made more enforceable.
Farnsworth Bank SMCA		Modify boundaries and regulations. Replace with Farnsworth Offshore SMCA.		Included to achieve backbone protection of nearshore and deep habitats including rare corals.
Lover's Cove SMCA		Modify boundaries and regulations. Replace with Lover's Cove SMCA.		Cleaned up boundaries and regulations to make more enforceable at request of DFG.
Richardson Rock SMR	Retain			Per Fish and Game Commission Guidance
Judith Rock SMR	Retain			Per Fish and Game Commission Guidance
Harris Point SMR	Retain			Per Fish and Game Commission Guidance
South Point SMR	Retain			Per Fish and Game Commission Guidance
Carrington Point SMR	Retain			Per Fish and Game Commission Guidance
Skunk Point SMR	Retain			Per Fish and Game Commission Guidance
Painted Cave SMCA	Retain			Per Fish and Game Commission Guidance
Gull Island SMR	Retain			Per Fish and Game Commission Guidance
Scorpion SMR	Retain			Per Fish and Game Commission Guidance
Footprint SMR	Retain			Per Fish and Game Commission Guidance
Anacapa Island SMCA	Retain			Per Fish and Game Commission Guidance
Anacapa Island SMR	Retain			Per Fish and Game Commission Guidance
Santa Barbara Island SMR	Retain			Per Fish and Game Commission Guidance
Arrow Point to Lion Head Point Special Closure		Modify regulations. Replace with Arrow Point to Lion Head Point SMCA.		Retain existing protections for biohabitats and other highly immobile species.



The MLPA requires that the Commission adopt a Marine Life Protection Program that, in part, contains an improved Marine Life Reserve (now defined as state marine reserve) component [Fish and Game Code subsection 2853(c)(1)] and protects the natural diversity of marine life and the structure, function, and integrity of marine ecosystems [Fish and Game Code subsection 2853(b)(1)]. This protection may help provide sustainable resources as well as enhance functioning ecosystems that provide benefits to both consumptive and non-consumptive user groups. The program may include areas with various levels of protection (LOP), through marine protected areas (MPAs) that allow for specified commercial and recreational activities. These activities include but are not limited to fishing for certain species but not others, fishing with certain practices but not others, and kelp harvesting, provided that these activities are consistent with the objectives of the area and the goals and guidelines of the MLPA.

(2) Regional implementation of the Marine Life Protection Act

Important in developing the proposed regulation was the consideration for the south coast MPAs to form a component of a statewide biological network. The concept of designing a statewide network is outlined in the Commission's draft master plan for marine protected areas (draft master plan), consistent with the guidance provided in the MLPA [Fish and Game Code subsection 2853(b)(6)]. Rather than attempting to design a single network for the entire state at one time, the draft master plan envisions the assembly of a statewide network from a series of regional processes across four coastal study regions and the San Francisco Bay region. The central and north central coast regional regulations were adopted in April 2007 and August 2009, respectively. Further background on the concept of biological connectivity, ecosystem protection, MPA classifications, as well as the legislative history and context, are included in the rulemaking files for the central coast (OAL File ID # 07-0711-01S) and north central coast (OAL File ID #2010-0413-02SR). The south coast is the third of five study regions to be implemented through the MLPA.

The proposed regulation establishes a network component of MPAs for the south coast designed to include all representative south coast habitats and major oceanic conditions. Unique and critical habitats were considered separately to guarantee both representation and protection. From an ecological perspective, the proposed regulation creates a network component of MPAs in the south coast consistent with the goals of the MLPA. From an

economic and social perspective, the proposed regulation attempts to minimize potential negative socio-economic impacts and optimize potential positive socio-economic impacts for all users, to the extent possible.

(3) Implementation of the Marine Life Protection Act in the south coast region

The planning process to implement the MLPA in the south coast was conducted pursuant to the processes defined in the Commission's draft master plan. A list of meetings held during the planning process is provided in Section IV(e) of this document. The MLPA South Coast Regional Stakeholder Group (SCRSG) began meeting in October 2008 to develop alternative MPA proposals for the south coast region. The SCRSG met during eight one- to two-day meetings and five work sessions between October 2008 and September 2009, before forwarding three proposals to the Blue Ribbon Task Force (BRTF) in October 2009. The BRTF was appointed by the Secretary of the California Natural Resources Agency to provide policy guidance and oversight to the process.

Based on the six goals of the MLPA, the SCRSG developed regional objectives to meet those goals in the south coast region. They also identified design and implementation considerations based on the regional goals and objectives (Attachment 1). These goals and objectives were critical guidelines used by the SCRSG and others to propose MPAs for the south coast. For each proposal, the SCRSG developed objectives for individual MPAs and linked them to the regional goals and objectives.

The Department contributed to the planning process by providing input to the SCRSG and BRTF throughout proposal development in the form of feasibility and design guidelines, and formal evaluations of MPA proposals based on those guidelines. The Department did not develop its own preferred alternative or recommend any particular alternative as a whole. The Department generated criteria to evaluate the feasibility of proposed MPA designs to ease public understanding, increase enforceability, and facilitate management. A memo outlining these guidelines was provided to the SCRSG following the first RSG meeting, in November 2008 (Attachment 2) and reiterated throughout the process. In addition to feasibility and design guidance, the Department provided guidance to the SCRSG regarding selection of appropriate MPA goals and objectives based on the design of each MPA. The Department also evaluated SCRSG-identified goals and objectives

for individual MPAs to ensure they were appropriate and attainable, and evaluated the prospects of individual areas to help achieve the MLPA goals.

The MLPA Master Plan Science Advisory Team (SAT) for the South Coast Study Region was appointed by the Department Director to provide scientific advice and guidelines to the BRTF and SCRSG for development of MPA proposals based on the best readily available science and the draft master plan. The SAT provided scientific evaluation of MPA proposals relative to the science guidelines and goals of the MLPA. In order to analyze the differences between no-take reserves and limited take conservation areas and recommended parks, the SAT developed a ranking for LOP provided by an MPA based on the impact of allowed uses on ecological and ecosystem structure. LOPs are described in the draft master plan, and are reconsidered for each study region for evaluation purposes (Attachment 3).

The BRTF received the SCRSG proposals at a three day BRTF meeting occurring on October 20-22, 2009. The BRTF noted that all three SCRSG proposals achieved the requirements of the MLPA in different ways: they generally met the science guidelines of the draft master plan, generally met Department feasibility criteria, and to the extent possible minimized socioeconomic impacts. Thus, the BRTF members unanimously voted to forward all three SCRSG proposals to the Commission for its review and consideration. At the same meeting, the BRTF began developing a preferred alternative, but due to time constraints, the meeting recessed until November 10, 2009. On that date, they completed the development of an Integrated Preferred Alternative (IPA) by integrating, and in some cases modifying, MPAs from each of the three SCRSG proposals (Attachments 4 and 5). The BRTF created the IPA with the intent to meet scientific guidelines and achieve the MLPA goals, while also bridging some of the remaining areas of divergence among the SCRSG proposals and minimizing socioeconomic impacts to the extent possible. Additionally, the BRTF resolved several outstanding feasibility issues that the Department had identified in the three SCRSG proposals when crafting the IPA. The BRTF voted to recommend that the Commission select the IPA as the regulatory preferred alternative for the south coast region (Attachment 5).

The Commission received the BRTF recommendations at a joint meeting on December 9, 2009 and directed the Department to prepare this regulatory package using the IPA as the Commission's

preferred alternative and the SCRSG proposals as regulatory alternatives. The SCRSG alternatives are described as Alternative 1 (SCRSG Proposal 1R), Alternative 2 (SCRSG Proposal 2R), and Alternative 3 (SCRSG Proposal 3R) (See attachments 6 - 8), and are described in Section V(a) of this document.

- (4) The proposed regulation:

Summary

The proposed regulation, also known as the IPA, includes a total of 35 MPAs for the south coast region (Figure 1, Table 1, and Attachment 4). Sub-options have been included in the proposed regulation that may increase the number of MPAs to a total of 39. It should be noted that MPAs in the northern Channel Islands and Santa Barbara Island were designed and adopted prior to the implementation of the south coast regional MLPA planning process. These 13 MPAs and two special closures, adopted in 2004, were re-evaluated at the onset of the south coast regional planning process relative to the goals of the MLPA by applying the SAT guidelines. These MPAs were found to meet the goals of the MLPA, and were incorporated into the south coast regional proposals without modification, at the direction of the Commission (see Attachment 9). They are reflected in Figure 1, but are not included in Table 1.

Additionally, two federal Safety Zones (military closures enacted by the United States Coast Guard and managed by the United States Navy) off of San Clemente Island were recognized in the MPA proposals as contributing to the ecological goals of the south coast MPA network. These federal Safety Zones were designated in federal regulations concurrent with the south coast MPA planning process. Although these areas are not proposed for formal designation as MPAs, they prohibit public access and act as no-fishing zones. These zones cover approximately 37 square miles and were identified by the MLPA Science Advisory Team to encompass several unique and rare marine life habitats (Attachment 10-a). Due to the significant biological value of these non-fishing areas, the BRTF made a motion to include federal Safety Zones in MPA proposals and to consider their contributions to the ecological goals of the MPA network in the south coast study region without a formal MPA designation (see Attachment 10-b). Thus, while the federal Safety Zones, as well as the northern Channel Islands MPAs, are part of the overall design of the MPA network, they are not under consideration for regulatory action. The Department will develop monitoring and management agreements

with the Department of Defense pursuant to an MOU subsequent to this rulemaking and will be addressed formally in an update to the draft master plan.

Although changes to the northern Channel Islands MPAs are not under consideration, an error was identified in the existing regulations for the San Miguel Island Special Closure. A typographical error in the original rulemaking resulted in an incorrect longitudinal coordinate for Judith Rock, which is the eastern boundary of the special closure. Thus, in subsection 632(b)(80), Title 14, California Code of Regulations (CCR) of the proposed regulation, 120° 23.30' W. longitude is corrected to 120° 25.30' W. longitude as intended in the original rulemaking.

The three classifications of MPAs used in California to reflect differing allowed uses are: state marine reserve (SMR), state marine conservation area (SMCA), and state marine park (SMP). Public Resources Code Section 36710 lists the restrictions applied in these classifications. The Commission has the statutory authority to designate SMRs and SMCAs; however the third MPA classification, SMP, may only be created, modified, or deleted under the authority of the State Park and Recreation Commission [Public Resources Code 36725(b)].

#### Recommendation for SMP designation

One MPA (Kashtayit) was recommended for designation as an SMP by stakeholders and the BRTF, with restrictions consistent with this designation. Pursuant to Commission authority [Public Resources Code 36725(a)], it would be adopted as an SMCA, although it could subsequently be designated as an SMP at the discretion of the State Park and Recreation Commission. If adopted, the draft master plan will be amended to reflect that it is intended to be a park, but will require action by the State Park and Recreation Commission.

#### Ongoing activities regulated by other agencies

Pre-existing activities and artificial structures including but not limited to wastewater outfalls, piers and jetties, maintenance dredging, and beach nourishment occur throughout the heavily urbanized south coast study region. These are activities that may result in incidental take. However, these activities are regulated by other federal, state, and local agencies, whose jurisdiction cannot be pre-empted through designation of MPAs under MLPA. Out of the 35 MPAs in the proposed regulation, 23 have been identified as having various existing activities regulated by other agencies (refer

to Table 1). These activities are specified within the proposed MPA regulations to make explicit that these regulated activities are allowed to continue under current permits. The Department provided details regarding these activities, and other unresolved issues requiring the Commission's input, at the Commission's **March 3, 2010** meeting (Attachment 11).<sup>a</sup>

The Commission has previously incorporated descriptions of permitted activities into regulations for specific MPAs. There are examples of how ongoing activities are authorized within existing Title 14, CCR. Most recently, in 2008 the Commission adopted language for the Morro Bay State Marine Recreational Management Area that specifies activities permitted by other entities [subsections 632(b)(69)(C)(4) and 632(b)(69)(C)(5), Title 14, CCR]. In addition, permitted activities are also authorized in Ecological Reserves (Section 630, Title 14, CCR, and repeated for MPAs inside the Ecological Reserves in Section 632, Title 14, CCR). In line with this precedent, the proposed regulation incorporates allowances for specific ongoing activities in 23 MPAs (see Table 1, Attachment 11). It should be noted, however, that in cases where a State Marine Reserve (SMR) is proposed over the area of activity, designation as a State Marine Conservation Area (SMCA) is more appropriate than an SMR due to the incidental take associated with those activities, which conflicts with an SMR designation. Eleven of the 23 MPAs with identified activities were proposed as SMRs by stakeholders. Therefore, the designation is changed from SMR to SMCA that only allows take associated with those activities identified. For purposes of this discussion, these are referred to as "no-take SMCAs" and reflected as a different color in Figure 1.

The proposed regulation for MPAs within Ecological Reserves adds a reference to activities authorized pursuant to Section 630. Therefore, text that duplicates text in Section 630, Title 14, CCR, is deleted and a cross reference to Section 630 is provided.

#### Mandated water quality monitoring

Mandated water quality monitoring activities required under the federal Clean Water Act and California Water Code have been identified as occurring throughout the southern California region,

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<sup>a</sup> Activities related to an existing artificial structure were identified in the report (Attachment 11) as occurring within Campus Point SMR, with a recommendation to change the designation to an SMCA and specify that the permitted activities could continue. Information received subsequent to the report indicates that the artificial structure is outside the boundaries of the proposed SMR. Therefore, the regulation retains the SMR designation as proposed.

and include monitoring stations within the majority of MPAs proposed in this regulation. Monitoring includes sampling of water, sediments, and marine organisms using a variety of methods. The MLPA specifically states that monitoring and research are permissible in all MPA designations. Therefore, under existing regulations, water quality monitoring may be authorized in any MPA pursuant to a scientific collecting permit issued by the Department, and therefore an allowance does not need to be specified within individual MPA regulations. However, to make explicit that the provision for monitoring in MPAs applies to water quality monitoring, the proposed regulation adds a general provision to Section 632(a), Title 14, CCR, to clarify that this activity is authorized in all MPAs pursuant to a scientific collecting permit.

#### Wastewater Discharge

For purposes of the MLPA, wastewater discharge permitted by the state water quality control board is not considered to involve “take” within MPAs. A clarification will be added to the draft master plan that, for purposes of MPA management, the relation of wastewater discharge to allowable take is at the discretion and jurisdiction of the state and regional water quality control boards.

#### Military activities within MPAs

Military activities have been identified in three of the proposed MPAs, at Point Conception SMR, Begg Rock SMR, and South La Jolla SMCA. Existing regulations in the preamble to Section 632, Title 14, CCR, state that “Nothing in this section expressly or implicitly precludes, restricts or requires modification of current or future uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents.” Therefore, military operations are already exempt within all MPAs under existing law.

#### Research Agreements in Existing Regulation

The proposed regulation retains the existing San Diego-Scripps Coastal SMCA. This MPA provides for the specified scientific institution to manage and conduct research, education, and scientific collecting activities for its faculty, students, and affiliates without a scientific collecting permit. The proposed regulation adds a requirement that scientific research may only be conducted pursuant to a scientific collecting permit issued by the Department, which is consistent with regulatory requirements at the existing Dana Point SMR and Catalina Island Marine Institute SMR (renamed Blue Caverns SMCA in the proposed regulation).

### Naming of Bolsa Chica MPAs

The IPA forwarded to the Commission by the BRTF includes Bolsa Chica SMCA and Bolsa Chica SMR. Due to ongoing activities that are incompatible with a SMR designation, Bolsa Chica SMR must be re-designated as an SMCA. Because this change results in two proposed MPAs with the same name, in order to avoid confusion, the proposed regulation includes modified names for each MPA, based on the geographic reference for each portion of the bay. Therefore, Bolsa Chica SMCA and Bolsa Chica SMR are re-named as “Bolsa Bay SMCA” and “Bolsa Chica Basin SMCA” respectively, to avoid confusion.

### Regulatory sub-options

At the Commission’s **March 3**, 2010 meeting, the Commission directed the Department to develop regulatory sub-options for eleven of the proposed MPAs within the Commission’s preferred alternative, to provide alternatives to either boundaries or take regulations in the IPA that address Department feasibility concerns, or requested by the California Department of Parks and Recreation (State Parks) (Attachment 11). The Commission also added sub-options for two existing MPAs not included in the IPA at the request of State Parks, for a total of thirteen MPAs with sub-options. These sub-options include the following choices:

#### **Arrow Point to Lion Head Point (Catalina Island) SMCA boundaries-**

The proposed MPA utilizes the seaward boundary of a long-standing special closure, which is represented by an undulating line based on a specific distance from the coastline. Note that existing coordinates are updated in the proposed regulation to reflect more precise GIS coordinates using modern technology. However, the seaward boundary does not meet Department feasibility guidelines.

**Option 1:** Retain coordinates as proposed in IPA (Figure 2a).

**Option 2:** Use straight lines between coordinates to approximate the distance offshore (Figure 2b). Straight line coordinates are recommended to facilitate enforcement and public understanding. The proposed straight lines intentionally avoid inclusion of Eagle Reef, a popular destination for recreational lobster diving.

#### **Casino Point and Lover’s Cove (Catalina Island) SMCAs proposed permitted activities-**

Feeding fish in the area offshore from the City of Avalon is a long-standing practice associated with local tourism. Food is provided to fish in order to attract the local species to enhance marine life

viewing. In the general rules and provisions governing MPAs in subsection 632(a), Title 14, CCR, feeding fish is prohibited except in relation to fishing allowances within SMCA and state marine recreational management areas. As such, designation of an MPA at Casino Point and Lover's Cove would prevent the practice from continuing. This was not considered during the SCRSG planning process, so the proposed regulation provides an option to allow or disallow this practice to continue within specific MPAs as follows:

**Option 1:** Do not allow the feeding of fish.

**Option 2:** Allow for the feeding of fish the purpose of marine life viewing.

Proposed option 2 requires an addition to the regulations in the general rules and provisions (subsection 632(a), Title 14, CCR) that allows for feeding of fish for marine life viewing purposes to be specified within regulations for individual MPAs.

