Staff Summary for August 12-13, 2026

7. Bin 2 MPA (Marine Protected Area) Petition Evaluations and Recommendations

Today's Item **Information ☒** **Action ☐**

Receive new evaluations and recommendations related to the 15 pending bin 2 MPA petitions.

(A) Department Evaluation of the Five Tribally Led or Co-led MPA Petitions

(B) Department and California Ocean Protection Council (OPC) Initial Assessment of Question 14 (Equitable Access) and Question 16 (Commission Justice, Equity, Diversity and Inclusion (JEDI) Policy) of the 2025 MPA Petition Evaluation Framework

(C) OPC Policy Evaluation and Recommendations

Summary of Previous/Future Actions (see Exhibit 1 for more details)

• Referred 20 MPA petitions for review and recommendation	February 2024
• Approved sorting petitions into two "bins": Bin 1 for near-term review (5 petitions) and bin 2 for longer-term review (15 petitions)	August 2024
• Granted or denied individual bin 1 petition actions	December 2024
• Approved a bin 2 petition evaluation framework with a filter for petitions led or co-led by a tribe	August 13-14, 2025
• Tribal Committee (TC) received tribal petitioner overviews of the 5 MPA petitions with tribal leads or co-leads, received Department presentation, and clarified tribal revisions to petitions	April 14, 2026; TC
• Requested the Department evaluate the 5 tribally led or co-led petitions with the revisions identified on April 14; received Department bin 2 petition evaluations and presentations for the 10 non-tribally led or co-led petitions	April 15-16, 2026
• At regional meetings, received petitioner presentations and community input, and discussed petitioned actions	April 21, May 5-6, and May 19, 2026
• **Today, receive new evaluations and recommendations related to the 15 pending bin 2 MPA petitions**	**August 12-13, 2026**
• Consider granting or denying the pending MPA petitions	October 13-16, 2026

Background

Since the Decadal Management Review of California's MPA network was completed in 2023, the Commission has been undertaking a review of petitions proposing changes to the MPA network and management program. Detailed background information about the MPA petitions and review process are available in several resources:

- Staff overview for Agenda Items 2-5 from the May 19, 2026 Commission meeting with an overview of the MPA petition process (Exhibit 1).

- Status of Marine Protected Area Petitions for Regulation Change Index (online): An index of 2023 MPA petitions, their status, and compiled public comments received throughout the process for bin 2 MPA petitions.
- Department Bin 2 MPA Petitions StoryMap (online): A user-friendly interface for understanding the petitions and accessing Department evaluations and recommendations.
- 'Public Process for Reviewing MPA Petitions' informational webpage: Information about MPA regulation change petitions, evaluations, regional public meetings (April 21, May 5-6 and May 19, 2026), and opportunities for public participation.

Petition Evaluations

In April 2026, the Commission received select Department evaluations and recommendations and policy input from OPC leadership on the pending bin 2 MPA petitions as complementary considerations:

- Department evaluations, recommendations, and supporting documentation for 10 of the 15 pending MPA petitions — those not led or co-led by tribes or tribal communities (see meeting materials for Agenda Item 2 from the April 2026 Commission meeting and the recording of the Department presentation and public/Commission discussion)
- OPC/ California Natural Resources Agency (CNRA) leadership input and policy letter from Jenn Eckerle, Deputy Secretary for Oceans and Coastal Policy, California Natural Resources Agency and Executive Director, OPC

Today's meeting will build on the previous evaluations and policy input with the remaining bin 2 MPA petition evaluations, assessments, and recommendations from the Department and OPC staff. The Commission will receive presentations of the materials under agenda sub-items (A), (B) and (C); those materials — along with the previous evaluations and input from petitioners, tribes, and a broad range of representatives and stakeholders — will support Commission deliberations and expected decisions about the bin 2 MPA petitions during the October 2026 Commission meeting.

(A) ***Department Evaluation of the Five Tribally Led or Co-led MPA Petitions***

Five petitions have tribal leads or co-leads (petitions 2023-19MPA_AM1, 2023 20MPA_AM1, 2023-21MPA_AM1, 2023-28MPA_AM2, and 2023-29MPA_AM2). Evaluations for the five tribally led or co-led MPA petitions followed a different timeline from those not led or co-led by tribes or tribal communities.

Amendments to Tribal Petitions

Consistent with Commission direction, the five tribally led or co-led petitions were reviewed by TC during its April 14, 2026 meeting for potential TC guidance and/or recommendations in advance of the Department completing its evaluations of the five MPA petitions. TC heard presentations from tribal leads and co-leads to learn about their goals, updates, clarifications, and any desired revisions to the original petitions. TC supported moving forward with Department evaluation of the five tribally led or co-led bin 2 petitions with the described revisions integrated into the evaluations. During its

April 15-16, 2026 meeting, the Commission adopted the TC recommendation to formally accept clarifications and revisions to the tribally led or co-led petitions, and to request the Department move forward with evaluating the petitions with revisions incorporated.

Additionally, tribal petitioners presented or co-presented their petitions at the regional MPA petition meetings where Commissioners, tribal representatives, and the public provided comments and engaged in discussion, offering additional context and clarification on the revisions made to the proposed actions in their petitions.

On May 29, 2026, Commission staff transmitted to the Department a memo formally documenting the revisions to the tribal petition actions. The memo includes a table outlining the original and revised actions proposed in the petitions and assigns an updated petition number with an "AM" to indicate a formal amendment. The memo was subsequently revised on July 6 with revisions to the original May memo shown in blue text (Exhibit 3). The July 6 version of the memo reflects the proposed actions evaluated by the Department. For transparency, the memo has also been attached to the five individual petitions available online in the bin 2 MPA petition index.

The Department transmitted its evaluations and recommendations for the five tribally led and co-led MPA petitions to the Commission (exhibits 4-9), and revised the companion document to the evaluations (Exhibit 10) to integrate supporting information for tribally led or co-led MPA petition evaluations.

At today's meeting, the Commission will receive a Department presentation (Exhibit 11), of its evaluations and recommendations for the five tribally led or co-led MPA petitions

(B) ***Department and OPC Initial Assessment of Question 14 (Equitable Access) and Question 16 (Commission Justice, Equity, Diversity and Inclusion (JEDI) Policy) of the 2025 MPA Petition Evaluation Framework***

The Department's April evaluations did not include individual petition responses to questions 14 (equitable access) and 16 (Commission JEDI policy) of the Department's 2025 MPA petition evaluation framework; instead, the companion document included an overarching statement regarding each question, and the reason individual petition assessments were not provided. During the Commission meetings conducted in April and May of this year, members of the public and interested groups called for a more substantial assessment to questions 14 and 16. The Commission was responsive to the concerns and requested that, to the extent possible, the analyses be reassessed and provided as companion assessments at this (August 2026) Commission meeting.

The assessment for questions 14 and 16 was completed through a collaborative effort between Department, OPC, and California Natural Resources Agency staff who jointly transmitted their initial assessment to the Commission (exhibits 12 and 13). The initial assessment includes an inventory that can aid the understanding of how proposed petition actions may impact equitable access to the coast and MPAs, and evaluates the petitions through the JEDI policy lens; it also acknowledges past harms and exclusions as well as discusses future opportunities to improve tribal and community engagement.

At today's meeting, the Commission will receive a presentation by the Department (Exhibit 14) on the collaborative process and initial assessment in addressing questions 14 and 16 related to equitable access and advancing the Commission's JEDI Policy.

(C) ***OPC Policy Evaluation and Recommendations***

OPC holds a unique policy role in managing California's network, supporting adaptive management, using MPAs to protect full ecosystems, prioritizing tribal stewardship, and supporting thriving fishing communities and climate-resilient fisheries. As such, OPC has engaged in the petition evaluation process and attended all Commission meetings discussing MPA petitions this year. At the April 2026 Commission meeting, OPC, through Secretary Wade Crowfoot, submitted a letter to the Commission providing input on proposals to adaptively manage California's MPA network, with the stated intent to complement the Department's evaluations.

OPC staff has completed and transmitted to the Commission its evaluations and recommendations for the bin 2 MPA petitions (Exhibit 15). The OPC recommendations are rooted in a precautionary approach, considering threats to the coast and MPAs brought about by climate change and the benefits provided by coastal ecosystems to coastal communities and tribes.

Today, OPC's executive director will present an overview of the review and recommendations (Exhibit 16), including steps taken to reach the overall recommendations.

Significant Public Comments

Approximately 75 commenters provided input on specific bin 2 MPA petitions or the petition process. Summarized comments are bundled into Exhibit 17 and include:

- Two comments on the overall MPA petition process.
- Five petitioners provide additional information or modification requests for consideration (petitions 2023-14MPA, 2023-15MPA_AM2, 2023-19_AM1, 2023-24MPA_AM1, and 2023-32MPA).
- Related to Petition 2023-19MPA_AM1, 14 comments were received, with a number from people who are new to the MPA petition process.
- Nearly 30 comments focus on Petition 2023-28MPA_AM2.
- Various comments on Petition 2023-29MPA_AM2 (2), 2023-32MPA (8), and 2023-33MPA_AM1 (4), and 13 comments addressing several or all bin 2 MPA petitions.

Recommendation

Commission staff: Ask any clarifying questions of presenters. Based on the discussions, consider what additional information, if any, will be needed to inform a Commission decision on the bin 2 MPA petitions in October 2026, and provide direction to staff.

Exhibits

1. Staff Overview for Agenda Items 2-5, May 19, 2026 Commission meeting (*for background purposes only*)

2. Department Science Guide to California's MPA Network, dated July 2026

3. Commission memo to the Department regarding actions proposed for tribally led and co-led MPA petitions, dated May 29 and updated July 6, 2026

4. Department memo transmitting five tribally led or co-led MPA petitions, received July 30, 2026

5. Department evaluation for petition 2023-19MPA_AM1

6. Department evaluation for petition 2023-20MPA_AM1

7. Department evaluation for petition 2023-21MPA_AM1

8. Department evaluation for petition 2023-28MPA_AM2

9. Department evaluation for petition 2023-29MPA_AM2

10. Department revised companion document (updated to reflect evaluations for tribally led or co-led MPA petitions)

11. Department presentation for tribally led or co-led MPA petitions

12. Department memo transmitting initial assessment of bin 2 petitions to address questions 14 and 16 related to equitable access and advancing the Commission's JEDI Policy, received July 31, 2026

13. Department/OPC staff Initial Assessment of Q14 and 16 of the 2025 MPA Petition Evaluation Framework

14. Department presentation for initial assessment of bin 2 MPA petitions related to equitable access and the Commission's JEDI Policy

15. Letter from Jenn Eckerle, Deputy Secretary for Oceans and Coastal Policy, California Natural Resources Agency and Executive Director, OPC, with OPC staff recommendations and recommendation narratives for petitions to adaptively manage California's MPA network, received July 31, 2026

16. OPC staff presentation for OPC policy evaluation and recommendations (*to be posted separately*)

17. Compilation of significant public comments received for this meeting related to MPA petitions

Motion (N/A)

Staff Overview for May 19, 2026
MPA Agenda Items

For background purposes only

Introduction to Regional Bin 2 Marine Protected Area Petitions and Evaluations

Today's Item **Information ☒** **Action ☐**

This regional meeting focuses on marine protected area (MPA) petitions with proposed actions across Los Angeles County through San Diego County, including Santa Catalina Island. For each petition, the Commission will receive presentations from MPA petitioner(s), ask clarifying questions, receive community input, and discuss petitioned actions and recommendations. The Commission may develop recommendations for consideration at a future meeting. No formal action will be taken today.

