

## State of California

**Program Names:**        **Ocean Protection Council**  
                                 **Ocean Science Trust**  
                                 **Marine Life Protection Act**

**Program Host Entity:** **CA Resources Agency**  
                                 **CA Fish and Game**

**Program History: Authority and Date(s) Created:**

1. [California Ocean Resources Management Act](#)

1990: The California Ocean Resources Management Act (CORMA) created the [Ocean Resources Management Program](#) to coordinate the policies of state departments with jurisdiction over ocean and coastal resources, coordinate state agency management of ocean resources with local government, and ensure effective participation in federal planning and management. The 1991 amendments to CORMA transferred all non-statutory responsibility for marine and coastal resource management programs to the Secretary for Resources.

2. [Marine Life Management Act \(MLMA\)](#)

1998: The overarching goal of the MLMA, which became law on January 1, 1999, is to ensure the conservation, sustainable use, and restoration of California's marine living resources. At the core of the MLMA is the principle of basing decisions on sound science and other useful information. To achieve this goal, the MLMA calls for allowing and encouraging only those activities and uses that are sustainable [7050(b)2]. Although most of the MLMA is devoted to fisheries management, it also recognizes that non-consumptive values such as aesthetic, educational, and recreational are equally important [7050(b)3].

3. [Marine Life Protection Act \(MLPA\)](#)

1999: The MLPA directed the state to design and manage a network of marine protected areas to, among other things, protect marine life and habitats, marine ecosystems, and marine natural heritage, improve recreational, educational and study opportunities provided by marine ecosystems. The California Resources Agency and California Department of Fish and Game are partnering with the Resources Legacy Fund Foundation and others to achieve the MLPA goals.

4. [California Ocean Resources Stewardship Act](#)

2000: The California legislature authorized the Secretary of Resources to enter into an agreement with an existing non-profit corporation to establish an [Ocean Science Trust](#) as a nonprofit 501(c)(3) public benefit corporation to encourage coordinated, multi-agency, multi-institution approaches to translating ocean science to management and policy applications. The Ocean Science Trust has an agreement with the California State Coastal Conservancy to provide all staff support and financial management services.

5. [California Ocean Protection Act \(COPA\)](#)

2004: The COPA was signed into law in 2004 by Governor Arnold Schwarzenegger as Division 26.5 of the California Public Resources Code. COPA articulates state ocean policy and creates two principal components of California's ocean governance structure: the [Ocean Protection Council](#) and [Ocean Protection Trust Fund](#).

**Funding Source(s)/Level:**

1. [Ocean Science Trust:](#)

After several years of very little funding, the Trust was awarded a \$2 million grant in November 2006 from the Ocean Protection Council of funds from a statewide ballot measure bond measure. The purpose of the grant was to develop an entity to oversee the monitoring and adaptive management of the network of marine protected areas (MPAs) being established by CA Dept Fish and Game through the implementation of the Marine Life Protection Act. The COST has received additional funds totaling about \$4,575,000 from a variety of sources, including statewide bond measures enacted by California voters, the Resources Legacy Fund, federal Coastal Impact Assistance funds, and private sector. Projects included a non-native invasive species plan, a study of decommissioning oil platforms, and a [Marine Protected Area Monitoring Enterprise](#) for the North Central coast.

2. The Ocean Protection Trust Fund, created by the 2004 COPA, receives funds from statewide bond measures that are administered by the California Ocean Protection Council. The OPTF is essentially a pass-through entity to COST to carry out projects (see above).

3. [Resources Legacy Fund](#).

This fund is operated by the [Resources Legacy Fund Foundation](#), a 501(c)(3) that manages fund from various donors to support resource conservation projects in a variety of locations. The fund is supporting the California Coastal and Marine Initiative, a multi-year program begun on behalf of the David and Lucile [Packard Foundation](#) which is providing \$30 million over six years, 2008-2013, principally to assist Cal Fish and Game to implement the Marine Life Protection Act. See a summary of the revised [CCMI program strategy](#) for a more detailed description.

