

The California Collaborative Approach: Marine Protected Areas Partnership Plan—Executive Summary

A Shared Vision: Collaborative Management of California’s Marine Protected Areas

California is embracing partnerships to implement the long-term management of its marine protected area (MPA) network. The partnerships include State agencies, California tribes and tribal governments, fishermen, non-consumptive recreational users, academics, federal and local governments, and non-profits. The California Collaborative approach is the commitment for all to work together in support of a healthy ocean and to use the network of MPAs as a key feature in that effort.

California is committed to healthy and productive ocean ecosystems and sustainable resource management, and the State has demonstrated this commitment in broad, forward-looking legislation and policy directions. Among the legislation that specifically deals with the integrity of ecosystems and sustaining marine life, including that of commercial relevance, is the Marine Life Protection Act (MLPA).¹ The MLPA required California to designate a network of MPAs, resulting in the establishment of 124 MPAs that cover 16% of State waters.² Demonstrating national and international leadership, California is taking the initiative to invest in sustainable marine resource management so that future generations of Californians and visitors can realize the environmental, economic, and cultural benefits that our marine and coastal ecosystems have to offer.

The State and its partners are taking bold steps to build a strong and effective marine protected area network that draws upon the resources and commitment of our State’s energized citizenry.

-- Secretary John Laird, Natural Resources Agency and Chair of the Ocean Protection Council

Building on the momentum from the public design and designation phase, California now is turning its attention to the management of the network of MPAs—that is, identifying an interagency, public, and science-informed 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 Statewide Leadership Team—consisting of OPC, California Department of Fish and Wildlife (CDFW), Fish and Game Commission, California Natural Resources Agency, California Department of Parks and Recreation, and Ocean Science Trust—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.

Guiding Principles of the California Collaborative

- ❖ Leveraging Resources
- ❖ Ensuring Transparency
- ❖ Engaging in Partnerships

Partnership is key to California’s vision for effective management of the MPA network, and the State is encouraging participation. There is a role for all who care about our ocean’s future in stewardship of California’s MPA network. The first step in implementing this vision is

the *California Collaborative Approach: Marine Protected Areas Partnership Plan*, which provides a

¹ California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2850-2863) 2004.

http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf.

² California Department of Fish and Wildlife. *Regional MPA Statistics*. 2012. Web. 16 Sept. 2013.

<http://www.dfg.ca.gov/marine/mpa/statistics.asp>

framework for the collaborative management of the newly designated network of MPAs of California. The Partnership Plan, which was written to be incorporated into the State's *Master Plan for Marine Protected Areas*, serves as a detailed companion document to this Executive Summary.

Overview of California Collaborative Approach

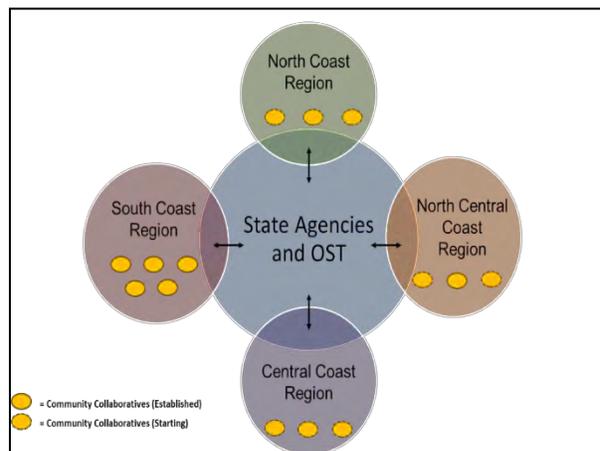
From world-renowned scientists to its energized local governments and citizenry, California has significant resources to learn from and leverage to support the ongoing management of the MPA network. The State seeks to encourage this energy through the California Collaborative, a bold new initiative that offers an opportunity for local partners to engage with and have an active voice and participation in MPA management. This approach will bring together the State, federal, local, and California tribes and tribal governments, along with non-profits, fishermen, non-consumptive recreational users, academics, foundations, and the private sector to support the various elements of MPA management.

Bringing these different perspectives together requires a core set of objectives to guide participation. The MPA Statewide Leadership Team has developed a set of common objectives for the MPA network that will help focus those who participate in the California Collaborative:

- 1. Governance and management process is effective and adaptive.**
- 2. Objective, reliable, and timely scientific information and enforcement data are used in management decisions for stewardship of the statewide network.**
- 3. Compliance with the regulations and participation in management and stewardship of the statewide MPA Network is high due to effective surveillance and enforcement, education, and broad awareness of the MPAs across sectors and by all key stakeholder groups.**
- 4. State MPA Network is effectively financed and sustainable over the long term.**

The California Collaborative is implemented at the local community scale through *Community Collaboratives*. This localized approach to MPA management is intended to organize participation that reflects the communities. As of 2014, a total of 14 Community Collaboratives have been established throughout the State, under OPC's leadership. Community Collaboratives bring together local and national government representatives, California tribes and tribal governments, experts in various disciplines, state agency staff operating at a regional or sub-regional level (e.g., CDFW wildlife officers or State Park superintendents), local citizens, academics, non-profits, and others interested in supporting MPA network management, particularly in the areas of education and outreach, enforcement and compliance, and research and monitoring.³

One key to the success of the California Collaborative is effective communication, coordination, and learning across political and geographical scales. To demonstrate the State's commitment and to help foster and streamline communication across the network, OPC may, as needed, organize and host State and Regional Community Collaborative Forums within the four



³ Department of Fish and Wildlife. "Marine Protected Area Collaborative Implementation Project Handout." 2013. Print.

MLPA designation regions. These meetings will bring the MPA Statewide Leadership Team together with Community Collaborative participants, providing an opportunity for State agencies to communicate, listen, and learn from local entities supporting MPA management. In addition, the Forums will provide a platform for regional partners to come together to network, share best practices and lessons learned, and foster greater collaboration.

This new approach is an experiment that the State and local communities are embarking on together, and they will work to improve and adapt as needed to promote their ongoing success.

A Call to Action: Participating in the California Collaborative

Managing a network that spans California's 1,100-mile coastline is a significant task, and leveraging partnerships is a viable way to ensure cost-effective management that serves local constituents. The State prioritizes efficiency, transparency, and participation. Thus this is a call to action to join in supporting this ambitious effort. Each agency, organization, and individual has an opportunity to participate in achieving our collective MPA management objectives. The MPA Statewide Leadership Team welcomes new partners and will work with each interested agency and organization to identify the most efficient and appropriate way to ensure that their contribution enhances MPA management, regardless of scale.

A Need for Continued Support

California has invested in the designation and implementation of the MPA network and is committed to ongoing support for core management functions. Stabilizing the fundamental resources that provide for these core functions is paramount. The State has identified four management priorities that will require adequate funding to support the MPA network:

- Monitoring
- Compliance and enforcement
- Engagement with Community Collaboratives
- Tribal collaboration and coordination

Providing a diversified portfolio of revenue streams is critical to ensure long-term funding stability that can withstand shifts in funding availability that may occur. The State and its partners will continuously seek and assess new revenue streams and opportunities to complement State resources, but there is a need for continued commitment and support through partnership to fill the gaps.

A Path to Success

Success for the California Collaborative would consist of an MPA network that has strong oversight and processes for implementing the legal mandate, comprehensive management planning, effective on-the-ground operations (including surveillance and enforcement, monitoring and evaluation, and outreach and education), strong social capital, and long-term sustainable financing in place that is enhanced by partnership across sectors and scales and through the ability to leverage human and financial resources. California is poised to learn lessons and identify best practices related to governance and cost-effective management of the MPA network and can apply them to other resource management issues in the State, as well as sharing them worldwide, solidifying its place as a global leader in sustainable ocean and coastal resource management.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DRAFT Version 10
The California Collaborative Approach:
Marine Protected Areas Partnership Plan

October 17, 2014

26

27 **Table of Contents**

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

29 **Section 2. The California MPA Network2**

30 Section 2.1 A Global Leader in Marine Ecosystem Protection..... 2

31 Section 2.2 A Network-Wide Call to Action 3

32 Section 2.3 Guiding Principles of the California Collaborative Approach..... 4

33 Section 2.4 Building Momentum: Marine Protected Area Management..... 4

34 **Section 3. A Path to Success: Managing the MPA Network Across the State.....5**

35 Section 3.1 Community Collaboratives: A Platform for Partnership 5

36 Section 3.2 A Nested Approach for Coordination Across Scales 6

37 **Section 4. Opportunities for California Collaborative Partners7**

38 Section 4.1 Creating Interagency Alignment 7

39 Section 4.2 Key Roles for Non-Governmental Partners..... 16

40 **Section 5. Novel Participation: Effective Collaboration and the California Collaborative Approach16**

41 Section 5.1. Types of Partnership Approaches 17

42 Section 5.2. Managing Expectations and Performance 17

43 Section 5.3 Conflict Resolution 17

44 **Section 6. Opportunity for Adaptive Management.....18**

45 **Section 7. MPA Management Financial Investment and Revenue Sources19**

46 Section 7.1 Commitment to Investing in the MPA Network 19

47 Section 7.2 Continued Investment..... 20

48 Section 7.3 Meeting the Need: Potential Revenue Sources 21

49 **Section 8. Looking Forward: Evaluation of Effectiveness of the California Collaborative Approach.....23**

50 **Appendix A. State and Federal Guiding Policies and Regulations for MPA Management26**

51 **Appendix B: Tribal Roles and Opportunities in Marine Protected Area Management29**

52 **Appendix C: Roles for Engaging in the California Collaborative30**

53 **Appendix D: Best Practices for Partnership and Components of Effective Partnership Agreements32**

54 **Appendix E. Ideal Approach to Addressing Conflict in California Marine Protected Areas33**

55 **Appendix F. Summary of Current and Potential State Government Funding Sources33**

56 **Appendix G. Organizations with Funding Mechanisms in Place for Philanthropy36**

57

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

California is committed to healthy ocean ecosystems and sustainable resource management. It has demonstrated this commitment in broad, forward-looking legislation and policy directives. California has played a long-standing leadership role in ocean and coastal conservation and management, as demonstrated by the establishment of the California Coastal Act in 1976, its support for the creation of four national marine sanctuaries, and a number of coastal state parks. These past efforts have been instrumental in shaping the foundation of its current policy commitments. 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).¹ The MLPA required California to designate a network of marine protected areas (MPAs), resulting in the establishment of 124 MPAs with varying levels of protection that make up 16% of its state waters.² Undertaking the designation of this network involved a public-private partnership, the Secretary of Natural Resources Agency-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 is now turning its attention to the management of the MPA network—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. Building upon previous partnerships and under the leadership of the Ocean Protection Council (OPC), California’s MPA Statewide Leadership Team—consisting of OPC, California Department of Fish and Wildlife (CDFW), Fish and Game Commission (FGC), California Natural Resources Agency (CNRA), Ocean Science Trust (OST), and California Department of Parks and Recreation (State Parks)—has agreed on a partnership-based model, the *California Collaborative Approach*. This approach 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 mandates.

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 prosecution of serious MPA violations is a key element in effective enforcement, compliance, and deterrence.

OPC and its partners envision successful implementation of this bold new approach to create an MPA network with oversight and management that is durable, collaborative, and founded on a strong legal mandate. This would include active governance, on-the-ground operations (including enforcement, monitoring and evaluation, and outreach and education), long-term sustainable financing, and an informed constituency that supports and understands the ecological and economic value of the MPA Network. 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 California MPAs. The MPA Statewide Leadership Team understands that effective management of the MPA network will incorporate a broad suite of partners, beyond just those identified above. The Partnership Plan acknowledges and was inspired by the efforts of local, state, and federal agencies, California tribes and tribal governments, academics, nongovernmental organizations (NGOs), citizen science, and other entities involved in MPA implementation and stewardship activities over the last several years.

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 FGC. This Partnership Plan will guide interactions across jurisdictions, sectors, and scales. This will allow the state to leverage the extensive resources already being brought to bear on the conservation and protection of these

106 special areas, which will help create sustainable and resilient marine ecosystems. Healthy and thriving
107 coastal ecosystems will not only benefit California’s coastal and ocean resources and the industries that
108 rely on them, but potentially the entire West Coast. Oceans face increasing stressors, many caused by
109 climate change. Impacts such as ocean acidification, sea level rise, and other recognized threats
110 including pollution, such as marine debris, habitat destruction, overfishing, and invasive species
111 emphasize the importance of MPAs and their ability to potentially provide a buffer against these
112 threats.³ The MPA network is one of California's key tools to manage ocean health.

113
114 This document captures the progressive thinking and design of an innovative governance and
115 management approach for MPAs. The Partnership Plan provides guidance for multiple audiences, both
116 with and without jurisdictional authority, on how to participate in and support the California
117 Collaborative approach to MPA management. These audiences include state, federal, and local
118 governments; California tribes and tribal governments; NGOs; academic/research institutions;
119 fishermen; non-consumptive recreational users; and the private sector, and represent both those
120 partners that have already been actively contributing and those who will join the effort in the future.
121 The state is committed to evaluating the effectiveness of this new approach for the MPA network to
122 improve governance and management.¹ Thus, elements of this document may change as the California
123 Collaborative approach advances over time and as partnerships and collaborations around MPA
124 management strengthen and improve, while new approaches are considered in the context of future
125 updates to the state’s larger *Master Plan for Marine Protected Areas*.

126 The development of this document was itself a collaborative and interagency effort. A Drafting
127 Oversight Group, chaired by OPC and consisting of staff from CDFW, FGC, CNRA, and OST collaboratively
128 created this document. As representatives of their respective organizations, members of the Drafting
129 Oversight Group were deeply committed to identifying a pathway for MPA management that respected
130 the individual mandates of agencies while serving the broadest interests. The Drafting Oversight Group
131 worked diligently and collaboratively to frame this document to provide clear guidance to all involved in
132 the management of the network of MPAs.

133 **Section 2. The California MPA Network**

134 Californians from multiple sectors and constituencies participated in the successful effort to establish
135 the network of MPAs. This designation process was designed to incorporate feedback from all
136 Californians with an interest in our ocean’s future, as well as to learn from knowledgeable scientists. The
137 California Collaborative approach outlined in this document builds on this effort and the efforts of many
138 groups and individuals since designation. All future MPA activities are linked directly back to the
139 monumental effort expended by those who participated in the designation process.

