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**DRAFT**

# The California Collaborative Approach: Marine Protected Areas Partnership Plan

Friday, May 30, 2014

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## Section 1. A Shared Vision for California’s Marine Protected Areas

California is committed to healthy and productive ocean ecosystems and sustainable resource management, and it has demonstrated this commitment in broad, forward-looking legislation and policy directions. Among the legislation that specifically calls out the integrity of ecosystems and sustaining marine life, including that of commercial relevance, is the Marine Life Protection Act (MLPA).<sup>1</sup> The MLPA required California to designate a network of marine protected areas (MPAs), resulting in the establishment of 124 MPAs that make up 16% of its state waters.<sup>2</sup> Undertaking the designation of this network involved a public-private partnership, a governor-appointed Blue Ribbon Task Force (BRTF), an independent science advisory team, and iterative stakeholder engagements.

Building on the momentum from the public design and designation phase, California now is turning its attention to the management of the MLPA—that is, identifying an interagency, public- and science-informed management and governance structure that provides for the best, most cost-effective, and fairest approach to understanding the efficacy of the network. To this end, under the leadership of the Ocean Protection Council (OPC), California’s MPA Leadership Team—consisting of OPC, the California Department of Fish and Wildlife (CDFW), the Fish and Game Commission (FGC), the California Natural Resources Agency (CNRA), the Ocean Science Trust (OST), and the California Department of Parks and Recreation (State Parks)—has agreed on a partnership-based model, the *California Collaborative* approach, that takes advantage of overlapping government mandates, public interest, and science to provide support and create opportunities for the governance of this new network of MPAs across geographic and political scales.

### Box 1. Definition of MPA Management

*The oversight and process of implementing the legal mandate, management planning, on-the-ground operations (including surveillance and enforcement, monitoring and evaluation, and outreach and education), social capital building, and long-term sustainable financing of a single MPA or network.*

The OPC and its partners envision successful implementation of this bold new approach to be an MPA network with oversight and management that is durable, collaborative, and founded on a strong legal mandate. This would include strong governance, on-the-ground operations (including surveillance and enforcement, monitoring and evaluation, and outreach and education), long-term sustainable financing, and a constituency that supports and understands the ecological and economic value of these protected areas. The first step in realizing this goal is this document, the *California Collaborative Approach: Marine Protected Areas Partnership Plan* (Partnership Plan), which provides a framework for the collaborative management of the newly designated network of MPAs of California.

This framework was written to be incorporated into the state’s *Master Plan for Marine Protected Areas*, which was mandated by the MLPA and goes through an approval process with the FGC. This Partnership Plan will guide interactions across jurisdictions, sectors, and scales so the state can leverage the extensive resources already being brought to bear on the conservation and protection of these special areas, creating sustainable and resilient marine ecosystems, benefiting California’s coastal and ocean resources and the industries that rely on them—and potentially the entire West Coast—particularly in the face of climate change.

This document captures the progressive thinking and design of an innovative governance and management approach for MPAs to date, and it will change and evolve in the future. The Partnership Plan provides guidance for multiple audiences, both with and without jurisdictional authority, on how to engage in and support the California Collaborative approach to MPA management. These audiences

104 include state, federal, and local governments; tribal governments and communities; non-governmental  
105 organizations (NGOs); academic/research institutions; fishermen; and the private sector. The state is  
106 committed to evaluating the effectiveness of this approach for the MPA network to improve governance  
107 and management.<sup>3</sup> Thus, elements of this document may change as the California Collaborative  
108 approach advances over time and as partnerships and collaborations around MPA management  
109 strengthen and improve, while new approaches are considered in the context of future updates to the  
110 state's larger *Master Plan for Marine Protected Areas*.

111 The development of this document was itself a collaborative and interagency effort: a Drafting Oversight  
112 Group, chaired by the OPC and consisting of staff from CDFW, FGC, CNRA, and OST as representatives of  
113 their respective organizations, was deeply committed to identifying a pathway for MPA management  
114 that respected the individual mandates of agencies while serving the broadest interests. The Drafting  
115 Oversight Group worked diligently and collaboratively to frame this document to provide clear guidance  
116 to all involved in the governance and decision support of the network of MPAs.

## 117 **Section 2. The California MPA Network**

118

119 Californians from multiple sectors and constituencies participated in the exhaustive effort to establish  
120 the network of MPAs. This designation process was designed to incorporate feedback from all  
121 Californians with an interest in our ocean's future, as well as to learn from knowledgeable scientists. The  
122 California Collaborative approach outlined in this document builds on this effort, and it is therefore  
123 appropriate to acknowledge the heavy lifting of all those who participated in the designation process.

### 124 **Section 2.1 A Global Leader in Marine Ecosystem Protection**

125 The United Nations Convention of Biological Diversity's 2011–2020 Strategic Plan Aichi Biodiversity  
126 Targets calls for all countries to set aside "10 percent of their coastal and marine areas, especially areas  
127 of particular importance for biodiversity and ecosystem services, ... conserved through effectively and  
128 equitably managed, ecologically representative and well-connected systems of protected areas and  
129 other effective area-based conservation measures, and integrated into the wider landscapes and  
130 seascapes by 2020."<sup>3</sup> The State of California has exceeded this target. The MLPA signed into law by the  
131 Governor in 1999 directed CDFW, as a public trustee of California's fish and wildlife, to redesign  
132 California's system of MPAs into a robust network to "increase its coherence and its effectiveness at  
133 protecting the state's marine life, habitat, and ecosystems."<sup>4</sup> The MLPA establishes six goals:

- 134 1. Protect the natural diversity and abundance of marine life, and the structure, function and  
135 integrity of marine ecosystems.
- 136 2. Help sustain, conserve, and protect marine life populations, including those of economic  
137 value, and rebuild those that are depleted.
- 138 3. Improve recreational, educational and study opportunities provided by marine ecosystems  
139 that are subject to minimal human disturbance, and to manage these uses in a manner  
140 consistent with protecting biodiversity.

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<sup>3</sup> Governance in the context of the Marine Life Protection Act is the exercise of authority to ensure that the design, implementation, and adaptive management of California's MPA network meets the goals of the act. It guides management activities through adoption of mission, vision, values, policies, and regulations. Governing is unique in that it is the extreme end of the accountability chain; it is carried out by a group of individuals who must act as a single entity, melding multiple viewpoints and values into a single resolution; and those responsible for governance act in a moral and legal sense as agents for stakeholders and marine natural resources.

- 141 4. Protect marine natural heritage, including protection of representative and unique marine  
142 life habitats in California waters for their intrinsic values.
- 143 5. Ensure California's MPAs have clearly defined objectives, effective management measures,  
144 and adequate enforcement, and are based on sound scientific guidelines.
- 145 6. Ensure the state's MPAs are designed and managed, to the extent possible, as a network.<sup>5</sup>

146 The MLPA directed CDFW to develop, and FGC to review and adopt, a master plan for the Marine Life  
147 Protection Program, later titled the *Master Plan for Marine Protected Areas*, that would guide the  
148 adoption and management of the MLPA process as well as decisions regarding the siting of new MPAs  
149 and major modifications of existing MPAs.<sup>6,7</sup> In 2014, the *Master Plan for Marine Protected Areas* will be  
150 amended to reflect the shift in focus from planning to implementation and management, since  
151 designation of the coastal MPA network has been completed.

152 To meet the six MLPA goals, CDFW, as part of the MLPA Initiative—a partnership between CNRA, CDFW,  
153 and the Resources Legacy Fund (RLF)—initiated an extensive public process for developing designation  
154 proposals across four regions: Central Coast, North Central Coast, South Coast, and North Coast.<sup>b</sup> Within  
155 each region, Regional Stakeholder Groups (RSG) developed MPA design proposals through an iterative  
156 process. These were then reviewed and evaluated by CDFW, a Science Advisory Team, and a governor-  
157 appointed policy-level BRTF. Based on these evaluations and input from the public, the RSGs revised  
158 their designation proposals, submitting them to the BRTF as a delegate for the CDFW, which in turn  
159 presented the revised proposals as recommendations to the FGC. The FGC then considered the  
160 proposals, made changes deemed necessary, and adopted the MPAs and corresponding regulations.

## 161 **Section 2.2 A Network-Wide Call to Action**

162 Now that the designation of the MPAs is complete, efforts are focused on making interagency  
163 management effective and durable. Starting in early 2013, OPC, as the policy lead for the network of  
164 MPAs, initiated a more network-focused approach to coordination and collaboration for MPA  
165 management. This approach includes the interagency MPA Leadership Team. This group has developed,  
166 and will continue to develop, an integrated internal work plan that includes milestones for achieving  
167 long-term management goals.

168 Goal 5 of the MLPA requires that the MPAs have “clearly defined objectives.” Thus a set of objectives  
169 was established for each of the four coastal regions and every MPA during designation. However, it is  
170 also important to have overarching objectives that span the entire network, and therefore four network-  
171 wide objectives were created by the MPA Leadership Team that are both linked to the six MLPA goals  
172 and complementary to the regional objectives. The agencies and their partners in the California  
173 Collaborative will work toward these four network-wide objectives as we seek to achieve the MLPA  
174 goals through direct and supporting management efforts. The network-wide objectives include:

- 175 • ***Governance and management process is effective and adaptive.***
- 176 • ***Objective, reliable, and timely scientific information is used in management decisions for***  
177 ***stewardship of the statewide network.***
- 178 • ***Compliance with the regulations and participation in management and stewardship of the***  
179 ***statewide network.***
- 180 • ***Statewide network is effectively financed.***

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<sup>b</sup> Options for a planning process in the fifth region, San Francisco Bay, have been developed for consideration at a future date.

181 California is poised to meet these network objectives and work toward the goals of the MLPA by  
182 drawing on the vast capacity and resources available in the form of state, federal, tribal, and local  
183 governments as well as NGO, academic, fishermen, and private sector partners.

### 184 **Section 2.3 Guiding Principles of the California Collaborative Approach**

185 Three principles guide and permeate all management tasks and activities carried out by partners of the  
186 California Collaborative. These guiding principles were developed by the MPA Leadership Team:

- 187 • **Leveraging Resources:** Agencies and other partners will seek opportunities to streamline efforts  
188 and leverage human and financial resources to advance management in the most cost-effective  
189 manner for the state.
- 190 • **Ensuring Transparency:** Management agencies and other partners will be forthcoming, honest,  
191 and open in communications about engagements related to MPA network management.
- 192 • **Engaging in Partnerships:** Agencies and other partners understand the importance and value  
193 that exists from communicating and working together and will strive to support one another  
194 through strong partnerships to achieve effective MPA network management.

### 195 **Section 2.4 Building Momentum: Marine Protected Area Management**

196 To date most resources and energy have been focused on the time-intensive design process and  
197 regulatory designation phases. However, agencies have worked diligently to ensure that the critical  
198 management activities, such as enforcement, outreach, and monitoring, are in place and executed  
199 within each MLPA region. CDFW has worked on regulatory cleanup and enforcement to enhance  
200 compliance. In addition, the department has worked alongside OST to advance MPA monitoring.  
201 Baseline monitoring programs, designed to serve as a condition benchmark as the MPAs are established  
202 in each region, are under way in the North Coast, North Central Coast, and South Coast regions. The  
203 Central Coast region, the first one to designate MPAs under the MLPA, completed its baseline  
204 characterization in 2012, providing decision-makers a measure against which to gauge the effects of  
205 MPAs regionally.

206 There has been active engagement and communication across agencies and key partners. In 2010,  
207 agencies and NGOs engaged in MPA management signed a memorandum of understanding (MOU) to  
208 declare their commitment to the effective and collaborative management of the MPA network. This  
209 MOU sets a collaborative tone that encourages additional partnerships across agencies, sectors, and  
210 scale.<sup>c</sup> As further proof of the active interest in collaboration, CDFW and OST released a summary report  
211 in 2013 to share baseline results from the Central Coast region and hosted, with FGC and OPC, the state  
212 of California's Central Coast Symposium to reflect on the first five years of MPA monitoring and  
213 management and to share the vision of a collaborative path forward.<sup>8</sup> Furthermore, there are numerous  
214 examples of partnerships for MPA management that are well under way across multiple scales.

## 215 **Section 3. A Path to Success: Managing the MPA Network Across the State**

216  
217 The MLPA contemplated an ecosystem-based management approach and organized the design and  
218 designation around the multiple regions based on biological characteristics rather than political  
219 boundaries. Subsequently, the MLPA reinforced a more top-down/bottom-up approach to MPA  
220 management and the importance of linking the state scale to regional sub-networks and local MPA sites

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<sup>c</sup> Recognizing the evolution of thinking and the approach to MPA management since the signing of the 2010 MOU for implementation, the MOU signatories will be revising and updating the MOU in 2014-2015.

