



DEMA Position Statement: The California Marine Life Protection Act (MLPA)

DEMA recognizes that when Marine Protected Areas (MPAs) are established under the MLPA, each is set aside with specific local needs and goals in mind. DEMA supports establishing these goals when the process used to establish them:

1. includes input from all user groups
2. provides for a clear balance between access and use by interested parties, and health of the resource
3. recognizes that diving and snorkeling are not inherently consumptive activities
4. does not unnecessarily restrict non-consumptive activities

While recreational scuba diving and snorkeling are not inherently consumptive in nature, DEMA supports such consumptive activities as spear fishing within the boundaries of a given MPA when the following criteria are met:

1. Hook-and-line fishing activities within the MPA are allowed and supported by sound science and MLPA policy.
2. Sound science exists to support consumptive activities such as spear fishing
3. MLPA policy supports such consumptive activities

In recognition of the recommendations made in the MLPA, DEMA supports on-going discussions between state and local authorities and the diving community they represent in setting goals for individual MPAs. DEMA supports the stated goals of using sound science and effective management in developing the Marine Life Protection Program.

Background (MLPA; Stats.1999, Chapter 1015).

The Marine Life Protection Act (MLPA) addresses the conservation of California's diverse coastal and marine wildlife and habitats, and was approved by the California legislature and signed by the governor in 1999. The MLPA requires that the California Department of Fish and Game prepare and present to the Fish and Game Commission a master plan that will guide the adoption and implementation of a Marine Life Protection Program, which includes a statewide network of marine protected areas (MPAs).

The MLPA recognizes that pressures on these resources have grown as fishing effort and ability have increased and as coastal development has transformed coastal habitats and generated pollutants. Marine and coastal wildlife populations also are affected by environmental factors, such as short and long-term shifts in oceanographic conditions, the total effect of which are not clearly understood.

Stated Goals of the Marine Life Protection Program

The MLPA identifies the following goals for the Marine Life Protection Program:

- Conservation of biological diversity and the health of marine ecosystems
- Recovery of wildlife populations
- Improving recreational and educational opportunities consistent with biodiversity conservation
- Protection of representative and unique habitats for their intrinsic value
- Ensure that MPAs have defined objectives, effective management and enforcement, and are designed on sound science
- To the extent possible, ensure MPAs are managed as a network

The MLPA indicates that different levels of protection may be included in the overall MPA program, and that the overall program should include the following elements:

- "improved marine life reserve component"
- specified objectives, management, and enforcement measures

- provisions for monitoring and adaptive management
- provisions for educating the public and encouraging public participation
- a process for the establishment, modification, or abolishment of existing or future new MPAs

While the MLPA document states that, “there remains disagreement whether MPAs, particularly no-take marine reserves, provide direct benefits to fisheries,” each regional preferred alternative submitted by the Department to the Commission is required to include recommended no-take areas that encompass a representative variety of marine habitat types and communities across a range of depths and conditions and avoid activities that upset the natural functions within reserves. Collectively, and to the extent possible, the regional alternatives must include replicates of similar types of habitats in each biogeographical region.