140 **Section 2.1 A Global Leader in Marine Ecosystem Protection**

141 The United Nations Convention of Biological Diversity's 2011–2020 Strategic Plan Aichi Biodiversity
142 Targets calls for all countries to set aside “10 percent of their coastal and marine areas, especially areas
143 of particular importance for biodiversity and ecosystem services, . . . conserved through effectively and
144 equitably managed, ecologically representative, well-connected systems of protected areas, and other

¹ Governance in the context of the MLPA is the exercise of authority to ensure that the design, implementation, and adaptive management of California’s MPA network meets the goals of the MLPA. 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.

145 effective area-based conservation measures, integrated into the wider landscapes and seascapes by
146 2020.”⁴ California has exceeded this target with the establishment of MPAs. The MLPA signed into law
147 by the Governor in 1999 directed CDFW, as a public trustee of California’s fish and wildlife, to redesign
148 California’s system of MPAs into a robust network to “increase its coherence and its effectiveness at
149 protecting the state’s marine life, habitat, and ecosystems.”⁵ The MLPA establishes six goals:ⁱⁱ

- 150 1. Protect the natural diversity and abundance of marine life, and the structure, function and
151 integrity of marine ecosystems.
- 152 2. Help sustain, conserve, and protect marine life populations, including those of economic
153 value, and rebuild those that are depleted.
- 154 3. Improve recreational, educational, and study opportunities provided by marine ecosystems
155 that are subject to minimal human disturbance, and manage these uses in a manner
156 consistent with protecting biodiversity.
- 157 4. Protect marine natural heritage, including protection of representative and unique marine
158 life habitats in California waters for their intrinsic values.
- 159 5. Ensure California’s MPAs have clearly defined objectives, effective management measures,
160 and adequate enforcement, and are based on sound scientific guidelines.
- 161 6. Ensure the state’s MPAs are designed and managed, to the extent possible, as a network.⁶

162 The MLPA directed CDFW to develop, and FGC to review and adopt, a master plan for the Marine Life
163 Protection Program, later titled the *Master Plan for Marine Protected Areas (Master Plan)*, that would
164 guide the adoption and management of the MLPA process as well as decisions regarding the siting of
165 new MPAs and major modifications of existing MPA to advance the MLPA goals listed above.^{7,8} In 2015,
166 the Master Plan will be amended to reflect the shift in focus from planning to implementation and
167 management, since designation of the coastal MPA network has been completed. The 2015 Master Plan
168 is a guidance document that describes how CDFW manages the MLPA program and may be modified
169 based on the adaptive management of California’s MPAs. The 2015 Master Plan will refer to and
170 highlight other key MPA and marine management documents that support and align priorities and
171 resources.ⁱⁱⁱ

172 Section 2.2 A Network-Wide Call to Action

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

179 Goal 5 of the MLPA requires that MPAs have “clearly defined objectives.” Thus, a set of objectives was
180 established for each of the four coastal regions and every MPA during designation. Four network wide
181 objectives, created by the MPA Statewide Leadership Team, span the entire network and link to the six
182 MLPA goals and complement the regional objectives. The agencies and their partners in the Partnership
183 Plan will work toward these four network-wide objectives as we seek to achieve the MLPA goals through
184 direct and supportive management efforts. The network-wide objectives include:

- 185 • ***Governance and management process is effective and adaptive.***

ⁱⁱ These goals complement and reinforce those of the Marine Life Management Act (MLMA) to conserve entire ecosystems and habitats and is further expressed in the Fish and Game Code language stating “conserve the health and diversity of marine ecosystems and marine living resources.” [Fish and Game Code, § 7050(b)(1)].

ⁱⁱⁱ Please refer to the 2015 Master Plan for specifics on implementation and management of the MPA network, once finalized.

- 186 • **Objective, reliable, and timely scientific information and enforcement data are used in**
187 **management decisions for stewardship of the statewide network.**
188 • **Compliance with the regulations and participation in management and stewardship of the**
189 **statewide MPA Network is high due to effective surveillance and enforcement, education, and**
190 **broad awareness of the MPAs across sectors and by all key stakeholder groups.**
191 • **State MPA Network is effectively financed and sustainable over the long term.**

192 California is poised to meet these network objectives and work toward the goals of the MLPA by
193 drawing on the vast capacity, available resources, knowledge and interest of state, federal, tribal, and
194 local governments as well as California tribes, NGOs, academics, fishermen, non-consumptive
195 recreational users, and private sector partners.

196 **Section 2.3 Guiding Principles of the California Collaborative Approach**

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

- 200 • **Leveraging Resources:** Agencies and other partners will seek opportunities to streamline efforts
201 and leverage human and financial resources to advance management, monitoring, and
202 education in the most cost-effective manner for the state.
203 • **Ensuring Transparency:** Management agencies and other partners will be forthcoming, honest,
204 and open in communications about actions related to MPA network management.
205 • **Engaging in Partnerships:** Agencies and other partners understand the importance and value
206 that exists from communicating and working together and will strive to support one another
207 through active communication and partnership to achieve effective MPA network management,
208 with a focus on enhancing implementation and achieving regional and overarching MPA
209 objectives.

210 **Section 2.4 Building Momentum: MPA Management**

211 To date most resources and energy have been focused on the time-intensive design process and
212 regulatory designation phases. However, the MPA Statewide Leadership Team, with support of many
213 partners, has worked diligently to ensure that critical management activities, such as enforcement,
214 outreach, and monitoring, are in place and executed within each MLPA region. For example, CDFW has
215 worked on regulatory cleanup and enforcement to enhance compliance and has worked alongside OST
216 to advance MPA monitoring. Baseline monitoring programs, designed to serve as a condition benchmark
217 as the MPAs are established in each region, are under way in the North Coast, North Central Coast, and
218 South Coast regions. The Central Coast region, the first one to designate MPAs under the MLPA,
219 completed its baseline characterization in 2012, providing decision-makers a benchmark which to gauge
220 the effects of MPAs regionally. Ongoing monitoring in the Central Coast region is moving forward in
221 2014.

222 There has been active engagement and communication across agencies and key partners. In 2010,
223 agencies and NGOs engaged in MPA management signed a memorandum of understanding (MOU) to
224 declare their commitment to the effective and collaborative management of the MPA network. This
225 MOU sets a collaborative tone that encourages additional partnerships across agencies, sectors, and
226 scale.^{iv} As further proof of the active interest in collaboration, CDFW and OST released a summary report
227 in 2013 to share baseline results from the Central Coast region. In partnership, FGC and OPC hosted the
228 State of California's Central Coast Symposium to reflect on the first five years of MPA monitoring and

^{iv} Recognizing the evolution of thinking and the approach to MPA management since the signing of the 2010 MOU for implementation, MOU signatories will be revising and updating the MOU in 2014-2015.

229 management and to share the vision of a collaborative path forward.⁹ There are numerous examples of
230 partnerships for MPA management that are well under way across multiple scales, too many to include
231 within this guiding document, but all critical to achieving our MPA goals and objectives.

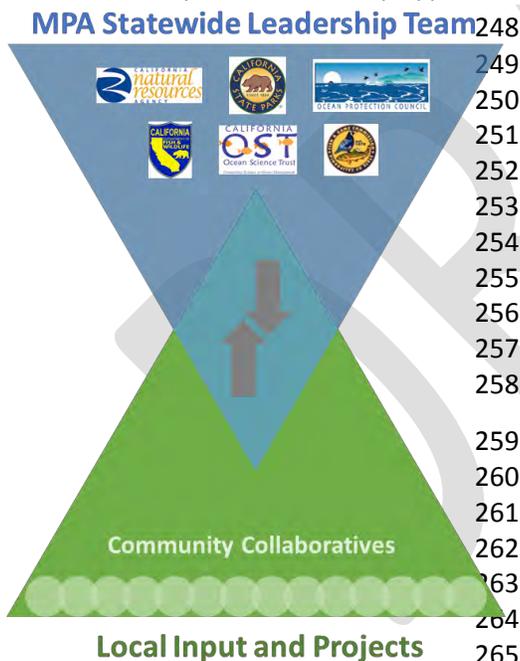
232 **Section 3. A Path to Success: Managing the MPA Network Across the State**

233 The state believes in the need to incorporate both state policy and regulation (top-down) and local,
234 community (bottom-up) approaches in MPA management, to link the direction and thinking by state
235 agencies with local level interest, energy, and knowledge, in order to create effective decision-making for our network of
236 MPAs. Subsequently, the MLPA reinforced a more top-down/bottom-up approach to MPA management and the
237 importance of linking the state scale to regional sub-networks and local MPA sites (See Figure 1). The Community
238 Collaboratives described in this Partnership Plan are a manifestation of the bottom-up component. The state sees
239 an opportunity to engage, support, and learn from the efforts of the unique and regionally diverse stakeholders of
240 the Community Collaboratives building on and amplifying

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.

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



249 **Section 3.1 Community Collaboratives: A Platform for Partnership**

250 From world-renowned scientists, to its energized local
251 governments and citizenry, California has a significant pool
252 of resources to draw from and leverage to support ongoing
253 management of the MPA network. OPC and its partners are
254 working to establish a network of local platforms for
255 engaging in MPA management called Community
256 Collaboratives. The statewide Community Collaborative
257 network is a bold new initiative that offers interested local
258 partners an opportunity to engage with and have an active
259 voice in MPA network management.

260 Case studies worldwide recognize the value of a
261 community-centric approach coupled with a robust
262 network-scale legal and management MPA management.
263 This is a localized, comprehensive approach bringing
264 together the unique set of players within each MPA
265 community (See Box 2). The Community Collaboratives will
266 bring local, tribal, and national government representatives
together with experts in various disciplines and state

267 agency staff operating at a regional or sub-regional level (e.g., CDFW wildlife officers or State Park
268 superintendents) to coordinate around the following areas: education and outreach, enforcement and
269 compliance, and research and monitoring.¹⁰ Participants can include, but are not limited to, agencies
270 with jurisdictional authority on or bordering MPAs, NGOs with outreach activities, aquaria with
271 information dissemination hubs, California tribes and tribal governments with stewardship efforts and
272 traditional knowledge, academia/research and private sector institutions with research and monitoring
273 projects, fishing and coastal business associations, and non-consumptive recreational users. Community
274 Collaboratives will meet regularly based on the needs of their distinct participants. The Community

275 Collaboratives provide a unique opportunity to engage and partner across sectors, but also to meet the
276 diverse needs and interests in the communities and regions effectively.

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

280 It is anticipated that over time each Community Collaborative could evolve as a body and in certain
281 instances possibly into more formal organizations, such as a 501(c)(3). As the Community Collaboratives
282 continue to develop, there may be a need to strengthen governance and organizational management
283 structures as well as create effective mechanisms to receive and/or allocate funding for MPA supporting
284 activities.

285 **Section 3.2 A Nested Approach for Coordination Across Scales**

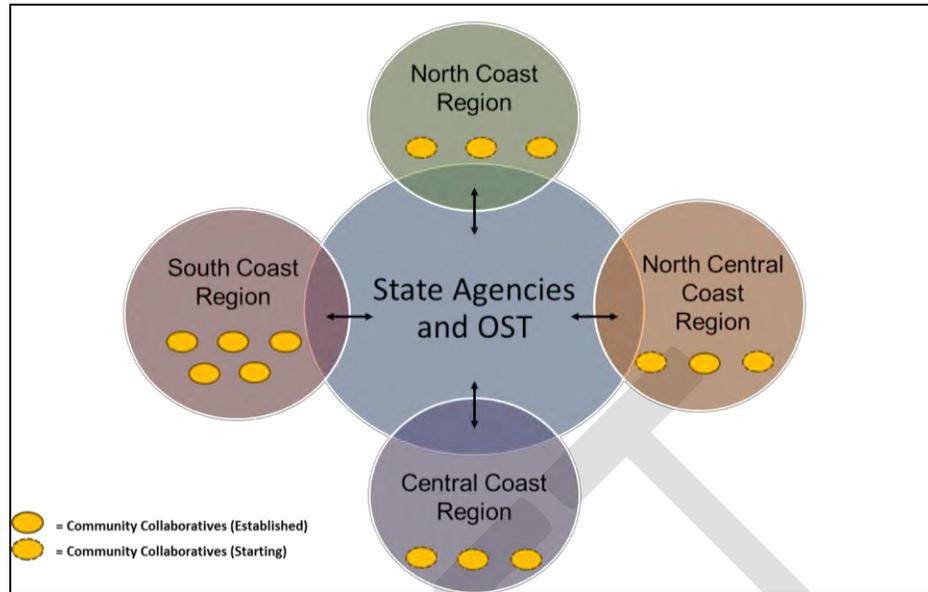
286 State resource agencies are committed to deepening their connections to local communities, but
287 efficient use of human and financial resources must be a consideration. Thus, the state proposes the
288 following initial approach to connect state and local management scales, with the expectation that the
289 shape of the engagement will evolve with time. It is important to note that while this approach will
290 streamline communications, state agencies are always willing to connect with local organizations as
291 needed.

292 OPC will lead an effort to encourage communication and coordination between the state and local
293 entities. OPC will allocate staff to support this coordination and engage with Community Collaboratives
294 at the regional scale. This will help provide a structured process for communicating the work being done
295 in the Community Collaboratives to decision-makers at the state level and ensure a coordinated and
296 effective effort across scales of government. This is a key element that supports the success of the top-
297 down/bottom-up approach intended in this Partnership Plan. As needed, OPC may organize meetings
298 for members of the Community Collaboratives within an MLPA designation region to provide an
299 opportunity for state agencies to communicate, listen, and learn from local entities supporting MPA
300 management or to discuss key issues. Staff from various state agencies working on aspects of
301 management, including enforcement, monitoring, and outreach and education at the network-wide
302 scale, would meet with community members to communicate directly and learn about common
303 concerns, management projects, and ideas related to MPA management at the local scale.^v In addition,
304 Forums will provide a platform for regional partners to engage with each other and give them an
305 opportunity to communicate and foster collaboration and cross-pollination. Ultimately, these Regional
306 Community Collaborative Forums serve the purpose of streamlining communication and coordination
307 across issues. See *Figure 2. Regional Coordination for Marine Protected Areas* for a representation of this
308 nested approach.

^v 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.

309

Figure 2. Regional Coordination for Marine Protected Areas



310

311

312 OPC will also organize a State Community Collaborative Forum, approximately once a year, that allows
313 members from all Community Collaboratives across the state to convene for an annual event, provided
314 funding and other resources and authorizations are available.