221 (see Figure 1). The Community Collaboratives are a manifestation of the bottom-up component of the  
222 California Collaborative approach. The state sees an opportunity to tap into the existing energy and  
223 momentum at the local scale and to engage, support, and learn from the efforts of the unique and  
224 regionally diverse stakeholders of the Community Collaboratives.

### 225 Section 3.1 Community Collaboratives: A Platform for Partnership

226 From world-renowned scientists to its energized local  
227 governments and citizenry, California has a significant pool  
228 of resources to draw from and leverage to support the  
229 ongoing management of the MPA network. The California  
230 Collaborative is reflected at the local community scale  
231 through the *Community Collaboratives*. The statewide  
232 Community Collaborative Network is a bold new initiative  
233 that offers an opportunity for local partners to engage with  
234 and have an active voice and participation in MPA  
235 management.

236 Case studies worldwide recognize the value of a community-  
237 centric approach coupled with a robust network-scale legal and management framework for effective  
238 MPA management. This is a localized, comprehensive approach to MPA management, bringing together  
239 the unique set of players within each MPA community (see Box 2). The Community Collaboratives will  
240 bring local, tribal, and national government  
241 representatives together with experts in various

242 disciplines and state agency staff operating  
243 at a regional or sub-regional level (e.g.,  
244 CDFW wildlife officers or State Park  
245 managers or district superintendents) to  
246 coordinate around the following areas:  
247 education and outreach, enforcement and  
248 compliance, and research and monitoring.<sup>9</sup>  
249 Participants can include, but are not limited  
250 to, agencies with jurisdictional authority on  
251 or bordering MPAs, NGOs with outreach  
252 activities, aquaria with information  
253 dissemination hubs, tribes with stewardship  
254 efforts, academia/research and private  
255 sector institutions with research and  
256 monitoring projects, and fishing and coastal  
257 business associations. The Community  
258 Collaboratives provide a unique opportunity  
259 to engage and partner across sectors but also to meet the diverse needs and interests in the  
260 communities and regions effectively.

261 The roles, responsibilities, and opportunities of local actors will vary regionally, and community needs  
262 are organically reflected when the agency or organization assigns individuals to participate in the  
263 Community Collaborative. (See Section 4 for more information on roles and responsibilities of partners.)

264 It is anticipated that over time each Community Collaborative could evolve as a body and in certain  
265 instances possibly into more formal organizations. As the Community Collaboratives continue to

Box 2. Defining Community

An “MPA Community” includes all agencies, organizations, associations, and institutions that communicate regularly about the MPAs in a particular sub-region. Generally, a local MPA community is based on county lines, although it can be associated with an island or encompass multiple counties.

Figure 1. Representation of the California Collaborative Top-Down/Bottom-up Approach



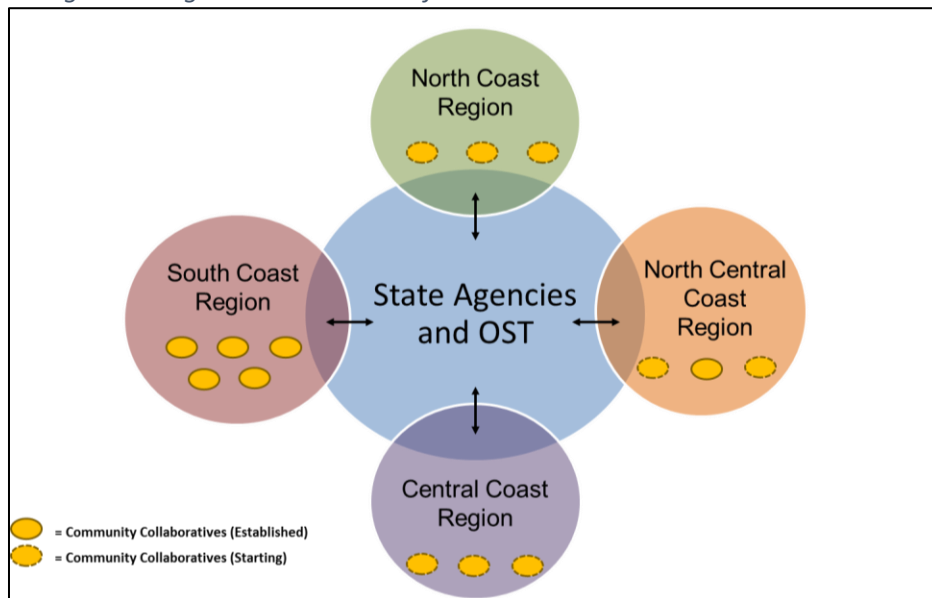
266 develop, there may be a need to strengthen governance and organizational management structures as  
267 well as effective mechanisms to receive and/or allocate funding for MPA supporting activities.

### 268 Section 3.2 A Nested Approach for Coordination Across Scales

269 The state resource agencies are committed to deepening their connections to local communities, but  
270 efficient use of human and financial resources must be a consideration. Thus the state proposes the  
271 following initial approach to connect state and local management scales, with the expectation that the  
272 shape of the engagement will evolve with time. It is important to note that while this approach will  
273 streamline communications, state agencies are always willing to connect with local organizations as  
274 needed.

275 OPC will lead an effort to encourage communication and coordination between the state and local  
276 entities. OPC will allocate staff to support this coordination and engage with Community Collaboratives  
277 at the regional scale through the Regional Community Collaborative Forums. OPC will organize at least  
278 one meeting a year for members of the Community Collaboratives within an MLPA designation region to  
279 provide an opportunity for state agencies to communicate, listen, and learn from local entities  
280 supporting MPA management. Staff from various state agencies working on aspects of management,  
281 including adaptive management, enforcement, monitoring, and outreach and education at the network-  
282 wide scale, would meet with community members to communicate directly and learn about common  
283 concerns, management projects, and ideas related to MPA management at the local scale.<sup>d</sup> In addition,  
284 the Forums would provide a platform for regional partners to engage with each other and give them an  
285 opportunity to communicate and foster collaboration and cross-pollination. Ultimately, these Regional  
286 Community Collaborative Forums serve the purpose of streamlining communication and coordination  
287 across issues. See *Figure 2. Regional Coordination for Marine Protected Areas* for a representation of this  
288 nested approach.

289 *Figure 2. Regional Coordination for Marine Protected Areas*



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<sup>d</sup> It is understood that members of the Community Collaboratives will already be engaging with state agencies staff operating at the regional or sub-regional scales.



292 OPC envisions the organization of a State Community Collaborative Forum that allows members from all  
293 Community Collaboratives across the state to convene for an annual event, provided funding and other  
294 resources and authorizations are available.

## 295 Section 4. Opportunities for California Collaborative Partners

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297 Taking an inclusive approach to MPA management, the OPC is committed to meaningful partnerships  
298 among the state agencies and all interested entities and stakeholders for the successful management of  
299 California’s MPA network. This section describes the various roles of relevant government and non-  
300 governmental actors.

### 301 Section 4.1 Creating Interagency Alignment

302 Understanding the jurisdictional roles of government at various scales is critical for engaging in  
303 partnerships to ensure there is a mutual understanding of responsibility and limitations.

#### 304 State

305 This section summarizes the jurisdictional roles and responsibilities of the state agencies that work to  
306 support MPA management. *Table 1. Summary of Core State Agency MPA Management and State*  
307 *Legislatively-Mandated Partner Authorities, Roles, and Supporting Policies and Regulations* provides a  
308 high-level summary of agency roles and responsibilities in terms of specific management activities.

309 There are a number of core agencies with authority and responsibility for MPA management, including  
310 CDFW, OPC, and FGC, as determined by the MLPA, Marine Managed Areas Improvement Act (MMAIA),  
311 Senate Bill (SB) 96, and the California Ocean Protection Act (COPA). (See Appendix A for a full list and  
312 summary of policies and regulations.)

313 The OPC is the designated lead agency for guiding  
314 the policy direction of the network of MPAs as  
315 determined by SB 96. As outlined in COPA, OPC is  
316 also the coordinating body for MPA  
317 management,<sup>10,11</sup> as it is with a variety of other  
318 issues. As such, OPC plays a vital function as  
319 convener and coordinator of the MPA-network  
320 management agencies and other partners engaged  
321 in the California Collaborative.<sup>12</sup> As the coordinating  
322 lead in governance, and as outlined in this  
323 document, OPC will evaluate the effectiveness of  
324 management in coordination and collaboration with  
325 CDFW and FGC and the progress toward MLPA goals  
326 to set future MPA policy for the state. (See *Section*  
327 *8. Evaluation of Effectiveness of the California*  
328 *Collaborative Approach*). The OPC also engages in a  
329 close partnership with OST to support a science-  
330 based approach to ocean and coastal management,  
331 as described in Box 3.

332 The FGC is directed by the MLPA and the MMAIA to  
333 be the regulatory decision-making authority for  
334 regulations and rules related to state marine

#### *Box 3. A Key Partnership for California's Oceans*

*The partnership between the State and the OST is unique among non-profits in the ocean and coastal arena; this singular collaboration is described in the California Ocean Resources Stewardship Act of 2000. OST fulfills its mission by building shared understanding of science through collaborative processes that support California's aspirations for ocean and coastal ecosystems. Its proactive, collaborative approach, which brings scientists, decision-makers, and other stakeholders together around important ocean issues, significantly bolsters the State's ability to draw upon useful science in service of improved policy and management outcomes. In serving as both Science Advisor to the OPC and co-chair of the OPC's Science Advisory Team, OST's executive director embodies a crucial link between OPC and the broader scientific community. In addition, OST leads the design and implementation of MPA monitoring in close collaboration with OPC and CDFW.*

335 reserves and state marine conservation areas.<sup>13,14</sup> It also provides a venue for public comment and  
336 review of the *Master Plan for Marine Protected Areas*.

337 CDFW is a managing agency and has the primary statutory authority for recommending designation of  
338 and managing MPAs within the MPA network designated by the FGC, as well as for proposing  
339 recommended amendments to the *Master Plan for Marine Protected Areas*. CDFW also supports the  
340 FGC through implementation of regulations, conducting research and monitoring, and granting scientific  
341 research permits.<sup>15,16</sup> CDFW is also the statutory authority to administer and enforce MPA regulations.

342 The State Park and Recreation Commission, with support from State Parks, has the authority to  
343 designate state marine reserves, state marine parks, and state marine conservation areas, but must do  
344 so in concurrence with the FGC if there are any changes to the use of living marine resources.<sup>17</sup>

345 State Parks is a managing agency with primary responsibility for managing state marine parks and select  
346 state marine reserves and state marine conservation areas.<sup>18</sup> State Parks collaborates in the  
347 management of the 34 MPAs that are offshore of State Park coastal units. Using tools such as  
348 interpretation and education, signage, cooperative research and monitoring, and enforcement, State  
349 Parks works in tandem with local partners to strengthen and improve the management of the network  
350 as a whole relative to existing terrestrial parks.

351 The State Water Resources Control Board (SWRCB) plays an important role in permitting for activities  
352 that may affect MPAs, such as wastewater discharge or the discharge of pesticides to water.<sup>19, e</sup>

353 Additional state agencies also support MPA management using their permitting authority to reduce the  
354 impacts of development and human uses. These include the California Coastal Commission (CCC) and  
355 the State Lands Commission. Directed by the California Coastal Zone Management Act, the CCC has the  
356 authority to plan, permit, and regulate the use of land and water in coastal zones, such as permitting  
357 authority for sea walls and other construction activities that occur adjacent to or within MPAs. The State  
358 Lands Commission has the authority to grant permits and leases for activities that may affect MPAs,  
359 including oil and gas operations and leasing of tidal or submerged lands, as well as regulating marine  
360 invasive species.<sup>20</sup> Now that the network is in place, interagency permitting will need to come into focus  
361 and evolve. The state will need to agree on priorities across agencies, creating alignment on permitting  
362 decisions.

363 The California State Legislature plays an important role in the governance of MPAs by stating policy, as  
364 needed, and by directing agency action through the appropriations of funds.

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<sup>e</sup> The SWRCB has the authority to designate, delete, or modify any State water quality protection areas; however, these areas are classified as marine managed areas under the Marine Managed Areas Improvement Act and do not fall under the management purview of this document (Public Resources Code § 36700-36900).