This staff summary provides an overview and background relevant to the four petitions and regional actions listed under Agenda Items 2–5.

Summary of Previous/Future Actions

• Received 20 MPA petitions	December 2023
• Referred 20 MPA petitions to Marine Resources Committee (MRC) and Department for review and recommendation	February 2024
• Approved MRC recommendation for sorting MPA petitions and evaluating individual actions within "binned" petitions, and supported scheduling consideration of individual actions as recommendations were ready	August 2024
• MRC received Department recommendations for individual actions proposed in 5 "bin 1" MPA petitions and developed MRC recommendations; recommendations adopted by Commission	November 2024; MRC and December 2024
• Petitioners for the 15 "bin 2" petitions afforded an opportunity to amend petitions	December 2024 – March 2025
• MRC received Department proposal for bin 2 petition evaluation framework and developed recommendations for grouping the 15 MPA petitions in bin 2 for future review and discussion	July 16-17, 2025; MRC
• Received and approved MRC recommendation for the bin 2 petition evaluation framework, with one modification related to a question about tribal leadership/sponsorship of petitions	August 13-14, 2025
• Tribal Committee (TC) received overview from tribal leads or co-leads of 5 MPA petitions; received Department presentation, and developed TC recommendation	April 14, 2026; TC

• Approved TC recommendation for Department to evaluate 5 *revised* tribally led or co-led petitions *as proposed on April 14;* received Department bin 2 petition evaluations for 10 non-tribally led or co-led petitions	April 15-16, 2026
• At San Mateo regional MPA meeting, receive petitioner presentations, ask clarifying questions, receive community input, and discuss region-specific petitioned actions in 6 MPA petitions	April 21, 2026
• At Goleta regional MPA meeting, receive petitioner presentations, ask clarifying questions, receive community input, and discuss region-specific petitioned actions in 15 MPA petitions (7 petitions on May 5; 8 petitions on May 6)	May 5–6, 2026
• **At San Clemente regional MPA meeting, receive petitioner presentations, ask clarifying questions, receive community input, and discuss region-specific petitioned actions in 4 MPA petitions**	**May 19, 2026**

Background

In early 2023, the state completed the first 10-year review of the statewide MPA network and management program. The "decadal management review" (known as the DMR) generated significant public interest in contributing to adaptive management of the network, including through public proposals to modify existing MPAs or management approaches. In response, the Commission agreed to accept public proposals using its existing process for public petitions for regulation change. The Commission set a submission deadline for late November 2023 for receipt at the December 2023 Commission meeting.

In November 2023, the Commission received 20 petitions proposing modifications to MPAs or new MPAs. By late 2024, the Commission acted on five of the petitions—categorized as "bin 1" for near-term evaluation—leaving 15 "bin 2" petitions for additional evaluation under a bin 2 evaluation framework approved by the Commission.

Petition Amendments (Formal and Informal)

Bin 2 petitioners were provided an opportunity until March 2025 to submit formal amendments to their original petitions, to be integrated into evaluations to be conducted by the Department. Since the March 2025 amendment deadline, several petitioners have identified additional requested changes for the Commission's awareness, noting these revisions respond to community concerns or, in one case, input from the U.S. Department of Defense.

For tribally led or co-led petitions, the Commission provided additional time for the Department to consult with tribes and for California tribes to formally join petitions as co-sponsors. The Commission also requested that tribally led or co-led petitions be discussed at the April 14,

2026 Tribal Committee (TC) meeting and potentially provide a recommendation to the Commission.

For non-tribally led petitions, the Commission supported the Department's and staff's request to not incorporate additional, informal, post-deadline amendments into the evaluation process. Instead, petitioners were asked to describe any proposed changes not reflected in their original or amended petitions during regional MPA petition meetings, scheduled for after Department evaluations were released.

Department Evaluations

On March 20, 2026, the Department released its evaluations and recommendations for 10 of the 15 petitions — those not led or co-led by tribes or tribal communities. The Department's evaluations were informed in part by Commission staff's work on two evaluation questions. The materials released included a Department transmittal memo (Exhibit 1), a petition evaluation companion document (Exhibit 2) with supplemental information and additional context across the petition evaluations, and petition-specific analyses (see exhibits for staff summaries 3A – 3F). The documents generated substantial public interest, with approximately 20 substantive comment letters received in advance of the Commission's April 15-16, 2026 meeting.

At the Commission's April 2026 meeting, the Department presented a summary of its evaluations and recommendations (see Exhibit 3 for presentation slides) for all proposed actions associated with the 10 non-tribal petitions; this provided the Commission an opportunity to hear a consolidated overview, ask clarifying questions, and receive additional public input. There is a Zoom recording of the Department presentation and public/Commission discussion.

Evaluations for the five tribally led or co-led petitions are currently in development. Consistent with the Commission's request, the Department attended the April 14, 2026 TC meeting to hear presentations from tribal leads and co-leads and to seek guidance before completing its evaluations. The tribal leads and co-leads of the five petitions shared their goals, updates, clarifications, and any desired revisions to the original petitions. Participants and TC discussed proceeding with evaluating the five tribally led/co-led bin 2 petitions as described at the meeting. During the April 15-16, 2026 Commission meeting, the Commission adopted the TC recommendation to formally accept clarifications and revisions to three of the tribally-led or co-led petitions, and requested the Department proceed with evaluating the petitions with revisions incorporated.

Input from California Ocean Protection Council (OPC)

In addition to the Department's evaluations, the executive director of the California Ocean Protection Council (OPC), on behalf of OPC Chair and Secretary for Natural Resources Wade Crowfoot, submitted a letter to the Commission (Exhibit 4) providing input on proposals to adaptively manage California's MPA network, with the stated intent to complement the Department's evaluations. The letter highlights OPC's unique policy role in California's MPA

network, supporting adaptive management, using MPAs to protect full ecosystems, prioritizing tribal stewardship, and supporting thriving fishing communities and climate-resilient fisheries. In the near future, OPC plans to provide specific input on the petitions using a policy lens that can complement the Department's assessment completed using questions and criteria established by the Commission. OPC now anticipates transmitting its input for the June 2026 Commission meeting.

Regional Meetings

The Department's evaluation and recommendation presentation, TC discussion and input on tribally led and co-led petitions, and public input on both has helped lay the foundation for robust public dialogue at the regional scale in three regionally-located public meetings.

The Commission is commencing this regional meeting as one of three — April 21, May 5–6, and May 19 — to hear from petitioners and the public on bin 2 MPA petitions, including both the Department-evaluated petitions and the tribally led or co-led petitions still under review. The meetings are designed to provide petitioners an opportunity to present their petitions, describe any proposed changes since the March 2025 amendment deadline, and engage in dialogue with the Commission alongside robust public participation.

Additional information about the petitions and regional meetings is available on the Commission's website, including:

- the MPA petitions process webpage outlining the public process for reviewing 2023 MPA petitions and providing key resource links;
- the MPA petitions index, with access to each 2023 MPA petition and compiled public comments received since December 2023;
- regional MPA meeting agendas and materials; and
- regional meeting goals and participation guidelines.

For petition-specific information, public comments, and Department evaluations, see individual exhibits listed at the bottom of each MPA agenda item staff summary for today's meeting.

Exhibits

1. Department memo transmitting evaluations for non-tribally led or co-led MPA petitions, received March 20, 2026
2. Department "2023 Decadal Management Review Marine Protected Area Petition Evaluation Companion Document" for completed MPA petition evaluations, dated March 20, 2026
3. Department presentation from Agenda Item 2, Commission April 15-16, 2026 meeting (*for background purposes only*)

4. Letter from Jenn Eckerle, Executive Director, California Ocean Protection Council, and Deputy Secretary for Oceans, California Natural Resources Agency, received March 20, 2026

Motion (N/A)

California Department of Fish and Wildlife

SCIENCE GUIDE TO CALIFORNIA'S MPA NETWORK



CALIFORNIA MARINE PROTECTED AREAS

July 2026

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MPA PLANNING PROCESS SCIENCE FOUNDATION

In 2012, California made history by establishing the largest ecologically connected network of marine protected areas (MPAs) in the world. This document provides an overview of the scientific guidelines used during the Marine Life Protection Act (MLPA) Initiative planning process to design California's MPA Network and their utility in informing adaptive management and evaluation of MPAs today, as well as an analysis of the existing MPA Network's conformance to the scientific guidelines using the most recent habitat data available. This is a living document, intended to be updated periodically to reflect the best available science.

MPA NETWORK IMPLEMENTATION

MPAs are spatially defined marine or estuarine areas that restrict certain human activities to protect the ecosystems contained within. California's MPAs are in state waters, which extend from the mean high tide line to the offshore limit (generally 3 nautical miles from shore) and include bays and estuaries. Each MPA has its own set of regulations, ranging from fully protected No-take marine reserves to areas where certain consumptive activities, such as fishing for specific species, are allowed (Table 1). MPAs do not limit non-consumptive activities, such as swimming, kayaking, wildlife viewing, or spiritual practices. Special closures are an additional type of marine managed area that prohibit human access year-round or seasonally to protect seabird or marine mammal populations.



MPA regulations sign at Lover's Cove SMCA. (K. Gonzales)

Table 1. Overview of marine managed area classifications used in California's MPA Network, including definitions and quantitative summary of protection levels, including map symbology and allowable uses for each designation.