315 **Section 4. Opportunities for California Collaborative Partners**

316 Taking an inclusive approach to MPA management, OPC is committed to meaningful partnerships
317 among the state agencies and all interested entities and stakeholders for the successful management of
318 California’s MPA network. This section describes the various roles, including both existing and potential,
319 of relevant government and non-governmental actors.^{vi}

320 **Section 4.1 Creating Interagency Alignment**

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

323 **State**

324 This section summarizes the jurisdictional roles and responsibilities of the state agencies that work to
325 support MPA management. *Table 1. Summary of Core State Agency MPA Management and State*
326 *Legislatively-Mandated Partner Authorities, Roles, and Supporting Policies and Regulations* provides a
327 high-level summary of agency roles and responsibilities in terms of specific management activities.
328 There are a number of core agencies with authority and responsibility for MPA management, including
329 CDFW, OPC, and FGC, as determined by the MLPA, Marine Managed Areas Improvement Act (MMAIA),
330 Senate Bill (SB) 96, and California Ocean Protection Act (COPA) (See Appendix A for a full list and
331 summary of policies and regulations).

vi. All sectors, organizations, and entities are all welcome and encouraged to participate in the California Collaboratives, which will provide multiple opportunities and venues to engage.

332 OPC is the designated lead agency for guiding
333 policy direction of the network of MPAs as
334 determined by SB 96. As outlined in COPA, OPC
335 is also the coordinating body for MPA
336 management, as it is with a variety of other
337 issues.^{11,12} As such, OPC plays a vital function
338 as convener and coordinator of the MPA-
339 network management agencies and other
340 partners engaged in the California
341 Collaborative.¹³ As the coordinating lead in
342 governance, and as outlined in this document,
343 OPC will evaluate the effectiveness of
344 management in coordination and collaboration
345 with CDFW and FGC and the progress toward
346 MLPA goals to set future MPA policy for the
347 state (See Section 8. Evaluation of Effectiveness
348 of the California Collaborative Approach). OPC
349 also engages in a close partnership with OST to
350 support a science-based approach to ocean
351 and coastal management, as described in Box
352 3. In addition, OPC plays a role in coordinating
353 with agencies that are not currently part of the
354 MPA Statewide Leadership Team, but have a nexus with MPAs, such as State Lands Commission (SLC),
355 California Coastal Commission (CCC), and State Water Resources Control Board (SWRCB).

Box 3. A Key Partnership for California's Oceans the

The partnership between the State and 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 OPC and co-chair of 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.

356 FGC is directed by the MLPA and the MMAIA to be the primary regulatory decision-making authority for
357 regulations and rules related to state marine reserves and state marine conservation areas.^{14,15} It also
358 provides a venue for public comment and review of the *Master Plan for Marine Protected Areas*.

359 CDFW is a managing agency and has the primary statutory authority for recommending designation of
360 and managing MPAs within the MPA network designated by FGC, as well as for proposing recommended
361 amendments to the *Master Plan for Marine Protected Areas*. CDFW also supports FGC through
362 implementation of regulations, conducting research and monitoring, and granting scientific research
363 permits.^{16,17} CDFW is also the statutory authority to administer and enforce MPA regulations, with the
364 prosecution of state MPA poaching and pollution violations resting in the hands of city and district
365 attorneys (DAs).

366 The State Park and Recreation Commission, with support from State Parks, has the authority to
367 designate state marine reserves, state marine parks, and state marine conservation areas, but must do
368 so in concurrence with FGC if there are any changes to the use of living marine resources.¹⁸

369 State Parks is a managing agency with primary responsibility for managing state marine parks and select
370 state marine reserves and state marine conservation areas.¹⁹ State Parks manages seven state marine
371 parks and collaborates with CDFW to manage 38 MPAs that are offshore of existing coastal state park
372 units. Using tools such as interpretation and education, signage, cooperative research and monitoring,
373 and enforcement, State Parks works in tandem with local partners to strengthen and improve the
374 management of the network as a whole relative to existing state park units.

375 The SWRCB plays an important role in permitting for activities that may affect MPAs, such as
376 wastewater discharge or the discharge of pesticides to water.^{20, vii} SWRCB helps fulfill this mandate by
377 regulating coastal water quality through the Ocean Plan including the creation of “building blocks for a
378 sustainable, resilient coastal environment and economy,” through its oversight of 34 areas of special
379 biological significance (ASBS), many of which overlap with and are proximate to the state’s MPAs.
380 SWRCB also has the authority to designate State Water Quality Protection Areas (SWQPAs) within the
381 boundaries of MPAs.

382 Additional state agencies support MPA management using their permitting authority to reduce the
383 impacts of development and human uses. These include CCC and SLC. Directed by the California Coastal
384 Act, CCC’s mission is to “protect, conserve, restore, and enhance environmental and human-based
385 resources of the California coast and ocean for environmentally sustainable and prudent use by current
386 and future generations.” CCC has the authority to plan, permit, and regulate the use of land and water in
387 coastal zones. Permitting authority for sea walls and other construction activities that occur adjacent to
388 or within MPAs fall under the jurisdictional authority CCC under the California Coastal Act. Through
389 approved Local Coastal Programs, permitting authority can be transferred to local jurisdictions, such as a
390 city or other groups like county planning commissions. CCC also conducts extensive educational
391 programming on public access, California’s annual coastal cleanup day, and a grants program through
392 license plate fees. SLC has the authority to grant permits and leases for activities that may affect MPAs,
393 including oil and gas operations and leasing of tidal or submerged lands, as well as regulating marine
394 invasive species.²¹

395 As is evident, there are a number of state agencies that have overlapping jurisdictions and
396 responsibilities that touch upon MPAs in some manner. Thus, interagency coordination on permitting
397 will need to be a focus to help ensure future success, creating alignment and consistency for permitting
398 and management decisions. Agencies have already begun to take steps in this direction by developing
399 internal guidance for handling permit proposals that could affect MPAs, emphasizing early multi-agency
400 coordination and early consultation with proponents to promote consideration of alternative sites,
401 providing the public with maps showing MPAs overlaid with proposed project site alternatives, and
402 coordinating with OST to proactively identify scientific information that will support good decisions. The
403 MPA Statewide Leadership Team will meet at least annually with staff of permitting agencies to promote
404 agreement on priorities and alignment on permitting decisions. Now that the network is in place the
405 state will need to agree on priorities across agencies and align on permitting decisions.

406 The California State Legislature plays an important role in the governance of MPAs by adopting policy, as
407 needed, and by directing agency action through the appropriations of funds. California Attorney General
408 has jurisdiction in state MPA cases when the local DAs declare a conflict, or in specific multi-
409 jurisdictional cases.

410 State agencies aim to engage in interagency coordination efforts in order to map out a stronger
411 commitment for how agency staff can work together to align policy and permitting processes. Specific
412 steps that agencies can take to ensure sound decision-making on permit proposals and policies that
413 affect MPAs are being developed as the MPA Statewide Leadership Team itself advances interagency
414 coordination through the interagency work plan, which is currently being updated.^{viii}

^{vii} 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).

^{viii} A five-year implementation work plan, which details specific steps for implementing the MPA network, is under development by the MPA Statewide Leadership Team.

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

Management Role		Authorized Agency	Supporting Policies
Regulation, Policy, and Decision-Making		<ul style="list-style-type: none"> California Coastal Commission California Department of Fish and Wildlife California Fish and Game Commission California Ocean Protection Council Department of Parks and Recreation State Lands Commission State Legislature State Park and Recreation Commission State Water Resources Control Board 	<ul style="list-style-type: none"> <i>Administrative Procedures Act</i> <i>California Ocean Protection Act</i> <i>Fish and Game Code</i> <i>Marine Life Protection Act</i> <i>Marine Managed Areas Improvement Act</i> <i>Master Plan for Marine Protected Areas</i> <i>Title 14, Section 632, California Code of Regulations</i>
Permitting /Leasing	Scientific	<ul style="list-style-type: none"> California Department of Fish and Wildlife Department of Parks and Recreation State Lands Commission 	<ul style="list-style-type: none"> <i>California Public Resources Code {Section 6001-6009.1, 5001 -5873}</i> <i>Fish and Game Code 1002</i> <i>Master Plan for Marine Protected Areas</i>
	Coastal Development	<ul style="list-style-type: none"> California Coastal Commission State Lands Commission 	<ul style="list-style-type: none"> <i>California Coastal Act</i> <i>California Public Resources Code {Section 6001-6009.1}</i>
	Water Quality	<ul style="list-style-type: none"> State Water Resources Control Board 	<ul style="list-style-type: none"> <i>California Water Code {Chapter 6}</i> <i>Marine Managed Areas Improvement Act</i>
Enforcement		<ul style="list-style-type: none"> California Attorney General California Department of Fish and Wildlife (search, inspection, and citation authority) California District Attorney, including enforcement task forces Department of Parks and Recreation 	<ul style="list-style-type: none"> <i>California Fish and Game Code {Sections 856, 1006, 2012}</i> <i>Marine Life Protection Act</i> <i>Marine Managed Areas Improvement Act</i> <i>MOU for MPA Network Implementation</i> <i>State Penal Code 830</i>
Access		<ul style="list-style-type: none"> California Coastal Commission California Department of Fish and Wildlife Department of Parks and Recreation State Lands Commission 	<ul style="list-style-type: none"> <i>California Coastal Act</i> <i>California Public Resources Code {Sections 30210–30214}</i> <i>Marine Managed Areas Improvement Act</i> <i>Proposition 20</i>
Monitoring, Research and Evaluation		<ul style="list-style-type: none"> California Department of Fish and Wildlife California Ocean Science Trust Department of Parks and Recreation State Water Resources Control Board 	<ul style="list-style-type: none"> <i>California Ocean Resources Stewardship Act</i> <i>Marine Life Protection Act</i>
Partnership Coordination		<ul style="list-style-type: none"> California Coastal Commission California Department of Fish and Wildlife California Department of Parks and Recreation California Fish and Game Commission California Natural Resource Agency California Ocean Science Trust California Ocean Protection Council State Lands Commission State Water Resources Control Board 	<ul style="list-style-type: none"> <i>California Ocean Protection Act</i> <i>MOU for MPA Network Implementation</i>
Identification of Long-term Funding		<ul style="list-style-type: none"> California Ocean Protection Council 	<ul style="list-style-type: none"> <i>California Ocean Protection Act</i> <i>Senate Bill 96</i>

417

418 Federal

419 As the MPA network falls entirely within state waters (defined by the Submerged Land Act as zero to
 420 three nautical miles from shore), there is limited federal jurisdiction over MPA management.^{22,23,24}

421 However, there are many ways that federal agencies can support management based on their existing
 422 roles (See Table 2).

423 Several federal agencies have committed themselves to collaboration and coordination through the
 424 MOU for MPA network management, including the United States Department of Commerce National
 425 Oceanic and Atmospheric Administration (NOAA), Department of Defense (DOD), and National Park
 426 Service (NPS).²⁵ They will support MPA management by various means including participating in the
 427 Community Collaboratives, collaborating on outreach and education activities, as well as additional
 428 activities not yet determined. Furthermore, some agencies, such as NOAA and their National Marine
 429 Sanctuaries (NMS) line office, have the authority to support and designate new or expand existing MPAs
 430 in state and federal waters, which can help to strengthen California’s statewide network.²⁶

431 U.S. Coast Guard (USCG) has acknowledged its support and mutual interest in MPA enforcement by
 432 signing a memorandum of agreement (MOA). The MOA states there are additional opportunities for
 433 coordination of enforcement effort and that USCG may assist CDFW with the enforcement of state
 434 regulations by notifying CDFW enforcement authorities when they observe a violation and, if requested,
 435 supply evidence to document the violation.²⁷

436 There is an opportunity to expand collaboration and partnerships with federal agencies around MPA
 437 management in the future. Additional agencies that could engage in the California Collaborative
 438 approach include Bureau of Land Management (BLM), especially in alignment with their administration
 439 of California Coastal National Monument, Bureau of Ocean Energy Management, Department of Justice,
 440 Integrated Ocean Observing System, U.S. Environmental Protection Agency National Estuary Programs,
 441 U.S. Fish and Wildlife Service, and Pacific Fisheries Management Council.

442 *Table 2. Existing and Potential Supporting Roles of Federal Agencies, Departments, and Programs in MPA*
 443 *Implementation*

Entity	Existing and Potential Roles in MPA Management
Bureau of Land Management	<ul style="list-style-type: none"> • Administer California Coastal National Monument, which includes many offshore rocks adjacent to and within MPAs • Coordinate enforcement efforts • Contribute education and outreach capacity
Bureau of Ocean Energy Management (BOEM)	<ul style="list-style-type: none"> • Responsible for managing the development of conventional (oil and natural gas) and renewable energy resources (wind and wave) and mineral resources on the Outer Continental Shelf (OCS) offshore²⁸ • Provide data framework to support decision-making from Marine Cadastre, a marine information system for the Outer Continental Shelf and state waters²⁹
Department of Defense	<ul style="list-style-type: none"> • Participate in local-scale collaborations to stay abreast of MPA management activities • Lead resource surveys like marine resource assessments at the local level³⁰ • Conduct at sea training and testing operations with sensitivity and awareness of MPAs³¹ • Maintain authority over access to some MPAs • 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 base³²
Department of Justice	<ul style="list-style-type: none"> • 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 Department of Justice and 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 Shreveport³³

Entity	Existing and Potential Roles in MPA Management
Integrated Ocean Observing System (IOOS)- including Central California Ocean Observing System (CenCOOS) and Southern California Coastal Ocean Observing System (SCCOOS)	<ul style="list-style-type: none"> • Conduct monitoring and data collection that could inform adaptive management³⁴ • Foster partnerships with state, tribal, federal, and NGOs • Provide ocean and coastal data and data products to support MPA management activities • Help address the information needs of MPA managers to define environmental patterns and variations over multiple scales
National Oceanic and Atmospheric Administration (NOAA)-Office of National Marine Fisheries Service	<ul style="list-style-type: none"> • Conduct monitoring and data collection that could inform adaptive management • Maintain authority to patrol, search, inspect, and cite violations of federal regulations (NOAA’s Office of Law Enforcement) • Foster partnerships with state, tribal, federal, and NGOs • Participate in cooperative fisheries enforcement with other enforcement agencies to implement international treaties and obligations • Perform outreach and compliance building activities • Support Joint Enforcement Agreement with CDFW • Provide funding to the state to enforce federal regulations in state waters, in federal offshore waters, and in bays, estuaries, rivers, and streams³⁵
NOAA Coastal Services Center	<ul style="list-style-type: none"> • Collaborate with the MPA Center on creating and disseminating MPA public outreach materials • Developed MPA Online Mapping Tool designed to help users visualize MPA boundaries and provide access to MPA Inventory data³⁶
NOAA MPA Center	<ul style="list-style-type: none"> • Coordinate MPA programs and projects managed by diverse agencies across all levels of government^{ix}
NOAA National Marine Sanctuaries	<ul style="list-style-type: none"> • Designate National Marine Sanctuaries in federal and state waters³⁷ • Patrol, including boats and aircraft, in all California Sanctuaries³⁸ • Coordinate enforcement efforts, share physical resources, cross deputize state officers, and provide federal funds for state operations³⁹ • Develop informational materials, including maps, that reference state MPAs co-located with Sanctuaries • Contribute other education and outreach capacity and infrastructure (e.g. visitor centers) • Conduct research and monitoring that could feed into adaptive management • Participate in local-scale collaboration
NOAA National Estuarine Research Reserve System (NERRS)	<ul style="list-style-type: none"> • Currently there are three NERRS within California (San Francisco, Elkhorn Slough, and Tijuana River) • NERRS contributes to the implementation of the Executive Order 13158, which calls for an expanded and strengthened system of MPAs in the United States⁴⁰ • NERRS Benthic Monitoring includes examining patterns and processes of benthic community development, which also has direct implications for the science and management of MPAs⁴¹
U.S. Environmental Protection Agency National Estuary Programs	<ul style="list-style-type: none"> • Three programs found in California—including Morro Bay National Estuary Program and San Francisco Estuary Partnership and Santa Monica Bay Restoration Commission—which are now state programs⁴² • Include MPAs in education and outreach messaging, including information on websites and at visitor centers • Support monitoring programs, such as aerial surveys⁴³
National Park Service	<ul style="list-style-type: none"> • Enforcement personnel stationed at federal parks along California coast and some off-shore islands⁴⁴ • Coordinate enforcement efforts and resources with CDFW • Contribute other education and outreach capacity and infrastructure (e.g. visitor centers) • Participate in local-scale collaboration • Has authority over access to some MPAs • Conduct and support research and monitoring that could feed into adaptive management • Provide outreach materials and display panels at beach access points for interpretation at all coastal

^{ix} With passage of the FY13 federal budget, the MPA Center is now housed within the Office of National Marine Sanctuaries.

