

CALIFORNIA OCEAN PROTECTION COUNCIL

Staff Recommendation

October 17, 2016

Marine Protected Area Signage – Round 2

Cyndi Dawson, MPA Policy Advisor

RECOMMENDED ACTION: Authorization to disburse up to \$350,000 to the California Marine Sanctuary Foundation to produce and install marine protected area interpretive panels and regulatory signs throughout the state to help improve the enjoyment and compliance with Marine Protected Area (MPA) regulations of visitor's to California's MPA Network.

LOCATION: Statewide

STRATEGIC PLAN OBJECTIVE(S): Sustainable Fisheries and Marine Ecosystems

EXHIBITS

Exhibit A: Map and Summary of MPA Signs

Exhibit B: Samples of Interpretive and Regulatory Signs produced in Round 1

Exhibit C: Support Letters

FINDINGS AND RESOLUTION:

Staff recommends that the Ocean Protection Council (OPC) adopt the following findings:
“Based on the accompanying staff report and attached exhibit(s), the Ocean Protection Council hereby finds that:

- 1) The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the Ocean Protection Act.
- 2) The proposed projects are consistent with the Ocean Protection Council's grant program funding guidelines (Standards and Protocols, August 2013).
- 3) The proposed project is located in the Coastal Zone, and California Marine Sanctuary Foundation will be responsible for obtaining the required permits under §30601.3 of the Coastal Act and any other required permits.

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

“The Ocean Protection Council hereby authorizes disbursement of an amount not to exceed three hundred and fifty thousand dollars (\$350,000) to the California Marine Sanctuary Foundation to produce and install marine protected area (MPA) interpretive panels and regulatory signs.”

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

PROJECT SUMMARY:

In 2014, the California Department of Fish and Wildlife (CDFW) provided \$350,000 through an Interagency Agreement to the OPC to support a project to install interpretive and regulatory signs across the MPA Network. The OPC then awarded the funds to a qualified grantee (California Marine Sanctuary Foundation) that designed, sited, permitted and installed 195 regulatory and/or educational MPA signs throughout the state. An additional deliverable of the previous grant was a gap analysis of next priority locations for signs. This gap analysis identified 76 locations which are high use entry points to the MPA Network that are still without any signage about the MPAs and the associated regulations. Lack of posted regulations makes it nearly impossible to prosecute violators successfully and misses the opportunity to educate the public about the MPA Network.

OPC, through ongoing discussion with CDFW and other enforcement staff and review of data from the [MPA Watch Program](http://www.mpawatch.org/)¹ identifying human uses, including potential violations in MPAs, has identified some potential hot spots for violations. Further inquiries have suggested that many of these violations may be unintentional and the result of unfamiliarity with the area and the lack of a GPS unit that identifies MPA boundaries. Although the gap analysis completed in 2014 and 2015 only identified 76 high priority sign locations, an update of that analysis is required and it is anticipated the high priority list will grow significantly. The successful [MPA Signage Project Round 1](http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20140226/Item6-OPC-Feb2014-MPAsignage.pdf)² funded by the CDFW and administered by OPC resulted in the development of clear processes, procedures, timelines and budgets that will inform this project and ensure efficient and effective completion.

¹ <http://www.mpawatch.org/>

² http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20140226/Item6-OPC-Feb2014-MPAsignage.pdf

Deliverables/outcomes

150 -160 installed signs state wide

Time horizon

24 months

Leveraged Funding Sources

Many NGO partners were needed to scout locations and work with local authorities to obtain the required permits for sign installation. This is likely to occur during this project as well and accounts for the equivalent of hundreds of personnel hours that are matched in-kind by a variety of non-governmental organizations.

Partners

The MPA Collaboratives will be a key partner on the ground for the California Marine Sanctuary Foundation to ensure local priorities and knowledge is reflected in both the updated priority locations list and the content of the signs when applicable. Other locally based groups and organizations will be engaged whenever possible to ensure this project is meeting local priorities and needs whenever possible. CA tribes will also be notified and invited to participate in content development.