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*Table 1. Summary of Core State Agency MPA Management and State Legislatively Mandated Partner Authorities, Roles, and Supporting Policies and Regulations*

Management Role		Authorized Agency	Supporting Policies
<b>Regulation, Policy, and Decision-Making</b>		<ul style="list-style-type: none"> <li>California Fish and Game Commission</li> <li>State Park and Recreation Commission</li> <li>California Department of Fish and Wildlife</li> <li>Ocean Protection Council</li> <li>Department of Parks and Recreation</li> <li>State Legislature</li> <li>State Water Resources Control Board</li> <li>California Coastal Commission</li> <li>State Lands Commission</li> </ul>	<ul style="list-style-type: none"> <li>Master Plan for Marine Protected Areas</li> <li>Marine Life Protection Act</li> <li>Fish and Game Code</li> <li>Administrative Procedures Act</li> <li>California Ocean Protection Act</li> <li>Marine Managed Areas Improvement Act</li> <li>Title 14, Section 632, California Code of Regulations</li> </ul>
<b>Permitting /Leasing</b>	<b>Scientific</b>	<ul style="list-style-type: none"> <li>California Department of Fish and Wildlife</li> <li>State Lands Commission</li> </ul>	<ul style="list-style-type: none"> <li>Master Plan for Marine Protected Areas</li> <li>California Public Resources Code {Section 6001-6009.1}</li> <li>Fish and Game Code 1002</li> </ul>
	<b>Coastal Development</b>	<ul style="list-style-type: none"> <li>California Coastal Commission</li> <li>State Lands Commission</li> </ul>	<ul style="list-style-type: none"> <li>Coastal Zone Management Act</li> <li>California Public Resources Code {Section 6001-6009.1}</li> </ul>
	<b>Water Quality</b>	<ul style="list-style-type: none"> <li>State Water Resources Control Board</li> </ul>	<ul style="list-style-type: none"> <li>California Water Code {Chapter 6}</li> <li>Marine Managed Areas Improvement Act</li> </ul>
<b>Enforcement</b>		<ul style="list-style-type: none"> <li>California Department of Fish and Wildlife (search, inspection, and citation authority)</li> <li>Department of Parks and Recreation</li> </ul>	<ul style="list-style-type: none"> <li>Marine Life Protection Act</li> <li>MOU for MPA Network Implementation</li> <li>California Fish and Game Code {Sections 856, 1006, 2012}</li> <li>Marine Managed Areas Improvement Act</li> <li>State Penal Code 830</li> </ul>
<b>Access</b>		<ul style="list-style-type: none"> <li>California Department of Fish and Wildlife</li> <li>California Coastal Commission</li> <li>State Lands Commission</li> <li>Department of Parks and Recreation</li> </ul>	<ul style="list-style-type: none"> <li>Marine Managed Areas Improvement Act</li> <li>California Coastal Act</li> <li>Proposition 20</li> <li>California Public Resources Code {Sections 30210–30214}</li> </ul>
<b>Monitoring, Research and Evaluation</b>		<ul style="list-style-type: none"> <li>California Department of Fish and Wildlife</li> <li>California Ocean Science Trust</li> <li>State Water Resources Control Board</li> <li>Department of Parks and Recreation</li> </ul>	<ul style="list-style-type: none"> <li>Marine Life Protection Act</li> <li>California Ocean Resources Stewardship Act</li> </ul>
<b>Partnership Coordination</b>		<ul style="list-style-type: none"> <li>Ocean Protection Council</li> <li>California Department of Fish and Wildlife</li> <li>California Fish and Game Commission</li> <li>California Department of Parks and Recreation</li> <li>California Natural Resource Agency</li> <li>California Ocean Science Trust</li> </ul>	<ul style="list-style-type: none"> <li>California Ocean Protection Act</li> <li>MOU for MPA Network Implementation</li> </ul>
<b>Identification of Long-term Funding</b>		<ul style="list-style-type: none"> <li>Ocean Protection Council</li> </ul>	<ul style="list-style-type: none"> <li>California Ocean Protection Act</li> <li>Senate Bill 96</li> </ul>

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Federal

As the MPA network falls entirely within state waters (defined by the Submerged Land Act as zero to three nautical miles from shore), there is limited federal jurisdiction over MPA management.<sup>21,22,23</sup>

383 However, there are many ways that federal agencies can support management based on the existing  
 384 roles that they are playing. (See Table 2.)

385 *Table 2. Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA*  
 386 *Implementation*

Entity	Supporting Roles in MPA Management
<b>Bureau of Land Management</b>	<ul style="list-style-type: none"> <li>• Administer California Coastal National Monument, which includes many offshore rocks adjacent to and within MPAs</li> </ul>
<b>Department of Defense</b>	<ul style="list-style-type: none"> <li>• Participate in local-scale collaborations to stay abreast of MPA management activities</li> <li>• Lead resource surveys like marine resource assessments at the local level<sup>24</sup></li> <li>• Conduct at sea training and testing operations with sensitivity and awareness of MPAs<sup>25</sup></li> <li>• Maintain authority over access to some MPAs</li> <li>• Maintain authority to designate restricted areas for reasons other than conservation (e.g., military training areas, shipping lanes, anchoring sites, etc.) and to exclude civilians from these zones off coastal areas near military base<sup>26</sup></li> </ul>
<b>Department of Justice</b>	<ul style="list-style-type: none"> <li>• Allocate certain conservation- or species-related fines to state natural resource agencies or nonprofits (e.g., National Fish and Wildlife Foundation) that can support MPA management. For example, in 2013 the Department of Justice and the U.S. Environmental Protection Agency awarded the State of Louisiana half of the civil penalty for violation of the Clean Water Act by the City of Shreveport<sup>27</sup></li> </ul>
<b>National Oceanic and Atmospheric Administration (NOAA)-Office of National Marine Fisheries Service</b>	<ul style="list-style-type: none"> <li>• Conduct monitoring and data collection that could inform adaptive management</li> <li>• Maintain authority to patrol, search, inspect, and cite violations of federal regulations (NOAA's Office of Law Enforcement)</li> <li>• Foster partnerships with state, tribal, federal, and NGOs</li> <li>• Participate in cooperative fisheries enforcement with other enforcement agencies to implement international treaties and obligations</li> <li>• Perform outreach and compliance building activities</li> <li>• Support Joint Enforcement Agreement with CDFW</li> <li>• Provide funding to the state to enforce federal regulations in state waters, in federal offshore waters, and in bays, estuaries, rivers, and streams<sup>28</sup></li> </ul>
<b>NOAA Coastal Services Center</b>	<ul style="list-style-type: none"> <li>• Collaborate with the MPA Center on creating and disseminating MPA public outreach materials</li> <li>• Developed Marine Protected Areas Online Mapping Tool designed to help users visualize MPA boundaries and provide access to MPA Inventory data<sup>29</sup></li> </ul>
<b>NOAA MPA Center</b>	<ul style="list-style-type: none"> <li>• Coordinate MPA programs and projects managed by diverse agencies across all levels of government<sup>f</sup></li> </ul>
<b>NOAA National Marine Sanctuaries</b>	<ul style="list-style-type: none"> <li>• Designate National Marine Sanctuaries in federal and state waters<sup>30</sup></li> <li>• Patrol, including boats and aircraft, in all CA Sanctuaries<sup>31</sup></li> <li>• Coordinate enforcement efforts, share physical resources, cross deputize state officers, and provide federal funds for state operations<sup>32</sup></li> <li>• Develop informational materials, including maps, that reference state MPAs co-located with Sanctuaries</li> <li>• Contribute other education and outreach capacity and infrastructure (e.g., visitor centers)</li> <li>• Conduct research and monitoring that could feed into adaptive management</li> <li>• Participate in local-scale collaboration</li> </ul>
<b>NOAA National Estuarine Research Reserve System(NERRS)</b>	<ul style="list-style-type: none"> <li>• Currently there are three NERRS within California (San Francisco, Elkhorn Slough, and Tijuana River)</li> <li>• NERRS contributes to the implementation of the Executive Order 13158, which calls for an expanded and strengthened system of MPAs in the United States<sup>33</sup></li> <li>• NERRS Benthic Monitoring includes examining patterns and processes of benthic community development, which also has direct implications for the science and management of MPAs<sup>34</sup></li> </ul>
<b>U.S. Environmental Protection Agency</b>	<ul style="list-style-type: none"> <li>• Three programs found in California—including Morro Bay National Estuary and San Francisco Estuary Partnership and Santa Monica Bay Restoration Commission—which are now state programs<sup>35</sup></li> </ul>

<sup>f</sup> With passage of the FY13 federal budget, the MPA Center is now housed within the Office of National Marine Sanctuaries.

Entity	Supporting Roles in MPA Management
<b>National Estuaries Program</b>	<ul style="list-style-type: none"> <li>• Include MPAs in education and outreach messaging, including information on websites and at visitor centers</li> <li>• Support monitoring programs, such as aerial surveys<sup>36</sup></li> </ul>
<b>National Park Service</b>	<ul style="list-style-type: none"> <li>• Enforcement personnel stationed at federal parks along California coast and some off-shore islands<sup>37</sup></li> <li>• Contribute other education and outreach capacity and infrastructure (e.g., visitor centers)</li> <li>• Participate in local-scale collaboration</li> <li>• Has authority over access to some MPAs</li> </ul>
<b>Pacific Fisheries Management Council</b>	<ul style="list-style-type: none"> <li>• Maintain authority under the Magnuson-Stevens Fishery Conservation and Management Act over all species of fish 3–200 miles nautical miles offshore, generally recommending regulations for species with fishery management plans<sup>38</sup></li> <li>• Under the National Marine Sanctuaries Act, given the opportunity to draft regulations for review, approval, and implementation of marine reserves and MPAs<sup>39</sup></li> <li>• Able to draft letters of support or opposition for actions that may affect MPAs</li> </ul>
<b>U.S. Coast Guard</b>	<ul style="list-style-type: none"> <li>• Authority to search, inspect, and cite violations 3–200 miles off the coast</li> <li>• Ability to observe violations in state MPAs and submit enforcement action report as evidence</li> <li>• Provide support for state and federal fisheries regulation enforcement<sup>40</sup></li> </ul>
<b>U.S. Fish and Wildlife Service</b>	<ul style="list-style-type: none"> <li>• Statutory authority to enforce Marine Mammal Protection Act, Endangered Species Act, and Lacey Act</li> </ul>

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388 [Tribal Governments and Communities—MLPA Consultation](#)

389 Pursuant to its authority in Fish and Game Code section 2850.5, Executive Order B 10 11, and consistent  
 390 with the CNRA’s Final Tribal Consultation Policy, the OPC has determined and declares that tribal  
 391 support and active engagement with marine policy and science are essential to the ongoing success of  
 392 the state’s marine and coastal program and the full implementation of the state’s MPA network. Tribes,  
 393 tribal communities, and indigenous peoples are essential partners who must be consulted with often  
 394 and effectively on all aspects of marine planning and enforcement.

395 The OPC supports the commitment of the FGC and the CDFW to fully include tribal issues in their rules in  
 396 accordance with their consultation policies. The OPC desires to create both effective ongoing working  
 397 relationships with interested tribes, tribal communities, and indigenous peoples and to establish specific  
 398 actions that shall be taken for effective government-to-government consultation.

399 OPC has four requirements for effective relationship building and government-to-government  
 400 consultation with tribes, tribal communities, and indigenous peoples:

- 401 • **Relationship Building.** The OPC recognizes that government-to-government consultations work  
 402 more effectively to resolve issues if relationships have been fostered and lines of communication  
 403 have been open and clear. Thus the OPC designates its Executive Director and her tribal liaison to  
 404 work with the tribes, tribal communities, and indigenous peoples on an ongoing basis so that  
 405 relationships can be built over time and information can be provided in an effective and timely  
 406 manner. This work shall include convening workshops, working meetings, education and outreach,  
 407 and any other informational session that would allow the OPC to effectively communicate with and  
 408 build foundational relationships with tribes, tribal communities, and indigenous peoples. The  
 409 Executive Director is encouraged to contact and include tribal liaisons for any relevant managing or  
 410 designating entities when relevant.  
 411
- 412 • **Formal Consultation.** The OPC shall, at the earliest possible opportunity, or at the request of any  
 413 tribe, tribal community, or indigenous peoples, engage in government-to-government consultation  
 414 consistent with the CNRA’s Final Tribal Consultation Policy. The Executive Director and/or the Chair

415 shall meet with and hear any tribal issues or concerns as well as provide information on planning or  
416 regulatory changes that might be relevant to or otherwise affect tribal partners.