Entity	Existing and Potential Roles in MPA Management
	parks <ul style="list-style-type: none"> Collaborate on research and monitoring that feeds into the adaptive management program
Pacific Fisheries Management Council	<ul style="list-style-type: none"> 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, and over some species in state waters, such as groundfish⁴⁵ Under the National Marine Sanctuaries Act, given the opportunity to draft regulations for review, approval, and implementation of marine reserves and MPAs⁴⁶ Able to draft letters of support or opposition for actions that may affect MPAs
U.S. Coast Guard	<ul style="list-style-type: none"> Authority to search, inspect, and cite violations 3–200 miles off the coast Ability to observe violations in state MPAs and submit enforcement action report as evidence Provide support for state and federal fisheries regulation enforcement⁴⁷
U.S. Fish and Wildlife Service	<ul style="list-style-type: none"> Statutory authority to enforce Marine Mammal Protection Act, Endangered Species Act, and Lacey Act

444

445 California Tribes and Tribal Governments

446 The coastline and marine waters of California are situated within the ancestral territories of tribes, who
 447 lived along the coast, utilized marine resources, and stewarded marine and coastal ecosystems for
 448 countless generations. From their knowledge of marine life and marine management practices,
 449 California tribes and tribal governments are essential partners who must be engaged early and often
 450 and effectively on all aspects of marine planning, enforcement, and management. Pursuant to its
 451 authority in Fish and Game Code section 2850.5, Executive Order B 10 11, and consistent with CNRA’s
 452 Final Tribal Consultation Policy, OPC has determined and declares that tribal support and active
 453 engagement with marine policy and science are essential to the ongoing success of the state’s marine
 454 and coastal program and the full implementation of the state’s MPA network.^{48,49,50} Furthermore,
 455 involved entities should explore opportunities for co-management with tribes within the area of an
 456 MPA; however, further consultation and collaboration with California tribal governments will be needed
 457 on how best to define co-management.

458 OPC supports the commitment of FGC and CDFW to fully include tribal issues in their rules in accordance
 459 with their consultation policies. OPC desires to create both effective ongoing working relationships with
 460 interested tribes with ancestral connections to the ocean and to coastal areas and to establish specific
 461 actions that shall be taken for early communication and coordination.

462 OPC has four requirements for effective relationship building and for consultation and coordination with
 463 California tribes and tribal government:

- 464 • **Relationship Building.** OPC recognizes that government-to-government consultations and tribal
 465 coordination work more effectively to resolve issues if relationships have been fostered and lines of
 466 communication have been open, clear, and coordinated early. Thus, OPC designates its Executive
 467 Director and the tribal liaison to work with California tribes and tribal governments on an ongoing
 468 basis to build relationships and so that information can be provided in an effective and timely
 469 manner. This work shall include convening workshops, working meetings, education and outreach,
 470 and any other informational session that would allow OPC to effectively communicate with and
 471 build foundational relationships with California tribes and tribal governments. The Executive
 472 Director is encouraged to contact and include tribal liaisons for any relevant managing or
 473 designating entities when relevant.^x

^x Please refer to Table 1 and table 2 for examples of managing entities.

- 474
- 475
- 476
- 477
- 478
- 479
- 480
- 481
- 482
- 483
- 484
- 485
- 486
- 487
- 488
- 489
- 490
- 491
- 492
- 493
- 494
- 495
- 496
- 497
- 498
- 499
- 500
- 501
- 502
- 503
- **Formal Consultation with Tribal Government.** OPC shall, at the earliest possible opportunity, or at the request of any California tribal government, engage in government-to-government consultation consistent with CNRA’s Final Tribal Consultation Policy. The Executive Director and/or the Chair of the OPC shall meet with and hear any California tribal issues or concerns as well as provide information on planning or regulatory changes that might be relevant to or otherwise affect tribal government partners.
 - **Consultation and Coordination Shall Include Managing Entities.** Managing entities (*listed in Tables 1 and 2*) shall, consistent with their own tribal consultation policies, communicate and meet with California tribal government on potential roles and responsibilities of tribes interested in collaboration for MPA management. Consistent with all department-level policies, executive staff from OPC, managing entity, and FGC shall be prepared to share information with one another about tribal engagement and to develop responsive and timely solutions that address tribal concerns, suggestions, or needs within existing mandates. Further, if the tribal request cannot be accommodated, the entities should be prepared to provide California tribes with as much information as possible to explain why a particular request cannot be fulfilled. Any time a meeting is set or requested by a California tribe or tribal government, the Executive Director of OPC, Regional Manager for the Marine Region for CDFW, and Executive Director for FGC are recommended to notify and invite the appropriate parties and managing entities.
 - **Tribal Engagement.** Similarly, California tribes and tribal governments should consider identifying proper notice lists as well as the roles that they would like to play and the topical areas about which they want to be contacted. These roles and areas of interest could include, but are not limited to, outreach and education; stewardship (land tending); scientific research and monitoring (incorporating traditional knowledge); compliance and enforcement; permitting, code, and policy development; and sustainable financing. These roles and responsibilities may be developed and executed within their own authority and jurisdictions, as well as through joint agreements with state agencies, with the understanding that there may be potential limitations based on tribal status and/or existing laws not controlled by or regulated by OPC or its member entities.

504 OPC believes that there are different levels of tribal engagement to support effective MPA management,
505 recognizing that each California tribe is unique and has distinctive perceptions in the roles they could
506 play. Appendix B contains a chart that indicates the types of activities and potential opportunities for
507 specific tribal engagement.

508 Local and Regional Government

509 Participation by local and regional governments is essential for effective MPA network management.
510 Currently there is an opportunity to determine interest, manage expectations, and increase
511 understanding where local and county governments can support MPA management, within their
512 jurisdictional boundaries. *Table 3 Regional and Local Government Existing and Potential Roles and*
513 *Responsibilities* lists local governments and the existing and potential roles they are currently or could
514 play in MPA management.^{xi} Appendix C details roles for engaging the California Collaborative.

515

^{xi} It is important to point out that most of the state agencies discussed above operate at regional and local scales. In addition, this is not an exhaustive list, but only a few examples of existing and potential role and responsibilities for local and regional governments.

516 Table 3. Local and Regional Government Existing and Potential Role and Responsibilities

Entity		Existing and Potential Role and Responsibilities	
City			
City Council		<ul style="list-style-type: none"> Participate and actively engage in local-scale collaborations⁵¹ Develop local ordinances in support of and consistent with state laws on MPAs⁵² Engage with organizations and entities, including California tribes, NGOs, private, and academic, actively involved in the area of the MPA 	
City Government		<ul style="list-style-type: none"> Protect MPAs through city planning decisions City attorneys prosecute MPA violations, such as in San Francisco, Los Angeles, and San Diego Prosecute MPA violations of local ordinances 	
Local Enforcement (harbor police, city police, sheriffs, resource enforcement officers, and lifeguards)		<ul style="list-style-type: none"> Participate in county-wide MPA enforcement trainings for all law enforcement personnel who regularly patrol in or adjacent to MPAs⁵³ Take appropriate enforcement action on violations observed within jurisdictional boundaries⁵⁴ Engage with organizations and entities, including California tribes, NGOs, private, and academic, actively involved in the area of the MPA 	
County			
County Fish and Game Commissions		<ul style="list-style-type: none"> 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)⁵⁵ Cultivate relationships through local-scale collaborations⁵⁶ Engage with organizations and entities, including California tribes, NGOs, private, and academic, actively involved in the area of the MPA 	
County Government		<ul style="list-style-type: none"> Office of District Attorney’s environmental unit (e.g., Environmental Protection Unit) is responsible for prosecuting environmental crimes, including MPA violations, if applicable⁵⁷ Coordinate with CDFW to provide legal expertise and support prosecution of violations^{58,59} Participate and actively engage in local-scale collaborations Engage with organizations and entities, including California tribes, NGOs, private, and academic, actively involved in the area of the MPA 	
Boards of Supervisors		<ul style="list-style-type: none"> Adopt local and county ordinances in support of and consistent with state laws on MPAs Adopt General Plans and other planning documents that include references to MPAs Engage with organizations and entities, including California tribes, NGOs, private, and academic, actively involved in the area of the MPA 	
Regional Water Control Boards		<ul style="list-style-type: none"> Issue and enforce permits to control the discharge of waste to state waters⁶⁰ Engage with organizations and entities, including California tribes, NGOs, private, and academic, actively involved in the area of the MPA Monitor water quality protection areas (funded by Prop 84) that may overlap with MPAs⁶¹ 	

517

518 Joint Power Authorities

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

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

524 Core to the California Collaborative approach is the role of non-governmental partners. They have
 525 played an important role to date and will continue to do so by filling needs and gaps, bolstering overall
 526 management of the MPA network, and building support and constituencies for the MPAs, often through
 527 public-private partnerships. *Table 4. Summary of Existing and Potential Roles for Non-Governmental*
 528 *Partners* provides an overview of the roles that academic/research institutions, NGOs, fishermen, non-
 529 consumptive recreational users, and private sector partners can play to support the statewide network.
 530 There are opportunities now and in the future to expand the California Collaborative approach and to
 531 include additional partners. Appendix C details roles for engaging the California Collaborative.

532
 533 *Table 4. Summary of Existing and Potential Roles for Non-Governmental Partners*

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

534 **Section 5. Novel Participation: Effective Collaboration and the California**
 535 **Collaborative Approach**

536 Leveraging partnerships and collaborations is important in ensuring cost-effective and strong
 537 management of the MPA network as well as meeting the network-wide objectives described above in

538 Section 2.2. OPC encourages partners of the California Collaborative to build strong, focused
539 partnerships and outlines this philosophy and approach in this section.

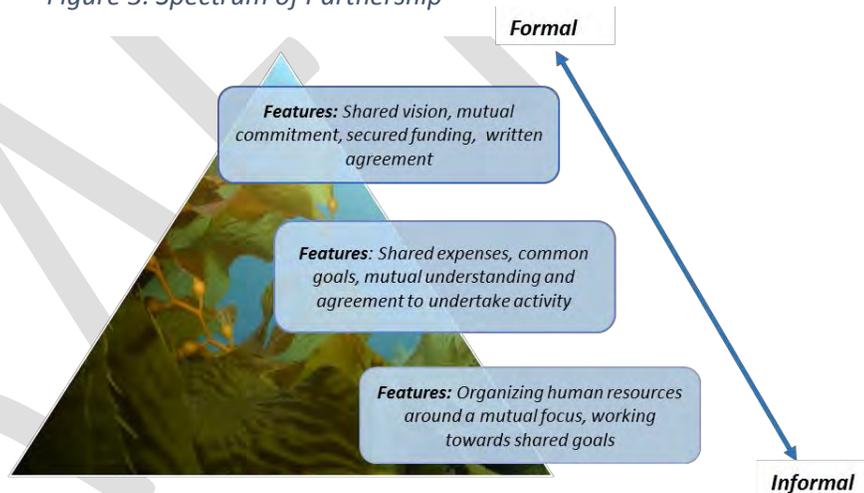
540 California's natural resource agencies and supporting partners are committed to effective coordination
541 and collaboration toward successful management. To fulfill this commitment, partnerships will be
542 guided by a philosophy of *respect, mutual benefit, trust and transparency, and accountability*. Effective
543 partnerships agree on goals, objectives, and responsibilities of each entity and work to promote
544 mutually beneficial outcomes through shared engagement. Appendix D details principles for effective
545 partnerships and elements of strong partnership agreements.

546 Section 5.1. Types of Partnership Approaches

547 There are multiple models for productive partnerships that entities could engage in as part of the
548 California Collaborative approach. As long as the core principles are met, this document does not intend
549 to bound the range of partner models; rather it encourages creative approaches. These can range from
550 more-formal partnership engagements where, for example, entities jointly secure funding, share a
551 vision, and outline roles and responsibilities. These partnerships are often memorialized by a written
552 agreement. In a mid-level partnership
553 commitment, partners may share
554 expenses, share outcomes and goals, and
555 agree to undertake certain activities. In
556 the least formal form of partnership,
557 partners organize human resources
558 around a mutual focus and are working
559 toward shared outcomes and goals.

560 *Figure 3 Spectrum of Partnership* maps
561 out some of the different models of
562 partnerships by demonstrating the
563 continuum of commitment from more
564 formal to informal. To understand what
565 elements promote durable partnership
566 agreements, for those partnerships that
567 are more formalized, see Appendix D.