Map Color	Classification	Number	% of State Waters	Description
	State Marine Reserve	49	9.0	An MPA classification that prohibits damage or take of all marine resources (living, geologic, or cultural), including recreational and commercial take.
	State Marine Conservation Area (No-take)	10	0.6	An MPA classification that generally prohibits the take of living, geologic, and cultural marine resources, but allows potentially affected and ongoing permitted activities such as dredging and maintenance to continue.
	State Marine Conservation Area	60*	6.5	An MPA classification that may allow some recreational and/or commercial take of marine resources (restrictions vary)
	State Marine Recreational Management Area	5	0.1	A marine managed area classification that limits recreational and commercial take of marine resources while allowing for legal waterfowl hunting to occur; provides subtidal protection equivalent to an MPA (restrictions vary)
	State Marine Park	1*	<0.1	An MPA classification that prohibits damage or take of any marine resources for commercial purposes (restrictions vary)
	Special Closure	14	0.1	An area designated by the California Fish and Game Commission that prohibits access or restricts boating activities in waters adjacent to sea bird rookeries or marine mammal haul-out sites (restrictions vary)

*The California Fish and Game Commission designated Cambria State Marine Conservation Area, which was subsequently adopted as Cambria State Marine Park by the State Park and Recreation Commission with the same boundaries and no change to regulations. Therefore, this MPA has dual designations and is counted twice in the table. See Title 14, § 632 of the California Code of Regulations for specific MPA regulations.

The MLPA, passed in 1999, required California to redesign its existing collection of MPAs into a cohesive network based on the best available science and local knowledge. To guide development of the MPA Network, the law specified six goals focused on protecting marine ecosystems, supporting human uses, and strengthening long-term management (Table 2).

California's MPAs are unique because they were intentionally designed to function as an ecologically connected network rather than as isolated protected areas.

Table 2. Goals of the California Marine Life Protection Act.

	Goal 1: Protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.
	Goal 2: Help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
	Goal 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.
	Goal 4: Protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.
	Goal 5: Ensure California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.
	Goal 6: Ensure the state's MPAs are designed and managed, to the extent possible, as a network.

The design of the MPA Network was rooted in Science Advisory Team (SAT) recommendations prioritizing individual MPA size and spacing to maintain critical ecological connections. By strategically placing MPAs along the coast, the MPA Network protects a full range of habitats to support higher biodiversity.

The SAT's recommendations provided the scientific foundation for an eight-year iterative planning process that relied on rigorous scientific analysis, extensive public engagement, and collaboration across a variety of perspectives. This effort culminated in 2012 when the MPA Network was fully implemented statewide, becoming the first ecologically connected MPA network of its kind in the United States (Figure 1).



Fort Bragg coast at sunset. (K. Gonzales)

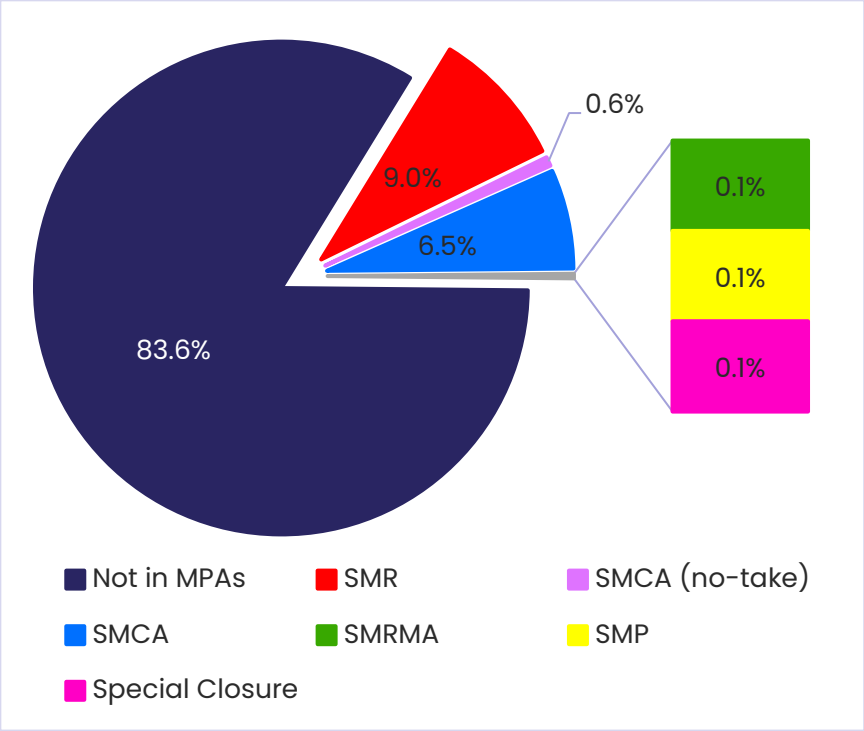


Figure 1. Percent of California state waters protected within the MPA Network, by MPA classification. The MPA Network includes 124 MPAs and 14 special closures spanning the entire California coastline and encompassing 16.2% of state waters. More than half of these protected waters are contained in fully protected No-take State Marine Reserves.

MONITORING AND ADAPTIVE MANAGEMENT

Monitoring of these areas and nearby reference areas began in 2007 to establish ecological baselines and it continues today to evaluate MPA performance and how marine species and ecosystems respond to MPA protection. Monitoring studies include surveys of fish, invertebrates, habitats, and ocean conditions both inside and outside MPAs, such that the effects of fishing and natural drivers of change can be distinguished. Results from long-term monitoring provide the foundation for evaluating MPA Network performance over time. Adaptive MPA management, required by the MLPA, is informed by this periodic expert scientific evaluation, partner engagement, and review. The goal is to ensure that MPAs can continue to meet their individual and MPA Network-scale objectives in the face of anthropogenic stressors, such as climate change, and natural oceanographic change. Moving forward, the human dimensions of MPA management, seeking to understand how people use, value, and relate to MPAs, will also be monitored and evaluated as part of MPA Network adaptive management (DMR Priority Recommendation #12).

Today, responsibility for maintaining the integrity of the MPA Network is shared at the state level. The California Department of Fish and Wildlife (CDFW) serves as the lead managing agency for MPAs, the California Fish and Game Commission holds regulatory authority for the MPA Network, and the Ocean Protection Council provides statewide MPA policy leadership and funding for essential research and monitoring. CDFW works in partnership with state and federal agencies, California Native American Tribes (tribes), community partners, researchers, and more across four core programmatic pillars: outreach and education, enforcement and compliance, policy and permitting, and research and monitoring.

FOUNDATIONAL DOCUMENTS AND REPORTS[1]

- Master Plan for MPAs, CDFW (2008, 2016): Initially developed to guide regional MPA design during the MLPA Initiative planning process (2008), and later revised to reflect a shift to statewide management of the MPA Network as a whole (2016)

[1] MLPA Initiative documents, including regional SAT methodologies on which this guide is based, are available upon request.

- MPA Monitoring Action Plan, CDFW (2018): Guides long-term ecological monitoring of the MPA Network to inform adaptive management and lays the groundwork for a Network-wide evaluation framework
- Climate Resilience and California's Marine Protected Area Network, Climate Resilience Working Group (2021): Provides an overview of climate change impacts to California's coastal and marine ecosystems, explores mechanisms by which MPA designation may confer resilience to climate change, and offers recommendations for research and investment
- Science Guidance for Evaluating California's Marine Protected Area Network, Decadal Evaluation Working Group (2021): Provides scientific guidance in support of decadal management reviews of the MPA Network, including performance evaluation questions and metrics, as well as recommendations for filling key information gaps
- A Synthesis of Ecological and Social Outcomes from the California Marine Protected Area (MPA) Network, National Center for Ecological Analysis and Synthesis (NCEAS) Working Group (2022): Integrates a diverse set of long-term monitoring data to evaluate four key aspects of MPA performance against the goals of the MLPA
- Decadal Management Review (DMR), CDFW (2022): The first ever comprehensive evaluation of the entire statewide MPA Network



Bull kelp in shallow water. (E. Pope)

MLPA INITIATIVE PLANNING PROCESS: SCIENCE EVALUATION OF MPA PROPOSALS

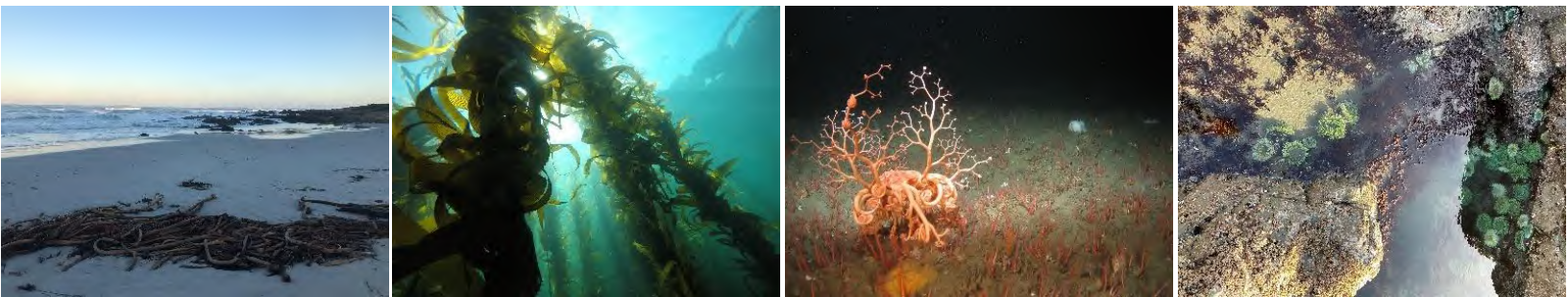
The MPA Network was legislatively mandated (MLPA, Fish & G. Code § 2850 (1999)) to be designed using the best available science and to function as an ecologically connected system (for more information, see Appendix A of the 2016 Master Plan for MPAs). During the MLPA Initiative planning process, the coast was divided into four planning regions to support MPA Network design based on local characteristics and conditions. As prescribed in the 2008 Master Plan, a SAT was convened during each region's individual planning process to develop scientific guidelines for MPA design, evaluate alternative proposals against these guidelines, and provide a scientific perspective if relevant questions arose. The SAT was composed of scientists with expertise in marine ecology, oceanography, fisheries, and socioeconomics, and was responsible for translating scientific knowledge into practical MPA Network design guidance. The SAT operated independently throughout the process and its members did not design or propose MPAs.

For each planning region, science-based guidelines developed by the SAT (hereafter, SAT Science Guidelines) were used by the Regional Stakeholder Groups for iterative MPA array design, and by the SAT to compare and evaluate alternative proposals. The SAT Science Guidelines were linked to the six MLPA goals and ensured that MPA proposals were assessed consistently and objectively. Additional analyses in support of the MLPA planning process were conducted by the SAT, MLPA Initiative staff and contractors, CDFW, and California State Parks.

The SAT Science Guidelines focused on several principles central to building a connected MPA Network:

- Each key marine habitat should be represented, to the extent feasible given uneven distribution of habitats in state waters, in multiple MPAs to protect the diversity of species living in and moving among different habitats. These habitats include rocky reefs, intertidal zones, sandy or soft ocean bottoms, kelp forests, submarine canyons, and seagrass beds.
- The MPA Network should contain multiple examples, or replicates, of each key marine habitat to protect the diverse species and communities occurring across large environmental and geographic gradients. This also helps buffer against loss or local disturbance in any single MPA.
- MPAs should be large enough to protect adult populations, accounting for biological factors such as home range size and movement patterns across depth zones.
- MPAs should be spaced close enough together to allow movement and dispersal of larvae and juveniles between MPAs.