#### **Laguna Beach SMR boundaries and designation-**

A wastewater outfall pipe crosses the southern boundary of the proposed SMR. Although the discharge end of the outfall pipe falls outside the boundaries of the proposed MPA, operation and maintenance activities associated with the portion of the outfall pipe that is within the proposed MPA are incompatible with the SMR designation. However, the only area within the proposed Laguna Beach SMR that would be affected by these operations lies within approximately the southernmost mile of the MPA. Therefore, options are provided to allow for the continued operation of the outfall pipe by either: a) revising the entire designation to an SMCA (option 1); b) dividing the geography into two no-fishing MPAs with an SMR designation along the majority of the area, with an SMCA designated along approximately the southernmost mile of the area which would increase the number of MPAs by one (option 2); c) or modifying the south-eastern boundary of the SMR to exclude the pipeline area (option 3). In addition, options are incorporated to address feasibility concerns raised in public comment and by Department enforcement and local enforcement partners. The proposed SMR boundaries adhere to Department feasibility guidelines; however, feedback received from the public and local MPA management partners indicates that the angle of the coastline in this geography does not work well with strict north/south – east/west boundaries. This is particularly true for user groups accessing the area from shore, who generally fish without the aid of Global Positioning System units to identify coordinate-based boundaries. Therefore, options are provided to address feasibility of boundaries by modifying the northern and southern boundaries

to be oriented perpendicular to the shore, in two different configurations (Options 4 and 5).

A summary of Options 1-5 are provided below:

**Option 1:** Retain coordinates as proposed and change designation to a non-fishing SMCA that allows for wastewater outfall operation and maintenance (Figure 3a).

**Option 2:** Divide Option 1 geography into two MPAs, with an SMR north of the wastewater outfall pipe and create a non-fishing SMCA band at the southern portion of the proposal boundary, including the wastewater outfall pipe, which allows for operation and maintenance of the outfall (Figure 3b). This option would increase the number of MPAs by one.

**Option 3:** Modify the southern boundary to exclude the pipe, by moving the southeast corner of the SMR northward to the nearest prominent rocks, which results in a nearshore line perpendicular to shore (Figure 3c).

**Option 4:** Use the southern boundary in Option 3, and also modify the northern boundary in the nearshore area to be perpendicular to shore. Seaward, the boundaries adhere largely to the size and shape of the IPA (Option 1). This shape excludes the wastewater outfall pipe (Figure 3d).

**Option 5:** This is a variation of Option 4 in which the northern and southern boundaries extend perpendicular from shore out to the state waters boundary (Figure 3e).

#### **Robert E. Badham SMCA name option-**

This existing MPA is subsumed into Crystal Cove SMCA in the IPA. However, the history of the naming of this existing MPA is relevant for consideration of whether or not to retain the historic name.

This MPA, originally designated as the Newport Beach Marine Life Refuge, was renamed as Robert E. Badham Marine Life Refuge (reclassified as an SMCA per the MLPA) in response to Senate Resolution No. 17, adopted by the California Senate in 1999 (Attachment 15). In light of this history, two options are provided:

**Option 1:** As proposed in the IPA, remove existing MPA name and subsume area into Crystal Cove SMCA (Figures 3a-3c; links to Crystal Cove Boundary Options 1 and 2).

**Option 2:** Retain existing MPA name. Divide the proposed Crystal Cove SMCA area into two distinct MPAs to retain the historic name Robert E. Badham for the area north of the Crystal Cove State Park land boundary (See Figures 3f-3g; Links to Crystal Cove Boundary Options 3 and 4).

#### **Crystal Cove SMCA boundaries-**

Since this MPA shares a boundary with the Laguna Beach SMR, some of the Laguna options will result in a change to the southern boundary of this MPA (Boundary Options 1 and 2 below). Options for Robert E. Badham will also affect the northern boundary of this MPA (in Boundary Options 3 and 4 below).

**Boundary Option 1:** Retain coordinates as proposed in the IPA (Figures 3a-3c; links to Laguna Options 1, 2, and 3, and Robert E. Badham Option 1).

**Boundary Option 2:** Modify the southern boundary (Figures 3d-3e; links to Laguna Options 4 and 5, and Robert E. Badham Option 1).

**Boundary Option 3:** Divide the Option 1 geography into two MPAs, with the northern boundary of Crystal Cove SMCA terminating at the State Park boundary. The remaining area within the geography north of the boundary would retain the original name of Robert E. Badham SMCA (Figure 3f; links to Laguna Options 1, 2, and 3, and Robert E. Badham Option 2). This option would increase the number of MPAs by one.

**Boundary Option 4:** Divide the Option 2 geography into two MPAs, with the northern boundary of Crystal Cove SMCA terminating at the State Park boundary, and the remaining area within the geography north of the boundary would retain the original name of Robert E. Badham SMCA (Figure 3g; links to Laguna Options 4 and 5, and Robert E. Badham Option 2). This option would increase the number of MPAs by one.

#### **Crystal Cove SMCA take regulations-**

Crystal Cove SMCA as proposed in the IPA prohibits fishing except for recreational take of finfish by hook and line or by spearfishing, lobster, and sea urchin; and commercial take of coastal pelagic species by round haul net, spiny lobster by trap, and sea urchin. However, State Parks has requested that the Commission consider prohibiting all commercial fishing based on the rationale that commercial take conflicts with the adjacent Crystal Cove State Park General Plan for enhancing recreational activities and potential future designation as a State Marine Park. Therefore, take options are provided for Crystal Cove as follows:

**Take Option A:** Allow commercial and recreational take as proposed in the IPA.

**Take Option B:** Prohibit commercial take.

#### **Dana Point SMCA boundaries-**

Since this MPA shares a boundary with the Laguna Beach SMR, some of the Laguna options will result in a change to the northern boundary of this MPA (Boundary Options 1 and 2).

**Boundary Option 1:** Retain coordinates as proposed (Figures 3a-3b; links to Laguna Options 1 and 2).

**Boundary Option 2:** Modify the northern boundary (Figures 3c-3e; links to Laguna Options 3, 4 and 5).

**Dana Point SMCA other access and collecting restrictions-**

The existing Dana Point SMCA contains language derived from legislation passed in 1993 to increase protection in the originally-established Dana Point Marine Life Refuge (reclassified as an SMCA per the MLPA) (Attachment 16). The legislation prohibited entry into the intertidal zone for purposes of taking or possessing any species of fish, plant, or invertebrate, except under a scientific collecting permit issued by the Department, and an additional approval obtained from the director of the Dana Point SMCA to collect within the SMCA. The existing SMCA covers the geographic area around the Dana Point Headlands. However, the proposed regulation expands the coastal coverage of the Dana Point SMCA northward by over three linear miles, and adds an allowance for recreational take from the shore. This proposed allowance would be in conflict with the existing restrictions on entering the intertidal area to fish. Therefore, the proposed regulation includes two options.

**Access Option A:** Remove existing restrictions to entry into the intertidal zone, and scientific collecting oversight by the director of the Dana Point SMCA.

**Access Option B:** Retain existing restrictions to entry into the intertidal zone and scientific collecting oversight by the director of the Dana Point SMCA. This restriction would be limited to a defined area that corresponds to the area around the Dana Point Headlands which is southward of a line at latitude 33° 27.74' N.

**Swami's SMCA boundaries-**

The proposed northern and southern boundaries for this MPA fall in the middle of beaches without visible and permanent landmarks. Because these beaches have very high visitation rates of more than three million people annually, many of whom fish from the beach, Department enforcement have raised concerns that the public may find it difficult to locate the boundaries unless aligned with landmarks. To facilitate public understanding, the Department recommended moving the northern boundary northward to align with Cottonwood Creek (Option 2), and State Parks recommended moving the southern boundary southward to the edge of State Parks land (end of state beach) (Option 3 and 4). It should be noted that a movement of the southern boundary in Options 3 and

4 would encompass the discharge end of the San Elijo wastewater discharge pipe.

**Boundary Option 1:** Retain coordinates as proposed in IPA (Figure 4a).

**Boundary Option 2:** Move northern boundary northward to Cottonwood Creek (Figure 4b).

**Boundary Option 3:** Move southern boundary south to align with State Parks Beach boundary (Figure 4c).

**Boundary Option 4:** Move northern boundary per Option 2 and southern boundary per Option 3 (Figure 4d).

#### **Swami's SMCA take regulations-**

Additionally, State Parks has requested the consideration of sub-options for this proposed MPA due to conflicts with current State Parks unit management. State Parks states that the proposed modification of the existing MPA conflicts with State Beach classification and general plans. The proposed MPA will affect both Cardiff and San Elijo State Beaches. More than three million people visit these beaches annually. San Elijo State Beach provides 172 campsites. The classification of a State Park System unit forms the foundation on which all management and development policies are based. State Beaches are a class of State Recreational Areas that are operated to provide outdoor recreation opportunities. State Beaches provide swimming, boating, fishing, and other beach-oriented recreational activities. An SMCA that prohibits shore fishing would conflict with one of the primary purposes of these park units. Therefore, State Parks recommends allowing shore-based fishing. The proposed regulation provides sub-options that add shore-based fishing with hook and line gear as an allowed recreational take method in the SMCA (see sub-options for allowed take in Options 3, and 4). These options meet Department feasibility guidelines but reduce the SAT LOP from high to moderate-low.

**Take Option A:** Recreational fishing regulations as proposed in IPA.

**Take Option B:** Adds shore-base fishing with hook and line gear as an allowed recreational take method in the SMCA.

#### **San Diego Scripps Coastal SMCA and Matlahuayl SMR Boundaries-**

In the IPA proposal, the Scripps Pier cuts diagonally across the boundary between these two proposed MPAs. Although the pier is not a fishing pier, it is common for recreational anglers fishing from boats to target fish for bait underneath the pier structure, which would be allowed to continue in the San Diego Scripps Coastal

SMCA under the proposed regulation. As part of the pier is inside the proposed SMCA and part in the proposed SMR boundaries, this presents confusion for the public, resulting in enforcement difficulties. In addition, the boundary as proposed will require re-designation of Matlahuayl from a SMR to a SMCA to allow for operation and maintenance of the pier structure. Therefore, the proposed regulation adds an option to address both issues, to move the shared boundary between the two MPAs southward to below the pier, as follows:

**San Diego-Scripps Coastal SMCA Option 1:** Retain coordinates as proposed in the IPA (Figure 5a; linked to Matlahuayl Option 1).

**San Diego-Scripps Coastal SMCA Option 2:** Move the southern boundary south to below the base of Scripps Pier (Figure 5b; linked to Matlahuayl Option 2).

**Matlahuayl SMCA Option 1:** Change designation from SMR to SMCA; retain coordinates as proposed in IPA (Figure 5a; linked to San Diego-Scripps Coastal SMCA Option 2).

**Matlahuayl SMR Option 2:** Retain SMR designation, move northern boundary south below base of pier (Figure 5b; linked to San Diego-Scripps Coastal SMCA Option 2).

#### **South La Jolla SMR/SMCA-**

This inshore/offshore MPA complex has a shared northern and southern boundary. As proposed in the IPA, the northern boundary bisects an intertidal reef that is popular for recreational harvest of invertebrates at low tide. Additionally, the southern boundary falls in the middle of a public beach without a permanent and visible landmark. Both of these boundaries may lead to enforcement and public understanding challenges. Therefore, boundary options are provided to address feasibility concerns for the northern and southern boundaries (Figure 6):

**Option 1:** Retain coordinates as proposed in IPA.

**Option 2:** Move northern boundary to north of the intertidal reef to align with Palomar Avenue.

**Option 3:** Move southern boundary one block south to align with Missouri Street.

**Option 4:** Move both northern and southern boundaries per Options 2 and 3.

#### **State Parks request to retain two existing MPAs**

Two existing MPAs (Refugio SMCA and Doheny Beach SMCA) are not retained in the original IPA of 35 MPAs submitted by the BRTF to the Commission for the proposed regulation. However, State Parks requests that these MPAs be retained, and has provided the following rationale:

### **Refugio SMCA-**

Proposed removal of this existing MPA would decrease protection and open up the area to potential increased commercial extraction. The area includes significant natural values as well as sensitive archeological sites. The shallow relief reefs and interspersed sand substrate environments of this site contribute to high biological diversity. Culturally diverse as well, the area was once a popular trading ship anchorage, and prehistoric Chumash stone bowls have been found within this site. Refugio State Beach receives over 100,000 visitors each year and is popular for SCUBA diving, swimming, recreational fishing and sea kayaking. Existing interpretive programs include kayak and tidepool tours. The existing Refugio State Beach is impacted by commercial lobster trapping. Parks staff must regularly remove lobster traps that drift too close inshore and abandoned traps that lay within the park lease. Therefore, the following options are included in the proposed regulation:

**Option 1:** Remove the existing Refugio SMCA from the proposed regulation, as per the IPA.

**Option 2:** Retain the existing regulations for Refugio SMCA within the proposed regulation (Figure 7). This option would increase the number of MPAs by one.

### **Doheny Beach SMCA-**

Proposed removal of this existing MPA would decrease existing protection and decrease educational opportunity. Doheny State Beach includes an existing underwater recreation area and the Doheny Beach Marine Life Refuge, which was designated in 1969 by the Legislature specifically to protect tidepool invertebrates. The existing protections are moderate and do not affect commercial activities. Although relatively small, over 1.6 million people visited Doheny State Beach in 2008. Therefore, the following options are included in the proposed regulation:

**Option 1:** Remove the existing Doheny Beach SMCA from the proposed regulation, as per the IPA.

**Option 2:** Retain the existing regulations for Doheny Beach SMCA within the proposed regulation (Figure 8). This option would increase the number of MPAs by one.

### **Revisions to Proposed Regulation**

**Subsequent to the publication of the proposed regulation, several issues were brought to the Commission's attention regarding the proposed regulation and were detailed in a**

Department memo dated October 11, 2010 (Attachment 17). These issues were similar in nature to those addressed by the Commission in the proposed regulation and would be considered minor adjustments to better align the proposed regulation with the original intent. Therefore, at its October 20, 2010 meeting, the Commission directed the Department to address the identified issues in the specific proposed MPAs, as additional regulatory sub-options within the proposed regulation, consistent with previous actions taken by the Commission.

The issues discussed below fall into two general categories:

- 1) Ongoing activities regulated by other agencies (in 5 instances); and
- 2) Proposed language that needs to be clarified or revised to match the original intent (5 instances).

**1) Ongoing activities regulated by other agencies:**

As described in Section IV(a)(4) of this document, allowances for pre-existing activities regulated by other agencies have been included within 23 MPAs (see above). The intent was to accommodate all known pre-existing activities, pursuant to required federal, state, or local permits, within the proposed MPAs. However, in five proposed MPAs, activities have been identified that were not known at the time the allowances were specified in the original proposed MPA regulations. These include Campus Point, Point Dume, Laguna Beach, Dana Point, and Doheny Beach. For two of the five MPAs, some activities were specified in the original proposed regulation but additional activities were later identified that would expand the list of activities. This revised proposed regulation adds options to accommodate the take associated with these activities pursuant to required federal, state, and local permits, as follows:

**Campus Point SMR:** Oil and gas pipelines have been identified that prevent designation as an SMR. An option is added to the IPA to address these existing structures. The original IPA becomes “Option 1” and the added “Option 2” integrates identified activities, as follows:

- **Campus Point Option 2:** Change designation to SMCA and add provision for operation and maintenance of artificial structures.

**Point Dume SMCA:** An option is added to the IPA due to

ongoing beach nourishment activities. The original IPA becomes “Option 1” and the added “Option 2” integrates identified activities, as follows:

- **Point Dume Option 2:** Add provision for beach nourishment and other sediment management activities to the SMCA.

**Laguna Beach SMR/SMCA:** Five options already exist for this location to accommodate different boundaries. New activities that have been identified in this location occur along Aliso Beach, where operations take place under county jurisdiction. The area of county operation overlaps with the southernmost portion of the SMCA in Laguna Beach Options 1 and 2, and therefore the additional activities would be added to a revised version of those options. The existing Laguna Beach Options 3, 4, and 5 have a different southern boundary (See Figures 3c, 3d, and 3e). The boundary in these options is sited at the city/county beach line, and thus does not include the area of county operation. Therefore, a Revised Option 1 and 2 (indicated by an “R”) is added to integrate identified activities, as follows:

- **Laguna Beach SMCA Option 1-R:** Same as Option 1, but add beach grooming, maintenance dredging, and habitat restoration to the list of permitted activities inside the SMCA.
- **Laguna Beach Option 2-R:** Same as Option 2, but add beach grooming, maintenance dredging, and habitat restoration to the list of permitted activities inside the SMCA (Note that the Laguna Beach SMR in Option 2 is unaffected and remains unchanged).

**Dana Point SMCA:** This proposed SMCA is adjacent to the proposed MPA at Laguna Beach and therefore activities identified for Laguna Beach may overlap with the northern portion of Dana Point. Therefore, an option is added to the IPA. The original IPA becomes “Take Option A” and the added “Take Option B” integrates identified activities, as follows:

- **Dana Point Take Option A:** Take as proposed in the IPA.
- **Dana Point Take Option B:** Same as Dana Point Take Option A, but add beach grooming, maintenance dredging, and habitat restoration.

**Doheny Beach SMCA:** Two options already exist for this MPA. Option 1 excludes the existing SMCA, and Option 2 retains the existing SMCA, which does not specify an allowance for

existing activities. Therefore, a Revised Option 2 (indicated by an “R”) is added to integrate identified activities, as follows:

- **Doheny Beach Option 2-R:** Same as Doheny Beach Option 2, but add provision for operation and maintenance of artificial structures and facilities and activities associated with development, construction, and operation and maintenance of desalination facilities.