Figure 3. Spectrum of Partnership



568 Section 5.2. Managing Expectations and Performance

569 A mutual respect for each partner's roles and responsibilities is key. It is critical to manage expectations
570 within partnerships. Going forward, state, tribal, and local governments with jurisdiction will need to be
571 clear about their policy and legal limitations as well as their capacity to provide support. This is the value
572 of developing a partnership agreement, such as an MOU, MOA, contract, or letter of support; useful
573 tools that serve to eliminate miscommunication or misaligned expectations. In most instances, a legal
574 contract must be in place if the collaboration includes an exchange of funds. Agreements should identify
575 the exact amount of funds, timeline, and what specific activities or deliverables must be undertaken or
576 developed to receive the funds. It is important to note that all parties must be aware of and understand
577 both the value and benefit of the relationship and the limitations of potential partners prior to
578 engagement. This is especially true when engaging in partnerships with government agencies, which
579 need to adhere to applicable federal and state laws and agency policies on partnership.

580 Section 5.3. Conflict Resolution

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

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

589 Section 6. Opportunity for Adaptive Management

590 This section provides an overview of the commitment and philosophy for adaptive management in
591 implementing and maintaining the MPA statewide network. For information related to the actual
592 process for conducting adaptive management, please refer to the 2015 *Master Plan for Marine*
593 *Protected Areas*.

594 Adaptive management is a continual process of assessing, evaluating, and improving ongoing decisions
595 in light of new knowledge and evidence.⁶² The MLPA defines adaptive management as:

596 *A management policy that seeks to improve management of biological resources, particularly in*
597 *areas of scientific uncertainty, by viewing program actions as tools for learning. Actions shall be*
598 *designed so that, even if they fail, they will provide useful information for future actions, and*
599 *monitoring and evaluation shall be emphasized so that the interaction of different elements*
600 *within marine systems may be better understood.*⁶³

601 The definitive purpose of adaptive management is to understand if California's statewide network of
602 MPAs is making progress in achieving the six goals stated in the MLPA. It is essential that not only
603 agencies but also Californians know if there is progress toward the MLPA goals and if the MLPA is
604 ultimately an effective tool for managing and protecting California's coastal and marine resources. The
605 MLPA and the MMAIA directed the redesign of California's MPA system, improvement of management
606 of the MPA system to increase its coherence and its effectiveness at protecting the state's marine
607 natural resources, habitats, and ecosystems.⁶⁴ Adaptive management is a rigorous process that includes
608 a hypothesis and a set of questions focused on biological/ecological, socioeconomic, and management
609 effectiveness factors, which support a framework for measuring data and organizing monitoring around
610 those questions. Decisions are made knowing that there is a certain amount of risk involved due to
611 information gaps and factors of uncertainty. However, these unknowns are minimized as scientific
612 information is collected to inform better decision-making.

613 Adaptive management is informed by various activities such as baseline monitoring and ongoing
614 research and monitoring of both biological/ecological and socioeconomic indicators and other data.
615 California is already moving forward with monitoring activities to inform adaptive management. For
616 instance, baseline monitoring was completed for the Central Coast region in 2012, and each of the
617 remaining three MLPA coastal regions are undergoing a five-year baseline monitoring program. Led by
618 CDFW and OST, the goal of the baseline monitoring program is to provide critical information on
619 ecological and socioeconomic conditions that will serve as a benchmark to measure future MPA
620 performance.⁶⁵ In addition to being mandated by the MLPA, monitoring MPAs will prove valuable in the
621 future to detect changes and provide rigorous scientific information to inform adaptive management.
622 MPA monitoring endeavors will leverage existing efforts, such as OST, SWRCB, and academic research
623 projects, aiming to improve opportunities to enhance data comparability and create additional linkages
624 between monitoring programs. Monitoring data will subsequently feed into an adaptive management
625 process that is undertaken by both FGC and OPC. The Master Plan maps out the specific process that will
626 be led by FGC and CDFW to undergo adaptive management of the regulations that support the MPA
627 network.

628 Mapping out the current approach for monitoring, OST, in collaboration with CDFW, will lead the
629 development of monitoring plans for each region which will be adopted by FGC; these plans – and
630 subsequent efforts to identify ongoing research and monitoring in each region – will provide a
631 structured framework for entities wishing to contribute to MPA monitoring to engage. Regional
632 monitoring plans for the North Central, Central, and South Coast regions apply a monitoring framework
633 to assess performance that represents the needs and interests of individual regions while allowing for
634 cross-regional performance assessments.^{xii66} This monitoring framework is focused on management
635 priorities and is responsive to policy guidance, ensuring that policy-makers, resource managers, and the
636 public have scientific information at the correct points in the decision-making process and that
637 information is readily accessible.⁶⁷ Policy guidance in the MLPA and the Master Plan underpins the
638 monitoring framework. Guided by the Master Plan, MPA monitoring and evaluation is:

- 639 • Useful to managers and stakeholders for improving MPA management,
- 640 • Practical in use and cost,
- 641 • Balanced to seek and include scientific input and public participation,
- 642 • Flexible for use at different sites and in varying conditions, and
- 643 • Holistic through a focus on both natural and human perspectives.⁶⁸

644 In addition, evaluation will take into account contextual information about compliance level, the history
645 of uses, relevant design features, and other factors.

646 **Section 7. MPA Management Financial Investment and Revenue Sources**

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

650 **Section 7.1 Commitment to Investing in the MPA Network**

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

655 In total, the FY13/14 annual investment in statewide MPA management was approximately \$10 million.
656 This is contributed by the primary management agencies—OPC, CDFW, and FCG—and distributed across
657 various management activities that are under way, including monitoring and evaluation, enforcement,
658 outreach and education, policy and regulation decision-making, and partner coordination. The public-
659 private partnership with Resources Legacy Fund (RLF) and California’s philanthropic sector provides a
660 unique opportunity to contribute additional funds to cover the cost of MPA management until 2016 and
661 potentially beyond. *Table 5. Summary of FY2013 Per Annum Marine Protected Area Management*
662 *Investment by Contributor* shares a one-year snapshot of the total investment from each of the core
663 agencies and RLF in Fiscal Year 2013 and provides examples of the activities that are covered by their
664 support. Note that the exact funding amounts change from year to year and will continue to shift in the
665 future, especially since allocations from the General Fund change annually. In addition, this is merely a
666 sample, not a comprehensive list, of all of the activities supported by these funds.

667

^{xii} North Coast regional monitoring plan is in the process of being finalized.

668 *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"> Monitoring and evaluation Partner coordination Outreach and education Policy decision-making
CDFW	\$5,729,000	<ul style="list-style-type: none"> Enforcement Outreach and education Monitoring and evaluation Master Plan and regulatory cleanup
FGC	\$6,000	<ul style="list-style-type: none"> Regulation decision-making
RLF	\$3,000,000	<ul style="list-style-type: none"> Monitoring (including coordinating and planning) Partner coordination
TOTAL	\$11,783,000	

669
 670 Although difficult to quantify, in-kind support will continue to be a significant contributor to the overall
 671 investment in California’s MPAs. Partners of the California Collaborative can provide in-kind support in a
 672 number of different ways. Examples of in-kind support include:

- 673 • Compliance with rules and regulations enhanced by local law enforcement and other
 674 governmental personnel that can report, document, and, in some cases, take enforcement
 675 action on violations,
- 676 • Data sharing by researchers that can support decision-making,
- 677 • MPA monitoring through citizen science initiatives, or
- 678 • Outreach support by NGOs and aquaria to communicate information aligned with CDFW
 679 outreach guidelines that promote stewardship of MPAs.

680 **Section 7.2 Continued Investment**

681 The state will continue to contribute resources to invest in management of the California MPA network;
 682 however, the investment may shift, based on priorities and needs in the future. As documented in Table
 683 5, the total estimated annual investment covers a core set of management activities. The investment in
 684 MPA management will likely continue within these activities; however, the distribution of funds across
 685 the activities may shift as priorities, needs, and context changes. For example, once the baseline studies
 686 for each region are completed, monitoring costs will potentially decrease as efforts focus more on
 687 ongoing monitoring. Conversely, as the Community Collaboratives become more sophisticated and
 688 robust, increased investment will be needed to maintain efforts and improve organizational
 689 effectiveness.

690 While the state is committed to investing in MPA management, core funding currently comes from
 691 California’s General Fund, which can fluctuate with the economy and political will. In addition, revenue
 692 from bond measures, like those collected through the *Safe Drinking Water, Water Quality and Supply,*
 693 *Flood Control, and River and Coastal Protection Bond Act of 2006* (Proposition 84), will twilight as funds
 694 are expended and bond funds are not suited to ongoing program costs, in addition to being inherently
 695 variable over time. Thus, there is a need to stabilize and diversify funding to ensure long-term
 696 sustainable financing for critical MPA management costs now and into the future.

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

- 699 • Monitoring,
- 700 • Compliance and enforcement,
- 701 • Engagement with Community Collaboratives, and

702 • Tribal collaboration and coordination.

703 A significant amount of monitoring costs are currently provided by revenue from Proposition 84,
704 primarily covering the baseline monitoring programs. However, this revenue source will terminate as of
705 2018, leaving a void of approximately \$1.6 million per year for monitoring.^{xiii} Financial support of
706 monitoring activities is crucial to inform adaptive management and to determine how the MPAs and the
707 network are meeting the goals of the MLPA. Increased financial support is needed to improve capacity
708 for compliance and enforcement efforts. Additional funds can improve access to technology and
709 supplement outreach capacity, increasing awareness of regulations. Funding is also needed to continue
710 to drive the Community Collaboratives and to give the state the necessary support to remain engaged
711 and to continue to provide guidance to Collaboratives both at the local scale and through the Regional
712 Community Collaborative Forums. Continued support will allow the Community Collaboratives to evolve
713 into effective and transparent supporters of the California Collaborative approach. Lastly, it is essential
714 that the state have the necessary funds to continue to support ongoing management and engage in
715 meaningful tribal consultation on MPA management.

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

719 **Section 7.3 Meeting the Need: Potential Revenue Sources**

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

727 Potential Funding Sources—State and Local Government

728 There are various funding sources generated by the state or local governments that currently could fund
729 MPA management activities. The most significant source of funding and source of the core funding for
730 MPA management is the state's General Fund. Other state sources that could be drawn upon include
731 water and resource bonds, natural resource leases, civil penalties, voluntary contributions through
732 license plate funds, and mitigation fees. In addition, local revenue may be collected through city or
733 county bed taxes collected through the hospitality industry. This variety of sources provides a diversified
734 mosaic of potential funding sources from the state government.

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

- 740 • General funds,
- 741 • Environmental license plate funds,
- 742 • Future water/resource bonds,
- 743 • State tidelands lease revenue,
- 744 • Oil spill prevention and administration funds,

^{xiii} OPC also supported the establishment of the MPA Monitoring Enterprise at \$4.5 million.

- 745 • Once-through cooling and desalination mitigation fees,
746 • Decommissioning offshore oil platforms,
747 • Fish and Game Preservation Funds,^{xiv}
748 • Natural resource damage assessment funds,
749 • City or county bed tax,
750 • Recreational non-consumptive user fees, and
751 • Other local, statewide, or national nonprofit ocean conservation organizations that help steward
752 MPAs.

753

754 Potential Funding Sources—Federal Government

755 Numerous federal partners—including USCG, NPS, NMS, BLM, and Department of the Navy—currently
756 provide a wide range of in-kind support for MPA management, ranging from USCG helicopter over
757 flights of MPAs with CDFW wardens on board to use of NMS vessels for research and monitoring of
758 MPAs.

759 The federal Energy Policy Act of 2005 established the Coastal Impact Assistance Program (CIAP), which
760 authorized funds to be distributed to Outer Continental Shelf (OCS) oil- and gas-producing states to
761 mitigate the impacts of OCS oil and gas activities. CNRA developed a CIAP Plan, which described
762 proposed projects, expenditure of funds, and state administration of the CIAP.⁶⁹ Between 2007 and
763 2010, CIAP provided approximately \$3-4 million a year for programs in the California, including funding
764 to CDFW for monitoring and enforcing of MPAs, to OPC in support of seafloor mapping, and to State
765 Parks to support participation in the MLPA process. This funding will continue into 2014 and 2015, as
766 CIAP will be supporting monitoring surveys of MPAs by remote operated vehicles. CIAP funds will be
767 expended within the next several years; Congress has not reauthorized the CIAP program nor created
768 another vehicle to distribute oil and gas royalties to the states.

769 The Bureau of Indian Affairs (BIA) has many programs involved with natural resource management on
770 tribal lands. Several of these can be used on lands not held in trust, but managed by California tribes and
771 tribal governments. Programs include funds for assessments and studies, development of resource
772 management plans, habitat restoration, and training of tribal natural resource managers. These could be
773 accessed through co-management opportunities with tribes.⁷⁰

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

777 Private Philanthropy

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

- 784 • California Ocean Science Trust,

^{xiv} Funds from multiple sources, including taxes, licenses, permits, fees, fines, rental of state property, sales of confiscated property, and other revenue, are deposited into the Fish and Game Preservation Fund. This Fund is a non-dedicated fund that can be allocated for both game and non-game uses, including habitat conservation, as is deemed necessary. Funds from this source could be allocated toward MPA management, but it is not possible to earmark funds to this purpose.

- 785 • California Wildlife Foundation,
- 786 • California Wildlife Officers Foundation,
- 787 • California State Parks Foundation,
- 788 • Academic institutions,
- 789 • Community Foundations, and
- 790 • Local-scale fiscal sponsors.

791 Private Sector

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

796 Section 8. Looking Forward: Evaluation of Effectiveness of the California 797 Collaborative Approach

798 Evaluating the effectiveness of the California Collaborative approach and MPA governance is critical to
799 the overall success of the MPA network. OPC, in collaboration and coordination with CDFW and FGC, is
800 committed to improving performance moving forward and ensuring that the state and its partners meet
801 the MPAs four network-wide objectives, described in Section 2.2. Thus, OPC will develop and lead a
802 participatory process for evaluating the effectiveness of collaboration and MPA management in order to
803 inform adaptation of policy, governance, and the California Collaborative approach and inform the
804 evaluation process.

805 Evaluating effectiveness of governance and the California Collaborative can lead to a number of valuable
806 outcomes for various entities involved in the management process, including, for example, increased
807 interagency coordination and collaboration, cross-sector partnership and community engagement,
808 transparency, and compliance. Specifically, evaluating management effectiveness can lead to MPA
809 managers using results to improve their performance, reporting on achievements, and flagging areas
810 where they require additional human-resources support or funding. Likewise, policy-makers and funding
811 agencies can use the results to highlight areas of concern, setting future priorities, and promoting better
812 management practices as needed.⁷¹ This will also help OPC and CDFW communicate needs to policy-
813 makers and request more financial support for MPA management.