- 417
- 418 • **Consultation Shall Include Managing Entities.** Managing Entities shall, consistent with their own  
419 tribal consultation policies, communicate and meet with tribes, tribal communities, and indigenous  
420 peoples on potential roles and responsibilities of tribes, tribal communities and indigenous peoples  
421 interested in collaboration for MPA management. Consistent with all department-level policies,  
422 executive staff from OPC, the Managing Entity, and the FGC shall be prepared to share information  
423 with one another about tribal engagement and to develop responsive and timely solutions that  
424 address tribal concerns, suggestions, or needs within existing mandates. Further, if the tribal request  
425 cannot be accommodated, the entities should be prepared to provide the tribes with as much  
426 information as possible to explain why a particular request cannot be fulfilled. Any time a meeting is  
427 set or requested by a tribe, tribal community, or indigenous peoples, the Executive Director of OPC,  
428 the Regional Manager for the Marine Region for the CDFW, and the Executive Director for the FGC  
429 shall notify each other and shall invite each other to attend.
  - 430
  - 431 • **Tribal Engagement.** Similarly, tribes, tribal communities, and indigenous peoples should consider  
432 identifying proper notice lists as well as the roles that they would like to play and the topical areas  
433 about which they want to be contacted. These roles and areas of interest could include, but are not  
434 limited to, outreach and education; stewardship (land tending); research and monitoring;  
435 compliance and enforcement; permitting, code, and policy development; sustainable financing;  
436 and/or traditional ecological knowledge–based outreach and information exchange. These roles and  
437 responsibilities may be developed and executed within their own authority and jurisdictions, as well  
438 as through joint agreements with state agencies, with the understanding that there will be some  
439 potential limitations based on tribal status and/or existing laws not controlled by or regulated by the  
440 OPC or its member entities.

441 The OPC believes that there are different levels of tribal engagement to support effective MPA  
442 management, recognizing that each Tribe is unique and has distinctive perceptions in the roles they  
443 could play. Appendix B contains a chart that indicates the type of activities such consultation might  
444 include and potential opportunities for specific tribal engagement.

#### 445 Local and Regional Government

446 Participation by local and regional governments is essential for effective MPA network management.  
447 Currently there is an opportunity to determine interest, manage expectations, and increase  
448 understanding where local and county governments can support MPA management, within their  
449 jurisdictional boundaries. Table 3 *Regional and Local Government Potential Roles and Responsibilities*  
450 lists local governments and the potential role they could play in MPA management.<sup>8</sup>

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<sup>8</sup> It is important to point out that most of the state agencies discussed above operate at regional and local scales.

459 *Table 3. Local and Regional Government Potential Role and Responsibilities*

Entity	Potential Role and Responsibilities
<b>City Council</b>	<ul style="list-style-type: none"> <li>Participate and actively engage in local-scale collaborations<sup>41</sup></li> <li>Develop local ordinances in support of and consistent with state laws on MPAs<sup>42</sup></li> </ul>
<b>County Fish and Game Commissions</b>	<ul style="list-style-type: none"> <li>Collect and allocate a portion of funds collected from fines to MPA management (e.g., administer trainings for local law enforcement personnel or create and improve signage)<sup>43</sup></li> <li>Cultivate relationships through local-scale collaborations<sup>44</sup></li> </ul>
<b>County Government</b>	<ul style="list-style-type: none"> <li>Office of District Attorney’s environmental unit (e.g., Environmental Protection Unit) is responsible for prosecuting environmental crimes, including MPA violations<sup>45</sup></li> <li>Coordinate with CDFW to provide legal expertise and support prosecution of violations<sup>46,47</sup></li> <li>Participate and actively engage in local-scale collaborations</li> </ul>
<b>Local Enforcement (harbor police, city police, sheriffs, and resource enforcement officers)</b>	<ul style="list-style-type: none"> <li>Participate in county-wide MPA enforcement trainings for all law enforcement personnel who regularly patrol in or adjacent to MPAs<sup>48</sup></li> <li>Take appropriate enforcement action on violations observed within jurisdictional boundaries<sup>49,50</sup></li> </ul>
<b>Regional Water Control Boards</b>	<ul style="list-style-type: none"> <li>Issue and enforce permits to control the discharge of waste to state waters<sup>51</sup></li> <li>Monitor water quality protection areas (funded by Prop 84) that may overlap with MPAs<sup>52</sup></li> </ul>

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461 Joint Power Authorities

462 There is an opportunity for joint power authorities, such as the Southern California Coastal Water  
 463 Research Project, to support MPA management as it undertakes research and monitoring that aligns  
 464 with monitoring goals for the MPAs. This model could serve to leverage funding and broaden capacity by  
 465 contributing data to the MPA monitoring effort.

466 **Section 4.2 Key Roles for Non-Governmental Partners**

467 Core to the California’s Collaborative approach is the role of non-governmental partners. They have  
 468 played an important role to date and will continue to do so by filling needs and gaps, bolstering overall  
 469 management of the MPA network, and building support and constituencies for the MPAs, often through  
 470 public-private partnerships. *Table 4. Summary of Potential Roles for Non-Governmental Partners*  
 471 provides an overview of the roles that academic/research institutions, NGOs, fishermen, and private  
 472 sector partners can play to support the statewide network. There are opportunities now and in the  
 473 future to expand the California Collaborative approach and to include additional partners. There are  
 474 several key roles for NGOs and local government to play while engaging in the California Collaborative  
 475 approach. Appendix C details roles for engaging the California Collaborative.

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MPA Management Roles	Potential Supporting Roles
<b>Outreach and Education</b>	<ul style="list-style-type: none"> <li>• Participate in community organizing and stewardship programs</li> <li>• Facilitate public education programs on MPA-related topics</li> <li>• Facilitate teacher workshops and curricula related to MPAs</li> <li>• Develop outreach materials for users and the general public</li> <li>• Promote effective coordination of ocean resource science to management agencies</li> <li>• Develop signage for public information, in alignment with CDFW’s outreach standards</li> <li>• Organize MPA Watch groups to encourage compliance</li> <li>• Develop communication strategies around MPAs</li> </ul>
<b>Research and Monitoring</b>	<ul style="list-style-type: none"> <li>• Coordinate and identify science and research needs</li> <li>• Participate in monitoring data collection and share synthesized results to inform adaptive management</li> <li>• Convene scientific panels and workshops, including citizen-science</li> <li>• Administer volunteer-based monitoring programs</li> <li>• Promote lasting partnerships for ongoing monitoring</li> <li>• Build new partnerships to create ocean health assessments that incorporate traditional knowledge</li> <li>• Ensure research questions and results align with state priorities and are useful for management decisions</li> <li>• Conduct research and monitoring to inform baseline programs and adaptive management</li> <li>• Engage in collaborative research projects</li> </ul>
<b>Partnership Coordination</b>	<ul style="list-style-type: none"> <li>• Coordinate multiagency, multi-institution approaches to MPA management</li> <li>• Participate as an active MOU partner in MPA processes</li> <li>• Engage with other partners to ensure a clear path forward for MPA management</li> </ul>
<b>Funding</b>	<ul style="list-style-type: none"> <li>• Fund science-based MPA projects</li> <li>• Provide funding assistance to achieve the network objectives of the MLPA</li> <li>• Develop and administer grant programs</li> <li>• Act as fiscal sponsor to Community Collaboratives</li> <li>• Drive public-private partnerships</li> <li>• Implement fundraising programs</li> </ul>

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487 **Section 5. Novel Participation: Effective Collaboration and the California**  
 488 **Collaborative Approach**

489

490 Leveraging partnerships and collaborations is important in ensuring cost-effective and strong  
 491 management of the MPA network as well as meeting the network-wide objectives described above on  
 492 page 3. However, engaging in effective collaboration requires a thoughtful and strategic approach to  
 493 ensure that partnerships add value and are not entered into without clear roles, responsibilities, and  
 494 defined outcomes. The OPC encourages partners of the California Collaborative to build strong, focused  
 495 partnerships and outlines this philosophy and approach in this section.

496 California’s natural resource agencies and supporting partners are committed to effective coordination  
 497 and collaboration toward successful management. To fulfill this commitment, partnerships will be  
 498 guided by a philosophy of *respect, mutual benefit, trust and transparency, and accountability*. Effective

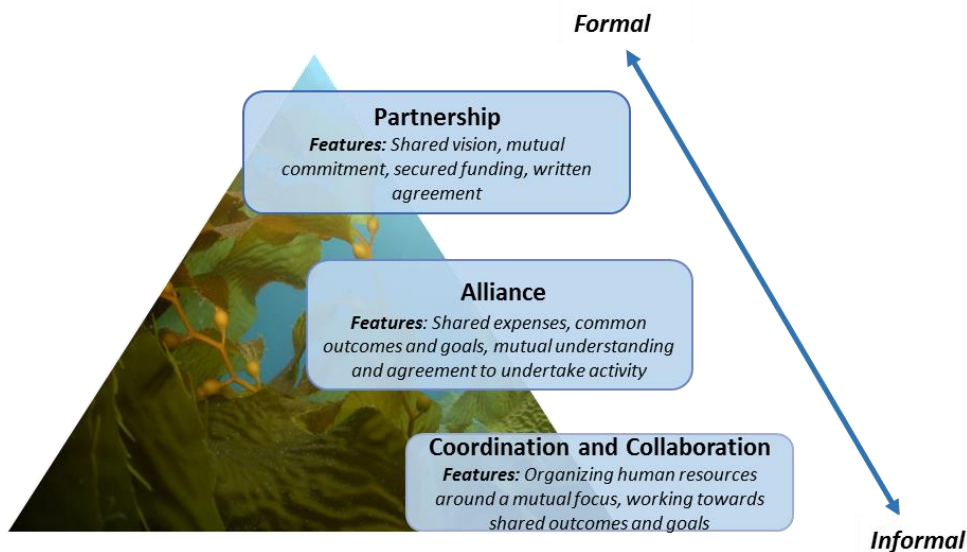


499 partnerships agree on goals, objectives, and responsibilities of each entity and work to promote  
500 mutually beneficial outcomes through shared engagement. Appendix D details principles for effective  
501 partnerships and elements of strong partnership agreements.

## 502 Section 5.1. Types of Partnership Approaches

503 There are multiple models for productive  
504 partnerships that entities could engage in as part of  
505 the California Collaborative  
506 approach. As long as the  
507 core principles are met, this  
508 document does not intend  
509 to bound the range of  
510 partner models; rather it  
511 encourages creative  
512 approaches. These can  
513 range from more-formal  
514 partnership engagements  
515 where, for example, entities  
516 jointly secure funding, share  
517 a vision, and outline roles  
518 and responsibilities. These  
519 partnerships are often  
520 memorialized by a written  
521 agreement. In an alliance, partners may share expenses, share outcomes and goals, and agree to  
522 undertake certain activities. The least formal form of partnership is coordination and collaboration,  
523 where partners organize human resources around a mutual focus and are working toward shared  
524 outcomes and goals. *Figure 3 Spectrum of Partnership* maps out some of the different models of  
525 partnerships by demonstrating the continuum of commitment from more formal to informal. To  
526 understand what elements promote durable partnership agreements, for those partnerships that are  
527 more formalized, see Appendix D.

Figure 3. Spectrum of Partnership



## 528 Section 5.2. Managing Expectations and Performance

529 Mutual respect for each partner's roles and responsibilities is key. It is critical to manage expectations  
530 within partnerships. Going forward, state, tribal, and local governments with jurisdiction will need to be  
531 clear about their policy and legal limitations as well as their capacity to provide support. This is the value  
532 of developing a partnership agreement, such as an MOU, memoranda of agreement, contract, or letter  
533 of support; it is a useful tool that serves to eliminate miscommunication or misaligned expectations. In  
534 most instances, a legal contract must be in place if the collaboration includes an exchange of funds.  
535 Agreements should identify the exact amount of funds, timeline, and what specific activities or  
536 deliverables must be undertaken or developed to receive the funds. It is important to note that all  
537 parties must be aware of and understand both the value and benefit of the relationship and the  
538 limitations of potential partners prior to engagement. This is especially true when engaging in  
539 partnerships with government agencies, which need to adhere to applicable federal and state laws and  
540 agency policies on partnership.