**2) Proposed language to clarify or revise to match the original intent:**

Select issues related to proposed regulated activities within MPAs were identified that do not match the intent of the proposal forwarded by the BRTF and Commission. These are detailed within the Department memo dated October 11, 2010 (Attachment 17). Therefore, options are added to in an effort to address the following five issues:

**Upper Newport Bay:** A swimming restriction included throughout the SMCA but intended for only a portion of the SMCA;

**Crystal Cove, Robert E. Badham, and Dana Point:**

Language clarifying that take from tidepools is prohibited in these SMCAs;

**Laguna Beach SMR/SMCA:** Restriction on boat launching, retrieval and anchoring erroneously included;

**Boundary Error:** Minor boundary error identified at shared boundary between Laguna Beach SMR and Dana Point SMCA in Laguna Beach Boundary Options 3, 4, and 5;

**General Provision – Public Safety:** Lack of clear language regarding allowance of lifeguard towers adjacent to SMRs and other MPAs.

**Upper Newport Bay** –The existing Upper Newport Bay SMP was originally established to encompass the marine waters of the Upper Newport Bay Ecological Reserve and is proposed to be retained as an SMCA and expanded. It retains restrictions on swimming, boating and shoreline access, consistent with Section 630 (Title 14, California Code of Regulations) as intended by the SCRSG. However, the proposed SMCA boundaries expand the MPA to the west of the existing Ecological Reserve boundaries, to encompass additional portions of the bay, and overlap with a designated swimming beach. The restrictions are not intended to apply to the area outside the ecological reserve or affect swimming opportunities at the swimming beach. Therefore, the original IPA becomes “Option 1” and “Option 2” is added, as follows:

- **Upper Newport Bay Option 2:** Apply restrictions on swimming, boating and shoreline access to the portion of waters that overlap with the Ecological Reserve only.

**Crystal Cove, Robert E. Badham and Dana Point**– These proposed SMCAs span the shoreline area above and below Laguna Beach. A key objective identified by the SCRSG for these SMCAs is to protect the tidepools while allowing for limited harvest of select species outside the tidepools. To improve public understanding that take within tidepools is prohibited, a Revised Option (indicated by an “R”) is provided for existing options at Robert E. Badham and Crystal Cove, and at Dana Point, the original IPA becomes “Take Option A”, and Take Option B is added, as follows:

- **Robert E. Badham Option 2-R:** Option 2-R is the same as Robert E. Badham Option 2, but adds language to specify that take is prohibited from inside tidepools.
- **Crystal Cove Take Option A-R:** Same as Crystal Cove Take Option A, but adds language to specify that take is prohibited from inside tidepools.
- **Crystal Cove Take Option B-R:** Same as Crystal Cove Take Option B, but adds language to specify that take is prohibited from inside tidepools.
- **Dana Point Take Option B:** Same as Dana Point Take Option A, but adds language to specify that take is prohibited from inside tidepools.

**Laguna Beach**– The currently proposed MPA(s) at Laguna Beach specify in subsection 632(b)(112) that boats may be launched and retrieved only in designated areas and may be anchored within the conservation area only during daylight hours. This restriction on boat launching, retrieval and anchoring was inadvertently and erroneously retained from the existing MPA regulations at Heisler Park, which is subsumed into the Laguna Beach MPA(s) (Attachment 17). Therefore, a Revised Option (indicated by an “R”) is included to remove these restrictions, as follows:

- **Option 1-R:** Same as Laguna Beach Option 1, but remove restrictions on boat launching, retrieval and anchoring (in addition to added allowance for beach grooming, maintenance dredging, and habitat restoration in the SMCA).
- **Option 2-R:** Same as Laguna Beach Option 2, but remove restrictions on boat launching, retrieval and anchoring from the SMR and SMCA (in addition to added allowance for

beach grooming, maintenance dredging, and habitat restoration inside the SMCA).

- **Option 3-R:** Same as Laguna Beach Option 3, but remove restrictions on boat launching, retrieval and anchoring.
- **Option 4-R:** Same as Laguna Beach Option 4, but remove restrictions on boat launching, retrieval and anchoring.
- **Option 5-R:** Same as Laguna Beach Option 5, but remove restrictions on boat launching, retrieval and anchoring.

**Boundary Error:**

In addition to the proposed changes above for the Laguna MPAs, a correction has been made to the southern boundary of the proposed SMR at Laguna Beach in Options 3, 4, and 5. The southern boundary was intended to align with the division between beaches under city and county jurisdiction, as defined by a group of prominent nearshore rocks. However, due to a mapping error, the boundary ends at the rock rather than aligning with the rock and extending to the mean high tideline of the shoreline, as intended. Therefore, in subsection 632(b)(112), the southern boundary in Options 3, 4, and 5 of the proposed MPA at Laguna Beach has been adjusted shoreward by approximately 150 feet. This aligns the southern boundary with the visible rock delineating the city and county beaches while extending to shore, as originally intended. In addition, these options are linked to Boundary Option 2 of the proposed SMCA at Dana Point due to the shared boundary between these proposed MPAs. Therefore, in subsection 632(b)(113), the northern boundary of Option 2 of the proposed MPA at Dana Point has also been corrected.

**General Provision - Public Safety:**

Lifeguard towers are artificial structures that provide for public safety along the beaches of the southern California region, and require activities such as installation and/or seasonal placement and removal, and maintenance. In certain locations, these activities occur on the beach below the mean high tide line and, in some cases, would overlap with proposed SMRs (most notably in Laguna Beach and San Diego). While other ongoing activities have precluded SMR designation, activities that provide for public safety, can be allowed inside MPAs, including SMRs. The MLPA states that marine reserves shall be open to the public for managed enjoyment "to the extent feasible," and have a goal of improving recreational opportunities provided by marine ecosystems subject to minimal human disturbance (Fish and

**Game Code subsection 2852(d)). While activities such as walking, swimming, boating and diving may be restricted to protect marine resources (Public Resources Code subsection 36710(a)), these activities are not prohibited broadly within MPAs. Therefore, under existing regulations, actions necessary to ensure those public safety activities are authorized in any MPA pursuant to required federal, state, and local permits, an allowance does not need to be specified within individual MPA regulations. However, to make it explicit that the provision for managed enjoyment in MPAs applies to public safety-related activities and artificial structures, an option to add subsection 632(a)(10) to the general rules and regulations in Section 632(a) of the revised proposed regulation is included, to clarify that these activities are authorized in all MPAs pursuant to any required federal, state, and local permits.**

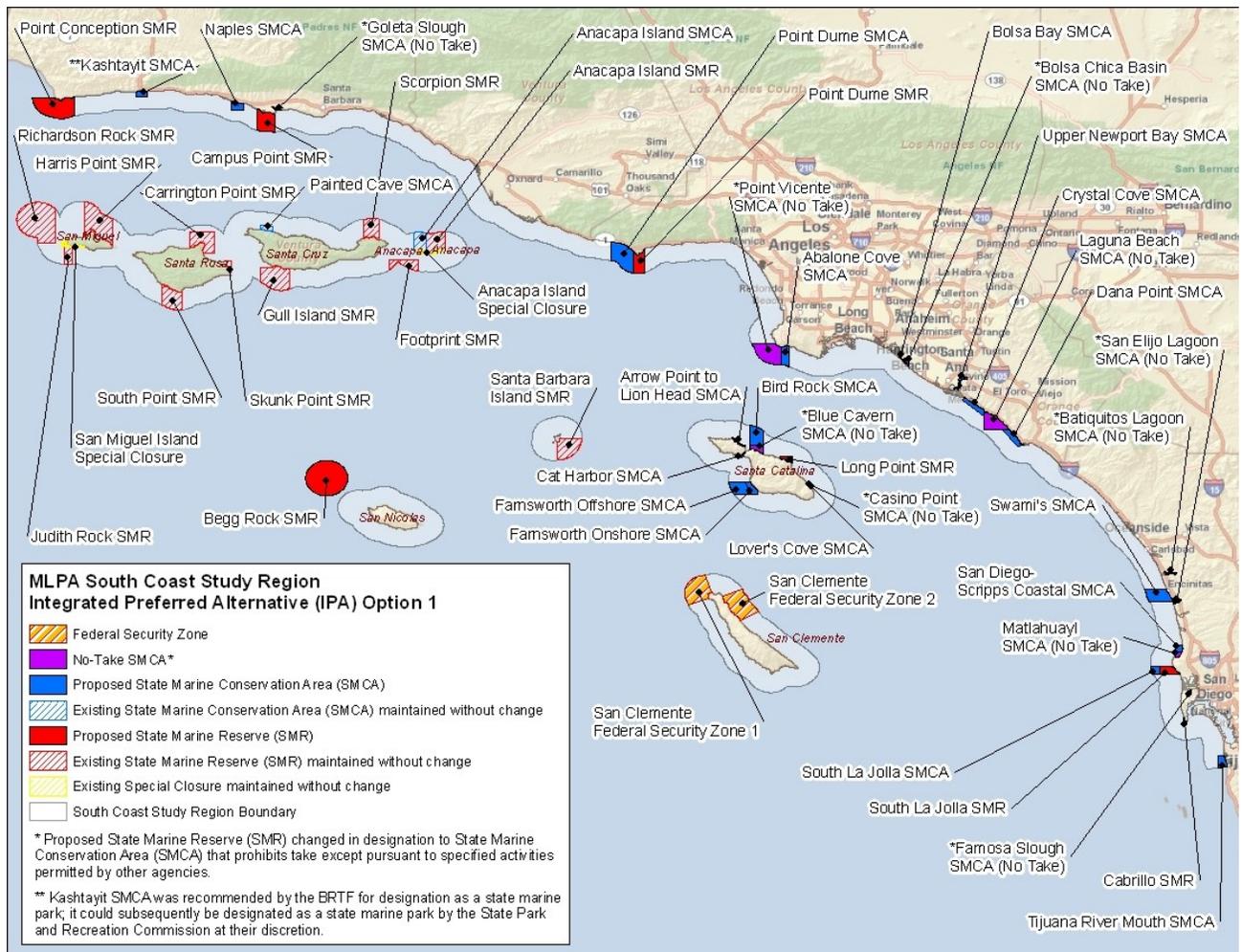


Figure 1. Marine protected areas in proposed regulation known as IPA. The IPA as displayed includes 35 proposed new MPAs (alternatives within the proposed regulation provide options to add three MPAs not

displayed here, and boundary options for 9 MPAs in 5 geographies); the figure also shows 2 existing special closures and 13 existing MPAs in the northern Channel Islands and Santa Barbara Island, which are not under re-consideration in this proposal, and two federal Safety Zones at San Clemente Island that are considered to contribute to the network but do not have an MPA designation.

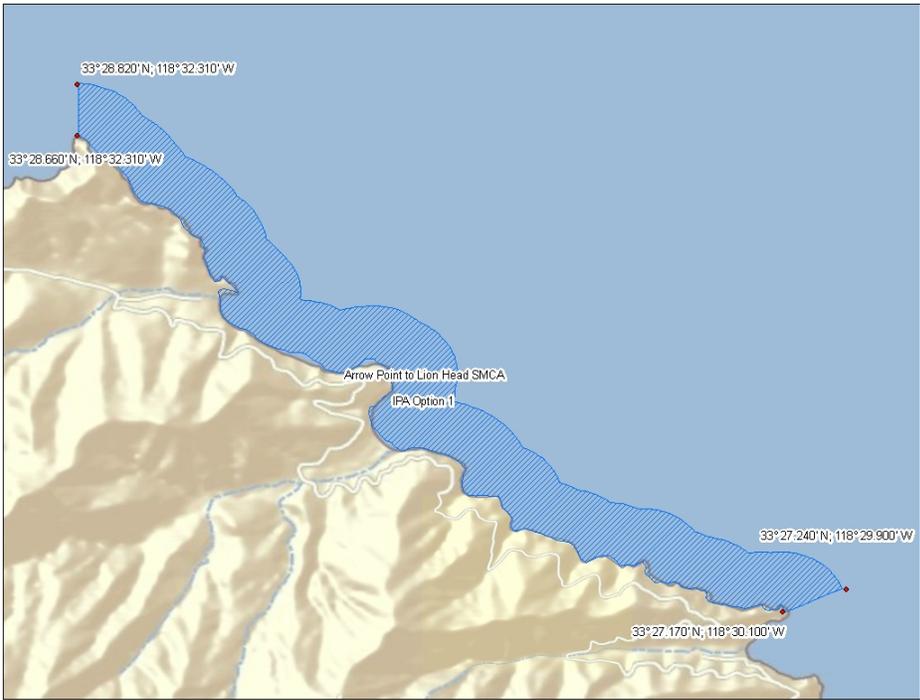


Figure 2a – Arrow Point to Lion Head SMCA Boundary Option 1.



Figure 2b – Arrow Point to Lion Head SMCA Boundary Option 2.

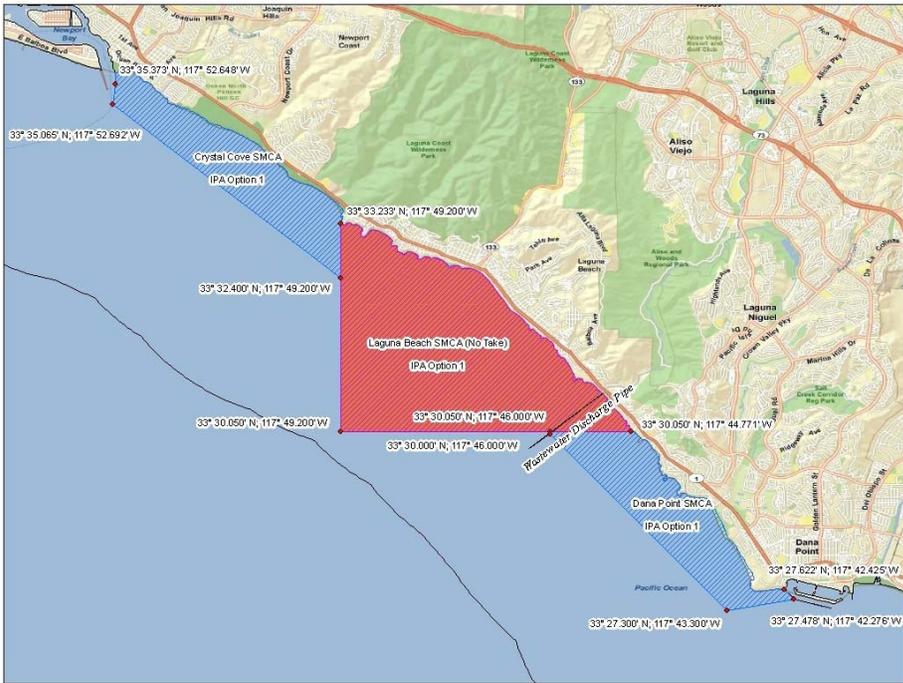


Figure 3a –Laguna Beach Boundary Option 1.

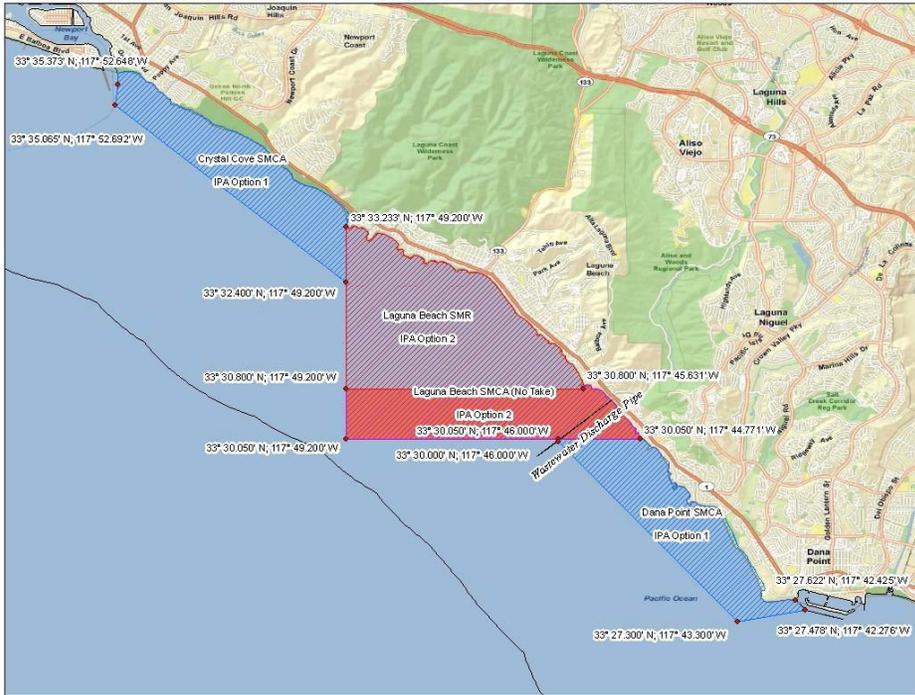


Figure 3b – Laguna Beach Boundary Option 2.

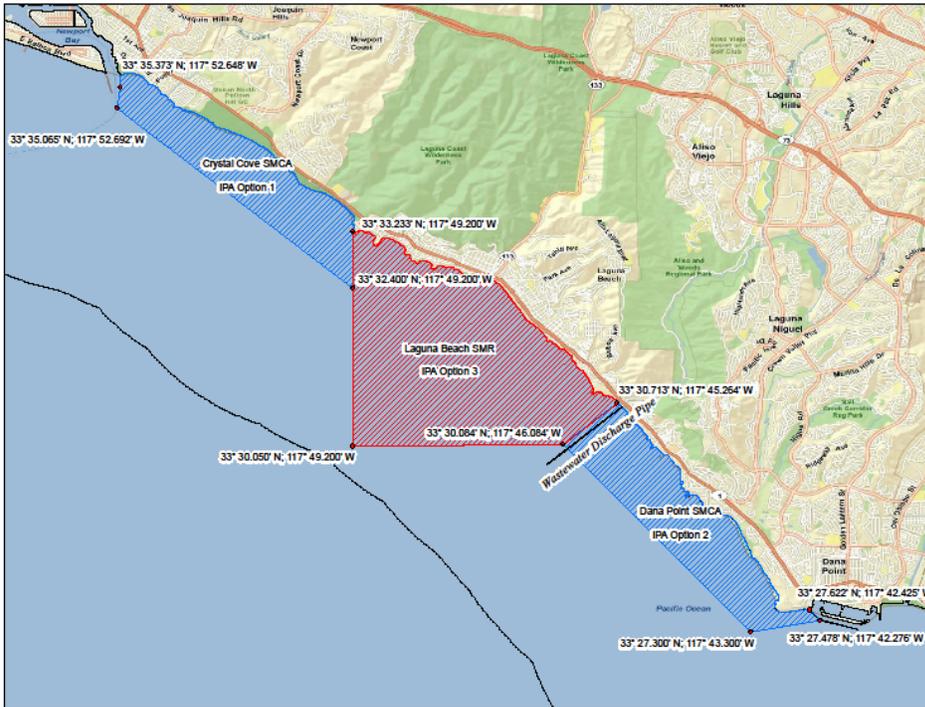


Figure 3c – Laguna Beach Boundary Option 3.