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

- 820 • Broad participation and support across the stakeholder spectrum,
- 821 • Reliable, credible, transparent and salient scientific information to guide management decisions,
- 822 • Broad understanding of rules and regulations that support compliance,
- 823 • Implementation of FGC monitoring plans,
- 824 • Effective coordination across agencies and partners, including tribal government and
825 communities, to implement the California Collaborative approach, and
- 826 • Sustainable funding, optimization of the use of existing funds, and additional funds effectively
827 leveraged for the statewide network.⁷²

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

830 As the California Collaborative approach moves forward, these six key measures can help assess and
831 determine the effectiveness of MPA governance and the California Collaborative approach itself, with
832 the understanding that improvements can be made to increase levels of success. The measures will be
833 tested by OPC through a highly adaptive and robust evaluation process to be developed and to allow for
834 course-correction as needed.

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

DRAFT

845

846

847

848

849

850

851

852

853

Appendices

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

Policy	Description
State Policies	
Marine Life Protection Act	<ul style="list-style-type: none"> • Passed in 1999: Codified at Fish and Game Code Section 2850-2863 and subsequently directs 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”⁷³ and make MPAs more understandable and easier to enforce to improve compliance • Seeks to fulfill six goals related to MPA implementation see page 2 to review a full description of each of the goals • 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 • Section 2863 directs CDFW to “confer as necessary with the United States Navy regarding issues related to its activities”
Marine Life Management Act	<ul style="list-style-type: none"> • Passed in 1998: Codified in Fish and Game Code commencing with Section 7050 the MLMA opened a new era in the management and conservation of California's marine living resources. The MLMA includes a number of innovative features including being applied to not only to fish and shellfish taken by commercial and recreational fishermen, but to all marine wildlife.⁷⁴ • Rather than assuming that exploitation should continue until damage has become clear, the MLMA shifts the burden of proof toward demonstrating that fisheries and other activities are sustainable. • Consolidated greater management authority within FGC and the CDFW. • Rather than focusing on single fisheries management, the MLMA requires an ecosystem perspective including the whole environment. The MLMA strongly emphasizes science-based management developed with the help of all those interested in California's marine resources. • The MLMA set forth several underlying goals that complement and overlap with the MLPA. Conserve Entire Systems: It is not simply exploited populations of marine life that are to be conserved, but the species and habitats that make up the ecosystem of which they are a part. Non-Consumptive Values: Marine life need not be consumed to provide important benefits to people, including aesthetic and recreational enjoyment as well as scientific study and education. Sustainability: Fisheries and other uses of marine living resources are to be sustainable so that long-term health is not sacrificed for short-term benefits. Habitat Conservation: The habitat of marine wildlife is to be maintained, restored or enhanced, and any damage from fishing practices is to be minimized. Restoration: Depressed fisheries are to be rebuilt within a specified time.
Marine Managed Area Improvement Act	<ul style="list-style-type: none"> • 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 protections areas • 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”⁷⁵ • Section 36725(a) authorizes 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 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” • 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” • Section 3625(d) authorizes SWRCB to “designate, delete, or modify state water quality protection areas” • Section 3625(f) “directs (1) CDFW may manage state marine reserves, state marine conservation areas, state marine recreational management

	<p>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 California regional water quality control boards may take appropriate actions to protect state water quality protection areas</p>
California Ocean Protection Act (COPA)	<ul style="list-style-type: none"> Passed in 2004, amended in 2011: Establishes OPC as the coordinating body for purposes related to coastal and ocean resources and sets up the California Ocean Protection Trust Fund⁷⁶ 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”
California Ocean Resources Stewardship Act (CORSA)	<ul style="list-style-type: none"> Passed in 2000: directs OST to manage the science needs for State of California as they relate to ocean resources Section 36972(a) authorizes OST to “ensure adequate coordination of ocean resources management science among state, regional, and federal agencies and marine science institutions” 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”
Senate Bill No. 96, Committee on Budget and Fiscal Review. Budget Act of 2013: public resources	<ul style="list-style-type: none"> Section 22 requires CDFW to “regulate the protection of marine plants and animals in MPAs as defined” Existing law establishes OPC in state government, and prescribes the membership, terms of office, and functions and duties of the council This bill would require that, “commencing on July 1, 2013, OPC assume responsibility for the direction of policy of MPAs”⁷⁷
California Coastal Act	<ul style="list-style-type: none"> 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”⁷⁸ 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”⁷⁹
State Regulation	
Master Plan for Marine Protected Areas	<ul style="list-style-type: none"> 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 MPAs⁸⁰ (see MLPA for more information) A process to update and revise the Master Plan so that is more focused on the management of the MPA network is currently underway
California Fish and Game Code Title 14, Section 632	<ul style="list-style-type: none"> Lists areas that have been declared by FGC to be MPAs, MMAs, or special closures⁸¹ 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 Sub-section (b): Areas and Special Regulations for Use maps out the specific coordinates of boundaries and prohibitions for 147 specific MPA sites
California Fish and Game Code Sections 856, 1006, 2012	<ul style="list-style-type: none"> Section 856 establishes grants enforcement authority to deputized law enforcement officers employed by CDFW⁸² Section 1006 establishes inspection authority to CDFW “where birds, mammals, fish, reptiles, or amphibia may be stored, placed, or held for sale or storage”⁸³ 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 CDFW⁸⁴

State Penal Code (830) Peace Officers	<ul style="list-style-type: none"> 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” Local harbor districts and sheriff and police departments can employ peace officers to conduct on-water patrols within their jurisdiction⁸⁵ 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” 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”⁸⁶
Division 6 California Public Resource Code	<ul style="list-style-type: none"> 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 resources⁸⁷ Section 6217.2 (d) authorizes 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”⁸⁸
California Water Code	<ul style="list-style-type: none"> Designates SWRCB as the state water pollution for all purposes stated in the federal Water Pollution Control Act⁸⁹ Section 13170.2(a) requires 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
Federal Policies	
Submerged Lands Act	<ul style="list-style-type: none"> 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”⁹⁰
National Marine Sanctuaries Act	<ul style="list-style-type: none"> 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 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”⁹¹ Section 303 indicates 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”
Magnuson-Stevens Fishery Conservation and Management Act	<ul style="list-style-type: none"> 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”⁹² 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”
Coastal Zone Management Act	<ul style="list-style-type: none"> Passed in 1972: Purpose is to provide management of the nation's coastal resources, including the Great Lakes, and balance economic development with environmental conservation⁹³

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

806 Below is a list of existing and potential roles that California tribal governments and communities can
 807 play to support MPA management. This is not an exhaustive list and there are many other potential
 808 roles to explore in the future.

Management Role	Activities
Education and Outreach	<ul style="list-style-type: none"> • Lead or collaborate on education and outreach related to history, traditional knowledge, preservation, and revitalization of tribal culture as relevant to ensuring the protection or evaluation of MPAs • 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 • Support the creation of tribal marine education programs for tribal education, public outreach, and ecological and cultural literacy⁹⁴
Stewardship (Land and Species Tending)	<ul style="list-style-type: none"> • Lead or participate in Community Collaboratives • Participate in decision-making process through consultation on rules and regulations • Sit on scientific and technical committees related to management and conservation of MPAs • Lead or join efforts to support MPA pollution prevention and watch programs, beach trash pick-up events, restoration projects, and other activities⁹⁵ • Partake in collaboration and partnership building to enhance relationships between tribes and the state, locally or regionally⁹⁶
Science: Research and Monitoring	<ul style="list-style-type: none"> • Collaborate to design evaluation criteria and conduct MPA monitoring for MPA network performance • Collaborate to design and implement approaches to incorporate traditional knowledge into MPA monitoring • Sit on scientific and technical committees related to MPA research and monitoring • Collaborate with scientific and technical committees to provide understanding of traditional knowledge
Compliance and Enforcement	<ul style="list-style-type: none"> • Develop explanatory or other materials so compliance is less complicated • Collaborate on enforcement, monitoring, and implementation • Collaborate with District Attorney and tribal authorities on developing complementary administrative and enforcement processes on tribal land
Sustainable Financing	<ul style="list-style-type: none"> • Lead or collaborate on supporting and raising funds for aspects of MPA management and enforcement that are of importance to (a) tribe(s)
Traditional Knowledge— Education and Incorporation	<ul style="list-style-type: none"> • Provide education, outreach, or other information to support decision-making, including information on the interconnected nature of habitats, systems, and regional resource values

809

810

811 **Appendix C: Roles for Engaging in the California Collaborative**

812 NGOs and local governments can play many different roles to support management and to cultivate
813 stewardship for California’s MPAs. In many cases, NGOs and local government are already playing many
814 of these roles to support MPA management.

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, supporting MPA messaging, and volunteering for
830 established and robust citizen-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.⁹⁷ 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*.⁹⁸
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
- 866 ➤ **Support Enforcement and Compliance:** Local law enforcement can work within their
867 jurisdictional boundaries to build awareness of MPA regulations, provide accurate information,
868 and observe and report violations. When working within their jurisdiction, officers may write
869 and file a complaint or arrest for a violation. Local enforcement can educate local law
870 enforcement to further build awareness of MPA regulations. Local law enforcement can be the
871 “first line of defense” and can be a valuable resource in building awareness for MPA regulations,
872 providing accurate information, and developing intelligence.
873
- 874 ➤ **Leverage Funding for MPA Management:** Local governments can help financially support MPA
875 management by providing funding opportunities directly or through in-kind contributions of
876 staff time and resources. Cities could also leverage state funds through their existing support of
877 projects and programs, such as recreation and education.
878
- 879 ➤ **Engage in MPA Outreach:** Many local governments currently operate education and outreach
880 programs. There is an opportunity for these programs to align with the messaging and protocols
881 reviewed and approved by CDFW to ensure consistency.

882 **Appendix D: Best Practices for Partnership and Components of Effective** 883 **Partnership Agreements**

884

885 Partners of the California Collaborative should abide by the following best practices in order to ensure
886 that partnerships are effective and to avoid any conflict:⁹⁹

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

900

901 For more formalized partnerships, establishing a written partnership agreement is also critical.

902 Components of an effective partnership agreement may include:

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

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

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

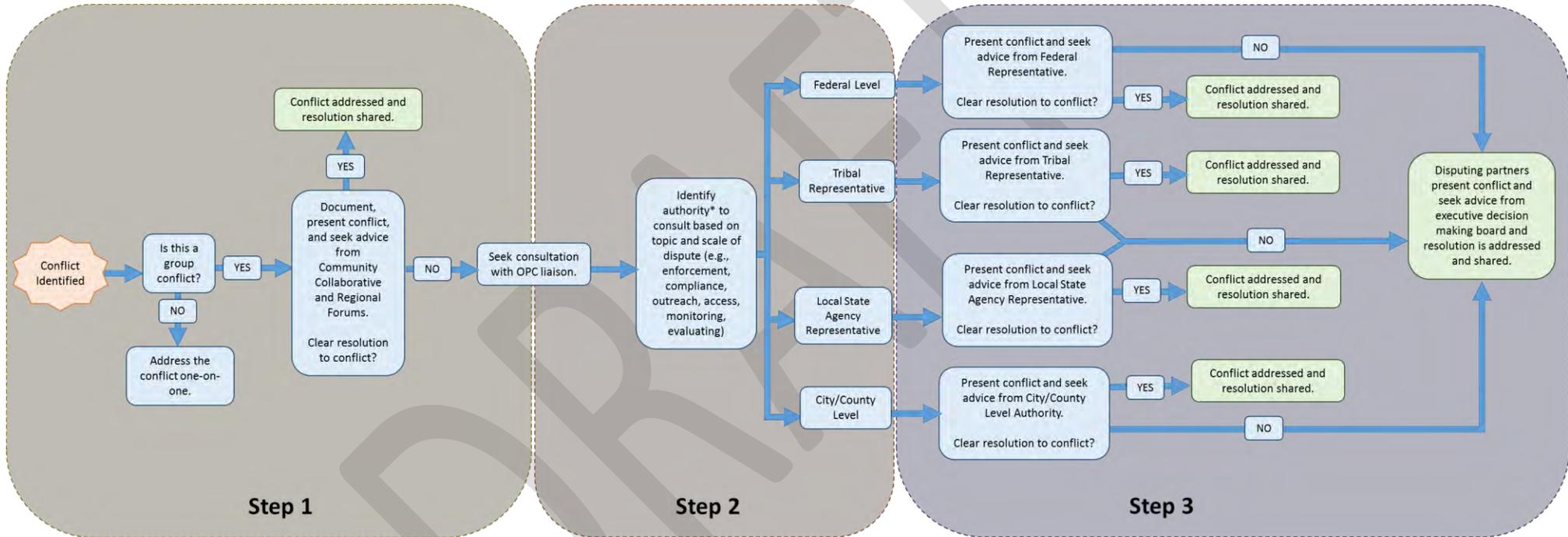
- 918 • Is this partnership operating successfully?
- 919 • What are the weaknesses or shortcomings of the partnership?
- 920 • Is the partnership successfully advancing each partner's goals?

