

Update on Marine Life Protection Act – North Coast Study Area

July 2011 RTOC

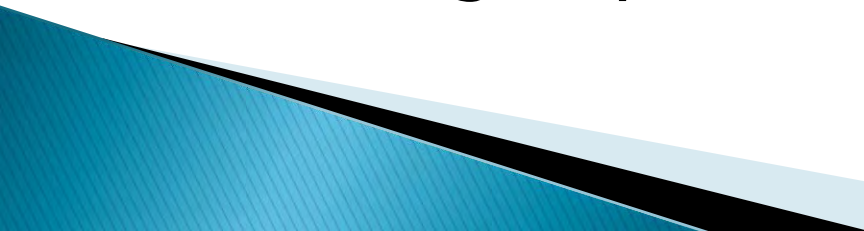
Meyo Marrufo, Hopland Band of Pomo Indians

The Marine Life Protection Act (MLPA) of 1999 directs the state to redesign California's system of marine protected areas (MPAs) to function as a network in order to: increase coherence and effectiveness in protecting the state's marine life and habitats, marine ecosystems, and marine natural heritage, as well as to improve recreational, educational and study opportunities provided by marine ecosystems subject to minimal human disturbance. There are six goals that guide the development of MPAs in the MLPA planning process:

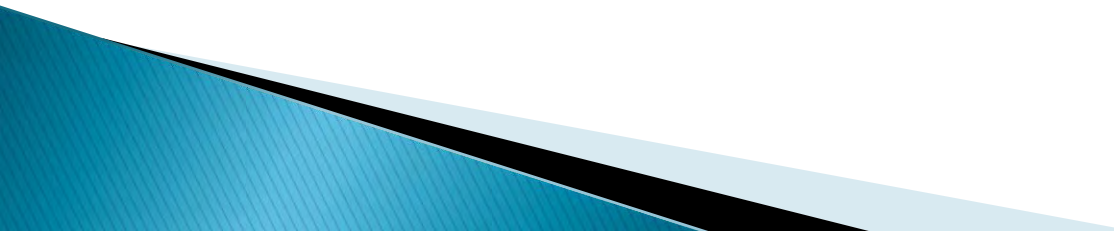
1. Protect the natural diversity and abundance of marine life, and the structure, function and integrity of marine ecosystems.
2. Help sustain, conserve and protect marine life populations, including those of economic value, and rebuild those that are depleted
3. Improve recreational, educational and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

To help achieve these goals, three types of MPA designation types are used in the MLPA process: [state marine reserves](#), [state marine parks](#) and [state marine conservation areas](#).

Issues

- ▶ California Department of Fish and Game (CDFG) categorizes traditional Tribal gathering as “recreation”
 - ▶ CDFG does not recognize role of traditional gathering in maintaining health of marine resources
 - ▶ CDFG did not include Tribal consultation in a timely manner to allow us to participate meaningfully in decision making capacity
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Tribal Involvement

- ▶ North Coast Tribes worked together to develop strategies and collaborate with Tribal organizations
 - ▶ Tribes met with CA agencies: CDFG, Department of Natural Resources, CalEPA December 2010 to discuss Tribal concerns in regards to the proposed language
 - ▶ Some Tribes developed their own strategies and negotiated separately with CDFG
 - ▶ Tribes worked with stakeholders in the process to develop a unified array verbiage to differentiate traditional Tribal gathering from Recreation restrictions
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Recent Decisions

- ▶ June 29, 2011 Fish and Game Commission approved Unified Array as the Preferred Alternative with internal changes from CDFG.
- ▶ This Array will allow traditional Tribal gathering to continue in some of the proposed restricted areas recommended by North Coast stakeholders.
- ▶ It includes provisions that Tribal members gathering in restricted areas will need to carry identification from a federally-recognized tribe, a valid fishing license and must be 16 years of age or older. Tribes will need to provide “significant” documentation of current or historical gathering and follow existing state regulations.

Follow Up

- ▶ Northern California Tribes are now seeking co-management of gathering areas
 - ▶ Northern California Tribes are watching the rest of California's regions for their legal reactions to the MLPA decisions
 - ▶ Northern California Tribes are developing our own verbiage of traditional Tribal gathering areas for possible inclusion
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