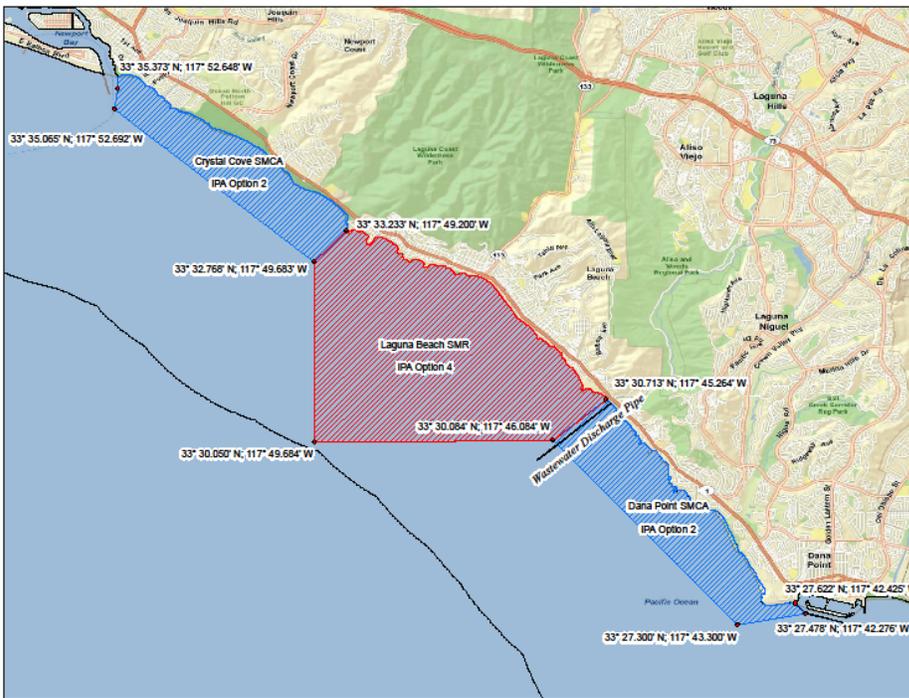


Figure 3d – Laguna Beach Boundary Option 4.

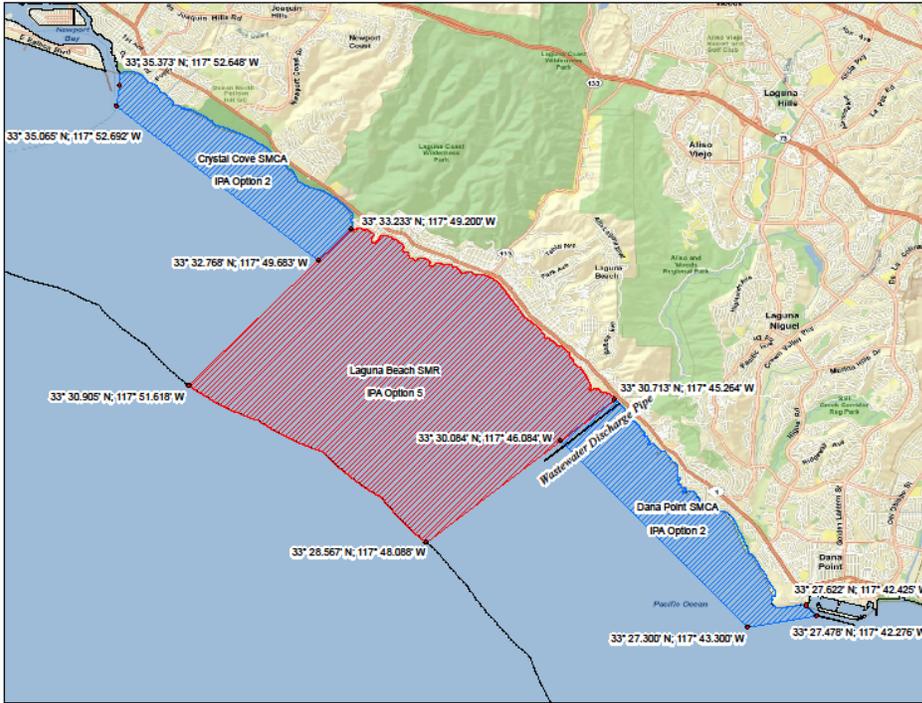


Figure 3e – Laguna Beach Boundary Option 5.

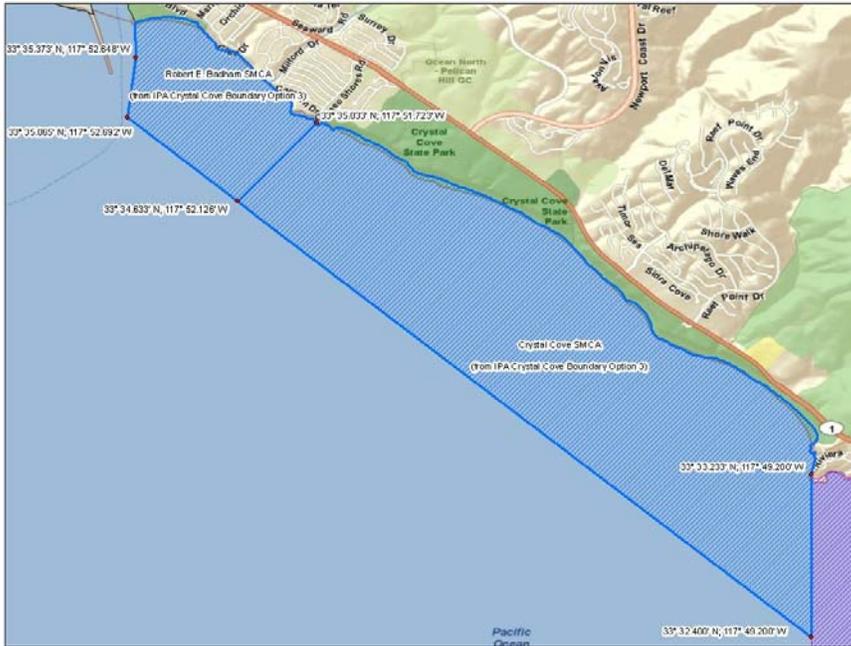


Figure 3f – Robert E. Badham Option 2 and Crystal Cove SMCA Boundary Option 3.

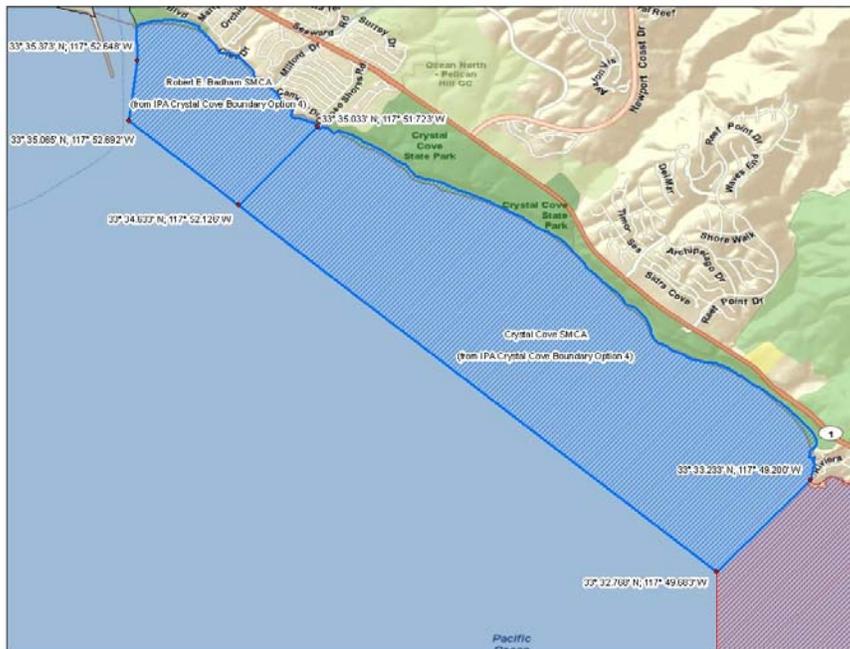


Figure 3g – Robert E. Badham Option 2 and Crystal Cove SMCA Boundary Option 4.

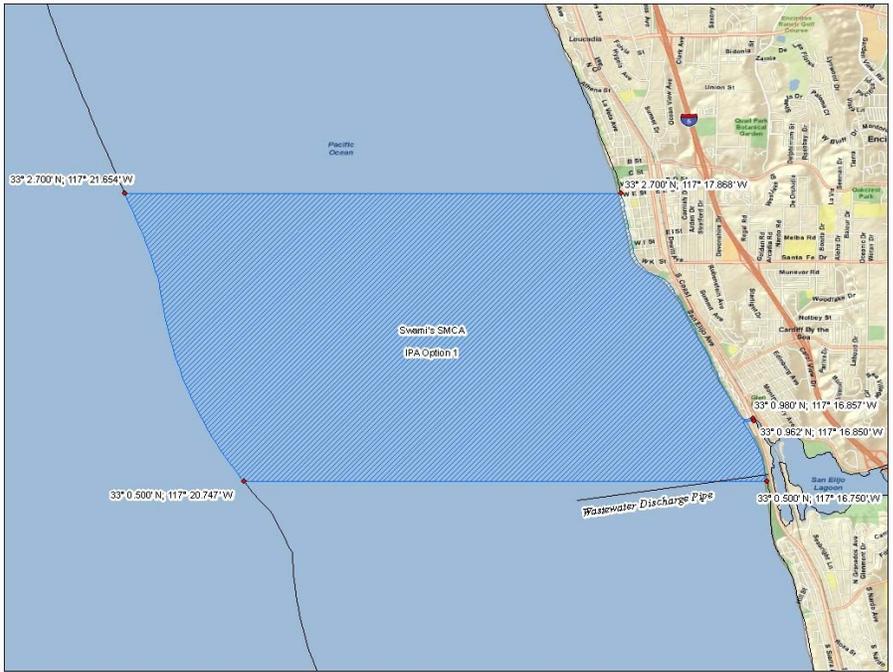


Figure 4a – Swami's SMCA Boundary Option 1.

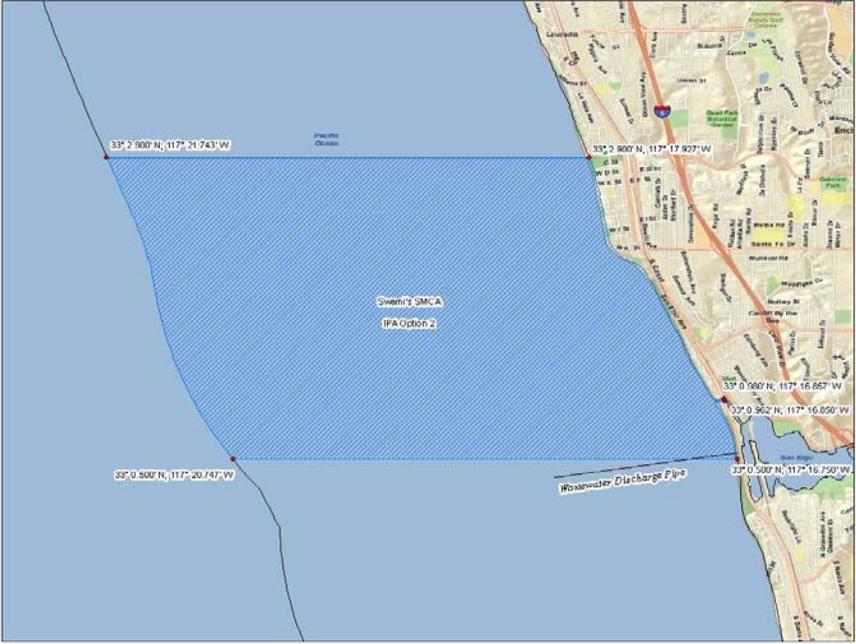


Figure 4b – Swami's SMCA Boundary Option 2.

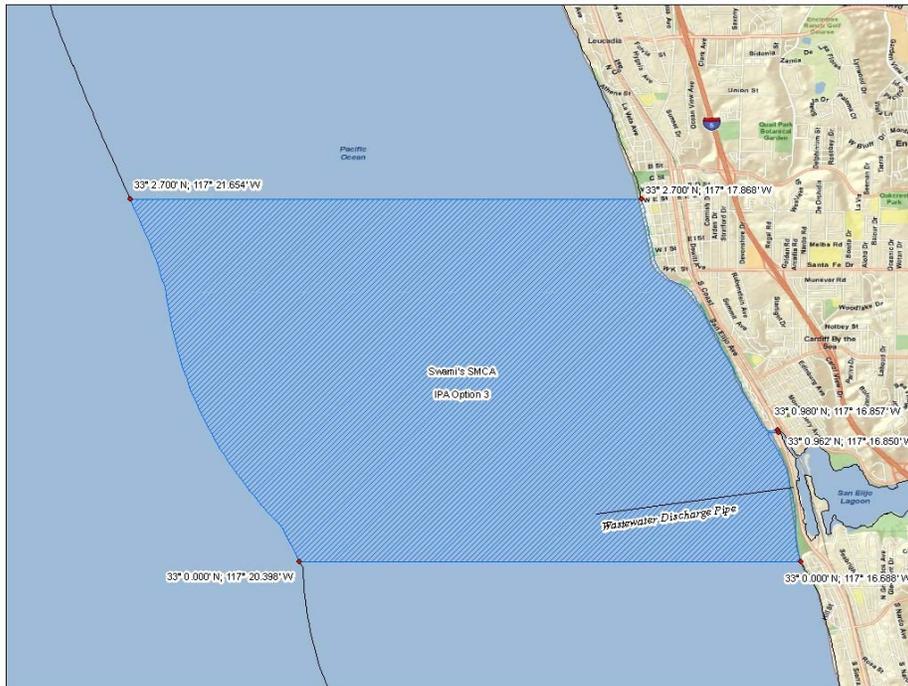


Figure 4c – Swami's SMCA Boundary Option 3.

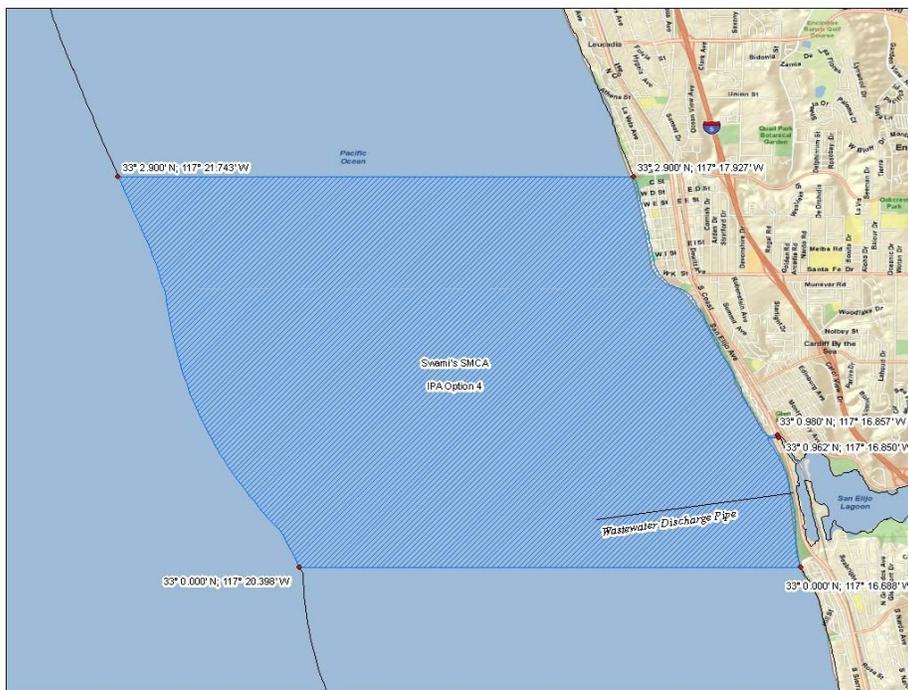


Figure 4d – Swami's SMCA Boundary Option 4.