921

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

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

927
 928 The state encourages conflict resolution processes that do not let disagreements escalate and, to the extent possible, promotes resolution
 929 at the local scale using minimal resources. Partners are encouraged to work together in collaboration with local authorities, such as city,
 930 county, or tribal governments or community councils to develop solutions and tools that resolve conflicts and issues equitably. Below is a
 931 graphic depiction of the recommended incremental approach and process to addressing conflict in California Marine Protected Areas.
 932



*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

State Source	Description
General Funds	<ul style="list-style-type: none"> The most significant source of state funding Provided core funding for MLPA management Monies allocated to CDFW for MLPA-related activities in 2012–2013 totaled just over \$5 million¹⁰⁰
Environmental License Plate Funds (ELPF)	<ul style="list-style-type: none"> 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 implementation¹⁰¹ 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 In 2011–2012, about \$40 million was allocated from ELPF, with approximately \$423,000 for MLPA-related activities allocated to CDFW¹⁰²
Future Water/Resource Bonds	<ul style="list-style-type: none"> 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 Proposition 84 provided \$90 million to OPC for investment in ocean programs Approximately 50% allocated in support of the activities and projects directly relevant to the MLPA Funds will be helpful in addressing issues upstream of MPAs, such as water quality Bond funding is limited to use for capital expenditures and not a viable source of support for ongoing staffing costs
State Tidelands Revenues	<ul style="list-style-type: none"> California receives a portion of the revenue derived from sale of oil and gas extracted from the state’s tidelands Level of funds generated varies with production and oil prices
Oil Spill Prevention and Administration Fund	<ul style="list-style-type: none"> 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 Opportunity to increase the fee, but past attempts have failed 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
Once Through Cooling Mitigation Fees	<ul style="list-style-type: none"> In 2010, SWRCB adopted a <i>Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling</i> (OTC Policy) OTC Policy requires conversion of coastal power plants from once-through cooling to alternative cooling to eliminate the loss of fish and larvae 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 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” Directs California Coastal Conservancy to work with OPC on the proper allocation of those fees Mitigation fees for all the state’s coastal power plants may generate up to \$5.9 million dollars for MPA programs beginning in 2015 Funds could be available from 2017 to 2020, although some may remain open until 2029 Availability of interim mitigation fees will change over time
Desalination Mitigation Fees	<ul style="list-style-type: none"> 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 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 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 Difficulty in predicting the future pace or design of coastal desalination operations and therefore to estimate the timing or range of possible revenues Revenues from desalination mitigation fees are likely to be far less than those generated from once-through cooling since the volumes of water are expected to be much smaller

State Source	Description
Decommissioning Offshore Oil Platforms	<ul style="list-style-type: none"> California has 27 offshore oil platforms, 23 of which are in federal waters 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 Requires that the fee would be placed in a California Endowment for Marine Preservation 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 Some of these funds would go to CDFW to create a program to manage the decommissioning process Funds would be used for projects to conserve, protect, restore, and enhance the open coastal and marine resources of the state Estimated revenues from the program range from \$500 million to \$1 billion Expected that leases will continue as long as oil prices remain high and interest in decommissioning remains low
Natural Resource Damage Assessment Funds	<ul style="list-style-type: none"> When an oil spill or similar incident occurs in California waters, CDFW, USFWS, and NOAA typically work together to conduct a natural resource damage assessment (NRDA)¹⁰³ 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 A certain percentage of fines from oil spills are allocated to restoration in the spill region
City or County Bed Tax	<ul style="list-style-type: none"> 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 This could be excised at the city or county scale Funds collected could go toward MPA management, including enforcement
Recreational Non-Consumptive User Fees	<ul style="list-style-type: none"> Users are charged a small fee to access MPAs 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 Fees could be collected through recreational tour operators
Fish and Game Preservation Funds	<ul style="list-style-type: none"> Funds from multiple sources, including taxes, licenses, permits, fees, fines, rental of state property, sales of confiscated property, and other revenue, are deposited into the Fish and Game Preservation Fund. Fund is a non-dedicated fund that can be allocated for both game and non-game uses, including habitat conservation, as is deemed necessary. Funds from this source could be allocated toward MPA management, but it is not possible to earmark funds to this purpose Fines and forfeitures imposed based on violations of the Fish and Game Code must be divided between the State and the county where the fine was imposed¹⁰⁴ County Fish and Game Advisory Commissions appointed by Boards of Supervisors typically advise county government on dispersal of fine monies with a focus on spending the funds on programs that benefit fish and wildlife

Appendix G. Organizations with Funding Mechanisms in Place for Philanthropy

Organizations Able to Receive Funds	Funding Mechanism Description
California Ocean Science Trust	<ul style="list-style-type: none"> • 501(c)(3) nonprofit public benefit corporation able to receive funds from private or public donors • 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
California Wildlife Foundation	<ul style="list-style-type: none"> • 501(c)(3) nonprofit organization dedicated to protecting the state’s wildlife species and supporting programs of CDFW and its agency and resources partners • Past projects have included support for MLPA implementation
California Wildlife Officers Foundation	<ul style="list-style-type: none"> • 501(c)(3) nonprofit organization created to support Wildlife Officers • Foundation funds may be used to assist officers in conducting studies and obtaining equipment or other resources necessary for protecting wildlife and the environment
Local Fiscal Sponsors	<ul style="list-style-type: none"> • 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 Santa Barbara Channel Collaboratives, all use fiscal sponsors • Goal is to function as a model for localized implementation of marine conservation efforts through regional communication and cooperation
California State Parks Foundation	<ul style="list-style-type: none"> • 501(c)(3) nonprofit organization whose mission is to help enhance State Parks with educational programs, capital projects, competitive grants, and fundraising • Official relationships with more than 88 cooperating associations dedicated to enhancing the educational and interpretive programs in California State Parks
Academic Institutions with Relevant Expertise in Ocean Science	<ul style="list-style-type: none"> • Receive funds from private philanthropy to support MPA monitoring • Provide in-kind support for MPA management related activities • Have access to a variety of grants, such as federal grants, which could leverage MPA related efforts
Community Foundations	<ul style="list-style-type: none"> • 501(c)(3) charitable foundations that commonly operate at the city or county level and exist across the state • Ability to set up special interest funds to support California’s MPAs • Provides a mechanism for individuals or structured foundations to give • Networks, like the League of California Community Foundations, can be an effective central hub for helping community foundations to develop philanthropy around MPAs

Endnotes

- ¹ California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2850-2863) 2004. http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf.
- ² California Department of Fish and Wildlife. *Regional MPA Statistics*. 2012. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/statistics.asp>.
- ³ Center for Ocean Solutions. "Pacific Ocean Synthesis Executive Summary: Scientific Literature Review of Coastal and Ocean Threats, Impacts, and Solutions." 2009. The Woods Institute for the Environment, Stanford University. California. <http://centerforoceansolutions.org/PacificSynthesis.pdf>
- ⁴ United Nations Convention of Biological Diversity 2011-2020 Strategic Plan Aichi Biodiversity Targets. Web 28 Feb. 2014. <http://www.cbd.int/sp/targets/>.
- ⁵ California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2850-2863) 2004. http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf.
- ⁶ Ibid.
- ⁷ California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2855-2859) 2004. http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf.
- ⁸ California. Legislature. California Department of Fish and Game. CA Code (FGC 2855(a), 2856(a)(2)). <http://codes.lp.findlaw.com/cacode/FGC/1/d3/10.5/s2856>.
- ⁹ California Ocean Science Trust and California Department of Fish and Wildlife. "State of the California Central Coast: Results from Baseline Monitoring of Marine Protected Areas 2007-2012." Feb. 2013. Web. 12 Sept. http://oceanspaces.org/sites/default/files/cc_results_report.pdf.
- ¹⁰ Department of Fish and Wildlife. "Marine Protected Area Collaborative Implementation Project Handout." 2013. Print.
- ¹¹ California. Legislature. *California Ocean Protection Act*. CA Codes (PRC: 3500-35515). 2004. Web. 13 Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=35001-36000&file=35500-35515>.
- ¹² California. Senate. Senate Bill 96. 2013. Web 10. Sept. 2013. <http://legiscan.com/CA/text/SB96/2013>.
- ¹³ California. Legislature. *California Ocean Protection Act* (PRC: 3500-35515). 2004. Web. 13 Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=35001-36000&file=35500-35515>.
- ¹⁴ California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ¹⁵ California. Legislature. *Marine Managed Areas Improvement Act*. CA Codes (PRC: 36600-36620), 2005. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=36001-37000&file=36600-36620>.
- ¹⁶ California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ¹⁷ California. Legislature. *Marine Managed Areas Improvement Act*. CA Codes (PRC: 36600-36620), 2005. Web. 20 Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=36001-37000&file=36600-36620>.
- ¹⁸ Ibid.
- ¹⁹ Ibid.
- ²⁰ California. Legislature. Water Code. CA Codes (Chapter 6: Permits). Web. 25 Oct. 2013. <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=wat>.
- ²¹ California. Legislature. CA Codes (PRC: 6001-6009.1). Web. 25 Oct. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=6001-6009.1>.
- ²² California. Legislature. California State Constitution. Web. 30 Apr. <http://www.leginfo.ca.gov/const-toc.html>.
- ²³ "California Government Code Section 170." - California Attorney Resources. Web. 30 Apr. 2014. <http://law.onecle.com/california/government/170.html>.
- ²⁴ U.S. Congress. *Submerged Lands Act*. (43 U.S.C. 1301 et seq.), 1953. Web. 19 Sept. 2013. <http://www.boem.gov/uploadedFiles/submergedLA.pdf>.
- ²⁵ Memorandum of Understanding for Implementation of the California Marine Life Protection Act Handout. 2010.
- ²⁶ Ibid.
- ²⁷ Memorandum of Agreement between California Department of Fish and Wildlife and United States Coast Guard Eleventh District Handout. 2013.
- ²⁸ Bureau of Ocean Energy Management. "Pacific OCS Region." *BOEM Homepage*. Bureau of Ocean Energy Management, n.d. Web. 10 Sept. 2014. <http://www.boem.gov/Pacific-Region/>.
- ²⁹ Rozek, Stephanie. *The Multipurpose Marine Cadastre: A Tool for Planning & Decision Making in the Marine Environment*. N.p.: Bureau of Ocean Energy Management, Regulation and Enforcement, 2011. http://www.boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/MMC_OregonTaskForce08012011.pdf

-
- ³⁰ National Oceanic and Atmospheric Administration. National Marine Protected Areas Center. Federal Agency Progress Report Under Executive Order 13158 on Marine Protected Areas. 2004. Web. 28 Oct. 2013. <http://marineprotectedareas.noaa.gov/pdf/helpful-resources/fed-agency-prog-rpt.pdf>.
- ³¹ Ibid.
- ³² National Oceanic and Atmospheric Administration. State of the Nation's De Facto Marine Protected Areas. 2008. http://marineprotectedareas.noaa.gov/helpful_resources/inventoryfiles/defacto_mpa_report_0608.pdf.
- ³³ United States Environmental Protection Agency. Enforcement. *Civil Cases and Settlements*. 2014. Web. 9 Jan. 2014. <http://www2.epa.gov/enforcement/city-shreveport-settlement>.
- ³⁴ Integrated Ocean Observing System. "Linking IOOS to the National System of Marine Protected Areas. 2008. http://www.ioos.noaa.gov/library/mpa_final.pdf
- ³⁵ California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ³⁶ National Oceanic and Atmospheric Administration. NOAA Coastal Services Center. US Marine Protected Areas Online Mapping Tool. Web. 17 Sept. 2013. <http://www.csc.noaa.gov/digitalcoast/tools/mpaviewer>.
- ³⁷ U.S. Congress. *National Marine Sanctuaries Act*. (16 U.S.C 1431 et seq.) 2000. <http://sanctuaries.noaa.gov/library/national/nmsa.pdf>.
- ³⁸ California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ³⁹ Ibid.
- ⁴⁰ National Estuarine Research Reserve System. NERRS. *The National Estuarine Research Reserve's System-Wide Monitoring Program (SWMP): A Scientific Framework and Plan for Detection of Short-Term Variability and Long-Term Change in Estuaries and Coastal Habitats of the United States*. 2007. Web. 9 Jan. 2014. <http://nerrs.noaa.gov/Doc/PDF/Research/SWMPPlan.pdf>.
- ⁴¹ Ibid.
- ⁴² United States Environmental Protection Agency. Estuaries and Coastal Wetlands. *National Estuary Program (NEP) Overview*. . 2014. Web. 30 Jan. 2014. http://water.epa.gov/type/oceb/nep/upload/NatGeo_color_2013.pdf.
- ⁴³ Santa Monica Bay Foundation. Programs. Web 28 January 2014. <http://www.santamonica.org/learn/our-work/in-the-ocean/>.
- ⁴⁴ California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ⁴⁵ Pacific Fishery Management Council. Habitat and Communities: Marine Reserves and Marine Protected Areas. Web. 25 Oct. 2013. <http://www.pcouncil.org/habitat-and-communities/marine-protected-areas/>.
- ⁴⁶ Ibid.
- ⁴⁷ United States Coast Guard. Enforcement Branch. Web. 17 Sept. 2013. <http://www.uscg.mil/d8/enforcement/>.
- ⁴⁸ California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2850-2863) 2004. http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf.
- ⁴⁹ Brown, Edmund G., Jr., and Debra Bowen. "Office of Governor Edmund G. Brown Jr. - Newsroom." Office of Governor Edmund G. Brown Jr. - Newsroom. State of California, 19 Sept. 2011. Web. 03 Oct. 2014. <http://gov.ca.gov/news.php?id=17223>
- ⁵⁰ California Natural Resources Agency. "California Natural Resources Agency Final Adoption of Tribal Consultation Policy." November 20, 2012.
- ⁵¹ Orange County Marine Protected Areas Council. Who Are We? 2012. Web. 9 Jan. 2014. <http://www.ocmarineprotection.org/>.
- ⁵² City of Santa Monica. City of Santa Monica Agendas- Regular City Council Meetings and Special Meeting of the Redevelopment Agency. 2009. Web. 9 Jan. 2014. http://santamonica.granicus.com/MediaPlayer.php?view_id=2&clip_id=1292.
- ⁵³ Orange County Marine Protected Area Council. *Marine Enforcement Workshop*. Corona Del Mar: Orange County Sheriff Harbor Patrol Department. 16 May 2012. Print.
- ⁵⁴ California. Legislature. Penal Code (Section: 830). Web. 16. Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=830-832.17>.
- ⁵⁵ Sonoma County Fish and Wildlife Commission. About The Commission. 2014. Web. 9 Jan. 2014. <http://www.sonoma-county.org/wildlife/about.htm>.
- ⁵⁶ Sonoma County Fish and Wildlife Commission. Programs. 2014. Web. 9 Jan. 2014. <http://www.sonoma-county.org/wildlife/programs.htm>.
- ⁵⁷ City and County of San Francisco. District Attorney. *Special Operations*. 2014. Web. 9 Jan. 2014. <http://www.sfdistrictattorney.org/index.aspx?page=33>.
- ⁵⁸ California Department of Fish and Wildlife. CDFW NEWS. *CDFW Director Makes Statement on Environmental Damage Settlement*. 2013. Web. 9 Jan. 2014. <http://cdfgnews.wordpress.com/2013/11/15/cdfw-director-makes-statement-on-environmental-damage-settlement/>.
- ⁵⁹ Office of the District Attorney, Orange County. Economic Crimes- Environmental Protection. *Law*. 2014. Web. 9 Jan. 2014. <http://www.orangecountyda.com/home/index.asp?page=120>.
- ⁶⁰ California Environmental Protection Agency. Colorado River Basin Regional Water Quality Control Board. *Water Boards' Structure*. 2012. Web. 9 Jan. 2014. http://www.waterboards.ca.gov/coloradoriver/about_us/water_boards_structure.shtml.