**Key Program Elements:**

1. [Ocean Protection Council](#) (created by 2004 California [Ocean Protection Act](#)): A seven-member executive-level council comprised of Secretary for Resources, Chair, State Controller (State Lands Commission Chair), Secretary for Environmental Protection, Senate member, Assembly member, and two public-at-large members. The council is tasked to:

- Coordinate activities of ocean-related state agencies to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations;
- Establish policies to coordinate the collection and sharing of scientific data related to coast and ocean resources between agencies;
- Identify and recommend to the Legislature changes in law ;
- Identify and recommend changes in federal law and policy to the Governor and Legislature.

Priorities of the OPC are outlined in [A Vision for Our Ocean and Coast: Five-Year Strategic Plan](#).

Ocean Protection Council [Science Advisory Team](#): 24 members who advise the OPC about funding for research and monitoring projects.

The State Coastal Conservancy provides staff support, reports to the Secretary for Resources, administers grants and expenditures. The Conservancy, established in 1976, is a state agency that uses entrepreneurial techniques to purchase, protect, restore, and enhance coastal resources, and to provide access to the shore.

2. [California Ocean Science Trust](#), a nonprofit 501(c)(3) established by law in 2000 as a vehicle by which to manage the funds to encourage coordinated, multi-agency, multi-institution approaches to translating ocean science to management and policy applications. The mission of the OST is to ensure that the best available science is applied to California policies and ocean management. The OST has two overarching organizational goals:

- Goal 1: Facilitate collaboration, to facilitate two-way connections between the world of science and that of policy and management by establishing and supporting multi-partner information systems and exchanges that yield tangible improvements in coastal and ocean management —The OST will serve as a bridge among science, management, and policy organizations.

- Goal 2: Institutionalize integration, to institutionalize the integration of best science, where necessary, into California coastal ocean policy and decision making by building new organizations, programs, and processes and catalyzing applied research—reflecting the great need to develop, disseminate, and apply science that is designed to inform and improve policy and management.
3. [California Ocean Protection Trust Fund](#), created in 2004 statute, is funding mechanism for OPC activities and carries out no activities of its own. The fund is a conduit for money from state bond measures to the California Ocean Science Trust.
  4. [Coastal Ocean Currents Monitoring Program](#). In 2005, the California State Coastal Conservancy and the State Water Resources Control Board, at the direction of the legislature, invested \$21 million from voter-approved Propositions 40 and 50 funds to build the infrastructure to map ocean surface currents. Using a suite of technologies, COCMP tracks ocean surface currents in near real-time with 54 land-based stations spanning the California coastline and provides data via the Internet to the public.
  5. [Marine Life Protection Act Initiative](#) The California Natural Resources Agency, California Department of Fish and Game, and Resources Legacy Fund Foundation have formed the MLPA Initiative, a public-private partnership to help implement the MLPA. The Initiative is governed by a formal memorandum of understanding (MOU) that details each partners' participation. There have been two MOUs and an amendment for the different regional projects: a [first phase MOU](#) for the central coast pilot project, a [second phase MOU](#) for the north central coast study region, and an [amendment to the second phase MOU](#) for the south coast, north coast and San Francisco Bay study regions. The Initiative involves scientists, resource managers, experts, stakeholders and members of the public in guiding the outcomes of this public-private partnership

### **Coordination Functions:**

The Ocean Protection Council is charged with overall coordination among state agencies and other affected parties and stakeholders.

The Ocean Science Trust is specifically charged with coordinating research and with integrating science with management

### **Linkage of Science to Management:**

Ocean Science Trust, in particular, has a mission of ensuring that the best available science is applied to California policies and ocean management. COST plays a primary role in identifying science needs for decision makers, producing relevant science, and linking end-users with science and information. Each year the OST works with the [OPC Science Advisory Team](#) to develop a set of [research priorities](#) for the OPC applied research funding.

Ocean Protection Council and Marine Life Protection Act Initiative all have principle responsibilities of ensuring that science results are linked to management needs.

### **Data Collection/Sharing/Infrastructure:**

No new mechanisms specifically created pursuant to the above programs. Current data collection and sharing relies on traditional university and agency networking. Work still needed.

### **Assessment: Strengths/Weakness**

Strength:

- 501(c)(3) of COST allows for flexibility, innovation, and speed in receiving and disbursing funds for projects and programs to support ocean management, research, and monitoring..