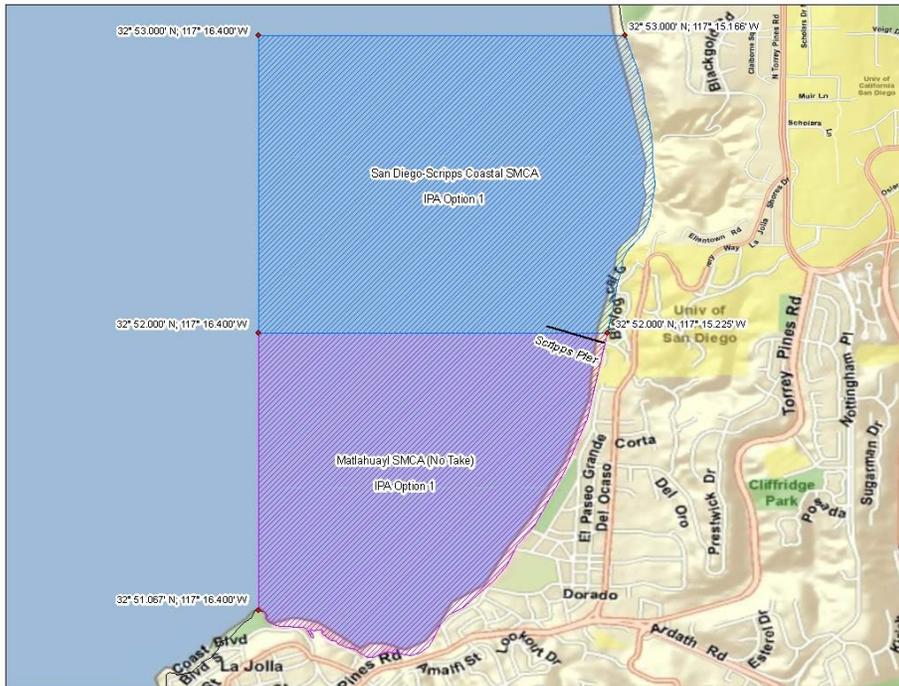


Figure 5a – San Diego-Scripps Boundary Option 1, Matlahuayl Boundary Option 1.

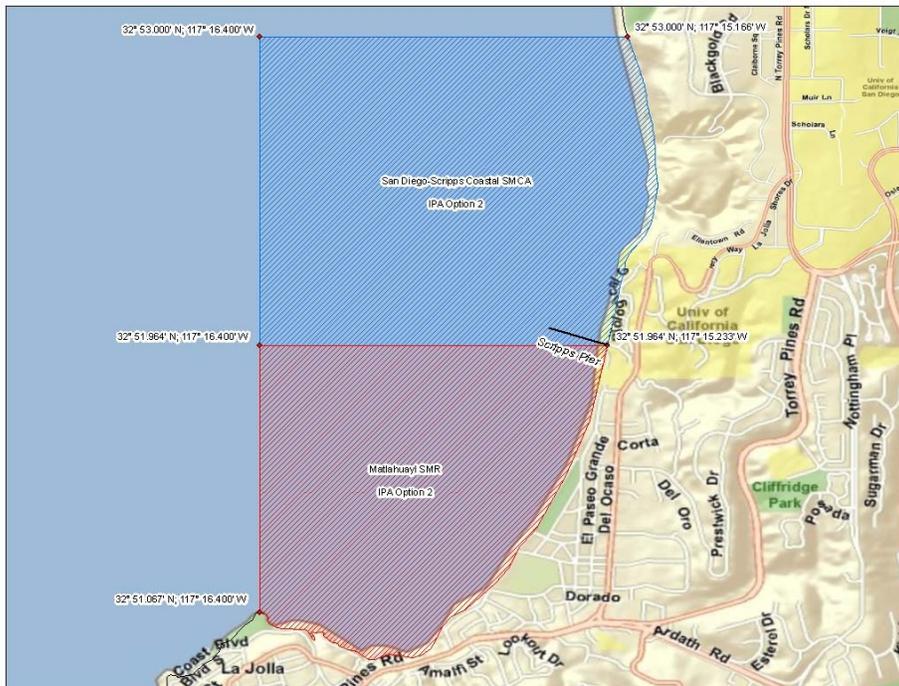


Figure 5b – San Diego-Scripps Boundary Option 2, Matlahuayl Boundary Option 2.



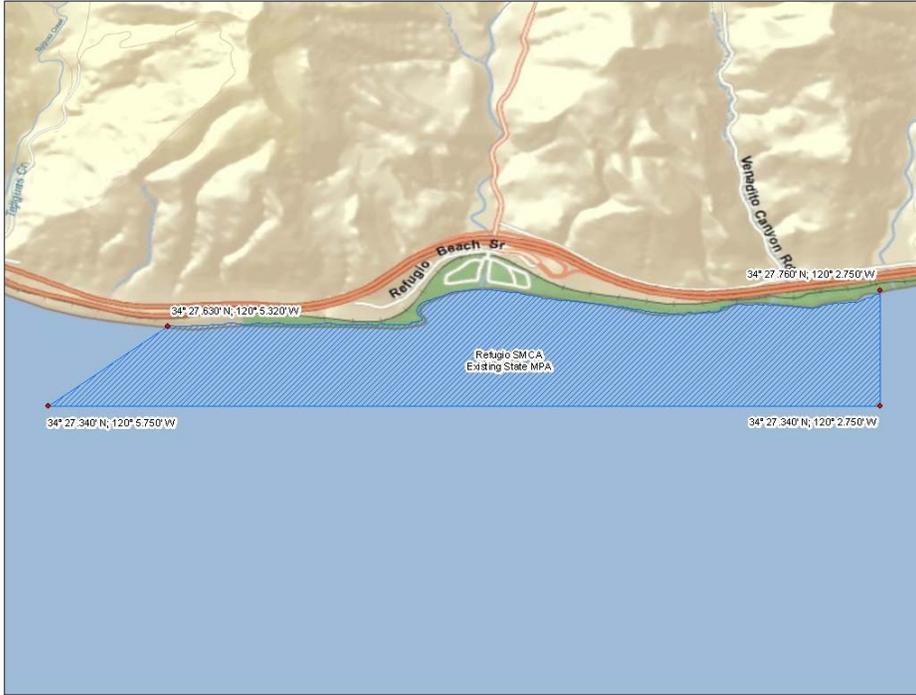


Figure 7 – Refugio SMCA Option 2 (Option 1 does not include this MPA in the IPA).



Figure 8 – Doheny Beach SMCA Option 2 (Option 1 does not include this MPA in the IPA).

### Proposed Regulation Details

Table 1 presents proposed MPAs in the IPA including the MPA designation, options for specific MPAs, proposed allowed take, other proposed regulated activities, and MLPA SAT assigned level of protection. In order to analyze the differences between no-take reserves and limited take conservation areas and recommended parks, the SAT developed a ranking for level of protection described in the draft master plan based on impact of allowed uses on ecological and ecosystem structure. Levels of protection are modified for each study region for evaluation purposes; and are appended to the draft master plan upon adoption of MPA proposals (Attachment 3).

Other terms used in Table 1 include “pelagic finfish,” “finfish,” and “coastal pelagic species” with the following definitions:

- Pelagic finfish are defined in subsection 632(a)(3) as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena spp.*), billfishes\* (family Istiophoridae) (except that marlin is not allowed for commercial take), dolphinfish/dorado (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus spp.*), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias spp.*), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*).
- Finfish are defined in subsection 632(a)(2) as: any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.
- Coastal pelagic species are defined in Section 1.39 as: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), and market squid (*Loligo opalescens*).

Table 1. Proposed regulation<sup>1</sup> (Integrated Preferred Alternative) for marine protected areas (MPAs) in the south coast region (excluding the northern Channel Islands), including description of options, proposed allowed take, other proposed regulated activities, and SAT-assigned LOP. Marine protected areas are arranged geographically from north to south, including Catalina Island. **Options added in the revised proposed regulation are shown in bold. Options with an “R” indicate that this is a “Revised” version of the indicated option.**

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
Point Conception State Marine Reserve	IPA	Take of all living marine resources is prohibited	---	Very High
<b>OPTIONS EXIST (1-2) TO EXCLUDE OR INCLUDE REFUGIO</b>				
<b>Option 1:</b> Exclude Refugio State Marine Conservation Area	1: IPA: Removes existing SMCA as reflected in IPA	N/A	N/A	N/A
<b>Option 2:</b> Refugio State Marine Conservation Area	2: Retains existing SMCA and adds to IPA (State Parks option)	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.</li> <li>▪ Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken</li> </ul>	---	Low

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
		in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.		
Kashtayit State Marine Conservation Area <sup>3</sup>	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of finfish and invertebrates, except rock scallops and mussels,</li> </ul> The recreational take of giant kelp by hand harvest	Allows maintenance of artificial structures and operation and maintenance of existing facilities pursuant to any required permits, or as otherwise authorized by the Department <sup>2</sup>	Low
Naples State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish (including Pacific bonito) and white seabass by spearfishing</li> </ul> The commercial take of giant kelp by hand harvest, or by mechanical harvest	Allows operation and maintenance of artificial structures pursuant to any required permits, or as otherwise authorized by the Department <sup>2</sup>	Low
<b>TAKE AND DESIGNATION OPTIONS EXIST (1-2) FOR CAMPUS POINT</b>				
<b>Option 1:</b> Campus Point State Marine Reserve <sup>5</sup>	1: IPA	Take of all living marine resources is prohibited	--- <sup>5</sup>	Very High
<b>Option 2:</b> Campus Point State Marine Conservation Area <sup>4</sup>	2: Change MPA designation from SMR to SMCA and add provision for other regulated activities <sup>4</sup>	Same as Option 1	Allows operation and maintenance of artificial structures inside conservation area pursuant to any required federal, state and local permits, or as otherwise authorized by the Department <sup>2</sup>	Very High

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
Goleta Slough State Marine Conservation Area <sup>4</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows maintenance dredging, habitat restoration, research and education, maintenance of artificial structures, and operation and maintenance of existing facilities pursuant to any required permits, activities pursuant to Section 630, Title 14, CCR, or as otherwise authorized by the Department <sup>2</sup>  Boating, swimming, wading, and diving are prohibited in waters below the mean high tide line in the Goleta Slough Ecological Reserve as defined within Section 630, Title 14, CCR	Very High
Begg Rock (San Nicholas Island Quad) State Marine Reserve	IPA	Take of all living marine resources is prohibited	---	Very High
<b>TAKE OPTIONS EXIST (1-2) FOR POINT DUME SMCA</b>				
<b>Option 1: Point Dume State Marine Conservation Area</b>	<b>1: IPA</b>	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish, including Pacific bonito, and white seabass by spearfishing</li> <li>▪ The commercial take of coastal pelagic species by round haul net and swordfish by harpoon</li> </ul>	---	High
<b>Option 2: Point Dume State Marine Conservation Area</b>	<b>2: IPA with a provision for other regulated activities added</b>	<b>Same as Option 1</b>	<b>Beach nourishment and other sediment management activities are allowed inside the conservation area pursuant to any required federal, state and local permits, or as otherwise authorized by the Department<sup>2</sup></b>	<b>High</b>

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
Point Dume State Marine Reserve	IPA	Take of all living marine resources is prohibited	---	Very High
Point Vicente State Marine Conservation Area <sup>4</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows remediation activities associated with the Palos Verdes Shelf Operable Unit of the Montrose Chemical Superfund Site within the conservation area pursuant to the Interim Record of Decision issued by the United States Environmental Protection Agency and any subsequent Records of Decision <sup>2</sup>	Very High
Abalone Cove State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish, including Pacific bonito, and white seabass by spearfishing only, and market squid by hand-held dip net</li> <li>▪ The commercial take of coastal pelagic species and Pacific bonito by round haul net, and swordfish by harpoon</li> </ul>	Allows remediation activities associated with the Palos Verdes Shelf Operable Unit of the Montrose Chemical Superfund Site within the conservation area pursuant to the Interim Record of Decision issued by the United States Environmental Protection Agency and any subsequent Records of Decision <sup>2</sup>	High
Bolsa Bay State Marine Conservation Area <sup>6</sup>	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of finfish by hook and line from shore in designated areas only</li> </ul>	Allows routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures pursuant to any required permits, activities pursuant to Section 630, Title 14, CCR, or as otherwise authorized by the Department <sup>2</sup>  Boating, swimming, wading, and diving are prohibited; access restricted between 8:00 p.m. and 6:00 a.m.	Moderate Low

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
Bolsa Chica Basin State Marine Conservation Area <sup>4,6</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures pursuant to any required permits, activities pursuant to Section 630, Title 14, CCR, or as otherwise authorized by the Department <sup>2</sup>  Boating, swimming, wading, and diving prohibited; access restricted between 8:00 p.m. and 6:00a.m.	Very High
<b>BOUNDARY OPTIONS (1-2) EXIST FOR ARROW POINT TO LION HEAD POINT (CATALINA ISLAND)</b>				
<b>Option 1:</b> Arrow Point to Lion Head Point (Catalina Island) State Marine Conservation Area	1: Seaward boundary defined by distance from shore as described in IPA	Recreational take of marine invertebrates is prohibited; take of all other species is allowed	---	Low
<b>Option 2:</b> Arrow Point to Lion Head Point (Catalina Island) State Marine Conservation Area	2: Uses straight line boundaries to improve feasibility	Recreational take of marine invertebrates is prohibited; take of all other species is allowed	---	Low
Blue Cavern (Catalina Island) State Marine Conservation Area <sup>4</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows maintenance of artificial structures pursuant to any required permits, or as otherwise authorized by the Department <sup>2</sup>	Very High

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
Bird Rock (Catalina Island) State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish including Pacific bonito by hook and line or by spearfishing, white seabass by spearfishing and market squid by hand-held dip net</li> <li>▪ The commercial take of pelagic finfish by hook and line only and swordfish by harpoon</li> </ul>	---	High
Long Point (Catalina Island) State Marine Reserve	IPA	Take of all living marine resources is prohibited	---	Very High
<b>TAKE OPTIONS (1-2) EXIST FOR CASINO POINT (CATALINA ISLAND)</b>				
<b>Option 1:</b> Casino Point (Catalina Island) State Marine Conservation Area <sup>4</sup>	1: IPA <sup>4</sup> : No allowance for feeding as described in IPA	Take of all living marine resources is prohibited	Allows maintenance of artificial structures pursuant to any required permits or as otherwise authorized by the Department <sup>2</sup>	Very High
<b>Option 2:</b> Casino Point (Catalina Island) State Marine Conservation Area <sup>4</sup>	2: Adds allowance for feeding of fish to IPA <sup>4</sup>	Take of all living marine resources is prohibited EXCEPT: feeding of fish for marine life viewing is allowed	Same as Option 1	Very High

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>TAKE OPTIONS (1-2) EXIST FOR LOVER'S COVE (CATALINA ISLAND)</b>				
<b>Option 1:</b> Lover's Cove (Catalina Island) State Marine Conservation Area	1: IPA: No allowance for feeding as described in IPA	Take of all living marine resources is prohibited EXCEPT: recreational fishing from public pier by hook and line	Allows maintenance of artificial structures pursuant to any required permits or as otherwise authorized by the Department <sup>2</sup>	Moderate High
<b>Option 2:</b> Lover's Cove (Catalina Island) State Marine Conservation Area	2: Adds allowance for feeding of fish to IPA	Take of all living marine resources is prohibited EXCEPT: recreational fishing from public pier by hook and line, and feeding of fish for marine life viewing is allowed	Same as Option 1	Moderate High
Farnsworth Onshore (Catalina Island) State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish, including Pacific bonito, and white seabass by spearfishing only, market squid by hand-held dip net, and marlin, tunas and dorado by trolling</li> <li>▪ The commercial take of coastal pelagic species by round haul net and swordfish by harpoon</li> </ul>	---	High
Farnsworth Offshore (Catalina Island) State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish, including Pacific bonito, by hook and line or spearfishing, white seabass by spearfishing only, market squid by hand-held dip net, and marlin, tunas and</li> </ul>	---	High

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
		dorado by trolling <ul style="list-style-type: none"> <li>▪ The commercial take of coastal pelagic species by round haul net and swordfish by harpoon</li> </ul>		
Cat Harbor (Catalina Island) State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of finfish by hook and line or by spearfishing, squid by hook and line, and lobster and sea urchin</li> <li>▪ The commercial take of sea cucumbers by diving, and spiny lobster and sea urchin</li> <li>▪ Aquaculture of finfish is allowed pursuant to a valid State water bottom lease and valid permits</li> </ul>	Allows maintenance of artificial structures pursuant to any required permits or as otherwise authorized by the Department <sup>2</sup>	Moderate Low
<b>TAKE OPTIONS EXIST (1-2) FOR UPPER NEWPORT BAY</b>				
<b>Option 1:</b> Upper Newport Bay State Marine Conservation Area	1: IPA	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish by hook and line from shore only	Allows maintenance dredging, habitat restoration, research and education programs, maintenance of artificial structures, and operation and maintenance of existing facilities pursuant to any required permits, activities pursuant to Section 630, Title 14, CCR, or as authorized by the Department <sup>2</sup>  Swimming is allowed only in the area between North Star Beach and mid-channel; boating speed limit of 5 mph; shoreline access is limited	Moderate Low

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>Option 2:</b> Upper Newport Bay State Marine Conservation Area	<b>2:</b> As described in IPA but existing restrictions on swimming, boating and shoreline access apply only to waters within the Ecological Reserve	Same as Option 1	Same as Option 1, but the following restrictions apply only to waters below the mean high tide line inside the Upper Newport Bay Ecological Reserve:  Swimming is allowed only in the area between North Star Beach and mid-channel; boating speed limit of 5 mph; shoreline access is limited	Moderate Low
<b>OPTIONS (1-2) EXIST TO EXCLUDE OR INCLUDE ROBERT E. BADHAM. THESE ARE LINKED TO BOUNDARY OPTIONS AT CRYSTAL COVE. REVISED OPTION 2 (2-R) IS INCLUDED AS A VARIANT OF OPTION 2 WITH DIFFERENT PROPOSED REGULATED ACTIVITIES.</b>				
<b>Option 1:</b> Do not include Robert E. Badham State Marine Conservation Area	1: As reflected in the IPA, does not retain existing MPA name and subsumes area into Crystal Cove SMCA (linked to Crystal Cove Boundary Options 1&2)	N/A	N/A	N/A
<b>Option 2:</b> Include Robert E. Badham State Marine Conservation Area	2: Retains existing MPA name by dividing area of proposed Crystal Cove SMCA Boundary Option 1 (from IPA), in area north of State Parks land boundary	Same as Crystal Cove Take Option A	Same as Crystal Cove Take Option A	Moderate Low