Key marine habitats include beach (K. Gonzales), kelp forest (S. Wertz), deep water soft and hard substrate (CDFW/MARE), and rocky intertidal (E. Pope).



These principles were intentionally precautionary; by incorporating elements such as replication, connectivity, and spatial distribution, the MPA Network was designed to protect biodiversity and support ecosystem resilience under uncertain and changing environmental conditions stemming from both natural disturbances and broader ocean stressors. Fundamental to the success of incorporating these principles was adherence to guidance from the 2008 Master Plan, particularly that the array of MPAs in each region include No-take marine reserves that met size and spacing criteria to function as the 'backbone' of a connected MPA Network.

The four regional planning efforts were integrated into a single statewide MPA Network once the final regional networks of MPAs were adopted by the California Fish and Game Commission in 2012. Following the MPA Network's implementation, the focus moved from regional planning to statewide adaptive management. This was reflected in a shift from baseline monitoring at the planning region level to long-term monitoring scaled to bioregions (Figure 2). These bioregions reflect large-scale distinctions in biota, ecological communities, and key habitats, and help contextualize ongoing monitoring and evaluation of the MPA Network.



Figure 2. Map of the three bioregions defined in the MPA Monitoring Action Plan, delineated by distinct changes in ecological communities: North (California/Oregon border to San Francisco Bay, including the Farallon Islands), Central (San Francisco Bay to Point Conception), and South (Point Conception to the California/Mexico border, including the Channel Islands). These bioregions were identified based primarily on patterns observed in baseline monitoring data.

LEVELS OF PROTECTION

The MPA Network was designed to bolster ecological goals while still supporting a variety of human uses. To achieve this, MPAs were established with different classifications that restrict some or all consumptive uses (Table 1). For example, some MPAs are fully protected No-take State Marine Reserves (SMRs) that prohibit all extractive activities. These areas provide the highest level of ecological protection. Other classifications, namely State

Marine Conservation Areas (SMCAs) and State Marine Parks (SMPs), allow certain forms of take[2] to accommodate specific uses while still contributing to the goals of the MLPA. The regulations in these partial-take MPAs are specific to the objectives of the individual MPA and therefore vary by MPA; consequently, even though they share a designation, two SMCAs may permit very different take allowances.

This limited set of MPA classifications provided both simplicity and flexibility during the regional planning processes. At the same time, it created a challenge in comparing alternative MPA proposals. The types of fishing gear and extractive activities allowed within an MPA can influence the marine ecosystem in different ways depending on the species targeted, methods used, and habitats affected. As a result, two arrays of MPAs with otherwise similar numbers, sizes, and types of MPAs could markedly differ in their overall conservation value depending on the specific activities allowed within each proposed MPA.

To address this challenge, the SAT developed the Level of Protection (LOP) framework to assess an MPA's overall contribution to broader ecosystem protection goals given differing allowed uses (Figure 3). The framework was used to assign one of six[3] values (Low, Moderate-low, Moderate, Moderate-high, High, and Very High) to extractive activities based on their potential ecological impacts. This approach helped facilitate comparisons among MPA proposals and gauge a proposed array's likelihood of achieving the ecological goals of the MLPA, such as habitat and biodiversity protection.

Activities expected to have greater impacts on marine ecosystems received lower LOPs, while less permissive MPAs received higher LOPs. In developing LOPs, the SAT incorporated an assessment of both direct impacts (such as removal of target species, incidental take of non-target species, or habitat alteration resulting directly from the gear used) and indirect impacts (such as changes to food webs, community structure, or ecosystem function resulting from species removal) of an activity[4].



Warty sea cucumber in Scorpion SMR. (A. Van Diggelen)

[2] "Take" means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill (Fish and Game Code § 86)

[3] In the Central Coast, the first of the four study regions, only Very High, High, Moderate, and Low LOPs were applied.

[4] "Activity" refers to the take of a particular species, by a particular method, at a particular range of depths. The SAT acknowledged that other extractive or ecosystem-altering activities could affect ecosystem condition; however, these non-fishing activities were not incorporated into the SAT LOP framework because the impacts were difficult to quantify.

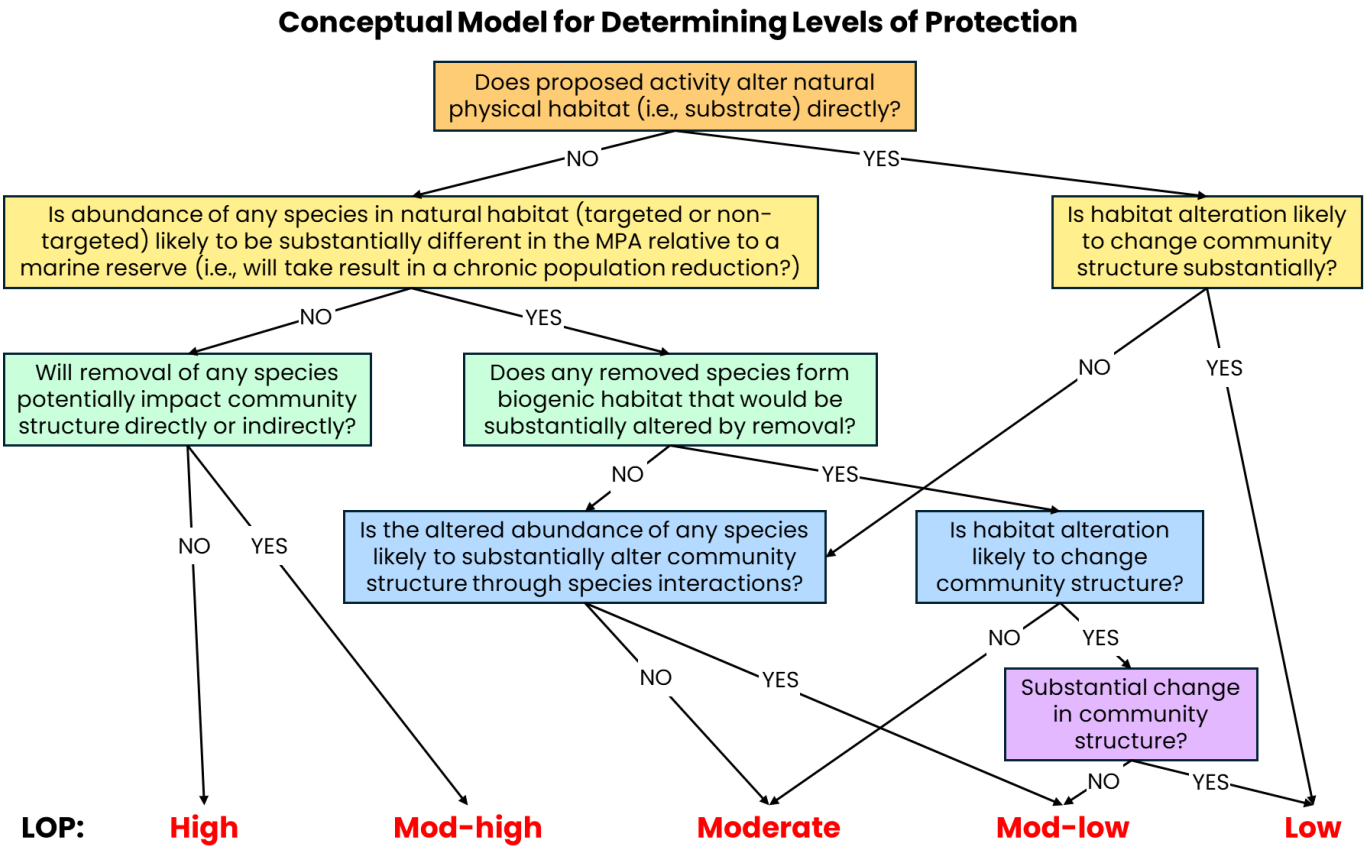


Figure 3. Conceptual model used by the SAT during the California MLPA Initiative planning process to assign an MPA's Level of Protection (LOP) based on proposed extractive activities (figure recreated from the SAT's Methods Used to Evaluate MPA Proposals in the MLPA North Coast Study Region). State Marine Reserves, which are No-take MPAs, were automatically assigned a Very High LOP (not shown here).

LOPs were developed by the SAT using recreational and commercial fishing data from CDFW, supplemented where needed by scientific literature and local knowledge for each planning region. The resultant LOPs were thus highly tailored to the specific fisheries, gear types, and species-habitat interactions in each planning region.

Each proposed MPA was assigned an LOP based on its allowable uses. When multiple extractive activities were proposed within a single MPA, the overall LOP for that MPA corresponded to the activity with the greatest potential ecological impact (i.e., the activity with the lowest LOP).

Conceptually, the framework assessed how much an ecosystem within an MPA might differ from a comparable No-take area if a given extractive activity were allowed. More restrictive MPAs received higher LOPs, whereas MPAs that allowed activities expected to substantially[5] alter species abundance, habitat condition, or community structure relative to a No-take area received lower LOPs. Although MPAs assigned low LOPs likely provide less conservation value than more restrictive MPAs, they may contribute toward achieving other MLPA goals.

[5] A 'substantial' change in the abundance of a species is one that is likely to be persistent and detectable through comparison with a No-take area.

Fishing regulations are implemented at scales larger than individual MPAs, so the actual level and distribution of take within an MPA is inherently uncertain. For this reason, the SAT developed LOPs conservatively based on the potential impacts of an activity occurring at its maximum allowable intensity under existing regulations, rather than on actual fishing effort, stock status, or realized ecological conditions within an MPA. The LOP framework therefore focuses on the certainty that an MPA would achieve the ecological goals of the MLPA regardless of existing or future patterns of take. As a result, an MPA with a High LOP is likely to resemble an unfished system even if allowed activities are locally intense or increase in the future.

This framework provided a transparent, consistent, and stable method for comparing MPA proposals and evaluating their potential contribution to the MLPA's ecosystem protection goals. Barring a few changes to MPA designations and take regulations, LOP designations have remained largely the same since implementation of the MPA Network.

SCIENCE ADVISORY TEAM ANALYSES

In analyzing the proposals for MPA arrays put forward by regional stakeholder groups, the SAT used LOPs in conjunction with other science-based guidelines to evaluate whether MPAs would contribute to Network-scale objectives. Per the principles behind the SAT Science Guidelines, MPAs were required to be of sufficient size to support marine populations, be spaced such that both adult and larval movement between protected areas could occur, and that key habitats were represented and spatially replicated regionwide. To be able to count towards ecological connectivity and habitat replication goals, MPAs need to meet a set of criteria based on these principles (Table 3).