## 541 Section 5.3. Conflict Resolution

542 Even with the best of intentions and advanced efforts to clarify roles, collaborations can come to  
543 disagreement. In such cases, the state encourages processes that do not let conflicts escalate and, to the

544 extent possible, promotes resolution at the local scale using minimal resources. Partners are encouraged  
545 to work together in collaboration with local authorities, such as city, county, or tribal governments or  
546 community councils, to develop solutions and tools that resolve conflicts and issues equitably. If all  
547 avenues have been effectively pursued at the local scale and conflict persists, disputing partners are  
548 encouraged to follow an incremental process to resolve the conflict. Appendix E provides a graphical  
549 depiction of the recommended approach to addressing conflict.

## 550 Section 6. Opportunity for Adaptive Management

551

552 This section provides an overview of the commitment and philosophy for adaptive management in  
553 designing, implementing, and maintaining the MPA statewide network. For information related to the  
554 actual process for conducting adaptive management, please refer to the *Master Plan for Marine*  
555 *Protected Areas*.

556 Adaptive management is a continual process of assessing, evaluating, and improving ongoing decisions  
557 in light of new knowledge and evidence.<sup>53</sup> The MLPA defines adaptive management as:

558 *A management policy that seeks to improve management of biological resources, particularly in*  
559 *areas of scientific uncertainty, by viewing program actions as tools for learning. Actions shall be*  
560 *designed so that, even if they fail, they will provide useful information for future actions, and*  
561 *monitoring and evaluation shall be emphasized so that the interaction of different elements*  
562 *within marine systems may be better understood.*<sup>54</sup>

563 The definitive purpose of adaptive management is to understand if California's statewide network of  
564 MPAs is making progress in achieving the six goals stated in the MLPA. It is essential that not only  
565 agencies but also Californians know if there is progress toward the MLPA goals and if the MLPA is  
566 ultimately an effective tool for managing and protecting California's coastal and marine resources. The  
567 MLPA states that there is also a need to reexamine and redesign California's MPA system, and to  
568 improve the design and management of the MPA system, in order to increase its coherence and its  
569 effectiveness at protecting the state's marine natural resources, habitats, and ecosystems.<sup>55</sup> Adaptive  
570 management is a rigorous process that includes a hypothesis and a set of questions focused on  
571 biological/ecological, socioeconomic, and management effectiveness factors, which support a  
572 framework for measuring data and organizing monitoring around those questions. Decisions are made  
573 knowing that there is a certain amount of risk involved due to information gaps and factors of  
574 uncertainty. However, these unknowns are minimized as scientific information is collected to inform  
575 better decision-making.

576 Adaptive management is informed by various activities such as baseline monitoring and ongoing  
577 research and monitoring of both biological/ecological and socioeconomic indicators and other data.  
578 California is already moving forward with monitoring activities to inform adaptive management. For  
579 instance, baseline monitoring was completed for the Central Coast region in 2012, and each of the  
580 remaining three MLPA coastal regions is undergoing a five-year baseline monitoring program. Led by  
581 CDFW and OST, the goal of the baseline monitoring programs is to provide critical information on  
582 ecological and socioeconomic conditions that will serve as a benchmark to measure future MPA  
583 performance and progress.<sup>56</sup> In addition to being mandated by the MLPA, monitoring MPAs will prove  
584 valuable in the future to detect changes and provide rigorous scientific information to inform adaptive  
585 management. Monitoring data will subsequently feed into an adaptive management process that is  
586 undertaken by both FGC and OPC. The *Master Plan for Marine Protected Areas* maps out the specific

587 process that will be led by FGC and CDFW to undergo adaptive management of the regulations that  
588 support the MPA network.

589 Mapping out the current approach for monitoring, regional monitoring plans for the North Central and  
590 South Coast regions apply a monitoring framework to assess performance that represents the needs and  
591 interests of individual regions while allowing for cross-regional performance assessments.<sup>57</sup> This  
592 monitoring framework is focused on management priorities and is responsive to policy guidance,  
593 ensuring that policy-makers, resource managers, and the public have scientific information at the  
594 correct points in the decision-making process and that information is readily accessible.<sup>58</sup> Policy  
595 guidance in the MLPA and the *Master Plan for Marine Protected Areas* underpins the monitoring  
596 framework. Guided by the *Master Plan for Marine Protected Areas*, MPA monitoring and evaluation is:

- 597 • Useful to managers and stakeholders for improving MPA management;
- 598 • Practical in use and cost;
- 599 • Balanced to seek and include scientific input and public participation;
- 600 • Flexible for use at different sites and in varying conditions; and
- 601 • Holistic through a focus on both natural and human perspectives.<sup>59</sup>

## 602 **Section 7. MPA Management Financial Investment and Revenue Sources**

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604 This section outlines the state’s commitment to investing in the MPA network and identifies the need  
605 for continued investment, as well as key priorities for future allocations. In addition, it shares potential  
606 revenue sources for supporting MPA management in the future.

### 607 **Section 7.1 Commitment to Investing in the MPA Network**

608 California is committed to investing in its MPA network and to providing the necessary level of financial  
609 support to fund core management costs, offering this sustainable resource management tool the best  
610 chance for success. The state will seek to pursue the most cost-effective and fair approach to MPA  
611 management, maximizing opportunities to leverage funds and human resources with its partners.

612 In total, the FY2013 annual investment in statewide MPA management is approximately \$10 million.  
613 This is contributed by the primary management agencies—OPC, CDFW, and FCG—and distributed across  
614 various management activities that are under way, including monitoring and evaluation, enforcement,  
615 outreach and education, policy and regulation decision-making, and partner coordination. The public-  
616 private partnership with RLF and California’s philanthropic sector provides a unique opportunity to  
617 contribute additional funds to cover the cost of MPA management until 2016. *Table 5. Summary of*  
618 *FY2013 Per Annum Marine Protected Area Management Investment by Contributor* shares a one-year  
619 snapshot of the total investment from each of the core agencies and RLF in Fiscal Year 2013 and  
620 provides examples of the activities that are covered by their support. Note that the exact funding  
621 amounts change from year to year and will continue to shift in the future, especially since allocations  
622 from the General Fund change annually. In addition, this is merely a sample, not a comprehensive list, of  
623 all of the activities supported by these funds.

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629 Table 5. Summary of FY2013 Per Annum Marine Protected Area Management Investment by Contributor

Entity	Total Investment in FY2013	Examples of Activities Supported
OPC	\$ 3,048,000	<ul style="list-style-type: none"> <li>Monitoring and evaluation</li> <li>Partner coordination</li> <li>Outreach and education</li> <li>Policy decision-making</li> </ul>
CDFW	\$5,729,000	<ul style="list-style-type: none"> <li>Enforcement</li> <li>Outreach and education</li> <li>Monitoring and evaluation</li> <li>Master Plan and regulatory cleanup</li> </ul>
FGC	\$6,000	<ul style="list-style-type: none"> <li>Regulation decision-making</li> </ul>
RLF	\$1,550,000	<ul style="list-style-type: none"> <li>Monitoring (including coordinating and planning)</li> <li>Partner coordination</li> </ul>
<b>TOTAL</b>	<b>\$10,333,000</b>	

630

631 Although difficult to quantify, in-kind support will continue to be a significant contributor to the overall  
 632 investment in California’s MPAs. Partners of the California Collaborative can provide in-kind support in a  
 633 number of different ways. Examples of in-kind support include:

- 634 • Compliance with rules and regulations enhanced by local law enforcement and other  
 635 governmental personnel that can report, document, and, in some cases, take enforcement  
 636 action on violations;
- 637 • Data sharing by researchers that can support monitoring; or
- 638 • Outreach support by NGOs and aquaria to communicate information aligned with CDFW  
 639 outreach guidelines that promote stewardship of MPAs.

640 **Section 7.2 Continued Investment**

641 The state will continue to contribute resources to invest in management of the California MPA network;  
 642 however, the investment may shift, based on priorities and needs in the future. As documented in Table  
 643 5, the total estimated annual investment covers a core set of management activities. The investment in  
 644 MPA management will likely continue within these activities; however, the distribution of funds across  
 645 the activities may shift as priorities, needs, and context changes. For example, once the baseline studies  
 646 for each region are completed, monitoring costs will potentially decrease as efforts focus more on  
 647 ongoing monitoring. Conversely, as the Community Collaboratives become more sophisticated and  
 648 robust, increased investment will be needed to maintain efforts and improve organizational  
 649 effectiveness.

650 While the state is committed to investing in MPA management, core funding currently comes from  
 651 California’s General Fund, which can fluctuate with the economy and political will. In addition, revenue  
 652 from bond measures, like those collected through the *Safe Drinking Water, Water Quality and Supply,*  
 653 *Flood Control, and River and Coastal Protection Bond Act of 2006* (Proposition 84), will twilight as funds  
 654 are expended. Thus there is a need to stabilize and diversify funding to ensure long-term sustainable  
 655 financing for critical MPA management costs now and into the future.

656 The state is currently aware of four priority gaps that will require adequate funding to support the  
 657 management of the MPA network:

- 658 • Monitoring;
- 659 • Compliance and enforcement;

- 660 • Engagement with Community Collaboratives; and
- 661 • Tribal consultation.

662 A significant amount of monitoring costs are currently provided by revenue from Proposition 84,  
663 primarily covering the baseline monitoring programs. However, this revenue source will terminate as of  
664 2018, leaving a void of approximately \$1.6 million per year for monitoring.<sup>h</sup> Financial support of  
665 monitoring activities is crucial to inform adaptive management and to determine how the MPAs and the  
666 network are meeting the goals of the MLPA. Increased financial support is needed to improve capacity  
667 for compliance and enforcement efforts. Additional funds can improve access to technology and  
668 supplement outreach capacity, increasing awareness of regulations. Funding also needed to continue to  
669 drive the Community Collaboratives and to give the state the necessary support to remain engaged and  
670 to continue to provide guidance to Collaboratives both at the local scale and through the Regional  
671 Community Collaborative Forums. Continued support will allow the Community Collaboratives to evolve  
672 into effective and transparent supporters of the California Collaborative approach. Lastly, it is essential  
673 that the state have the necessary funds to continue to support ongoing management and engage in  
674 meaningful tribal consultation on MPA management.

675 Continued commitment and support through partnership is needed to fill these gaps. This can be done  
676 through direct support of management activities, public-private partnerships, and promotion of the  
677 development of additional revenue sources.

### 678 **Section 7.3 Meeting the Need: Potential Revenue Sources**

679 California is poised for success in the management of its MPA network because of the sustainable  
680 funding sources that could potentially be accessed to financially support management. Providing a  
681 diversified portfolio of revenue streams is critical to ensure long-term funding stability that can  
682 withstand any shifts in funding availability. This section identifies potential funding sources that could be  
683 used to fund MPA management across all scales and sectors as well as mechanisms for funds to flow  
684 through. It is important to note that there may be other sources that have yet to be identified and that  
685 the search and assessment of potential revenue streams should be a continuous process.

#### 686 Potential Funding Sources—State and Local Government

687 There are various funding sources generated by the state or local governments that currently are or  
688 could fund MPA management activities. The most significant source of funding and source of the core  
689 funding for MPA management is the state’s General Fund. Other state sources that could be drawn  
690 upon include water and resource bonds, natural resource leases, voluntary contributions through  
691 license plate funds, and mitigation fees. In addition, local revenue may be collected through city or  
692 county bed taxes collected through the hospitality industry. This variety of sources provides a diversified  
693 mosaic of potential funding sources from the state government.

694 There are several specific funding streams from state and local government that could be tapped. (For  
695 further detail on each of these sources, see Appendix F.) Some of these sources are currently providing  
696 funds to cover the costs of MPA management, while others would need to be explored further, would  
697 need to secure greater public support, and may require legislation in order to be used for these  
698 purposes. Current and potential funding streams for MPA management include:

- 699 • General funds;
- 700 • Environmental license plate funds;
- 701 • Future water/resource bonds;

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<sup>h</sup> The OPC also supported the establishment of the MPA Monitoring Enterprise at \$4.5 million.

- 702 • State tidelands lease revenue;
- 703 • Oil spill prevention and administration funds;
- 704 • Once-through cooling and desalination mitigation fees;
- 705 • Decommissioning offshore oil platforms;
- 706 • Fish and Game preservation funds;
- 707 • Natural resource damage assessment funds;
- 708 • Vessel registration fees;
- 709 • City or county bed tax; and
- 710 • Recreational non-consumptive user fees.