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>Option 2-R:</b> Include Robert E. Badham State Marine Conservation Area	<b>2-R: Same as Option 2, but adds language to clarify that take within tidepools is prohibited</b>	<b>Same as Crystal Cove Take Option A; and Take of all living marine resources from inside tidepools is prohibited. Tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line.</b>	<b>Same as Crystal Cove Take Option A</b>	<b>Moderate Low</b>
<b>BOUNDARY OPTIONS (1-4) EXIST FOR CRYSTAL COVE; THESE ARE LINKED TO BOUNDARY OPTIONS AT AND ROBERT E. BADHAM AND LAGUNA BEACH. DECISION ON LAGUNA BEACH BOUNDARY OPTION DETERMINES BOUNDARY OPTION FOR CRYSTAL COVE.</b>				
<b>Boundary Option 1:</b> Crystal Cove State Marine Conservation Area	1: IPA boundaries (linked to Laguna Options 1, 2 & 3 and Robert E. Badham Option 1)	See Take Options A and B	See Take Options A and B	Moderate Low
<b>Boundary Option 2:</b> Crystal Cove State Marine Conservation Area	2: Southern boundary modified for feasibility (linked to Laguna Options 4 & 5 and Robert E. Badham Option 1)	See Take Options A and B	See Take Options A and B	Moderate Low

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
<b>Boundary Option 3:</b> Crystal Cove State Marine Conservation Area	3: Divides the Boundary Option 1 geography into two MPAs at northern end of State Park land and applies historic name for Robert E. Badham in northern section. Increases number of MPAs by 1 (linked to Laguna Options 1, 2 & 3 and Robert E. Badham Option 2 )	See Take Options A and B	See Take Options A and B	Moderate Low
<b>Boundary Option 4:</b> Crystal Cove State Marine Conservation Area	4: Divides the Boundary Option 2 geography into two MPAs to retain historic name for Robert E. Badham SMCA. Increases number of MPAs by 1 (linked to Laguna Options 4 & 5 and Robert E. Badham Option 2)	See Take Options A and B	See Take Options A and B	Moderate Low
<b>TAKE OPTIONS (A &amp; B) EXIST FOR CRYSTAL COVE. REVISED OPTION A (A-R) AND REVISED OPTION B (B-R) ARE INCLUDED AS A VARIANT OF OPTION A AND OPTION B WITH DIFFERENT PROPOSED REGULATED ACTIVITIES.</b>				
<b>Take Option A:</b> Crystal Cove State Marine Conservation Area	A: Take as proposed in the IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of finfish by hook and line or by spearfishing and lobster and sea urchin is allowed</li> <li>▪ The commercial take of coastal pelagic species by round haul net, spiny lobster by trap, and sea</li> </ul>	Allows beach nourishment or other sediment management activities and operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	Moderate Low

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>Take Option B:</b> Crystal Cove State Marine Conservation Area	B: Removes all commercial take allowances from IPA (State Parks option)	urchin Take of all living marine resources is prohibited EXCEPT: The recreational take of finfish by hook and line or by spearfishing, and lobster and sea urchin is allowed	Same as Take Option A	Moderate Low
<b>Take Option A-R:</b> Crystal Cove State Marine Conservation Area	A-R: Same as Take Option A, but adds language to clarify that take within tidepools is prohibited	Same as Crystal Cove Take Option A; <i>and</i> Take of all living marine resources from inside tidepools is prohibited. Tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line.	Same as Take Option A	Moderate Low
<b>Take Option B-R:</b> Crystal Cove State Marine Conservation Area	B-R: Same as Take Option B (State Parks option), but adds language to clarify that take within tidepools is prohibited	Same as Crystal Cove Take Option B; <i>and</i> Take of all living marine resources from inside tidepools is prohibited. Tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line.	Same as Take Option A	Moderate Low

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>BOUNDARY OPTIONS (1-5) EXIST FOR LAGUNA BEACH; THESE ARE LINKED TO BOUNDARY OPTIONS FOR CRYSTAL COVE AND DANA POINT. DECISION ON LAGUNA BEACH BOUNDARY DETERMINES BOUNDARY OPTION FOR CRYSTAL COVE AND DANA POINT. REVISED OPTIONS (1-R, 2-R, 3-R, 4-R, 5-R) ARE INCLUDED AS A VARIANT OF OPTIONS 1 - 5 BASED ON DIFFERENT PROPOSED REGULATED ACTIVITIES.</b>				
<b>Option 1:</b> Laguna Beach State Marine Conservation Area <sup>4</sup>	1: IPA <sup>4</sup> with designation as SMCA with a provision for other regulated activities added (outfall pipe)	Take of all living marine resources is prohibited	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours  Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	Very High
<b>Option 2:</b> Laguna Beach State Marine Reserve <b>and</b> Laguna Beach State Marine Conservation Area <sup>4</sup>	2: Divides the Option 1 geography into two MPAs (SMR/SMCA) with SMCA <sup>4</sup> across southern 1.5 miles with a provision for other regulated activities added(outfall pipe). Increases number of MPAs by 1	Take of all living marine resources is prohibited	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours	Very High
		Take of all living marine resources is prohibited	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours  Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	Very High
<b>Option 3:</b> Laguna Beach State Marine Reserve	3: Modifies southern boundary from Option 1 to exclude outfall pipe, with SMR designation (linked with Dana Point Option 2)	Same as Option 1	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours	Very High
<b>Option 4:</b> Laguna Beach State Marine Reserve	4: Modified southern AND northern boundaries from Option 1 with SMR designation to exclude pipe and improve feasibility (linked with Crystal	Same as Option 1	Same as Option 3	Very High

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
	Cove Option 2 & Dana Point Option 2)			
<b>Option 5:</b> Laguna Beach State Marine Reserve	4: Modified southern AND northern boundaries to extend Option 4 nearshore boundaries to the state waters seaward boundary to improve feasibility (linked with Crystal Cove Option 2 & Dana Point Option 2)	Same as Option 1	Same as Option 3	Very High
<b>Option 1-R:</b> Laguna Beach State Marine Conservation Area	1-R: Same as Laguna Beach Option 1 but removes restriction on boat launching, retrieval, and anchoring and adds a provision for other regulated activities	Same as Option 1	Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup> <i>and</i> Allows operation and maintenance of facilities, beach grooming, maintenance dredging, and habitat restoration pursuant to any required permits or as authorized by the Department <sup>2</sup>	Very High
<b>Option 2-R:</b> Laguna Beach State Marine Reserve <i>and</i> Laguna Beach State Marine Conservation Area <sup>4</sup>	2-R: Same as Laguna Beach Option 2 but removes restriction on boat launching, retrieval, and anchoring and adds a provision for other regulated to the SMCA (SMR remains unchanged)	Same as Option 2	---	Very High
		Same as Option 2	Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup> <i>and</i> Allows operation and maintenance of facilities, beach grooming, maintenance dredging, and habitat restoration pursuant to any required permits or as authorized by the Department <sup>2</sup>	Very High

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
<b>Option 3-R: Laguna Beach State Marine Reserve</b>	<b>3-R: Same as Laguna Beach Option 3 but removes boat restrictions</b>	<b>Same as Option 1</b>	---	<b>Very High</b>
<b>Option 4-R: Laguna Beach State Marine Reserve</b>	<b>4-R: Same as Laguna Beach Option 4 but removes boat restrictions</b>	<b>Same as Option 1</b>	---	<b>Very High</b>
<b>Option 5-R: Laguna Beach State Marine Reserve</b>	<b>5-R: Same as Laguna Beach Option 5 but removes boat restrictions</b>	<b>Same as Option 1</b>	---	<b>Very High</b>
<b>BOUNDARY OPTIONS (1-2) EXIST FOR DANA POINT; THESE ARE LINKED TO BOUNDARY OPTIONS AT LAGUNA BEACH. DECISION ON BOUNDARY OPTION AT LAGUNA BEACH DETERMINES BOUNDARY OPTION FOR DANA POINT.</b>				
<b>Boundary Option 1: Dana Point State Marine Conservation Area</b>	1: IPA boundaries (linked to Laguna Options 1 & 2)	<b>See Take Options A and B</b>	<b>See Take Options A and B; and See Access Options A and B</b>	Moderate Low
<b>Boundary Option 2: Dana Point State Marine Conservation Area</b>	2: Modified northern boundary for feasibility (linked to Laguna Options 3, 4 & 5)	<b>See Take Options A and B</b>	<b>See Take Options A and B; and See Access Options A and B</b>	Moderate Low
<b>TAKE OPTIONS (A &amp; B) EXIST FOR DANA POINT.</b>				
<b>Take Option A: Dana Point State Marine Conservation Area</b>	<b>A: Take as proposed in the IPA</b>	Take of all living marine resources is prohibited <b>EXCEPT:</b> <ul style="list-style-type: none"> <li>▪ The recreational take of finfish by hook and line or by spearfishing, and lobster and sea urchin is allowed below the mean lower low tide line</li> </ul>	<b>Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department<sup>2</sup> and See Access Options A and B</b>	Moderate Low

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
		<p>only</p> <ul style="list-style-type: none"> <li>▪ The commercial take of coastal pelagic species by round haul net, and spiny lobster and sea urchin</li> </ul>		
<p><b>Take Option B: Dana Point State Marine Conservation Area</b></p>	<p><b>B: Same as Dana Point Take Option A, but adds language to clarify that take within tidepools is prohibited, and adds provision for additional other regulated activities</b></p>	<p><b>Same as Take Option A; and Take of all living marine resources from inside tidepools is prohibited. Tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line</b></p>	<p><b>Same as Take Option A; and Allows operation and maintenance of facilities, beach grooming, maintenance dredging, and habitat restoration pursuant to any required permits or as authorized by the Department<sup>2</sup> and See Access Options A and B</b></p>	<p><b>Moderate Low</b></p>
<p><b>ACCESS OPTIONS (A &amp; B) EXIST FOR DANA POINT.</b></p>				
<p><b>Access Option A: Dana Point State Marine Conservation Area</b></p>	<p>A: Remove existing restrictions on access for purposes of take, and scientific collecting oversight by the director of the SMCA</p>	<p><b>See Take Options A and B</b></p>	<p><b>See Take Options A and B</b></p>	<p>Moderate Low</p>
<p><b>Access Option B: Dana Point State Marine Conservation Area</b></p>	<p>B: Retain existing restrictions on access for purposes of take, and scientific collecting oversight, only in the area of the Dana Point Headlands, southward of a line at latitude 33° 27.74' N.</p>	<p><b>See Take Options A and B</b></p>	<p><b>See Take Options A and B; and Southward of a line at latitude 33° 27.74' N., access to take or possess any fish, plant, or invertebrate is prohibited, except under a scientific collecting permit from the Department and additional special collecting permit from the director of the SMCA.</b></p>	<p>Moderate Low</p>

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>OPTIONS EXIST TO EXCLUDE OR INCLUDE DOHENY BEACH (OPTIONS 1 &amp; 2) AND REVISED OPTION 2 (OPTION 2-R) EXISTS AS A VARIANT OF OPTION 2 THAT ALLOWS PERMITTED ACTIVITIES.</b>				
<b>Option 1:</b> Exclude Doheny Beach State Marine Conservation Area	1: IPA: Removes existing SMCA as reflected in IPA	N/A	N/A	N/A
<b>Option 2:</b> Doheny Beach State Marine Conservation Area	2: Adds existing SMCA to IPA (per State Parks request)	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.</li> <li>▪ Only spiny lobster may be taken commercially.</li> </ul>	---	Low

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
<b>Option 2-R: Doheny Beach State Marine Conservation Area</b>	<b>2-R: Same as Doheny Beach Option 2 but a provision for other regulated activities is added</b>	<b>Same as Option 2</b>	<b>Operation and maintenance of artificial structures and development, construction and operation and maintenance of desalination facilities inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the Department<sup>2</sup>.</b>	<b>Low</b>
Batiquitos Lagoon State Marine Conservation Area <sup>4</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows operation and maintenance, habitat restoration, research and education, maintenance dredging and maintenance of artificial structures pursuant to any required permits, or pursuant to Section 630, Title 14, CCR, or as authorized by the Department <sup>2</sup>  Boating, swimming, wading, and diving are prohibited	Very High
<b>BOUNDARY OPTIONS (1-4) EXIST FOR SWAMI'S.</b>				
<b>Boundary Option 1:</b> Swami's State Marine Conservation Area	1: IPA boundaries	See Take Options A and B	See Take Options A and B	High
<b>Boundary Option 2:</b> Swami's State Marine Conservation Area	2: Moves northern boundary of Option 1 north to Cottonwood Creek to improve feasibility	See Take Options A and B	See Take Options A and B	High
<b>Boundary Option 3:</b> Swami's State Marine Conservation Area	3: Moves southern boundary of Option 1 south to edge of State Parks land (State Parks request) to improve	See Take Options A and B	See Take Options A and B	High

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
Area	feasibility			
<b>Boundary Option 4:</b> Swami's State Marine Conservation Area	3: Moves northern boundary of Option 1 north to Cottonwood Creek; AND moves southern boundary south to edge of State Parks land (State Parks request) to improve feasibility	See Take Options A and B	See Take Options A and B	High
<b>TAKE OPTIONS (A &amp; B) EXIST FOR SWAMI'S.</b>				
<b>Take Option A:</b> Swami's State Marine Conservation Area	A: IPA take regulations	Take of all living marine resources is prohibited EXCEPT: The recreational take of pelagic finfish, including Pacific bonito, and white seabass by spearfishing	Allows beach nourishment or other sediment management activities and operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	High
<b>Take Option B:</b> Swami's State Marine Conservation Area	B: Adds shorefishing to allowed take (State Parks request) – reduces LOP	Same as Take Option A, EXCEPT: ALSO allows recreational take by hook and line from shore only.	Same as Take Option A	Moderate Low
San Elijo Lagoon State Marine Conservation Area <sup>4</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows operations and maintenance, maintenance dredging, habitat restoration including sediment deposition, research and education, and maintenance of artificial structures pursuant to any required permits, or as authorized under Section 630, Title 14, CCR, or as authorized by the Department <sup>2</sup>  Boating, swimming, wading and diving are prohibited	Very High

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>BOUNDARY OPTIONS (1-2) EXIST FOR SAN DIEGO-SCRIPPS COASTAL; THESE ARE LINKED TO BOUNDARY OPTIONS AT MATLAHUAYL. DECISION ON SAN DIEGO-SCRIPPS COASTAL BOUNDARY OPTION DETERMINES BOUNDARY OPTION AND MPA DESIGNATION FOR MATLAHUAYL</b>				
<b>Option 1:</b> San Diego-Scripps Coastal State Marine Conservation Area	1: IPA boundaries (Linked to Matlahuayl Option 1)	Take of all living marine resources is prohibited EXCEPT: ▪ The recreational take of coastal pelagic species, except market squid, by hook and line	Allows scientific collecting under a scientific collection permit issued by the Department.  Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	Moderate Low
<b>Option 2:</b> San Diego-Scripps Coastal State Marine Conservation Area	2: Moves southern boundary from Option 1 below pier to improve feasibility (Linked to Matlahuayl Option 2)	Same as Option 1	Same as Option 1	Moderate Low
<b>BOUNDARY OPTIONS (1-2) EXIST FOR MATLAHUAYL; THESE ARE LINKED TO BOUNDARY OPTIONS AT SAN DIEGO-SCRIPPS COASTAL. DECISION ON SAN DIEGO-SCRIPPS COASTAL BOUNDARY OPTION DETERMINES BOUNDARY OPTION AND MPA DESIGNATION FOR MATLAHUAYL</b>				
<b>Option 1:</b> Matlahuayl State Marine Conservation Area <sup>4</sup>	1: IPA Boundary, designated as SMCA <sup>4</sup> (Linked to San Diego-Scripps Coastal Option 1)	Take of all living marine resources is prohibited	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours  Allows operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	Very High
<b>Option 2:</b> Matlahuayl State Marine Reserve	2: Moves northern boundary from Option 1 below pier to improve feasibility and retain SMR designation (Linked to San Diego-Scripps Coastal Option 2)	Same as Option 1	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours	Very High

MPA Name & Designation	Description of MPA Options	Proposed Allowed Take	Other Proposed Regulated Activities <sup>2</sup>	SAT Level of Protection
<b>BOUNDARY OPTIONS (1-4) EXIST FOR SOUTH LA JOLLA SMR; THESE ARE LINKED TO SOUTH LA JOLLA SMCA BOUNDARY OPTIONS DUE TO SHARED BOUDARIES. DECISION ON SOUTH LA JOLLA SMR BOUNDARY OPTION DETERMINES BOUNDARY OPTION FOR SOUTH LA JOLLA SMCA</b>				
<b>Option 1:</b> South La Jolla State Marine Reserve	1: IPA boundaries	Take of all living marine resources is prohibited	---	Very High
<b>Option 2:</b> South La Jolla State Marine Reserve	2: Moves northern boundary from Option 1 north above intertidal reef to improve feasibility	Same as Option 1	---	Very High
<b>Option 3:</b> South La Jolla State Marine Reserve	3: Moves southern boundary from Option 1 south to major street to improve feasibility	Same as Option 1	---	Very High
<b>Option 4:</b> South La Jolla State Marine Reserve	4: Moves Option 1 northern boundary north above intertidal reef; AND Moves southern boundary south to major street to improve feasibility	Same as Option 1	---	Very High
<b>BOUNDARY OPTIONS (1-4) EXIST FOR SOUTH LA JOLLA SMCA; THESE ARE LINKED TO SOUTH LA JOLLA SMR BOUNDARY OPTIONS DUE TO SHARED BOUNDARIES. DECISION ON SOUTH LA JOLLA SMR BOUNDARY OPTION DETERMINES BOUNDARY OPTION FOR SOUTH LA JOLLA SMCA</b>				
<b>Option 1:</b> South La Jolla State Marine Conservation Area	1: IPA boundaries	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of pelagic finfish including Pacific bonito by hook and line</li> </ul>	---	High

<b>MPA Name &amp; Designation</b>	<b>Description of MPA Options</b>	<b>Proposed Allowed Take</b>	<b>Other Proposed Regulated Activities<sup>2</sup></b>	<b>SAT Level of Protection</b>
<b>Option 2:</b> South La Jolla State Marine Conservation Area	2: Same northern boundary change as South La Jolla SMR Option 2	Same as Option 1	---	High
<b>Option 3:</b> South La Jolla State Marine Conservation Area	3: Moves southern boundary from Option 1 south to major street to improve feasibility	Same as Option 1	---	High
<b>Option 4:</b> South La Jolla State Marine Conservation Area	4: Moves Option 1 northern boundary north above intertidal reef; AND Moves southern boundary south to major street to improve feasibility	Same as Option 1	---	High
Famosa Slough State Marine Conservation Area <sup>4</sup>	IPA <sup>4</sup>	Take of all living marine resources is prohibited	Allows habitat restoration, maintenance dredging, and operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	Very High
Cabrillo State Marine Reserve	IPA	Take of all living marine resources is prohibited	---	Very High
Tijuana River Mouth State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: <ul style="list-style-type: none"> <li>▪ The recreational take of coastal pelagic species, except market squid, by hand-held dip net</li> <li>▪ The commercial take of coastal pelagic species, except market squid, by round haul net</li> </ul>	Allows beach nourishment or other sediment management activities and operation and maintenance of artificial structures pursuant to any required permits or as authorized by the Department <sup>2</sup>	High

<sup>1</sup> This table does not include the 13 existing MPAs within the northern Channel Islands. The northern Channel Islands MPAs were retained

without modification, at the direction of the Commission, and are not part of this rulemaking. However, they are displayed in the maps and summaries.