Levels of Protection

The SAT developed a Level of Protection (LOP) framework highly tailored to the specific fisheries, gear types, and species-habitat interactions in each planning region.

Each proposed MPA was assigned an LOP based on its allowed uses with the assumption that allowed activities could occur at maximum plausible intensity. When multiple extractive activities were proposed within a single MPA, the overall LOP for that MPA corresponded to the activity with the lowest LOP.



A scuba diver encounters a school of blacksmith. (M. Haggerty)

Table 3. Overview of SAT Science Guidelines for MPA size, habitat representation and replication, and spacing.

Evaluation Area	SAT Criteria
Size	• Size analyses are conducted at three protection levels: **Moderate-High**, **High**, and **Very High**. * • MPAs must be at least **9 square miles,** with at least **18 square miles preferred**. • Combines contiguous MPAs at or above the three highest levels of protection into **MPA clusters**.
Habitat Representation	• To ensure that MPAs encompass a variety of marine habitat types and communities across a range of depths and environmental conditions, **the percentage and distribution of key habitats** protected in MPAs across all six levels of protection is evaluated.
Habitat Replication	• MPAs must include enough habitat to encompass **90% of the biodiversity** associated with that habitat (based on biological surveys). • MPAs must have an LOP of at least **Moderate-High** and meet **minimum size guidance**. • Bioregions should include at least **3 to 5 replicates,** with at least one replicate within each planning region's sub-bioregion.
Spacing	• MPAs include enough habitat to serve as **habitat replicates.** • MPAs or MPA clusters must have an LOP of at least **Moderate-High** and meet **minimum size guidance**. • Replicate MPAs for a given habitat should be placed at most **31 to 62 miles apart but can be closer**.
* Though the BRTF recommended that proposed MPA arrays prioritize MPAs with Very High and High LOPs, the SAT typically performed size, spacing, and habitat replication analyses at each of the three highest LOPs to facilitate comparisons of alternative proposals.	

SIZE

MPAs that meet SAT guidance thresholds for size and protection form the backbone of the MPA Network.

First is size. Except for estuarine MPAs, to count towards Network-wide objectives, an MPA must have a minimum size of nine square miles (sq. mi), with a preferred size of 18 sq. mi. Estuarine MPAs were not required to meet a minimum size guideline, with the SAT instead recommending protection of the entire estuary, if possible. Second is LOP. To count towards Network-wide objectives, an MPA must have one of the three highest LOPs (Very High, High, or Moderate-High)[6]. Regardless of their individual sizes, adjacent MPAs that meet the LOP criteria and have a collective footprint of nine square miles or more are termed MPA clusters and are grouped together to count towards these goals. MPAs that meet these thresholds of size and protection, whether individually or in a cluster, are the backbone of the MPA Network.

[6] During the Central Coast planning region only MPAs with Very High and High LOPs were included within the LOP threshold for backbone MPAs because the Moderate-high LOP was not established until subsequent planning regions.

HABITAT REPRESENTATION AND REPLICATION

The MLPA stipulated that a variety of marine habitat types and communities across a range of depths and environmental conditions should be represented in MPAs in each bioregion, and that similar habitats should be replicated in at least one SMR per bioregion. This guidance was refined in the Master Plan, which recommended that key marine habitats be represented in the MPA Network and replicated in at least three to five MPAs per bioregion. While representation analyses include all MPAs, regardless of size or LOP (see Table C1 for habitat quantities in individual MPAs), only MPAs that meet the size and protection thresholds are included in habitat replication analyses. Because of this, these backbone MPAs are sometimes referred to as 'replicate MPAs'. However, not all replicate MPAs are replicates of each other (i.e., replication is habitat specific). For an MPA to count as a replicate for a given habitat, it must contain enough of the habitat to capture 90% of the associated biodiversity. The minimum coverage needed to encompass this amount of biodiversity varies by habitat type (Table 4). This is intended to ensure meaningful protection rather than minimal coverage.

Table 4. Minimum habitat length, area, or percent of MPA required to count towards habitat replication in MPAs. Values shown are based on regional biological survey and represent the spatial extent necessary to capture 90% of the habitat's biodiversity in each of California's MLPA Initiative planning regions.

		MLPA Initiative Planning Region			
Habitat	Units	North	North Central	Central (% of MPA)	South
Beach	mi[a]	1.1	~1	20%	~1.14
Rocky shores, including offshore rock	mi[a]	0.55	~0.5	20%	0.48
Kelp	mi[b]	1.1	~1	10%	~1.14
Estuaries	sq mi	0.12	~0.12		0.12
Hard Substrate, 0-30 m	mi[b]	1.1	~1	15%	~1.14
Hard Substrate, 30-100 m	sq mi	0.13	~0.1	10%	~0.20
Hard Substrate, >100 m	sq mi	0.13			~0.22
Soft Substrate, depth zones not combined					
0-30 m	mi[b]	1.1		20%	
30-100 m	sq mi	7		15%	
>100 m	sq mi			10%	
Soft Substrate, multiple depth zones combined					
Total	sq mi	~7			~8
Minimum preferred:					
0-30 m	mi[b]	1.1	~1		~1.14
30-100 m	sq mi	5	~10		~2.24
>100 m	sq mi	1			
100-200 m	sq mi				~1.10
>200 m	sq mi				~0.46

[a]indicates metric corresponds to shoreline distance

[b]indicates metric corresponds to alongshore span

SPACING

To support ecological connectivity and facilitate the dispersal of larvae from bottom-dwelling fish and invertebrates, the SAT advised a maximum spacing interval of 31 to 62 miles between replicate MPAs for a given habitat. This guideline was based on the best available science regarding larval dispersal distances. However, the SAT emphasized that this guideline was intended as a practical design tool rather than a strict ecological threshold. Ecological connectivity varies continuously and is influenced by many factors, including coastline shape, ocean currents, habitat distribution, and species-specific dispersal patterns. Although simple spacing thresholds cannot fully capture the complexity of oceanographic and ecological connectivity along California's coast, the spacing guideline was a valuable proxy tool during the MLPA planning process.

SOCIOECONOMIC CONSIDERATIONS

While not part of the formal evaluations conducted by the SAT, fishery impacts were also considered in evaluating alternative MPA proposals. The MLPA's ecological goals were not intended to be at odds with the state's commercial and recreational fisheries. Rather, MPAs were viewed as complementary to other fisheries management measures as part of a comprehensive framework to sustain marine life, habitats, and, by extension, fisheries. The MLPA specifically requires consultation with local communities and interested parties regarding the socioeconomic and environmental impacts of various MPA alternatives (Fish & G. Code § 2855(c)). To that end, socioeconomic analyses in each planning region incorporated local knowledge interviews with fishermen, along with extensive economic data on region-specific fisheries, including mapping, landings, and ex-vessel revenue. The results of these analyses informed both the design of individual MPAs and comparisons of alternative MPA arrays.



Surfer on shore. (K. Gonzales)

DESIGN OUTCOMES OF MLPA PLANNING PROCESS SCIENCE GUIDANCE

The following analyses were conducted on the existing MPA Network at a statewide or bioregion scale using best currently available statewide data.

WHAT PORTION OF MPAS CURRENTLY MEET SAT SCIENCE GUIDELINES TO SUPPORT NETWORK-WIDE ECOLOGICAL GOALS?

LOP AND MPA SIZE: Most (89 of 124, or 72%) MPAs within the MPA Network have one of the three highest LOPs (Very High, High, or Moderate-high; Figure 4). This percentage is similar across the three bioregions (Figure 5).

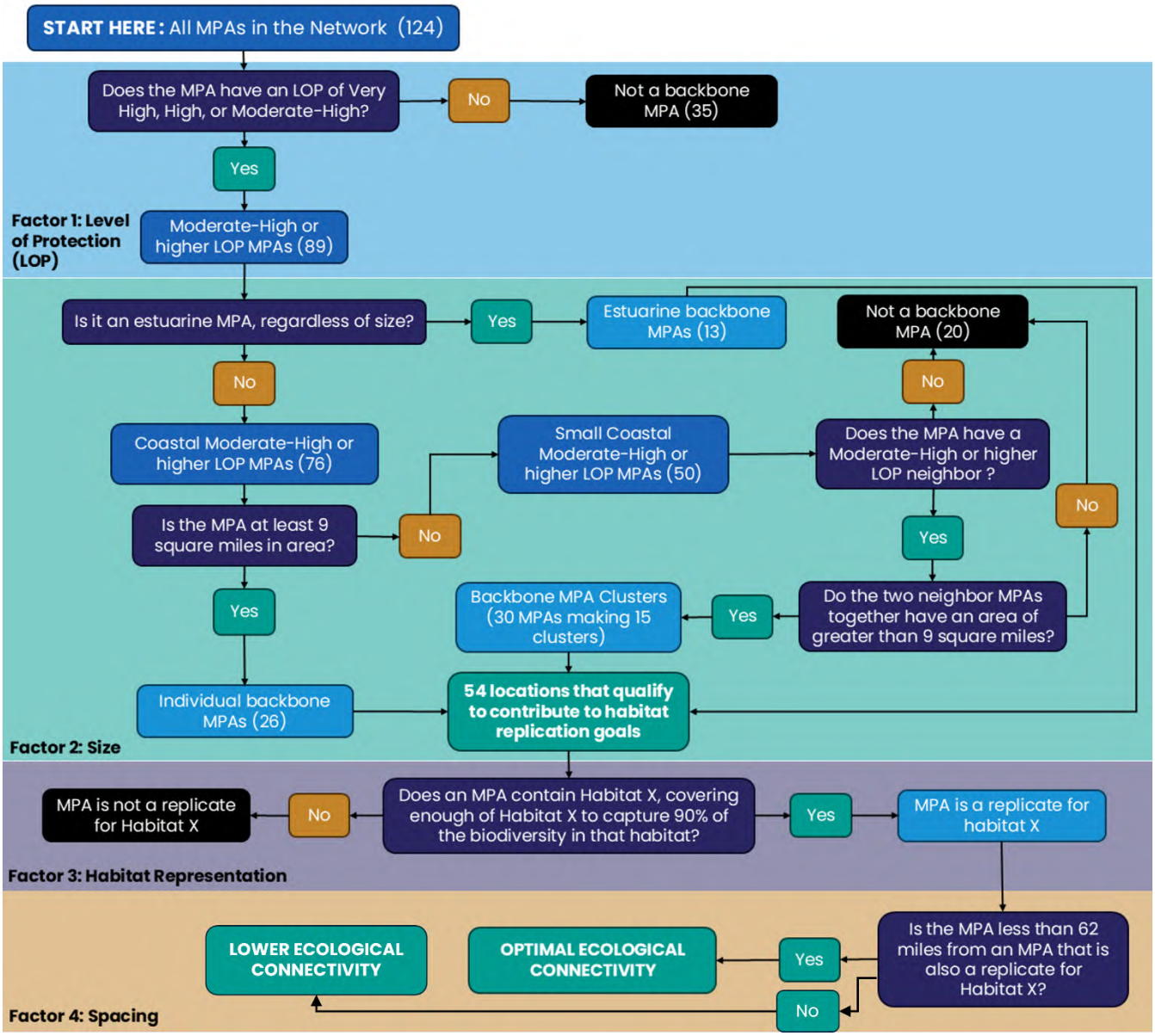


Figure 4. Conceptual diagram illustrating the number of MPAs that currently meet design criteria established by the Science Advisory Team during the MLPA Initiative planning process (e.g., Level of Protection, size, habitat representation and replication, and spacing).