-
- ⁶¹ California Environmental Protection Agency. State Water Resources Control Board. *Water Issues- Ocean Standards*. 2013. Web. 9 Jan. 2014. http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.shtml.
- ⁶² National Oceanic and Atmospheric Administration. *Protecting America's Marine Environment: A report of the Marine Protected Areas Federal Advisory Committee on Establishing and Managing a National System of Marine Protected Areas*. 2005. http://marineprotectedareas.noaa.gov/pdf/fac/mpafac_report_06_05.pdf.
- ⁶³ California. Legislature. *Marine Life Protection Act*. CA Codes (FGC 2850-2863) 2004. http://www.dfg.ca.gov/marine/pdfs/mlpa_language.pdf.
- ⁶⁴ Ibid.
- ⁶⁵ MPA Monitoring Enterprise. "Evolving MPA Monitoring in California: Aligning Science and Policy Handout". 2013. Print.
- ⁶⁶ Ibid.
- ⁶⁷ Ibid.
- ⁶⁸ Ibid.
- ⁶⁹ State of California. Coastal Impact Assistance Program Final Plan. 2009. Web. 28 Oct. 2013. http://resources.ca.gov/ocean/CIAP/Final_CIAP_Plan.pdf.
- ⁷⁰ Bureau of Indian Affairs. "Who We Are: Division of Natural Resources, Branch of Fish, Wildlife, and Recreation. Web. 3 Oct. 2014. <<http://www.bia.gov/WhoWeAre/BIA/OTS/NaturalResources/FishWildlifeRec/index.htm>>.
- ⁷¹ Mangubhai, Sangeeta, and Sue Wells. A Workbook for Assessing Management Effectiveness of Marine Protected Areas in the Western Indian Ocean. IUCN, 2004, Web. 30 Jan. 2014. <http://data.iucn.org/dbtw-wpd/edocs/2004-138.pdf>.
- ⁷² Waugh, John. Report on Monitoring and Evaluation Options for the Sustainable Financing and Management of Eastern Caribbean Marine Ecosystems for the OECS Project: Final Report. Semaphore Inc., 2010, Print.
- ⁷³ California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 10 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ⁷⁴ California Department of Fish and Wildlife. "Marine Life Management Act." *Marine Life Management Act*. California Department of Fish and Wildlife, n.d. Web. 02 Oct. 2014. <<http://www.dfg.ca.gov/marine/mlma/>>.
- ⁷⁵ California. Legislature. *Marine Managed Areas Improvement Act*. CA Codes (PRC: 36600-36620), 2005. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=36001-37000&file=36600-36620>.
- ⁷⁶ California. Legislature. *California Ocean Protection Act*. CA Codes (PRC: 3500-35515). 2004. Web. 13 Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=35001-36000&file=35500-35515>.
- ⁷⁷ California. Senate. Senate Bill 96. 2013. Web. 10. Sept. 2013. <http://legiscan.com/CA/text/SB96/2013>.
- ⁷⁸ California Coastal Commission. Program Overview. Web. 25 Oct. 2013. <http://www.coastal.ca.gov/whoweare.html>.
- ⁷⁹ California Coastal Act (PRC: Division 20), 2013. Web. 25 Oct. 2013. <http://www.coastal.ca.gov/coastact.pdf>.
- ⁸⁰ California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ⁸¹ California Department of Fish and Game. *Existing Marine Protected Areas in California: Regulations (Title 14, Section 632)*. Web 11 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/title14section632.asp>.
- ⁸² California. Legislature. Fish and Game Code Section 856. Web. 20 Sept. 2013. <http://law.onecle.com/california/fish/856.html>.
- ⁸³ California. Legislature. Fish and Game Code Section 1006. Web. 20 Sept. 2013. <http://law.onecle.com/california/fish/1006.html>.
- ⁸⁴ California. Legislature. Fish and Game Code Section 2012. Web. 20 Sept. 2013. <http://law.onecle.com/california/fish/2012.html>.
- ⁸⁵ California Department of Fish and Game. California Department of Fish and Game. *California Marine Life Protection Plan Master Plan for Marine Protected Areas*. Jan. 2008. Web. 16 Sept. 2013. <http://www.dfg.ca.gov/marine/mpa/masterplan.asp>.
- ⁸⁶ California. Legislature. Penal Code (Section: 830-832.17). Web. 16. Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=830-832.17>.
- ⁸⁷ California State Lands Commission. About the California State Lands Commission. Web. 25 Oct. 2013. http://www.slc.ca.gov/About_The_CSLC/About_The_CSLC_Home_Page.html.
- ⁸⁸ California. Legislature. CA Codes (PRC: 6201:6266). Web. 25. Oct. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=06001-07000&file=6201-6226>.
- ⁸⁹ California. Legislature. Water Code (Section 13160-13193.9). <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=wat&group=13001-14000&file=13160-13193.9>.
- ⁹⁰ U.S. Congress. *Submerged Lands Act*. (43 U.S.C. 1301 et seq.), 1953. Web. 19 Sept. 2013. <http://www.boem.gov/uploadedFiles/submergedLA.pdf>.
- ⁹¹ U.S. Congress. *National Marine Sanctuaries Act*. (16 U.S.C 1431 et seq.) 2000. <http://sanctuaries.noaa.gov/library/national/nmsa.pdf>.
- ⁹² National Oceanic and Atmospheric Administration. National Marine Fisheries Service. Magnuson-Stevens Fishery Conservation and Management Act. 1996. Web. 28 Oct. 2013. <http://www.nmfs.noaa.gov/sfa/magact/mag1.html#s2>.
- ⁹³ "Congressional Action to Help Manage Our Nation's Coasts." *NOAA Office of Ocean and Coastal Resource Management: Coastal Zone Management Act*. NOAA, n.d. Web. 10 Sept. 2014. http://coastalmanagement.noaa.gov/czm/czm_act.html

⁹⁴ Wishtoyo Foundation. Marine Protected Areas Chumash and Tribal Co-Management. Web. 11 Nov. 2013.
<http://www.wishtoyo.org/vck-MPAs-tribal-MPAs.html>.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ California Department of Fish and Wildlife. "Marine Protected Area Outreach." Presentation. 2013.

⁹⁸ California Department of Fish and Wildlife. "California Department of Fish and Wildlife Marine Protected Area Outreach Reference Guide for Partners." 2013. Web 17 Sept. 2013. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=64990&inline=1>.

⁹⁹ US Department of Interior. National Park Service. Partnerships. . "Brian O'Neill's 21 Partnership Success Factors." Web. 17 Sept. 2013. <http://www.nps.gov/partnerships/oneill.htm>.

¹⁰⁰ According to information presented by DFW at 8/26/13 Milestones Meeting.

¹⁰¹ California. Legislature. CA Codes (PRC 21190) Web. 25 Oct. 2013.
<http://www.dmv.ca.gov/pubs/vctop/appndxa/pubres/pr21190.htm>.

¹⁰² Ibid.

¹⁰³ California Department of Fish and Wildlife. Natural Resource Damage Assessment Overview. Web. 28 Oct. 2013.
http://www.dfg.ca.gov/ospr/nrda/NRDA_process.aspx.

¹⁰⁴ California. Legislature. Fish and Game Code Section 13000-13014. Web. 20 Sept. 2013. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fgc&group=12001-13000&file=13000-13014>.

DRAFT

The California Collaborative Approach: Marine Protected Areas Partnership Plan FAQs Sheet

About this Document

The purpose of this frequently asked question (FAQs) sheet is to help guide and answer commonly asked questions pertaining to “The California Collaborative Approach: Marine Protected Areas Partnership Plan.”

Frequently Asked Questions (FAQs)

1. What is the “The California Collaborative Approach: Marine Protected Areas Partnership Plan (the Partnership Plan)”?

The Partnership Plan is an overarching guidance document developed under the leadership of Ocean Protection (OPC) in collaboration with several state agencies for California state, federal, regional, local, and tribal governments, communities, non-governmental organizations, academic groups, private sector, and the general public on how to participate in the California Collaborative. The California Collaborative Approach is a bold new initiative, which promotes a partnership-based model for managing California’s network of marine protected areas (MPAs). This document outlines a shared vision of “top-down/bottom-up” management that links agencies and organizations across geographic and jurisdictional scales. In addition, it describes the experimental approach that taps into the existing energy, expertise, and resources at the local scale through a network of state-wide Community Collaboratives, which are the manifestation of the bottom-up element of the California Collaborative. In summary, the state is committed to an inclusive and collaborative path forward for MPA management and this document provides the blueprint.

2. How do I submit public comment?

The document can be found at <http://www.opc.ca.gov/> and comments can be submitted via email or hard copy.

Email: Please submit comments to MPAcomments@resources.ca.gov

Mail: Please show comments in ink on the document itself, or include page and line numbers when you are referencing particular elements of the Partnership Plan. Comments can be mailed to:

MPA Partnership Plan
c/o Liz Parissenti
California Natural Resources Agency
1416 9th Street, Suite 1311
Sacramento, CA 95814

3. Who participated in the development of the Partnership Plan?

This document was developed through a collaborative and interagency effort of a Drafting Oversight Group, chaired by the Ocean Protection Council (OPC) and comprised of senior representatives from the Department of Fish and Wildlife (CDFW), Fish and Game Commission (FGC), California Natural Resources Agency (CNRA), Ocean Science Trust (OST), and California Department of Parks and Recreation (State Parks). The participation of the state agencies involved in the development of this document is directed by key guiding policies and regulations, including, but not limited to, the Marine Life Protection Act, Marine Managed Areas Improvement Act, and California Ocean Protection Act (COPA) to engage in and advance management of California's MPA network. Furthermore, as described in the California Ocean Resource Stewardship of 2000, OST is unique among nonprofits because it leads the design and implementation of MPA monitoring in close collaboration with OPC and CDFW.

4. Why is the Ocean Protection Council taking the lead in the development of the Partnership Plan?

SB 96, passed by the California legislature in September 2013, designated the OPC as having responsibility for the direction of MPA policy. Furthermore, COPA, the OPC's enabling legislation, directs to the 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." OPC is leading the development of the Partnership Plan, which serves as the framework for coordinating MPA management activities across jurisdictional and geographic scales

5. How were tribes consulted on the development of the Partnership Plan?

The Partnership Plan reaffirms that state agencies are committed to collaborating with both federally and non-federally recognized tribes on MPA management, pursuant to Executive Order B-10-11 and the California Natural Resources Agency's Tribal Consultation Policy.

Prior to the release of this draft version of the Partnership Plan, OPC staff completed five advanced in-person and webinar outreach and informational sessions. These sessions were conducted throughout the state and engaged North Coast Tribes, Central Coast Tribes, and South Coast Tribes.

The goals of the initial outreach were to communicate the concept of the California Collaborative Approach and hear from tribes about their vision for partnership with the state. Based on these initial meetings, tribal comments informed the creation of the Tribal Partnership section of the Partnership Plan, which reflects the state's commitment to engaging tribes in marine management. Through this comment period, tribes have the opportunity to refine and clarify their goals in partnering with the state. The Partnership Plan will ultimately describe the process for tribal involvement in MPA implementation, and is a living document that reflects the evolving relationships that the state hopes to form with tribes.

OPC staff anticipates conducting government-to-government consultation with interested tribes to engage them in the California Collaborative Approach.

6. What opportunities will I have to provide input to the Partnership Plan?

There will be two comment periods, one for the general public and one targeted for tribal comment. The tribal comment period will run from May 26, 2014 to July 25, 2014. The general public comment period will run from May 30, 2014 to July 18, 2014.

In addition, OPC staff will be holding a workshop on the Partnership Plan prior to the meeting of the Council itself on June 10, 2014, in Sacramento, California. The workshop will begin at 9:30am and is expected to conclude at 11:30am. The goal of the workshop will be to address questions and gather additional input from the public. The workshop will be webcasted for those unable to participate in person. An agenda and a link to the webcast will be available on the OPC's website: <http://www.opc.ca.gov/category/meetings/>.

Members of the public are encouraged to attend the Council meeting, beginning after the workshop at 1pm. More information about the Council meeting agenda can be found at <http://www.opc.ca.gov/category/meetings/>.

7. Will there be a formal response to public or tribal comment?

We will be capturing and considering all comments on the Partnership Plan shared by the public and incorporating them, as appropriate, into the final version of the document. This includes comments shared via email, mail, or at the Partnership Plan workshop on June 10th. There will not be a written response from the OPC or other agencies to any public comments provided. OPC will respond direct to any comments shared by tribes during the extended tribal comment period.

8. How is this document related to the "Master Plan for Marine Protected Areas"?

The Partnership Plan is written to be incorporated as an appendix into the state's "Master Plan for Marine Protected Areas," which is currently going through an update to emphasize the process for management of MPAs. Once the update is completed, it will go through an approval process with the California Fish and Game Commission (FGC). The "Master Plan for Marine Protected Areas" is a guidance document, not a regulatory document, required by law which describes detailed processes for management activities such as enforcement and regulations, adaptive management, and tribal consultation. It will house regional management plans and regional enforcement plans. The Partnership Plan is also a guidance document; however, it is NOT required by law. This document reinforces the state's full commitment to advancing MPA management.

9. Does this document have any regulatory impacts and/or implications?

No. As mentioned previously, it is a guiding document and does not hold any regulatory implications.

10. Does this document outline a process for adaptive management of the MPA network?

The Partnership Plan provides an overview of the commitment and philosophy for adaptive management by the OPC and the MPA Leadership team. The adaptive management process will be defined in the “Master Plan for Marine Protected Areas,” which is currently undergoing an update by DFW and eventually approved by the FGC. Once approved, the “Master Plan for Marine Protected Areas” will be the key guiding document that outlines the process for adaptive management of the MPA network, which is informed by monitoring of ecosystem and socioeconomic condition and trends and used to modify MPA siting or design.

The state, under the leadership of the OPC, will develop and lead a process for evaluating the effectiveness of collaboration and MPA management in order to inform adaptation of policy, governance, and the California Collaborative approach.

11. How do I find out more about the California “Community Collaboratives” as described in the Partnership Plan?

For more information on the California “Community Collaboratives,” please visit <http://www.mpacollaborative.org>. If you have additional questions, please feel free to contact Calla Allison, Director of Community Partnerships, MPA Collaborative Implementation Project at calla.allison@resources.ca.gov.

If you have additional specific questions pertaining to “The California Collaborative Approach: Marine Protected Areas Partnership Plan”, please contact MPAcomments@resources.ca.gov or contact Liz Parissenti at 916-653-6598.