- <sup>2</sup> Existing activities and operations permitted by other federal, state, or local entities, such as dredging, wastewater outfall operations, maintenance of artificial structures and sand replenishment and other sediment management activities have been identified as occurring within this proposed MPA, which may result in take of marine resources incidental to the activity. Operations or activities identified at the time of designation are included within the proposed regulation to make explicit that MPA designation is not intended to interfere with these permitted activities.
- <sup>3</sup> This area, recommended by stakeholders as an SMP, will be designated as SMCA, and could subsequently be designated a state marine park at the discretion of the State Park and Recreation Commission.
- <sup>4</sup> These MPAs, recommended by stakeholders as an SMR, will be designated as SMCAs that allow no take, except as associated with activities regulated by other agencies, pursuant to any valid permits.
- <sup>5</sup> Activities related to an existing artificial structure were previously identified as occurring within Campus Point SMR, with a recommendation to change the designation to an SMCA and specify that the permitted activities could continue. Subsequent information indicates that the artificial structure is outside the boundaries of the proposed SMR. Therefore, the regulation retains the SMR designation as proposed.
- <sup>6</sup> The names originally proposed (Bolsa Chica SMCA/SMCA) are identical. To avoid confusion, the names have been modified to reflect commonly used terms for each of the respective areas: Bolsa Bay SMCA and Bolsa Chica Basin SMCA.
- <sup>7</sup> A preliminary wave energy permit has been granted by the Federal Energy Regulatory Commission (FERC) at Catalina, that includes part of the proposed expansion of Farnsworth (Catalina) Offshore SMCA, which may need to be included in future regulations for this MPA.

The 35 MPAs in the proposed regulation, in combination with the existing Northern Channel Islands MPAs and federal Safety Zones, cover an area of 387.3 square miles, representing 16.5 percent of state waters within the south coast region (Attachment 4). Of this, more than 70 percent is within SMRs or “very high LOP” SMCAs that do not allow fishing, but allow for existing regulated activities to occur. These non-fishing MPAs cover 274.1 square miles or 11.7 percent of state waters within the south coast region. The remaining areas are primarily SMCAs that allow some fishing activity, covering an area of 76.6 square miles, and federal Safety Zones consisting of 36.7 square miles. It should be noted that sub-options exist within the proposed regulation that could increase the number of MPAs in the regulation. Selecting the addition of Refugio SMCA (Option 2) and Doheny SMCA (Option 2) would add an additional 1.03 square miles and 0.14 square miles, respectively, to the total area covered by the proposed regulation, for a total of 388.5 square miles. A selection of Options 3 or 4 for Crystal Cove SMCA (that divides the proposed Crystal Cove MPA into Crystal Cove SMCA and Robert E. Badham SMCA) would add an additional MPA with no change to the size, and Option 2 for Laguna Beach SMR/SMCA would divide the proposed Laguna Beach MPA into two MPAs, with no change to the size.

The 35 new MPAs included in this proposed regulation (with sub-options that could lead to up to 39 MPAs) make up roughly 47 percent of the total area protected within the IPA, with the existing Channel Islands MPAs contributing approximately 43 percent of the protected area, and the federal Safety Zone areas covering approximately 10 percent of the protected area encompassed in the IPA.

Many of the SMCAs allow the take of pelagic finfish (defined above), recreational take of white seabass by spearfishing, and commercial take of coastal pelagic species by round haul gear, which were considered by the SAT to offer high ecosystem protection (Attachment 3). In some SMCAs, take of other species such as spiny lobster, sea urchin, finfish, and kelp is allowed. With some exceptions, the SMCAs protect benthic fishes and invertebrates most likely to benefit from area protection.

Many of the MPA proposals were advanced with recommendations from the stakeholders and BRTF to develop MOU agreements between the Department and government entities, research institutions, or tribal governments and organizations. These MOU

agreements are outside of this rulemaking process, although they may be considered and pursued under the guidance of the draft master plan (See Attachment 12).

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 203.1, 205(c), 219, 220, 1590, 1591, 2860, 2861, and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.

Reference: Sections 200, 202, 203.1, 205(c), 219, 220, 1580, 1583, 2861, 5521, 6653, 8420(e), and 8500, Fish and Game Code; and Sections 36700(e), 36710(e), 36725(a) and 36725(e), Public Resources Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

Attachment 1: [Regional goals, objectives, and design and implementation considerations for the south coast regional component of a statewide MPA network](http://www.dfg.ca.gov/mlpa/pdfs/southcoastgoals0209.pdf) (Also available at <http://www.dfg.ca.gov/mlpa/pdfs/southcoastgoals0209.pdf>)

Attachment 2: [California Department of Fish and Game Feasibility Criteria and Evaluation Components for Marine Protected Area Proposals](http://www.dfg.ca.gov/mlpa/pdfs/agenda_111808n.pdf) (November 12, 2008) (Also available at [http://www.dfg.ca.gov/mlpa/pdfs/agenda\\_111808n.pdf](http://www.dfg.ca.gov/mlpa/pdfs/agenda_111808n.pdf))

Attachment 3: [MLPA SAT Levels of Protection for the SCSR](http://www.dfg.ca.gov/mlpa/pdfs/agenda_111808n.pdf)

Attachment 4: [Detailed description, objectives and rationale, and maps of the integrated preferred alternative](http://www.dfg.ca.gov/mlpa/southcoastipa.asp) (IPA) (Also available at <http://www.dfg.ca.gov/mlpa/southcoastipa.asp>)

Attachment 5: [South Coast Blue Ribbon Task Force \(BRTF\) Motion for the Integrated Preferred Alternative \(IPA\) for the MLPA South Coast Study Region](http://www.dfg.ca.gov/mlpa/pdfs/southcoast_ipa_motion.pdf) - adopted November 10, 2009 (Also available at [www.dfg.ca.gov/mlpa/pdfs/southcoast\\_ipa\\_motion.pdf](http://www.dfg.ca.gov/mlpa/pdfs/southcoast_ipa_motion.pdf))

Attachment 6: [Detailed description and maps of alternative 1: Round 3 SCRSG Revised MPA Proposal 1](http://www.dfg.ca.gov/mlpa/southcoastipa.asp#prop1) (Also available at <http://www.dfg.ca.gov/mlpa/southcoastipa.asp#prop1>)

- Attachment 7: [Detailed description and maps of alternative 2: Round 3 SCRSR Revised MPA Proposal 2](#) (Also available at <http://www.dfg.ca.gov/mlpa/southcoastipa.asp#prop2>)
- Attachment 8: [Detailed description and maps of alternative 3: Round 3 SCRSR Revised MPA Proposal 3](#) (Also available at <http://www.dfg.ca.gov/mlpa/southcoastipa.asp#prop3>)
- Attachment 9: [Action of the California Fish and Game Commission Regarding Marine Protected Areas at the Northern Channel Islands and Santa Barbara Island in the MLPA South Coast Study Region](#) (December 30, 2008) (Also available at [http://www.dfg.ca.gov/mlpa/pdfs/agenda\\_011309c1.pdf](http://www.dfg.ca.gov/mlpa/pdfs/agenda_011309c1.pdf))
- Attachment 10-a: [California MLPA Master Plan Science Advisory Team Draft Evaluation of Ecological Contributions of Pending Military Closures and Proposed MPAs at San Nicolas Island, Begg Rock and San Clemente Island](#) (May 14, 2009) (Also available at [http://www.dfg.ca.gov/mlpa/pdfs/agenda\\_051509a1.pdf](http://www.dfg.ca.gov/mlpa/pdfs/agenda_051509a1.pdf))
- Attachment 10-b: [Actions of MLPA Blue Ribbon Task Force Taken on May 19, 2009 Regarding Military Use Areas and Pending Military Closures](#) (May 19, 2009) (Also available at [http://www.dfg.ca.gov/mlpa/pdfs/agenda\\_052109a1.pdf](http://www.dfg.ca.gov/mlpa/pdfs/agenda_052109a1.pdf))
- Attachment 11: [Department of Fish and Game Report to the Fish and Game Commission on Unresolved Issues and Potential Options for the Integrated Preferred Alternative of the Marine Life Protection Act in the South Coast Study Region](#) (March 2010) (Also available at [http://www.dfg.ca.gov/mlpa/pdfs/scmpas\\_report\\_030310.pdf](http://www.dfg.ca.gov/mlpa/pdfs/scmpas_report_030310.pdf))
- Attachment 12: [MOUs recommended by the BRTF and SCRSR for development for MPAs adopted in the south coast region](#)
- Attachment 13: [Detailed description and maps of existing MPAs \(Proposal 0 \(Zero\)\) in the south coast region](#) (Also available at <http://www.dfg.ca.gov/mlpa/southcoastipa.asp#prop0>)
- Attachment 14: [Estimates of the Maximum Potential Economic Impacts of Marine Protected Area Networks in the Southern California Coast](#)
- Attachment 15: [Senate Resolution No. 17 relative to the Newport Beach Marine Life Refuge, Senate, California Legislature —1999-2000 Regular Session](#) (Also available at [http://info.sen.ca.gov/pub/99-00/bill/sen/sb\\_0001-0050/sr\\_17\\_bill\\_19990819\\_enrolled.pdf](http://info.sen.ca.gov/pub/99-00/bill/sen/sb_0001-0050/sr_17_bill_19990819_enrolled.pdf))

Attachment 16: [Bill No. SB 716, Chaptered 08/02/1993, California Legislature](#) (Also available at [http://info.sen.ca.gov/pub/93-94/statute/ch\\_0251-0300/ch\\_259\\_st\\_1993\\_sb\\_716](http://info.sen.ca.gov/pub/93-94/statute/ch_0251-0300/ch_259_st_1993_sb_716))

Attachment 17: [California Department of Fish and Game Memo to the Commission regarding outstanding issues identified in the proposed Initial Statement of Reasons to Amend Section 632 Title 14, CCR \(October 11, 2010\)](#).

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

Table 2. Public meetings held during the south coast study region planning process.

Meeting	Major Topic	Meeting Dates	Location
Public Open House	Introduce public to MLPA planning process	6/23/2008	Santa Barbara
Public Open House	Introduce public to MLPA planning process	6/24/2008	Oxnard
Public Open House	Introduce public to MLPA planning process	6/25/2008	Santa Monica
Public Open House	Introduce public to MLPA planning process	7/8/2008	Huntington Beach
Public Open House	Introduce public to MLPA planning process	7/9/2008	Carlsbad
Public Open House	Introduce public to MLPA planning process	7/10/2008	San Diego
BRTF	Provide guidance to SAT/SCRSG on planning process	9/8/2008	San Diego
SAT	Develop science guidance	9/10/2008	Conference Call
SAT	Develop science guidance	9/15/2008	El Segundo
SCRSG	Begin discussion and guidance for MPA proposal development	10/6-7/08	El Segundo
BRTF	Receive policy direction from previous study regions	11/4/08	Los Angeles
SAT	Develop science guidance	11/12/2008	Los Angeles
SCRSG	Begin discussion and guidance for MPA proposal development	11/18-19/08	Ventura
BRTF	Provide guidance to SAT/SCRSG on planning process	12/10/2008	Sacramento
Joint BRTF and FGC	Provide guidance on how to consider the northern Channel Islands in the south coast planning process	12/11/2008	Sacramento
SAT	Develop science guidance	12/17/2008	Los Angeles
SCRSG	Begin developing round 1 MPA arrays	1/13-14/09	San Diego
BRTF	Discuss policy guidance for the south coast planning process	1/22/2009	Conference Call
SAT	Review and discussion of evaluation methods for south coast planning process	1/23/09 and 1/27/09	Los Angeles
SCRSG	RSG work session	1/29/2009	Los Angeles
SCRSG	RSG work session	2/10/2009	Huntington Beach
SIG	Discuss opportunities for public involvement	2/13/2009	Conference Call
SAT	Consider military use areas in evaluations	2/24/2009	Conference Call

<b>Meeting</b>	<b>Major Topic</b>	<b>Meeting Dates</b>	<b>Location</b>
BRTF	Discussion of regional goals and objectives	2/26/2009	Santa Barbara
SCRSG	Discussion and guidance for MPA proposals in development	3/3-4/09	Long Beach
SAT	Review and discuss evaluations of SCRSG proposals for round 1	4/1/09 and 4/6/09	Los Angeles
SIG	Discuss opportunities for public involvement	4/10/2009	Conference Call
BRTF	Discussion and guidance for MPA proposals in development	4/15-16/09	Dana Point
SCRSG	Discussion and guidance for MPA proposals in development	4/28/2009	Oxnard
SCRSG	RSG work session	4/29/2009	Oxnard
SAT	Develop guidance for MPA proposals	5/5/2009	Teleconference/ Webinar
SAT	Develop guidance for MPA proposals	5/15/2009	Teleconference/ Webinar
BRTF	Develop guidance for MPA proposals	5/18-19/09	Teleconference/ Webinar
SCRSG	RSG work session	5/19-20/09	Santa Ana
SCRSG	Finalize round 2 MPA draft proposals	5/21/2009	Santa Ana
SIG	Discuss opportunities for public involvement	5/29/2009	Conference Call
BRTF	Provide guidance for MPA proposals	6/4/2009	Los Angeles
SAT	Evaluation of SCRSG draft MPA proposals	6/18/2009	Los Angeles
Public Open House	Solicit feedback on round 2 MPA proposals	6/29/2009	Carlsbad
Public Open House	Solicit feedback on round 2 MPA proposals	6/30/2009	San Diego
Public Open House	Solicit feedback on round 2 MPA proposals	7/1/2009	Laguna
Public Open House	Solicit feedback on round 2 MPA proposals	7/6/2009	San Pedro
Public Open House	Solicit feedback on round 2 MPA proposals	7/7/2009	Marina Del Rey
Public Open House	Solicit feedback on round 2 MPA proposals	7/8/2009	Oxnard
Public Open House	Solicit feedback on round 2 MPA proposals	7/9/2009	Santa Barbara
Public Open House	Solicit feedback on round 2 MPA proposals	7/13/2009	Avalon
BRTF	Discussion and guidance for final MPA proposal development	7/28-29/09	Santa Monica
SCRSG	Final MPA proposals development	8/3/2009	Carlsbad
SCRSG	RSG work session	8/4/2009	Carlsbad
SCRSG	Complete final MPA proposals	9/9-10/09	Los Angeles
SAT	Evaluation of final SCRSG MPA proposals	10/6/2009	Los Angeles
SCRSG and SIG	Briefing regarding Attorney General Informal Advice Letter	10/14/2009	Teleconference/ Webinar
BRTF	Receipt of SCRSG alternative MPA proposals and development of IPA	10/20-22/09; & 11/10/09	Long Beach and Los Angeles
SAT	Evaluation of IPA	11/9/2009	Teleconference/ Webinar
Joint BRTF and FGC	Delivery of south coast recommendations for alternative MPA proposals	12/9/2009	Los Angeles

V. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

A range of alternatives to the proposed regulation was provided by the SCRSG and BRTF to meet the purposes of the proposed regulation but were not selected as the preferred alternative. Each alternative, with the exception of the no-change alternative, meets the goals and guidelines of the MLPA to varying degrees, and attempts to adhere to the SAT guidelines in the draft master plan to the extent possible.

Detailed maps and information regarding specific proposed MPA boundaries and regulations in the alternatives to the proposed regulation are contained within attachments 6-8 and each alternative is summarized below for informational purposes.

Alternative 1 – This is the SCRSG “Proposal 1R”, developed within SCRSG workgroups by constituents representing a variety of consumptive, non-consumptive, and environmental interests. It consists of 37 proposed MPAs, 13 existing MPAs and two special closures at the Channel Islands, and two federal Safety Zones, covering an area of 397.5 square miles, representing 16.9 percent of state waters within the south coast region (Attachment 6). Of this, 77.5 percent of the area is within no-take state marine reserves or “very high protection” SMCAs that do not allow fishing, covering 307.8 square miles or 13.1 percent of state waters within the south coast region. Details regarding specific proposed MPA boundaries and regulations are contained in Attachment 6.