Specific objectives include:

1. Update existing high priority sign locations list which includes finalizing sign installation locations
2. Obtain required permits including Coastal Development Permits, Encroachment Permits and all other required permitting
3. Design sign content in collaboration with local groups where feasible, OPC and the California Department of Fish and Wildlife
4. Install and set up maintenance plan for signs

The overarching goal of project is to improve the enjoyment and regulation compliance of visitors to California's MPA Network by installing educational and regulatory signs at key access points throughout the state.

PROJECT FINANCING:

Staff recommends that the OPC authorize disbursement of up to \$350,000 to California Marine Sanctuary Foundation to produce and install 150 -160 marine protected area interpretive panels and regulatory signs throughout the state.

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| Ocean Protection Council | \$350,000 |
| TOTAL | \$350,000 |

The anticipated source of funds will be from the OPC's appropriation of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). Proposition 84 authorizes the use of funds for purposes consistent with Section 35650 of the Public Resources Code, establishing the California Ocean Protection Trust Fund (Pub. Res. Code § 75060(g)). Under Section 35650(b), Ocean Protection Trust Fund monies may be expended for projects authorized by the OPC that are identified as appropriate Trust Fund purposes, as specified. The project is consistent with the Trust Fund purposes as discussed in the following section.

CONSISTENCY WITH PROPOSITION 84 (The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006; Public Resources Code §75060(g))

This project will help to conserve marine wildlife and improve the management of coastal waters and ecosystems by improving compliance with MPA regulations, which is consistent both with Proposition 84 and the California Ocean Protection Act. (See, Public Resources Code 75060, and 35615.)

CONSISTENCY WITH THE OPC'S GRANT PROGRAM FUNDING GUIDELINES:

The proposed project is consistent with the OPC's Grant Program Funding Guidelines for Proposition 84 funds, in the following respects:

Required Criteria

1. Directly relate to the ocean, coast, associated estuaries, or coastal-draining watersheds: The proposed project will improve the public's understanding of and compliance with MPA regulations.
2. Support from the public: The proposed authorization is supported by numerous governmental, academic, and NGO entities. See letters of support in Exhibit C.
3. Be of greater-than-local interest: The proposed project is statewide in scope.

Additional Criteria

4. Improvements to management approaches or techniques: One of the purposes of the MPA signs is to improve the public's compliance with MPA regulations. As such, the signs will result in improved management approaches in that CDFW wardens will not have to spend as much time and effort simply educating the public about MPA

boundaries and regulations

5. Resolution of more than one issue: The MPAs, themselves, are a tool to address more than one issue. The MPAs use a more ecosystem-based management approach than traditional single-species management. In addition, the MPAs will aid in the understanding of how other phenomena, such as changing sea-surface temperatures or pH are affecting marine resources.
6. Leverages: See the “Project Financing” section above.
7. Timeliness or Urgency: Millions of people visit California’s beaches and coastline adjacent to MPAs each year. Visitation is expected to increase in the future and compliance with regulations is a key factor in ensuring that the MPA Network can function as designed. Non-compliance with regulations limits the ability of the MPA Network to accrue the maximum possible ecological benefits to marine ecosystems.
8. Coordination: The proposed project is a direct collaboration between state and non-governmental organization. The California Marine Sanctuary Foundation, through the execution of this grant, will be engaging with state agencies, tribes, fisherman, scientists, harbor masters, local planners, conservations organizations and others who wish to help improve the public’s understanding of the MPAs.

COMPLIANCE WITH CEQA:

The proposed authorization is not subject to review under the California Environmental Quality Act (“CEQA”) pursuant to 14 Cal. Code of Regulations Section 15378(b)(4). The OPC any future responsible agencies will find the same, or apply exemptions such as those found in CEQA Guideline sections 15303, 15304 and 15307 are applicable.