711

### 712 Potential Funding Sources—Federal Government

713 Numerous federal partners—including the United States Coast Guard (USCG), the National Park Service,  
714 the Office of the National Marine Sanctuaries (ONMS), the Bureau of Land Management, and the  
715 Department of the Navy—currently provide a wide range of in-kind support for MLPA management,  
716 ranging from USCG helicopter over flights of MPAs with CDFW wardens on board to use of ONMS  
717 vessels for research and monitoring of MPAs.

718 The federal Energy Policy Act of 2005 established the Coastal Impact Assistance Program (CIAP), which  
719 authorized funds to be distributed to Outer Continental Shelf (OCS) oil- and gas-producing states to  
720 mitigate the impacts of OCS oil and gas activities. The CNRA developed a *Coastal Impact Assistance*  
721 *Program Plan (CIAP)*, which described proposed projects, expenditure of funds, and state administration  
722 of the CIAP.<sup>60</sup> Between 2007 and 2010, CIAP provided approximately \$3–4 million a year for programs in  
723 the State of California, including funding to CDFW for monitoring and enforcing of MPAs, to the OPC in  
724 support of seafloor mapping, and to State Parks to support participation in the MLPA process. This  
725 funding will continue into 2014 and 2015, as CIAP will be supporting monitoring surveys of MPAs by  
726 remote operated vehicles. CIAP funds will be expended within the next several years; Congress has not  
727 reauthorized the CIAP program nor created another vehicle to distribute oil and gas royalties to the  
728 states.

729 There is an effort at the federal level to advance a National Endowment for the Oceans that would be  
730 funded by fees and fines from the offshore oil and gas industry. If this moves forward in the future,  
731 California could potentially obtain funds from the endowment and apply them to MPA management.

### 732 Private Philanthropy

733 There is a strong history of private philanthropy supplementing funding and participating in the  
734 California Collaborative approach. For instance, many private philanthropists are funding activities that  
735 are supporting NGOs working on management activities, such as outreach and education. There is an  
736 opportunity for private philanthropy to engage in funding at the network, regional, or individual MPA  
737 levels. For instance, private philanthropists can give directly to the following NGOs engaged in  
738 partnerships or through various mechanisms (described in greater detail in Appendix G):

- 739 • Ocean Science Trust;
- 740 • California Wildlife Foundation;
- 741 • California Wildlife Officers Foundation;
- 742 • California State Parks Foundation;
- 743 • Community Foundations; and
- 744 • Local-scale fiscal sponsors.

745 Private Sector

746 In addition to the fees and taxes described above, the private sector can provide funds to support MPA  
747 implementation. For instance, private operations could enact voluntary donation programs where  
748 tourists can opt to donate a monetary amount toward MPA management or participate in “Friends of”  
749 programs, which may be created at some point for individual MPAs.

750 Section 8. Looking Forward: Evaluation of Effectiveness of the California  
751 Collaborative Approach

752

753 Evaluating the effectiveness of the California Collaborative approach and MPA governance is critical to  
754 the overall success of the MPA network. The OPC, in collaboration and coordination with CDFW and  
755 FGC, is committed to improving performance moving forward and ensuring that the state and its  
756 partners meet the MPA's four network-wide objectives, described in *Section 2. California MPA Network:*  
757 *Background*. Thus, OPC will develop and lead a process for evaluating the effectiveness of collaboration  
758 and MPA management in order to inform adaptation of policy, governance, and the California  
759 Collaborative approach.

760 Evaluating effectiveness of governance and the California Collaborative can lead to a number of valuable  
761 outcomes for various entities involved in the management process, including, for example, increased  
762 interagency coordination and collaboration, cross-sector partnership and community engagement,  
763 transparency, and compliance. Specifically, evaluating management effectiveness can lead to MPA  
764 managers using results to improve their performance, reporting on achievements, and flagging areas  
765 where they require additional human-resources support or funding. Likewise, policy-makers and funding  
766 agencies can use the results to highlight areas of concern, setting future priorities, and promoting better  
767 management practices as needed.<sup>61</sup> This will also help OPC and CDFW communicate needs to policy-  
768 makers and request more financial support of MPA management.

769 Building on this philosophy of reflection, improvement, and learning, OPC—in collaboration and  
770 coordination with CDFW, FGC, and OST—will perform a long-term review of management at regular  
771 intervals. This review will focus on specific targets related to measuring progress toward the four  
772 network objectives and seek to measure the effectiveness of governance, spending, partnership,  
773 transparency, and accountability. Examples of the types of measures focused on good governance of an  
774 effective management system that could be used in this review include:

- 775 • Broad participation and support across the stakeholder spectrum;
- 776 • Reliable, credible, transparent and salient scientific information to guide management decisions  
777 and adaptations to management;
- 778 • Broad understanding of rules and regulations that support compliance;
- 779 • Effective coordination across agencies and partners, including tribal government and  
780 communities, to implement the California Collaborative approach; and
- 781 • Sustainable funding, optimization of the use of existing funds, and additional funds effectively  
782 leveraged for the statewide network.<sup>62</sup>

783 As additional projects come on line to support MPA management, partners across all scales can look to  
784 these five categories of measures to determine how their specific project will contribute.

785 As the California Collaborative approach moves forward, these five key measures can help assess and  
786 determine the effectiveness of MPA governance and the California Collaborative approach itself, with

787 the understanding that improvements can be made to increase levels of success. The measures will be  
788 tested by OPC through a highly adaptive and robust evaluation process to be developed and to allow for  
789 course-correction as needed.

790 Success at the end of the evaluation for California’s MPA network process is defined as having strong  
791 oversight and process for implementing the legal mandate, management planning, on-the-ground  
792 operations (including surveillance and enforcement, monitoring and evaluation, and outreach and  
793 education), social capital building, and long-term sustainable financing of an MPA network. These  
794 elements are subsequently enhanced by partnership across sectors and scales and through the ability to  
795 leverage human and financial resources. In addition, California is poised to learn a significant amount  
796 from evaluation results about governance and cost-effective management for the MPA network and to  
797 take these lessons and best practices and apply them to other resource management issues in the state  
798 as well as to share them worldwide, solidifying its place as a global leader in sustainable ocean and  
799 coastal resource management.



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# Appendices

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## Appendix A. State and Federal Guiding Policies and Regulations for MPA Management

Policy	Description
<b>State Policies</b>	
<b>Marine Life Protection Act</b>	<ul style="list-style-type: none"> <li>• Passed in 1999: Codified at Fish and Game Code Section 2850-2863 and subsequently directs the CDFW, as the trustee for California’s natural resources, to redesign California’s system of MPAs into a robust network to “increase coherence and its effectiveness at protecting the state’s marine life, habitat, and ecosystems”<sup>63</sup> and make MPAs more understandable and easier to enforce to improve compliance</li> <li>• Seeks to fulfill six goals related to MPA implementation see page 2 to review a full description of each of the goals</li> <li>• Section 2861 directs FGC to, at least every three years, “receive, consider, and promptly act upon petitions from any interested party to add, delete, or modify MPAs, favoring those petitions that are compatible with the goals and guidelines” identified in the MLPA</li> <li>• Section 2863 directs CDFW to “confer as necessary with the United States Navy regarding issues related to its activities”</li> </ul>
<b>Marine Managed Area Improvement Act</b>	<ul style="list-style-type: none"> <li>• Passed in 2000: Establishes six classifications for California marine managed areas: state marine reserves, state marine parks, state marine conservation areas, state marine cultural preservation areas, state marine recreational management areas, and state marine water quality protection areas</li> <li>• Establishes the State Interagency Coordinating Committee (SICC): “the Secretary of the Resources Agency shall establish and chair the SICC, whose members are representatives from those state agencies, departments, boards, commissions, and conservancies with jurisdiction or management interests over marine managed areas”<sup>64</sup></li> <li>• Section 36725(a) authorizes the FGC to “designate, delete, or modify state marine recreational management areas established by the Commission for hunting purposes, state marine reserves, and state marine conservation areas” and the FGC to consult with, and secure concurrence from, the State Park and Recreation Commission prior to modifying or deleting state marine reserves and state marine conservation areas designated by the State Park and Recreation Commission”</li> <li>• Section 36725(b) directs that “the State Park and Recreation Commission may not designate, delete, or modify a state marine reserve, state marine park, or state marine conservation area without the concurrence of FGC on any proposed restrictions upon, or change in, the use of living marine resources”</li> <li>• Section 3625(d) authorizes the SWRCB to “designate, delete, or modify state water quality protection areas”</li> <li>• Section 3625(f) “directs (1) CDFW may manage state marine reserves, state marine conservation areas, state marine recreational management areas established for hunting purposes and, if requested by the State Water Resources Control Board, state water quality protection areas and (2) State Parks may manage state marine reserves, state marine parks, state marine conservation areas, state marine cultural preservation areas, and state marine recreational management areas and (3) SWRCB and the California regional water quality control boards may take appropriate actions to protect state water quality protection areas</li> </ul>
<b>California Ocean Protection Act (COPA)</b>	<ul style="list-style-type: none"> <li>• Passed in 2004, amended in 2011: Establishes the OPC as the coordinating body for purposes related to coastal and ocean resources and sets up the California Ocean Protection Trust Fund<sup>65</sup></li> <li>• Section 35615 directs OPC to “coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations”</li> </ul>
<b>California Ocean Resources Stewardship Act (CORSA)</b>	<ul style="list-style-type: none"> <li>• Passed in 2000: directs the OST to manage the science needs for State of California as they relate to ocean resources</li> <li>• Section 36972(a) authorizes OST to “ensure adequate coordination of ocean resources management science among state, regional, and federal agencies and marine science institutions”</li> <li>• Section 36972(b) establishes OST to “ensure the most efficient and effective use of state resources devoted to ocean resources management science and encourage the contribution of federal and non-governmental resources”</li> </ul>

<b>Senate Bill No. 96, Committee on Budget and Fiscal Review. Budget Act of 2013: public resources</b>	<ul style="list-style-type: none"> <li>Section 22 requires the CDFW to “regulate the protection of marine plants and animals in MPAs as defined”</li> <li>Existing law establishes the OPC in state government, and prescribes the membership, terms of office, and functions and duties of the council</li> <li>This bill would require that, “commencing on July 1, 2013, the OPC assume responsibility for the direction of policy of MPAs”<sup>66</sup></li> </ul>
<b>California Coastal Act</b>	<ul style="list-style-type: none"> <li>Enacted in 1976: Establishes the California Coastal Commission as a permitting authority for “activities that change the intensity of use of land or public accesses to coastal waters”<sup>67</sup></li> <li>Section 30230 indicates the maintenance, enhancement, and restoration of marine resources are met and requires that “special protection shall be given to areas and species of special biological or economic significance”<sup>68</sup></li> </ul>
<b>State Regulation</b>	
<b>Master Plan for Marine Protected Areas</b>	<ul style="list-style-type: none"> <li>The MLPA directs CDFW to develop, and FGC to review and adopt, a <i>Master Plan for Marine Protected Areas</i> that acts as the regulatory document to guide the adoption and implementation of the Marine Life Protection Program and decisions regarding the siting of new MPAs and major modifications of existing MPAs<sup>69</sup> (see MLPA for more information)</li> <li>A process to update and revise the Master Plan so that is more focused on the management of the MPA network is currently underway</li> </ul>
<b>California Fish and Game Code Title 14, Section 632</b>	<ul style="list-style-type: none"> <li>Lists areas that have been declared by FGC to be MPAs, MMAs, or special closures<sup>70</sup></li> <li>Sub-section (a): General Rules and Regulations defines the protection of resources for state marine reserves, state marine parks, state marine conservation areas, and state marine recreational management areas and defines rules and regulations for finfish, pelagic finfish, access, introduction of species, feeding of fish and wildlife, anchoring, transit or drifting, water quality monitoring, public safety, tribal take, and shore fishing</li> <li>Sub-section (b): Areas and Special Regulations for Use maps out the specific coordinates of boundaries and prohibitions for 147 specific MPA sites</li> </ul>
<b>California Fish and Game Code Sections 856, 1006, 2012</b>	<ul style="list-style-type: none"> <li>Section 856 establishes grants enforcement authority to deputized law enforcement officers employed by CDFW<sup>71</sup></li> <li>Section 1006 establishes inspection authority to CDFW “where birds, mammals, fish, reptiles, or amphibia may be stored, placed, or held for sale or storage”<sup>72</sup></li> <li>Section 2012 indicates that “any device or apparatus designed to be, and capable of being, used to take birds, mammals, fish, reptiles, or amphibians shall be exhibited upon demand” by CDFW<sup>73</sup></li> </ul>
<b>State Penal Code (830) Peace Officers</b>	<ul style="list-style-type: none"> <li>830.1 (a)(3) establishes “authority of these peace officers extends to any place in the state where a public offense has been committed or where there is probable cause to believe one has been committed”</li> <li>Local harbor districts and sheriff and police departments can employ peace officers to conduct on-water patrols within their jurisdiction<sup>74</sup></li> <li>Section 830.2 (e) directs CDFW employees “designated by the director, provided that the primary duty of those peace officers shall be the enforcement of the law as set forth in Section 856 of the Fish and Game Code”</li> <li>Section 830.2 (f) directs that State Parks “designated by the director pursuant to Section 5008 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as set forth in Section 5008 of the Public Resources Code”<sup>75</sup></li> </ul>
<b>Division 6 California Public Resource Code</b>	<ul style="list-style-type: none"> <li>Established the California State Lands Commission in 1938 with authority to manage public lands and protect resources to ensure the future quality of the environment and balanced use of the lands and resources<sup>76</sup></li> <li>Section 6217.2 (d) authorizes the CDFW to use “moneys in the Marine Life and Marine Reserve management Account created in the Resources Trust Fund to fund the evaluation, coordination, and management of marine reserves and other marine managed areas”<sup>77</sup></li> </ul>
<b>California Water Code</b>	<ul style="list-style-type: none"> <li>Designates the SWRCB as the state water pollution for all purposes stated in the federal Water Pollution Control Act<sup>78</sup></li> <li>Section 13170.2(a) requires the SWRCB to “formulate and adopt a water quality control plan for ocean waters of the state which shall be known as the California Ocean Plan</li> </ul>