Alternative 2 – This is the “SCRSG Proposal 2R”, developed within SCRSG workgroups by constituents representing primarily commercial and recreational fishing interests along the south coast. It consists of 24 proposed MPAs, 13 existing MPAs and two special closures at the Channel Islands, and two federal Safety Zones covering an area of 378.3 square miles, representing 16.1 percent of state waters within the south coast region (Attachment 7). Of this, 74.8 percent of the area is within no-take state marine reserves or “very high protection” SMCAs that do not allow fishing, covering 282.8 square miles or approximately 12 percent of state waters within the south coast region. Details regarding specific proposed MPA boundaries and regulations are contained in Attachment 7.

Alternative 3 – This is the “SCRSG Proposal 3R”, developed within SCRSG workgroups by constituents primarily representing non-consumptive and

environmental interests along the south coast. It consists of 27 proposed MPAs, 13 existing MPAs and two special closures at the Channel Islands, and three federal Safety Zones covering an area of 412.7 square miles, representing 17.6 percent of state waters within the south coast region (Attachment 8). Of this, 71 percent of the area is within no-take state marine reserves or “very high protection” SMCAs and a State Marine Recreational Management Area (SMRMA) that do not allow fishing, covering 293 square miles or 12.4 percent of state waters within the south coast region. Details regarding specific proposed MPA boundaries and regulations are contained in Attachment 8.

(b) No Change Alternative:

The no change alternative would leave existing MPAs in state waters of the south coast region unchanged (See Attachment 13 for a map and description of existing MPAs). This alternative does not address the goals and requirements of the Marine Life Protection Act.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will not have a negative impact on the environment; therefore, no mitigation measures are needed. A full discussion of the proposed regulation and alternatives is included in the Department’s Draft Environmental Impact Report for Marine Protected Areas in the South Coast of California, **August 2010**.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The Proposed Regulation will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states. The Proposed Regulation may have negative impacts on commercial and recreational fishing operations and businesses.

The impacts presented here do not represent a complete socioeconomic impact analysis, but rather what is generally referred to as a first order impact analysis, meaning that it only assesses potential impacts up to the dock (i.e., for commercial, commercial passenger fishing vessel and recreational fisheries). Furthermore, a key assumption of this analysis is that estimates represent maximum potential impacts. An assumption made in the analysis is that the Proposed Regulation completely eliminates fishing opportunities in areas closed to specific fisheries and that fishermen are unable to adjust or mitigate in any way. In other words, that all fishing in an area affected by a marine protected area (MPA) is lost completely, when in reality it is more likely that fishermen will shift their efforts to areas outside the MPA. The effect of such an assumption is most likely an overestimation of the impact, or a “worst case scenario.”

The estimates of maximum potential impacts shown here rely on the survey work and subsequent geographic information system (GIS) data analysis conducted by Ecotrust and reported in various documents to the SAT, RSG, and BRTF. Ecotrust interviewed fishermen to determine both locations of fishing activities and the relative importance of each location. Ecotrust’s importance indices were combined with cost share information (gathered during the interviews) to measure the maximum potential impacts of prospective closures on stated and economic values for key commercial, commercial passenger fishing vessel and recreational fisheries. The methodology used to determine maximum potential impacts for the Proposed Regulation (IPA) is described in Attachment 14.

The maximum potential impact (in real 2007 dollars) to commercial fisheries under the Proposed Regulation (see Table 3) excluding the impact of the Channel Islands MPAs is estimated to be \$1,566,767 per year. In comparison, the estimated average annual baseline gross revenues for the study region from 2000–07 were estimated to be \$48,001,110 and the estimated corresponding net economic revenue was \$22,648,455. Using these values, the estimated maximum potential percentage reduction per year under the Proposed Regulation excluding the impact of the Channel Islands MPAs is estimated to be 6.9 percent.

Table 3. Estimated annual maximum potential net economic impacts to commercial fisheries relative to the base scenario excluding the impact of

the Channel Islands MPAs. The SCRSG proposal name is reflected in parentheses.

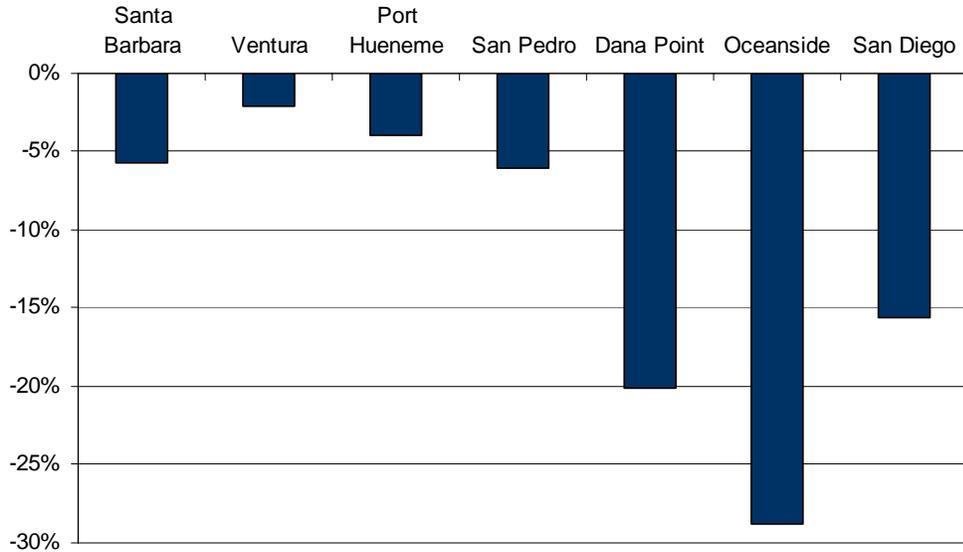
Fishery	Baseline GER	Baseline NER (Profit)	Proposed Regulation (IPA)	
			Estimated Profit Loss (\$)	Estimated Profit Loss (%)
Ca. Halibut (Hook & Line)	\$108,209	\$51,508	\$5,748	11.2%
Ca. Halibut (Trawl)	—	—	—	—
Coastal Pelagics	\$5,889,196	\$2,613,331	\$128,280	4.9%
Ca. Spiny Lobster	\$6,360,856	\$3,439,117	\$399,973	11.6%
N. Fishery (Hook & Line)	\$217,200	\$105,125	\$12,890	12.3%
N. Fishery (Trap)	\$372,719	\$182,413	\$22,990	12.6%
Rock Crab	\$1,469,292	\$780,474	\$50,484	6.5%
Sablefish (Blackcod) <sup>a</sup>	\$286,809	\$125,479	\$65,101	51.9%
Sea Cucumber (Dive)	\$500,296	\$252,149	\$22,441	8.9%
Sea Cucumber (Trawl)	—	—	—	—
Spot Prawn	\$1,741,435	\$892,881	\$71,973	8.1%
Market Squid	\$22,459,304	\$9,589,146	\$299,105	3.1%
Swordfish	\$366,725	\$123,770	\$10,589	8.6%
Thornyhead <sup>a</sup>	\$648,920	\$313,645	\$221,136	70.5%
Red Sea Urchin	\$7,580,148	\$4,179,418	\$256,058	6.1%
<b>All Fisheries<sup>b</sup></b>	<b>\$48,001,110</b>	<b>\$22,648,455</b>	<b>\$1,566,767</b>	<b>6.9%</b>

<sup>a</sup> The sablefish and thornyhead trap fisheries data collected in this study indicated where those fisheries occur only inside state waters. These fisheries actually occur primarily outside of state waters and, because of this, the stated potential impacts may be overestimated throughout the study region.

<sup>b</sup> Santa Barbara California halibut trawl and sea cucumber trawl are not shown in this total due to lack of data for all ports.

The estimated maximum potential impact to commercial fisheries under the Proposed Regulation excluding the impact of the Channel Islands MPAs is also calculated by port, as seen in Figure 2. In addition, it should be noted that the potential impacts to specific fisheries also vary by port as well.

Figure 2. Estimated annual maximum potential net economic impacts in commercial fisheries of the Proposed Regulation relative to the base scenario by port excluding the impact of the Channel Islands MPAs.



Due to the aggregation of data necessary to maintain the confidentiality of individual fishermen’s financial data, the average impacts across fisheries may not be representative of the true maximum potential impact to an individual fisherman and may actually underestimate the maximum potential impact to specific individuals.

That said, Ecotrust, as part of their assessment, was asked to provide summary information on any disproportionate impacts on individual fishermen and/or particular fisheries. This was based on lessons learned in the Central Coast study region, where significant disproportionate impacts were only discovered in the implementation phase, leaving limited options to lessen these impacts.

Ecotrust evaluated whether there were individual fishermen interviewed who may be disproportionately affected by the Proposed Regulation. To assess these impacts, Ecotrust overlaid each fisherman’s fishing grounds weighted by ex-vessel revenue (for each fishery in which the individual participates) with those areas being considered for closure under the Proposed Regulation and then summarized the potential impact on each fisherman’s ex-vessel revenue across all fisheries in which the individual participates. It should be noted that the "worst case scenario" still applies in that individual fishermen are assumed not to adjust to different fishing grounds and the estimates presented here do not include impacts from Channel Island MPAs.

Ecotrust then used a box plot analysis to identify individual outliers. In a box plot analysis, outliers are defined as extreme values that deviate significantly from the rest of the sample. Results of this analysis show that the Proposed Regulation creates potentially disproportionate impacts to fishing areas for at least 10 fishermen. The maximum potential impacts to these individuals' annual ex-vessel revenues range from 32.2–57.2 percent and the corresponding dollar values range from \$2,460–\$123,204. The median maximum potential impact is \$21,381.

Ecotrust also analyzed the maximum potential impacts to commercial passenger fishing vessel (CPFV) operators and recreational fishermen (i.e., dive, kayak and private vessel) in terms of percentage of the fishing grounds within the study region and percentage of stated importance values of fishing grounds within the study region. Estimated impacts represent impacts to areas of stated importance and not impacts on level of effort. Similar to the commercial estimates of maximum potential impact, these estimates assume all fishing activity that previously occurred in a closed area is “lost” and not replaced by movement to another location.

Ecotrust calculated the maximum potential net economic impact for the CPFV fisheries as the average percentage reduction in net economic revenue (i.e., profit) for all ten species considered (Table 4).

Table 4. Estimated annual maximum potential net economic impacts to CPFV fisheries relative to the base scenario excluding the impact of the Channel Islands MPAs.

Port	Proposed Regulation (IPA) Estimated Profit Loss (%)
Santa Barbara	7.4%
Port Hueneme / Channel Islands Harbor	12.3%
Santa Monica	4.4%
San Pedro / Long Beach	6.1%
Newport Beach	11.3%
Dana Point	18.8%
Oceanside	12.0%
San Diego	25.2%
<b>Study Region</b>	<b>11.2%</b>

Recreational fisheries were broken out by county and by user group (i.e., dive, kayak and private vessel). Please see Table 5 for additional details.

While not economic losses, if realized, a loss in recreational fishing areas could lead to decreases in revenues to recreational fishing dependent businesses.

In the long term, the potential negative impacts may be balanced by potential positive impacts of sustainable fisheries, non-consumptive benefits, and ecosystem function in the reserve areas. In addition, potential benefits may be realized through adult fish spillover to areas adjacent to marine reserves and state marine conservation areas which prohibit bottom fishing for finfish, as well as through transport to distant sites.

Table 5. Estimated percentage of stated value of total recreational fishing grounds affected by county for the Proposed Regulation excluding the impact of the Channel Islands MPAs.

County	User group	Pacific Barracuda	Pacific Bonito	Ca. Halibut	Kelp Bass (calico bass)	White Croaker	Ca. Spiny Lobster	Jack Mackerel	Rockfish	Rock Crab
Santa Barbara	Dive			7.3%	11.9%	12.1%	9.0%		5.3%	
	Kayak			11.5%	12.0%		0.0%			
	Private Vessel	0.4%		13.8%	11.6%		0.0%		2.1%	
Ventura	Dive	1.8%		19.9%	15.1%		15.4%		10.8%	
	Kayak	3.5%		15.9%	17.8%		13.6%	4.3%	15.6%	0.0%
	Private Vessel	0.5%	0.0%	3.0%	2.8%	0.0%	12.1%	0.0%	1.3%	
Los Angeles	Dive	13.3%	45.5%	12.1%	13.0%	33.4%	9.7%		20.7%	
	Kayak	2.5%	3.6%	3.9%	9.2%		8.0%	4.6%	12.1%	0.0%
	Private Vessel	3.3%	5.8%	1.8%	4.8%	0.0%	6.2%	0.8%	7.8%	
Orange	Dive		13.4%	14.6%	30.8%	25.4%	17.0%		8.2%	
	Kayak	0.8%	13.2%	4.5%	6.9%		30.7%	0.0%	11.0%	
	Private Vessel	3.6%	2.8%	2.3%	6.2%	11.0%	15.0%	3.1%	8.9%	
San Diego	Dive	16.1%	28.1%	25.6%	26.9%	41.3%	19.7%		15.1%	
	Kayak	23.4%	22.4%	21.4%	25.6%		13.6%	21.8%	25.0%	14.8%
	Private Vessel	4.2%	2.9%	7.0%	13.0%	5.2%	9.6%	10.7%	7.3%	
Santa Barbara	Dive	4.7%						3.8%	0.0%	
	Kayak			21.6%			1.7%			
	Private Vessel			0.0%			0.2%	5.5%	0.0%	
Ventura	Dive	10.0%	0.0%	11.6%				2.1%	0.6%	
	Kayak		25.0%	21.8%	11.2%		2.2%	13.8%	12.2%	
	Private Vessel						8.1%	2.5%	1.8%	

Table 5 (continued)

County	User group	Scallops	Ca. Sheephead	Sand Bass	Market Squid	Surfperch	Thresher Shark	White Seabass	Ca. Yellowtail
Los Angeles	Dive	21.0%	27.5%	10.5%				5.8%	10.4%
	Kayak		5.5%	2.2%	4.9%		2.9%	9.5%	12.4%
	Private Vessel		8.4%	0.4%		2.0%	6.1%	9.6%	4.7%
Orange	Dive	12.0%	59.8%	32.7%				11.4%	10.0%
	Kayak		37.1%	6.6%	13.7%		9.1%	7.7%	17.7%
	Private Vessel		25.0%	2.0%		0.0%	4.2%	11.1%	2.4%
San Diego	Dive	21.9%	29.8%	18.4%				20.6%	12.1%
	Kayak		20.3%	18.9%	26.5%		23.7%	21.9%	21.7%
	Private Vessel		9.1%	6.1%		9.2%	1.3%	11.6%	2.6%

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

Each alternative has potential impacts on the creation and elimination of jobs related to commercial, CPFV and recreational fishing and non-consumptive activities. An estimate of the number of jobs eliminated as a direct result of the proposed action is difficult to determine. Commercial fishing operations are generally small businesses employing few individuals and, like all small businesses are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable stocks and subsequently the long-term viability of these same small businesses. Jobs related to the non-consumptive tourism and recreational industries would be expected to increase over time by some unknown factor based on expected improvements in site quality and increased visitation to certain locations.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

Additional costs to State agencies for enforcement, monitoring, and management of MPAs are difficult to estimate and are dependent on not only the impacts of the proposed regulation, but also other regulations and processes. Costs associated with printing and installing new regulatory signage, and developing and printing public outreach materials will be incurred by the Department's Marine Region and South Coast Region. However, partnerships with state and federal agencies, academic institutions and non-profit organizations are likely to continue to play an important role in assisting with MLPA implementation in coming years.

Current cooperative efforts with the Channel Islands National Marine Sanctuary, Monterey Bay National Marine Sanctuary, and Gulf of the Farallones National Marine Sanctuary have provided funding for some existing State costs, and contributions are expected to increase with the adoption of this regulation. In addition to agency partnerships, during planning and implementation of the first and second MLPA study regions (i.e., central coast and north central coast study regions), substantial funding (in the millions) was contributed by private fund sources including MLPA Initiative partners, and through bond money distributed through the Ocean Protection Council (OPC). These contributions supported costs for baseline science and socioeconomic data collection, signage, and outreach and education, among other things, and allowed for a greater outcome than may have been possible with Department funding alone. While it is difficult to quantify the level of support that will be provided by partnerships in future years, the Department will continue to actively pursue and maximize such assistance.

While the actual costs to the Department to implement the proposed regulations in the south coast are unknown, experience in implementing MPAs in the northern Channel Islands and the MLPA central coast and north central coast can inform prospective near-term expenditures using existing Department funds, and contributions from partners:

- For the Northern Channel Islands, which was the first portion of the MLPA South Coast Study Region to adopt MPAs, the Department spent approximately \$3.6 million on post-design one-time costs, and an additional \$0.9 million per year since 2004 for implementation, management, and enforcement of the Northern Channel Islands MPAs. Partners contributed approximately \$2.2 million in one-time costs, and \$2.7 annually since the design phase was completed.
- In the MLPA central coast study region, the Department spent approximately \$4.5 million on post-design one-time costs, and an

additional \$0.4 million per year since 2007 for implementation, management, and enforcement of the central coast MPAs. Partners have contributed approximately \$2.4 million since the design phase was completed.

- The MLPA north central coast study region regulations are due to become effective in May 2010 and funds have not yet been expended on implementation at the time of this writing with the exception of \$4 million provided by the OPC for a baseline data collection project and development of a monitoring plan.

The Department costs referenced above utilized available funds to the Department at that time. Certainly, changes requiring additional enforcement, monitoring or management will increase the recurring costs to the Department as compared to the current efforts, and total state costs would increase as new study regions are designated and become operational. For the south coast, the near-term cost to implement the proposed MPAs will include both one-time startup and baseline data collection costs, and recurring annual costs. A baseline data collection program methodology is currently being developed through the MPA Monitoring Enterprise and being implemented in the north central coast. The costs associated with baseline data collection and future monitoring to apply in the south coast will be determined through a similar process and therefore cannot be estimated at this time. In light of uncertainty regarding the cost for monitoring, funding due to the State's current fiscal crisis, and the level of future funding from external partners, the estimated new funding requirements by the state for MLPA in the south coast are unknown at this time.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None

(f) Programs Mandated on Local Agencies or School Districts:

None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None

(h) Effect on Housing Costs:

None