- Strong public-private partnerships arise and benefits accrue from engagement of non-profit and for-profit entities in the funding (and therefore success) of ocean science programs.
- Strong coordinated oversight at a high policy level (Cabinet level) promotes better coordination among state agencies.

Weakness:

- Funding of a non-profit can be problematic.
- There are some political and financial costs associated with setting up a separate science-based non-profit. Clear expectations and linkages to policy oversight entity are necessary.
- (from [“Lessons Learned”](#) document) Entities most charged with responsibility for success of MLPA (CDFG and Cal Resources Agency) did not have the capacity or adequate authority to do so.

**Success/Failure**

Success:

- Agency coordination and program integration has improved as a result of OPC.
- Several needed research and monitoring programs for Marine Protected Areas have been implemented.
- A Draft report of [“Lessons Learned”](#) from the MLMA is currently out for public review.

Weakness:

- The science-to-management behavior/culture has not changed in any significant way as a result of these program elements.
- Oversight and clear direction from the policy/management entity (i.e. OPC) is critical to ensure science advisory (e.g. COST) projects are useful, needed.
- (from [“Lessons Learned”](#) document) Even though an overwhelming majority of Californians (88 percent) express strong support for effective management of marine resources, this reservoir of public support has not been tapped to provide needed fiscal, staffing and political support for policies in this arena.
- (from [“Lessons Learned”](#) document) Failure to engage stakeholders resulted in a lack of compelling self-interest in successful long-term implementation of the MLPA.<sup>a</sup>

**Applicability to Oregon**

Oregon has no analog to the California Ocean Science Trust as a mechanism for funding marine science to benefit policy and management. Such a non-profit 501(c)(3) entity (e.g. Oregon Ocean Science Partnership), properly aligned with a policy and management entity, would be very beneficial to Oregon.

Engaging non-governmental organizations to work with state ocean stewardship programs has proven successful both for achieving the missions of both the NGO and the public agencies.

Oregon has no executive-level policy oversight and coordination entity analogous to the California Ocean Protection Council. Currently, state agencies responsible for ocean resources management and planning meet informally and irregularly as a Marine Cabinet at the request of the Office of the Governor. Oregon should consider creating an executive-level oversight entity (e.g. a commission) for the ocean. OPAC, as an experienced stakeholder advisory board, would advise such an oversight commission.

Passage of a statewide bond measures to fund ocean science and management is problematic but if successful would provide the necessary capital to sustain ocean-related programs and projects.

**History of COST Funding**

<b>2009</b>	<b>Amount Received</b>	
Private:		
Resources Legacy Fund Foundation	\$ 391,667	
Packard Foundation	15,000	
Stanford	5,000	
Ocean Conservancy	5,000	
Sportfishing Conservancy/ United Anglers	5,000	
State:		
State Coastal Conservancy	204,129	
	<b>TOTAL 2009</b>	<b>\$ 625,796</b>
<b>2008</b>		
Private:		
Resources Legacy Fund Foundation	\$ 65,410	
Packard Foundation	31,215	
Chevron	355,000	
State:		
State Coastal Conservancy	356,452	
Federal:		
CIAP (via California Resources Agency)	219,938	
	<b>TOTAL 2008</b>	<b>\$1,028,015</b>
<b>2007</b>		
Private:		
Packard Foundation	\$100,000	
Resources Legacy Fund Foundation	22,000	
	<b>TOTAL 2007</b>	<b>\$ 122,000</b>
<b>2006</b>		
State Coastal Conservancy (from Ocean Protection Council)		<b>\$2,000,000</b>
<b>2003</b>		
Federal:		
CIAP (via California Resources Agency from 2003)	800,000	
	<b>TOTAL</b>	<b>\$4,575,811</b>

Sources: Websites, interview with Sam Schuchat, Exec. Dir of California Coastal Conservancy and California Ocean Science Trust; Amber Mace, former Executive Director of California Ocean Science Trust and current Executive Director of California Ocean Protection Council.

<sup>a</sup> Oregon should look critically at the businesses and interest that may derive future economic benefits from improved research and management.

- Wave Energy interests (and obligations to do monitoring and assessment)
- Offshore Aquaculture interests
- Commercial Fishing industry interests/investments / Catch shares (Individual and community)-shore side support services
- Recreational fishing
- Marine pharmaceuticals