## Federal Policies

<b>Submerged Lands Act</b>	<ul style="list-style-type: none"> <li>Passed in 1954, amended in 2002: Indicates that state territorial waters extend from the “mean high tide and seaward to a line three geographical miles distant from the coast line of each such state”<sup>79</sup></li> </ul>
<b>National Marine Sanctuaries Act</b>	<ul style="list-style-type: none"> <li>Federal law passed amended and reauthorized in 2000: Purpose is to designate national marine sanctuaries, provide authority for coordinated conservation and management, maintain biological communities, improve public awareness, support and promote scientific research, create models of ways to conserve and manage marine areas, and cooperate with global programs</li> <li>Section 301, specific to interactions with state governments, shares that the purpose is to “develop and implement coordinated plans for protection and management of these areas with appropriate federal agencies, state and local governments, Native American Tribes and organizations, international organizations, and other public and private interests”<sup>80</sup></li> <li>Section 303 indicates that the Secretary of Commerce “may designate any discrete area of marine environment as a national marine sanctuary and promulgate regulations implementing designation if the Secretary determines that existing state and federal authorities are inadequate or should be supplemented to ensure coordinated and comprehensive management of the area, including resource protection, scientific research, and public education”</li> </ul>
<b>Magnuson-Stevens Fishery Conservation and Management Act</b>	<ul style="list-style-type: none"> <li>Passed in 1976, amended in 1996 and again in 2006: Purpose is to designate a national program for the conservation and management of U.S. fishery resources and “to prevent overfishing, to rebuild overfished stocks, to insure conservation, to facilitate long-term protection of essential fish habitats, and to realize the full potential of the Nation’s fishery resources”<sup>81</sup></li> <li>Section 104-297 (5) indicates that conservation and management refers to “all of the rules, regulations, methods, and other measures which are required to rebuild, restore, or maintain, and which are useful in rebuilding, restoring, or maintaining any fishery resource and the marine environment”</li> </ul>

804 **Appendix B: Tribal Roles and Opportunities in Marine Protected Area**  
 805 **Management**

Management Role	Activities
<b>Education and Outreach</b>	<ul style="list-style-type: none"> <li>• Lead or collaborate on education and outreach related to history, traditional ecological knowledge, preservation, and revitalization of tribal culture as relevant to ensuring the protection or evaluation of MPAs</li> <li>• Lead or collaborate on signage and interpretive displays related to MPA management as well as cultural preservation and natural history aspects that would preserve tribal culture and be of interest generally</li> <li>• Support the creation of tribal marine education programs for tribal education, public outreach, and ecological and cultural literacy<sup>82</sup></li> </ul>
<b>Stewardship (Land and Species Tending)</b>	<ul style="list-style-type: none"> <li>• Lead or participate in Community Collaboratives</li> <li>• Participate in decision-making process through consultation on rules and regulations</li> <li>• Sit on scientific and technical committees related to management and conservation of MPAs</li> <li>• Lead or join efforts to support MPA pollution prevention and watch programs, beach trash pick-up events, restoration projects, and other activities<sup>83</sup></li> <li>• Partake in collaboration and partnership building to enhance relationships between Tribes and the state, locally or regionally<sup>84</sup></li> </ul>
<b>Science: Research and Monitoring</b>	<ul style="list-style-type: none"> <li>• Collaborate to design evaluation criteria and conduct MPA monitoring for MPA network performance</li> <li>• Collaborate to design and implement approaches to incorporate traditional ecological knowledge into MPA monitoring</li> <li>• Sit on scientific and technical committees related to MPA research and monitoring</li> </ul>
<b>Compliance and Enforcement</b>	<ul style="list-style-type: none"> <li>• Develop explanatory or other materials so compliance is less complicated</li> <li>• Collaborate on enforcement, monitoring, and implementation</li> <li>• Develop complementary administrative and enforcement processes on tribal land</li> </ul>
<b>Sustainable Financing</b>	<ul style="list-style-type: none"> <li>• Lead or collaborate on supporting and raising funds for aspects of MPA management and enforcement that are of importance to (a) tribe(s)</li> </ul>
<b>Traditional Ecological Knowledge—Education and Incorporation</b>	<ul style="list-style-type: none"> <li>• Provide education, outreach, or other information to support decision-making, including information on the interconnected nature of habitats, systems, and regional resource values</li> </ul>

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810 **Appendix C: Roles and Responsibilities for Non-Governmental Organizations and**  
811 **Local Government**  
812

813 NGOs and local governments can play many different roles to support management and to cultivate  
814 stewardship for California’s MPAs.

815 **Non-Governmental Organizations**

816 NGOs can play several key roles while engaging in the California Collaborative approach. See Table 4 in  
817 the section on Section 3. Opportunities for California Collaborative Partners for specific roles of NGOs.

- 818 ➤ **Engage in Community Collaboratives and Regional Forums:** Community Collaboratives provide  
819 a clear venue for NGOs and their constituents to engage in and obtain information and support  
820 on MPA management. The Community Collaborative Regional Forums, described in greater  
821 detail in Section 5, is a platform for local NGOs to engage directly with the state on issues and  
822 needs.  
823
- 824 ➤ **Conduct Monitoring of MPAs:** Several partnerships exist between academic institutions, NGOs,  
825 and individual citizens who are actively engaged in data collection to inform monitoring and  
826 adaptive management. Through the oversight and quality control of OST and CDFW, NGOs and  
827 communities can participate in monitoring partnerships either directly or through partnerships  
828 with academic institutions by responding to requests for proposals, engaging in fishermen  
829 collaborative research with fishermen, and volunteering for established and robust citizen-  
830 science programs.  
831
- 832 ➤ **Engage in MPA Outreach:** CDFW has already begun to engage local partners to establish a set of  
833 standards and guidelines to meet the goal of statewide consistency and accuracy.<sup>85</sup> NGOs  
834 conducting outreach and education can engage with CDFW, ideally through their Community  
835 Collaborative or the Ocean Communicators Alliance, and draw upon the resources available on  
836 MPA messaging and templates, such as the *California Department of Fish and Wildlife Marine*  
837 *Protected Area Outreach Reference Guide for Partners*.<sup>86</sup>  
838
- 839 ➤ **Support Compliance:** The effectiveness of MPAs depends on compliance with regulations. NGOs  
840 can play a crucial role in supporting the compliance effort by providing a visible deterrent to  
841 potential violators. Organizing communities and interested citizens in MPA Watch Groups,  
842 providing awareness training, elevating community support, and actively reporting suspected  
843 violations can be facilitated by NGOs. Working with elected officials and community leaders to  
844 ensure appropriate outcomes from enforcement actions can also be valuable to overall  
845 compliance. Maintaining a positive relationship with wildlife officers from CDFW and other  
846 resources, NGOs can provide a force multiplier that will enhance compliance and assist in the  
847 enforcement of regulations in the marine environment.  
848
- 849 ➤ **Support Financing and Funding of MPA Management:** Private philanthropy actively supported  
850 the design and designation phases and now the management of California’s MPA network.  
851 There is an opportunity for private philanthropy to become involved in financially supporting  
852 management on various scales. Currently, private donors can support registered 501(c)(3)

853 organizations that are partnering to support management. In the future, however, additional  
854 mechanisms may be established to increase opportunities for giving.

## 855 **Local Government**

856 Consistent with the jurisdictional roles and responsibilities identified in Table 3, local government can  
857 become part of the California Collaborative approach in a number of ways, including the following:

- 858 ➤ **Engage in Community Collaboratives:** Many local governments are already engaging in their  
859 Community Collaboratives. Participating in the Community Collaborative, county and city  
860 governments can help to streamline communications with CDFW and identify key points of  
861 contact at the state level for various aspects of management, such as enforcement. The  
862 Community Collaboratives can also serve as a venue for communicating with the state on  
863 unique issues facing local MPAs. This collaboration allows for improved alignment and helps all  
864 levels of government stay informed about local priorities MPA management.
- 865 ➤ **Support Enforcement and Compliance:** Local law enforcement can work within their  
866 jurisdictional boundaries to build awareness of MPA regulations, provide accurate information,  
867 and observe and report violations. When working within their jurisdiction, officers may write  
868 and file a complaint or arrest for a violation.
- 869 ➤ **Leverage Funding for MPA Management:** Local governments can help financially support MPA  
870 management by providing funding opportunities directly or through in-kind contributions of  
871 staff time and resources. Cities could also leverage state funds through their existing support of  
872 projects and programs, such as recreation and education.
- 873 ➤ **Engage in MPA Outreach:** Many local governments currently operate education and outreach  
874 programs. There is an opportunity for these programs to align with the messaging and protocols  
875 reviewed and approved by CDFW to ensure consistency.
- 876
- 877
- 878

## 879 **Appendix D: Best Practices for Partnership and Components of Effective** 880 **Partnership Agreements**

881  
882 Partners of the California Collaborative should abide by the following principles in order to ensure that  
883 partnerships are effective and to avoid any conflict:<sup>87</sup>

- 884 • Communicate early and often and effectively, especially about goals and expectations;
- 885 • Validate the partnership with some sort of agreement (either formal or informal, depending on  
886 the nature of the partnership);
- 887 • Maintain trust and respect through transparency and accountability;
- 888 • Avoid adversarial or litigious approaches to conflict resolution where it is feasible;
- 889 • Ensure that partners are committed to and understand this Partnership Plan's expectations;
- 890 • Engage partners with complementary and diverse expertise and draw upon the strengths of  
891 each partner;
- 892 • Consider non-traditional partnerships and creative new approaches to ongoing problems;
- 893 • Tap into the capacity of California's citizen resources;
- 894 • Develop a process for objectively evaluating the partnership; and
- 895 • Make sure that managing entities understand and embrace the partnerships that are being  
896 created.

897  
898 For more formalized partnerships, establishing a written partnership agreement is also critical. Elements  
899 of an effective partnership agreement may include:

- 900 • Statement of guiding principles and partnership characteristics;
- 901 • Goals, objectives, and expectations for partnership;
- 902 • Roles and responsibilities;
- 903 • Governance and accountability;
- 904 • Project scope of work and timeline; and
- 905 • Process for assessing partnership effectiveness.

906 A work plan is another effective tool for managing expectations and performance. Work plans can map  
907 out specific tasks, who is carrying out the task, and the expected timeline for completion. Having regular  
908 check-ins on the status of the work plan and outlined tasks can be an effective tool for reporting on  
909 progress. A status report or dashboard could also be developed at regular intervals to record progress  
910 on completing tasks and activities.

911 Evaluating the partnership is an important tool for measuring the effectiveness and benefits of the  
912 partnership. Partnership evaluations can occur either on a set schedule, such as annually, or in real time.  
913 Partners can work together to develop a set of metrics or a set of questions for measuring progress to  
914 mutual or independent goals. These could include:

- 915 • Is this partnership operating successfully?
- 916 • What are the weaknesses or shortcomings of the partnership?
- 917 • Is the partnership successfully advancing each partner's goals?