Of the 89 MPAs that meet the LOP requirement as determined by the SAT during the MLPA Initiative planning process (Very High, High, or Moderate-high), 13 are estuarine MPAs (Figure 6). Estuarine MPAs that meet the LOP criteria are considered in replication analyses regardless of their size. This is because applying the minimum size requirement or requiring co-location with another contiguous MPA to create a cluster would have greatly limited siting possibilities.

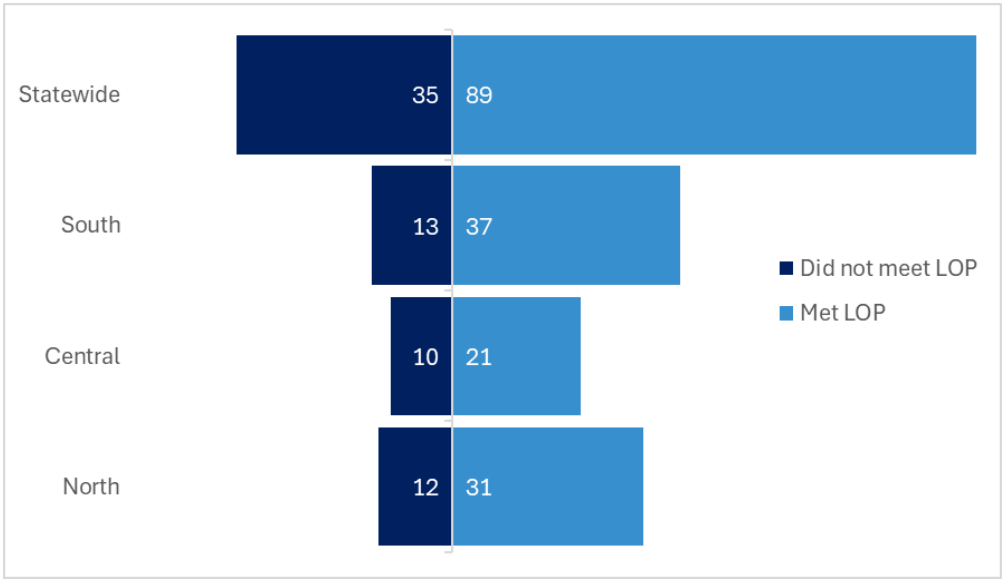


Figure 5. Number of California MPAs statewide and by bioregion that meet the Level of Protection (LOP) categories of Very High, High, or Moderate-High. Most (72%) were designed with at least a Moderate-high LOP.

When contiguous MPAs each had an LOP greater than Moderate-high, the SAT grouped them into an MPA cluster. Regardless of each MPA's individual area, if the cluster has a total area greater than 9 sq. mi., it functions as a backbone MPA and is counted in replication analyses (Figure 4). Apart from the 13 estuarine MPAs, of the remaining 76 MPAs that meet the LOP requirement, 26 have an area greater than 9 sq. mi. and do not have a neighboring MPA (i.e., not a cluster MPA). Thirty MPAs comprise 15 clusters of contiguous MPAs, and each individual cluster has a total area greater than 9 sq. mi. (Figure 6).

The remaining 20 of the 89 MPAs that meet one of the three highest LOPs are either smaller than the 9-sq. mi. minimum size guideline or are not clustered with an adjacent MPA to collectively meet that guideline. While these MPAs may not serve as

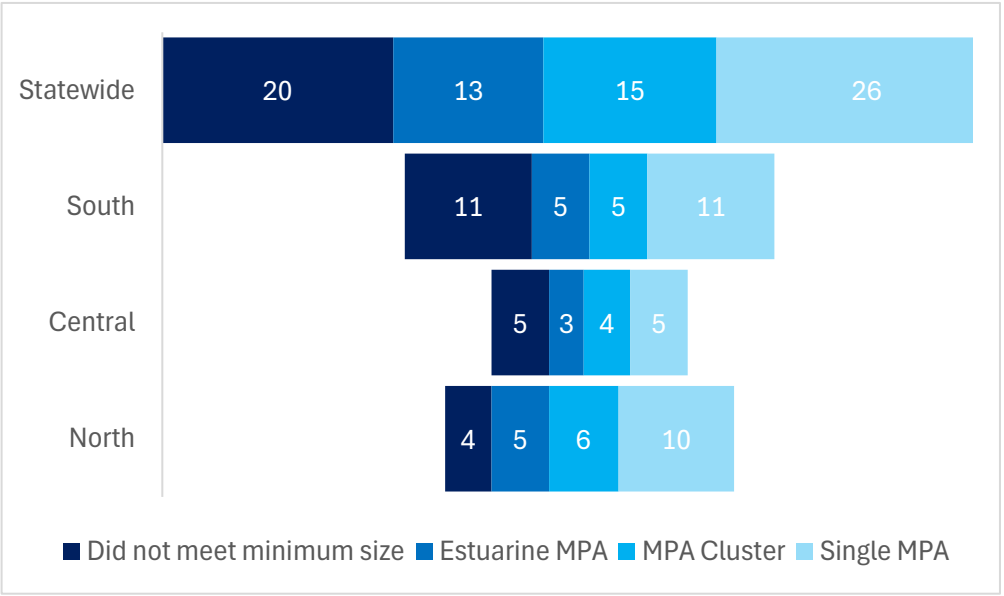


Figure 6. Number of California MPAs statewide and by bioregion that meet the LOP and size criteria to serve as backbone MPAs (e.g., at least Moderate-high LOP and 9 sq. mi.). Most (78%) MPAs meeting the LOP criteria also meet the size guideline or are estuarine MPAs.

backbone components of the MPA Network, they were often designed to achieve local conservation objectives. For example, some smaller MPAs were specifically designed to protect nearshore habitats such as rocky intertidal areas and shallow reef systems. In these cases, maximizing the size of the MPA by increasing the offshore extent would not necessarily have improved achievement of the individual MPA's intended objectives and may have introduced additional undesirable tradeoffs.

In combination, these 13 estuarine MPAs, 26 individual MPAs, and 30 MPA clusters make up the ecological backbone of the MPA Network and strengthen the likelihood that the MPA Network will achieve the MLPA's ecological objectives (Table 5).

Table 5. California MPAs that meet the Level of Protection and size criteria to qualify as backbone MPAs (e.g., at least Moderate-high LOP and 9 sq. mi.).

Individual MPAs	MPA Clusters	Estuary MPAs
• Pyramid Point SMCA • Point St. George Reef SMCA • Samoa SMCA • South Cape Mendocino SMR • Mattole Canyon SMR • Sea Lion Gulch SMR • Big Flat SMCA • Double Cone Rock SMCA • Stewarts Point SMR • North Farallon Islands SMR • Año Nuevo SMR • Soquel Canyon SMCA • Portuguese Ledge SMCA • Big Creek SMR • Vandenberg SMR • Point Conception SMR • Campus Point No-Take SMCA • Richardson Rock SMR • Harris Point SMR • Carrington Point SMR • South Point SMR • Gull Island SMR • Scorpion SMR • Anacapa Island SMR • Begg Rock SMR • Santa Barbara Island SMR	• Reading Rock SMR/SMCA • Ten Mile Beach SMCA/Ten Mile SMR • Point Arena SMR/SMCA • Bodega Head SMR/SMCA • Point Reyes SMR/SMCA • Southeast Farallon Islands SMR/SMCA • Montara SMR/Pillar Point SMCA • Point Sur SMR/SMCA • Piedras Blancas SMR/SMCA • Point Buchon SMR/SMCA • Point Dume SMR/SMCA • Point Vicente No-Take SMCA/Abalone Cove SMCA • Blue Cavern Onshore No-Take SMCA/Blue Cavern Offshore SMCA • Farnsworth Onshore/Offshore SMCA • Laguna Beach SMR/No-Take SMCA	• Ten Mile Estuary SMCA • Russian River SMRMA • Estero Americano SMRMA • Estero de San Antonio SMRMA • Estero de Limantour SMR • Elkhorn Slough SMR • Moro Cojo Slough SMR • Morro Bay SMR • Goleta Slough No-Take SMCA • Bolsa Chica Basin No-Take SMCA • Batiquitos Lagoon No-Take SMCA • San Elijo Lagoon No-Take SMCA • Famosa Slough No-Take SMCA

MPA SPACING: Backbone MPAs (those individual MPAs and MPA clusters that meet the size and LOP criteria) were strategically placed within a maximum spacing interval of 31 to 62 miles to facilitate larval dispersal (Figure 7). This maximum range was intended as a guideline to support ecological connectivity, not a strict cutoff beyond which larvae are unable to disperse. Because MPA spacing methodologies (i.e., between edges or midpoints) were inconsistently applied across regions during the initial planning phases, we used the nearest edge-to-edge over-water distance between adjacent backbone MPAs. Adopting this metric establishes a uniform baseline that reflects the absolute minimum dispersal gap between protected habitats.[7] Over-water distances between backbone MPAs ranged from 1.5 to 60.3 miles, with an average (± SD) distance of 16.45 ± 10.6 miles between nearest MPA backbone neighbors. Distances between Channel Islands backbone MPAs were included in this calculation, though the SAT advised during the South Coast regional planning