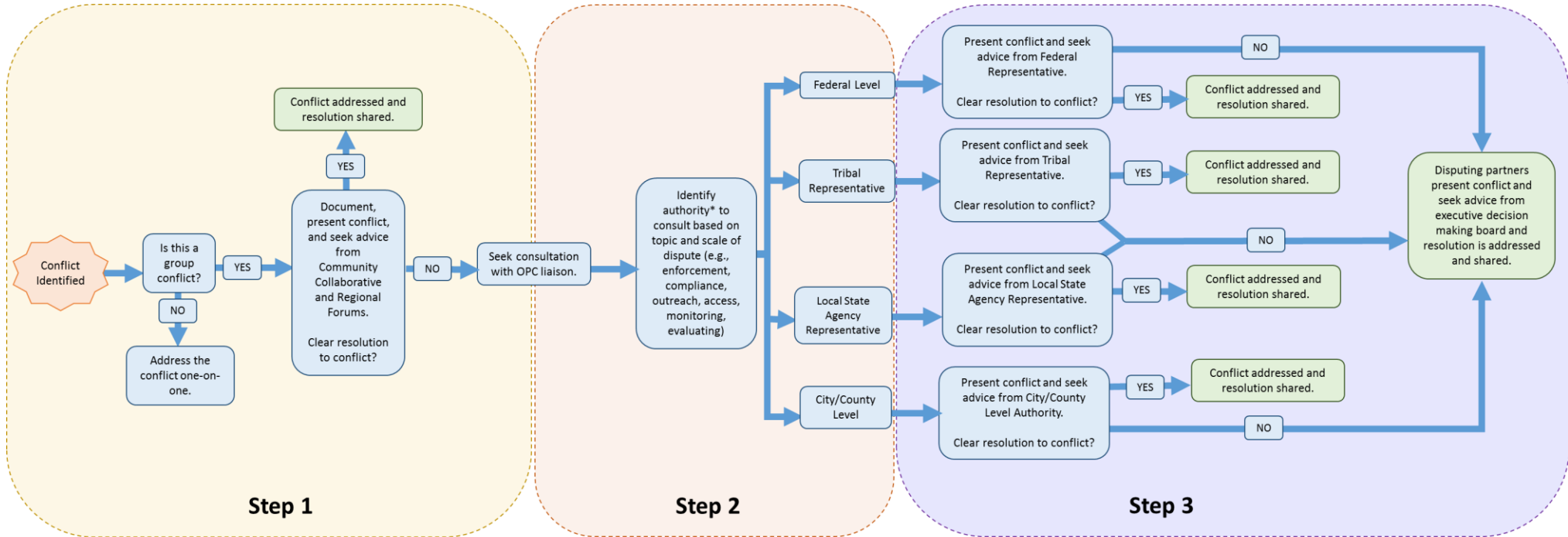
918  
919 Engaging a neutral third party to perform evaluations can be a transparent way to ensure that partners  
920 are accurately communicating progress or feel comfortable sharing concerns or problems with the  
921 arrangement. Sharing results and lessons learned from the evaluation can provide a mechanism for  
922 improving elements and operations or can justify dissolving the partnership.



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

924

925 The state encourages conflict resolution processes that do not let disagreements escalate and, to the extent possible, promotes resolution  
 926 at the local scale using minimal resources. Partners are encouraged to work together in collaboration with local authorities, such as city,  
 927 county, or tribal governments or community councils to develop solutions and tools that resolve conflicts and issues equitably. Below is a  
 928 graphic depiction of the recommended incremental approach and process to addressing conflict in California Marine Protected Areas.  
 929



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

## Appendix F. Summary of Current and Potential State Government Funding Sources

State Source	Description
<b>General Funds</b>	<ul style="list-style-type: none"> <li>The most significant source of state funding</li> <li>Provided core funding for MLPA management</li> <li>Monies allocated to CDFW for MLPA-related activities in 2012–2013 totaled just over \$5 million<sup>88</sup></li> </ul>
<b>Environmental License Plate Funds (ELPF)</b>	<ul style="list-style-type: none"> <li>Revenues generated from the issuance of personalized license plates must be spent in support of specified conservation purposes, including several that are relevant to MLPA implementation<sup>89</sup></li> <li>Natural Resources Secretary recommends ELPF projects and programs annually, and all proposed appropriations for the program must be included in the Governor’s annual budget</li> <li>In 2011–2012, about \$40 million was allocated from the ELPF, with approximately \$423,000 for MLPA-related activities allocated to CDFW<sup>90</sup></li> </ul>
<b>Future Water/Resource Bonds</b>	<ul style="list-style-type: none"> <li>Potential for future water/resource bonds to support management based on precedence that recent water and resource bonds (Propositions 12, 13, 40, 50, and 84) all contained funding directed toward coastal and ocean ecosystem protection</li> <li>Proposition 84 provided \$90 million to the OPC for investment in ocean programs</li> <li>Approximately 50% allocated in support of the activities and projects directly relevant to the MLPA</li> <li>Funds will be helpful in addressing issues upstream of MPAs, such as water quality</li> <li>Bond funding is limited to use for capital expenditures and not a viable source of support for ongoing staffing costs</li> </ul>
<b>State Tidelands Revenues</b>	<ul style="list-style-type: none"> <li>California receives a portion of the revenue derived from sale of oil and gas extracted from the state’s tidelands</li> <li>Level of funds generated varies with production and oil prices</li> </ul>
<b>Oil Spill Prevention and Administration Fund</b>	<ul style="list-style-type: none"> <li>State imposes a 6.5¢ fee on each barrel of oil transported through state marine terminals to fund the Office of Spill Prevention and Response Program; will revert to 5¢ in 2015</li> <li>Opportunity to increase the fee, but past attempts have failed</li> <li>Barrel tax might be an appropriate source of funding to support ongoing MPA monitoring to collect data that could be used to help assess damages and guide restoration activities in the event of a future oil spill</li> </ul>
<b>Once Through Cooling Mitigation Fees</b>	<ul style="list-style-type: none"> <li>In 2010, the SWRCB adopted a <i>Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling</i> (OTC Policy)</li> <li>OTC Policy requires conversion of coastal power plants from once-through cooling to alternative cooling to eliminate the loss of fish and larvae</li> <li>Power plants are required to mitigate the effects of their impacts on the marine environment, either through on-site mitigation projects or through mitigation fees</li> <li>OTC Policy states the Water Board’s “preference” is that any mitigation fees will be directed to “mitigation projects directed toward increases in marine life associated with the state’s MPAs in the geographic region of the facility”</li> <li>Directs the California Coastal Conservancy to work with the OPC on the proper allocation of those fees</li> <li>Mitigation fees for all the state’s coastal power plants may generate up to \$5.9 million dollars for MPA programs beginning in 2015</li> <li>Funds could be available from 2017 to 2020, although some may remain open until 2029</li> <li>Availability of interim mitigation fees will change over time</li> </ul>
<b>Desalination Mitigation Fees</b>	<ul style="list-style-type: none"> <li>SWRCB is developing an amendment to the <i>California Ocean Plan</i> and the <i>Enclosed Bays and Estuaries Plan</i> that will address impacts and mitigation from future desalination plants</li> <li>In late 2013, a staff report was due to be presented at the Water Board, including recommendations similar to those for once-through cooling and directing mitigation fees to OPC</li> <li>Mitigation fee at each facility will depend upon several factors, including whether the seawater intake is subsurface or in the open ocean, and how and where the water is discharged</li> <li>Difficulty in predicting the future pace or design of coastal desalination operations and therefore to estimate the timing or range of possible revenues</li> <li>Revenues from desalination mitigation fees are likely to be far less than those generated from once-through cooling since the volumes of water are</li> </ul>

State Source	Description
	expected to be much smaller
<b>Decommissioning Offshore Oil Platforms</b>	<ul style="list-style-type: none"> <li>California has 27 offshore oil platforms, 23 of which are in federal waters</li> <li>In 2010, the Governor signed AB 2503, creating a process administered by CDFW to permit the partial decommissioning of offshore oil platforms with payment of a fee to the state</li> <li>Requires that the fee would be placed in a California Endowment for Marine Preservation</li> <li>Endowment funding decisions will be made by a five-member board that includes the Resources Secretary, CalEPA Director, and one representative each appointed by the Governor, Assembly Speaker, and Senate President</li> <li>Some of these funds would go to CDFW to create a program to manage the decommissioning process</li> <li>Funds would be used for projects to conserve, protect, restore, and enhance the open coastal and marine resources of the state</li> <li>Estimated revenues from the program range from \$500 million to \$1 billion</li> <li>Expected that leases will continue as long as oil prices remain high and interest in decommissioning remains low</li> </ul>
<b>Natural Resource Damage Assessment Funds</b>	<ul style="list-style-type: none"> <li>When an oil spill or similar incident occurs in California waters, CDFW, the USFWS, and NOAA typically work together to conduct a natural resource damage assessment (NRDA)<sup>91</sup></li> <li>Goal of a NRDA process is to quantify the injuries to wildlife, habitat, and lost human use of those resources; to determine the amount of restoration necessary; and to develop a restoration plan</li> <li>A certain percentage of fines from oil spills are allocated to restoration in the spill region</li> </ul>
<b>Vessel Registration Fees</b>	<ul style="list-style-type: none"> <li>Boat owners pay between \$10 and \$77 based on vessel type, fuel, and whether the owner is a resident of California<sup>92</sup></li> <li>A percentage of these fees could, in the future, be allocated to cover marine resource enforcement costs</li> </ul>
<b>City or County Bed Tax</b>	<ul style="list-style-type: none"> <li>Funds could be acquired through a small percentage tax that added onto a hotel bill for every night a visitor stays at a hotel, motel, resort, or bed and breakfast</li> <li>This could be excised at the city or county scale</li> <li>Funds collected could go toward MPA management, including enforcement</li> </ul>
<b>Recreational Non-Consumptive User Fees</b>	<ul style="list-style-type: none"> <li>Users are charged a small fee to access MPAs</li> <li>Other MPA sites around the world, including Bonaire National Marine Park and Hol Chan Marine Reserve, have successfully introduced user fees to raise funds to support management</li> <li>Fees could be collected through recreational tour operators</li> </ul>

## Appendix G. Organizations with Funding Mechanisms in Place for Philanthropy

Organizations Able to Receive Funds	Funding Mechanism Description
<b>Ocean Science Trust</b>	<ul style="list-style-type: none"> <li>• 501(c)(3) nonprofit public benefit corporation able to receive funds from private or public donors</li> <li>• CORSA charged OST to seek and provide funds for ocean resource science projects and to facilitate coordinated, multi-agency and multi-institution approaches to applying ocean science to management and policy</li> </ul>
<b>California Wildlife Foundation</b>	<ul style="list-style-type: none"> <li>• 501(c)(3) nonprofit organization dedicated to protecting the state’s wildlife species and supporting programs of the CDFW and its agency and resources partners</li> <li>• Past projects have included support for MLPA implementation</li> </ul>
<b>California Wildlife Officers Foundation</b>	<ul style="list-style-type: none"> <li>• 501(c)(3) nonprofit organization created to support Wildlife Officers</li> <li>• Foundation funds may be used to assist officers in conducting studies and obtaining equipment or other resources necessary for protecting wildlife and the environment</li> </ul>
<b>Local Fiscal Sponsors</b>	<ul style="list-style-type: none"> <li>• Community Collaboratives can identify a local fiscal sponsor. For example, several Community Collaboratives, including Orange County Marine Protected Area Council, San Diego MPA Collaborative, and the Santa Barbara Channel Collaboratives, all use fiscal sponsors</li> <li>• Goal is to function as a model for localized implementation of marine conservation efforts through regional communication and cooperation</li> </ul>
<b>California State Parks Foundation</b>	<ul style="list-style-type: none"> <li>• 501(c)(3) nonprofit organization whose mission is to help enhance State Parks with educational programs, capital projects, competitive grants, and fundraising</li> <li>• Official relationships with more than 88 cooperating associations dedicated to enhancing the educational and interpretive programs in California State Parks</li> </ul>
<b>Community Foundations</b>	<ul style="list-style-type: none"> <li>• 501(c)(3) charitable foundations that commonly operate at the city or county level and exist across the state</li> <li>• Ability to set up special interest funds to support California’s MPAs</li> <li>• Provides a mechanism for individuals or structured foundations to give</li> <li>• Networks, like the League of California Community Foundations, can be an effective central hub for helping community foundations to develop philanthropy around MPAs</li> </ul>

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