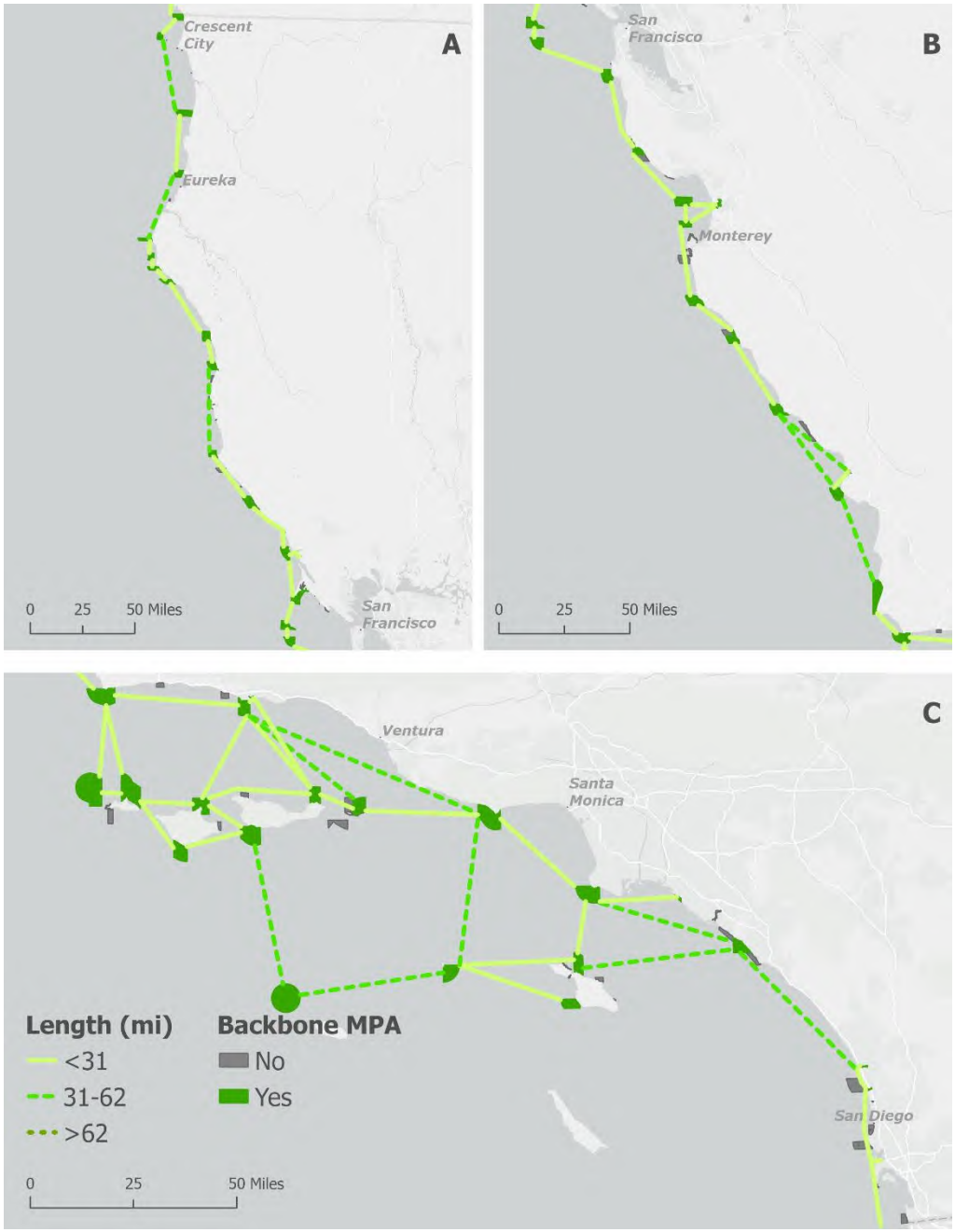


Figure 7. Linear over-water distance (miles) between California backbone MPAs in the (a) North, (b) Central, and (c) South bioregions. All backbone MPAs are within 62 miles of at least two neighboring backbone MPAs. The northernmost and southernmost lines extend to the borders with Oregon and Mexico, respectively, to indicate the nearest potential replicate outside of the state.

[7] Evaluating MPA spacing via nearest edge-to-edge distance provides the minimum geographic gap between habitats. While this method reflects the shortest potential dispersal path for marine organisms, it is less conservative when testing network compliance against maximum spacing thresholds than a midpoint-to-midpoint calculation.

process that, due to the complex geography and ocean currents around the Channel Islands, guidelines other than spacing may be more relevant to their design.

HABITAT REPRESENTATION AND REPLICATION: Key habitats that should be represented in the MPA Network were outlined in the MLPA and refined in the Master Plan for MPAs. The Master Plan recommended at least three to five replicate MPAs be designed for each habitat type within a biogeographical region. The SAT further advised that key marine habitats be replicated in at least one MPA within each planning region's sub-bioregions. California's marine habitats are diverse and not evenly distributed throughout state waters. Some habitat types may only be available (i.e., present) in certain areas and/or depths. Therefore, the capacity to meet habitat representation and replication guidelines during the planning process was sometimes constrained by habitat availability, habitat spatial heterogeneity, and bathymetry. For example, the SAT explicitly stated in their methodology for the North Central Coast Study Region that habitats deeper than 100 m did not need to be represented or replicated in that region because they are generally less available.

The key habitats analyzed in this document include rocky shore, sandy beach, estuarine, and kelp forest, as well as hard and soft substrate in four depth zones (0-30 m, 30-100 m, 100-200 m, and >200 m). Each of these habitats is represented in each bioregion in the MPA Network, and the replication guideline was met within each bioregion for all habitats analyzed here (Table 6).



Fishing at Pigeon Point. (S. Worden)

Table 6. Number of replicates of each key habitat statewide and within each bioregion per SAT Science Guidelines developed during the MLPA Initiative planning process. Shaded boxes indicate habitats within bioregions that met the recommendation of at least 3-5 replicates of a given habitat per bioregion. For each habitat, areas of coastline (and corresponding bioregion) representing a distance >62 miles between habitat replicates are listed.*

Habitat	Statewide	North	Central[1]	South	Distance >62 miles between habitat replicates (Bioregion)
Beach	31	13	7	11	• Ten Mile Cluster to Stewarts Point SMR (North) • South of Orange County/Catalina Island MPAs (South)
Rocky shore, inc. offshore rocks	36	15	7	14	• South of Orange County/Catalina Island MPAs (South)
Kelp	22	3	6	13	• North of Ten Mile Cluster (North) • Stewarts Point SMR to Año Nuevo SMR (North/Central) • South of Orange County/Catalina Island MPAs (South)
Estuary	11	4	3	4	• Ten Mile Estuary SMCA to Russian River SMRMA (North) • Estero de Limantour SMR to Elkhorn Slough SMR (North/Central) • Moro Cojo Slough SMR to Morro Bay SMR (Central) • Morro Bay SMR to Goleta Slough (No-Take) SMCA (Central/South) • Goleta Slough (No-Take) SMCA to Bolsa Chica Basin (No-Take) SMCA (South)
Hard substrate, 0-30 m	25	9	7	9	• Pyramid Point SMCA to Double Cone Rock SMCA (North) • Point Vicente/Abalone Cove Cluster to Campus Point (No-Take) SMCA and to Gull Island SMR (South)
Hard substrate, 30-100 m	27	11	7	9	• South of Catalina Island (South) • East of the Northern Channel Islands (South)
Hard substrate, >100 m [2]	5	1	1	3	• North of Mattole Canyon SMR (North) • Mattole Canyon SMR to Soquel Canyon SMCA (North/Central) • Soquel Canyon SMCA to Harris Point SMR (Central/South) • South and east of Begg Rock SMR (South)
Soft substrate, all depths [3]	33	12	8	13	• Ten Mile Cluster to Stewarts Point SMR (North)

* Potential discrepancies with historical planning data are attributed to refinements in data accuracy and resolution.

[1] In this analysis, the habitat minimums established for the North Central Coast Study Region were used to determine habitat replication for MPAs in the Central Coast Study Region.

[2] The SAT explicitly stated that habitats deeper than 100 m did not need to be represented or replicated in the North Central Coast Study Region because they are generally less available (California Marine Life Protection Act Initiative. 2008. Methods Used to Evaluate MPA Proposals in the North Central Coast Study Region. California Natural Resources Agency, Sacramento, CA)



California spiny lobsters find refuge between rocks amongst sea urchins. (D. Stein, CDFW)

[3] To ease comparison among regions, the total area of soft substrate across a range of depths was assessed, without prioritizing preferred depth-specific minimums.

HABITAT SPACING: The SAT advised a maximum spacing interval of 31 to 62 miles between replicate MPAs of a given habitat (i.e., MPAs that meet the size, LOP, and minimum habitat criteria).

Overall, most key habitats in California's MPA Network meet this spacing guidance (Table 6). Replicates for beach (Figure C1), rocky shore (Figure C2), and soft substrate (Figure C3) habitats are generally well distributed along the coast statewide.

In some cases, apparent spacing gaps between habitat replicates (Figures C4-6) reflect the distribution of the habitat itself, rather than limitations of the MPA Network design. For example, hard substrate habitat is relatively limited compared to soft substrate habitat, and deeper habitats (>100 m) often occur beyond the limit of state waters, where state MPAs cannot be designated. Bull kelp (*Nereocystis luetkeana*) canopy is also naturally patchy along the northern California coast, sometimes resulting in relatively large gaps between canopy areas (Figure C7).

Unlike open coastal habitats, estuaries may be more influenced by upstream dynamics and human activities than by ocean currents. As a result, estuaries are not expected to be connected to each other in the same way as other habitats. For estuarine MPAs, connections to surrounding marine habitats, which support species that move between these habitats over their lifetimes, may be more important than spacing between estuarine replicates (Figure C8).

In southern California, particularly in San Diego County, spacing between habitat replicates was not met for all key habitats (excluding estuaries, Table 6). This reflects intentional design decisions made during the planning process to balance MPA Network ecological goals with continued human uses. For instance, some No-take MPAs were designed to be smaller than the recommended size threshold, and in one case, an MPA lost its backbone status when a Moderate-low take allowance was later adopted to avoid conflicts with existing California State Parks uses.

Overall, habitat spacing across the MPA Network is generally consistent with SAT Science Guidelines. Where gaps occur, they often reflect heterogeneity in habitat distributions or represent intentional design tradeoffs made during the planning process. These patterns provide important context for evaluation and management of the MPA Network today.

WHAT PERCENTAGES OF KEY HABITATS ARE PROTECTED WITHIN THE CURRENT MPA NETWORK?



Estuary at the Santa Ynez River mouth. (K. Gonzales, CDFW)

CDFW conducted an analysis in 2026 using the best available comprehensive statewide data for 12 of the key habitats considered during the MLPA Planning process and found that, on average, approximately one-quarter of the total mapped extent of those habitats is contained within MPAs statewide (proportion: 0.24 ± 0.11 SD). The two habitats with the highest percentages represented within MPAs statewide are hard substrate from depths of 100-200 m (58%) and 30-100 m (29%; Table 6). The two habitats with the lowest percentages contained within MPAs statewide are estuaries (12%) and soft substrate from depths of 0-30 m (15%; Table 7).

Across bioregions, the percentages of kelp, beach, rocky intertidal, estuarine, and soft substrate habitats within MPAs are generally similar, despite regional differences in availability of habitat (Figures 8-9; Table 7). The same pattern is true for shallower hard substrate (Figure 8). However, in deeper waters, the percentage of hard substrate within MPAs varies widely across bioregions (Figure 9; Table 7).



Rockfish swimming near the ocean floor. (CDFW/MARE)

Table 7. Percent and total amount of key habitats contained in MPAs by bioregion and statewide. Values include all MPAs, regardless of LOP, size, or classification. Potential discrepancies with historical data are attributed to ongoing updates in data availability.

Habitat	Metric	Statewide	North	Central	South
Beach (mi[a])	%	17	15	24	14
	Total	185.3	59.2	64.9	61.1
Rocky shore, excluding offshore rocks (mi[a])	%	27	26	33	24
	Total	223.2	77.7	77.3	68.2
Maximum kelp canopy, 1984-2023 (mi[b])	%	22	21	30	18
	Total	121.4	18.9	46.5	55.9
Estuaries (sq mi)	%	12	9	56	6
	Total	16.0	5.7	7.0	3.3
Hard substrate					
0-30 m (mi[b])	%	23	25	31	17
	Total	111.8	33.4	43.6	34.8
30-100 m (sq mi)	%	29	28	22	35
	Total	43.4	18.8	9.1	15.6
100-200 m (sq mi)	%	58	37	45	66
	Total	6.5	0.29	1.5	4.8
>200 m (sq mi)	%	22	44	15	29
	Total	3.6	0.03	1.3	2.3
Soft substrate					
0-30 m (mi[b])	%	15	13	16	16
	Total	120.0	31.8	29.1	59.1
30-100 m (sq mi)	%	17	19	15	16
	Total	363.3	157.8	86.6	119.0
100-200 m (sq mi)	%	22	20	24	23
	Total	76.1	12.7	19.0	44.4
>200 m (sq mi)	%	18	28	21	16
	Total	79.3	2.2	25.3	51.8

[a]indicates metric corresponds to shoreline distance
[b]indicates metric corresponds to alongshore span



Fishing boat offshore of Point Pinos. (S. Worden)

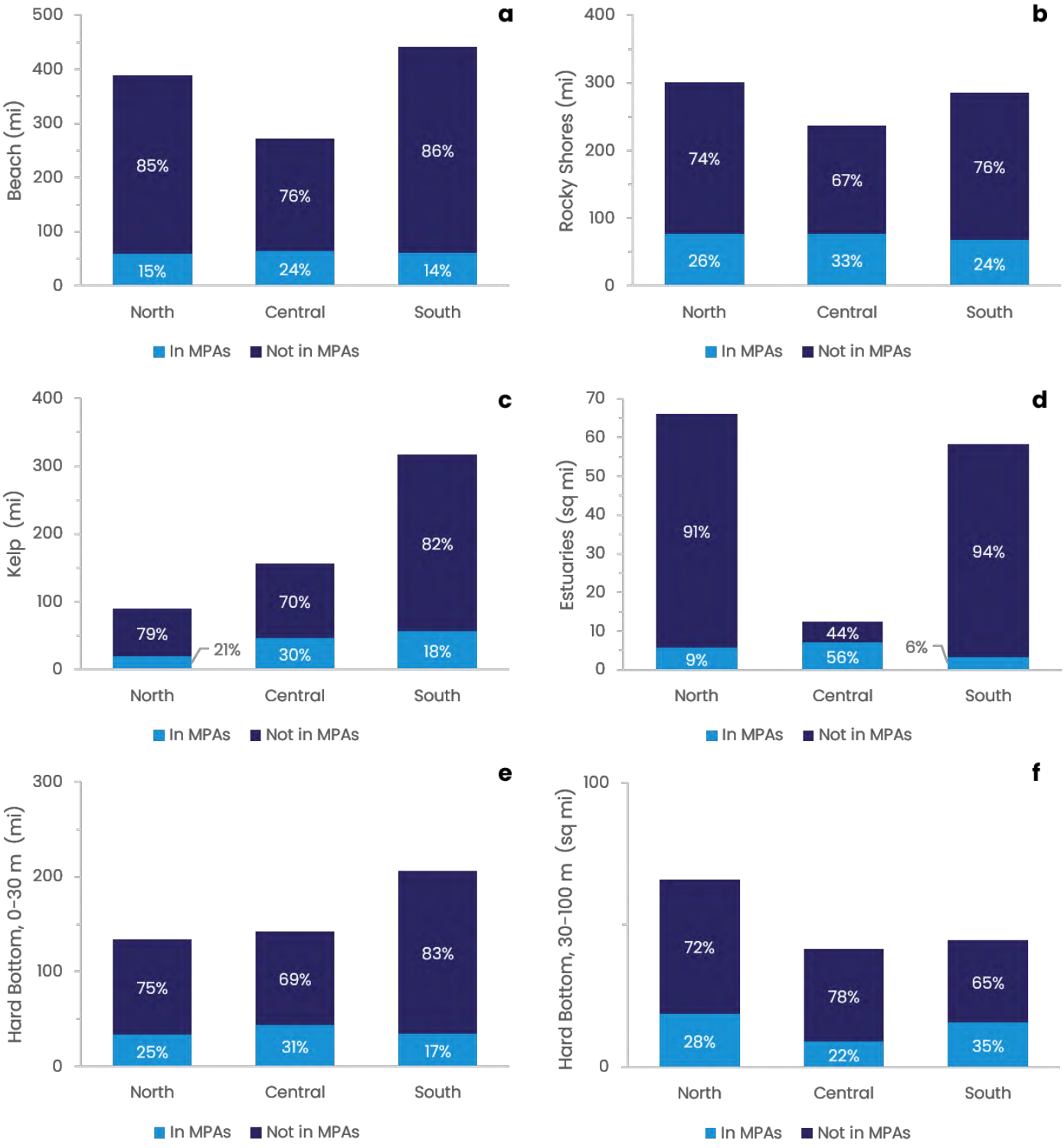


Figure 8. Absolute and relative (%) amounts of (a) beach, (b) rocky shores (not including offshore rock), (c) maximum kelp canopy (1984-2023), (d) estuarine habitat, and hard substrate at depths of (e) 0-30 m and (f) 30-100 m in MPAs (light blue) and not in MPAs (dark blue) by California bioregion.

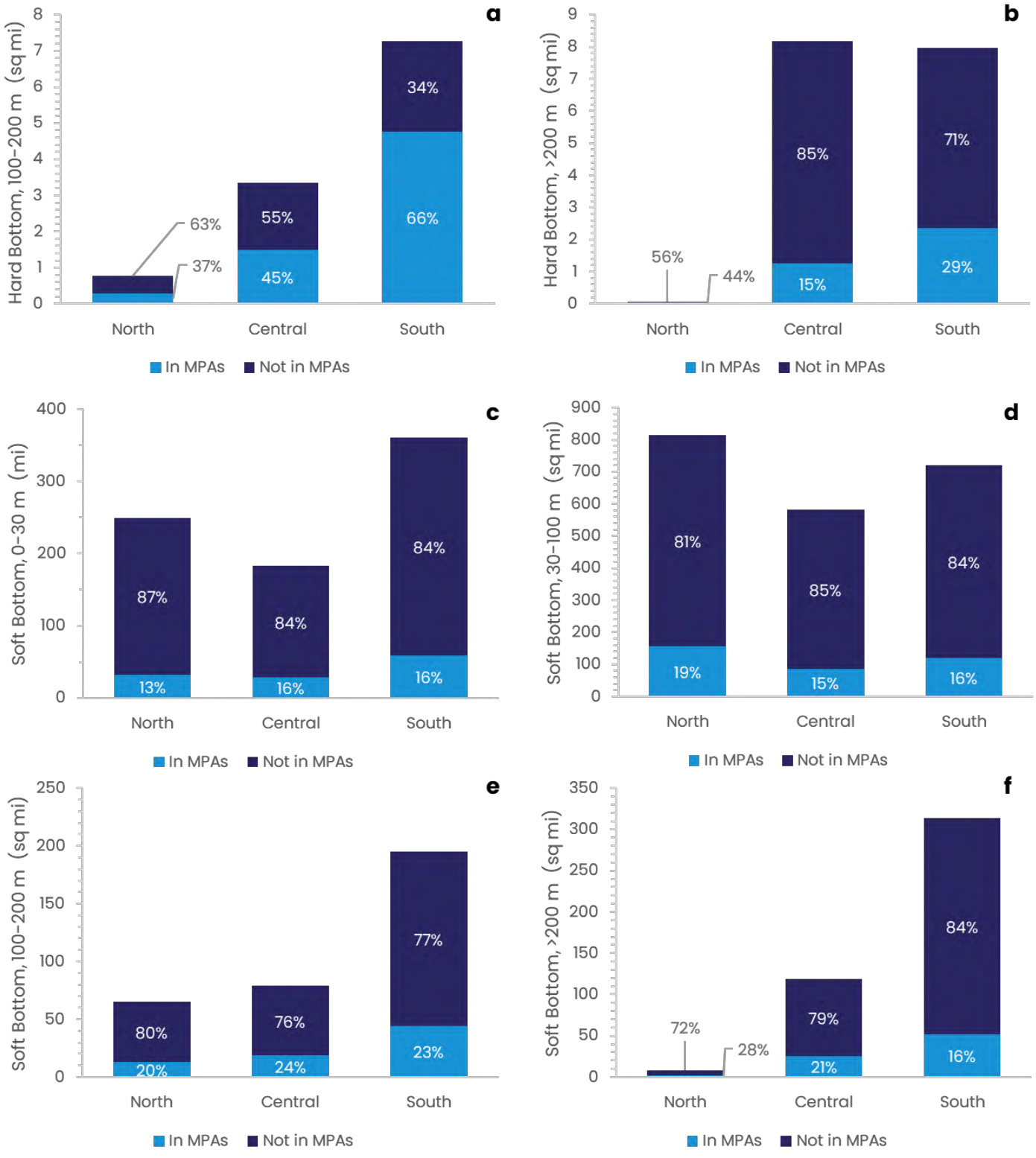


Figure 9. Absolute and relative (%) amounts of hard substrate at depths of (a) 100-200 m and (b) greater than 200 m, and soft substrate at depths of (c) 0-30 m, (d) 30-100 m, (e) 100-200 m, and (f) greater than 200 m that is contained in MPAs (light blue) and not in MPAs (dark blue) by California bioregion.



Crab on giant kelp. (K. Elsmore)

WHAT PERCENTAGE OF THE CURRENT EXTENT OF KELP CANOPY IS INCLUDED WITHIN THE MPA NETWORK?

Kelp forests are one of California's most productive and biodiverse marine ecosystems, dominated by giant kelp (*Macrocystis pyrifera*) in southern California and bull kelp (*Nereocystis luetkeana*) in northern California, with a mix of both species in central California. Accordingly, kelp forests were among the key habitats explicitly identified for protection during the MLPA Initiative planning process. The statewide MPA Network was fully implemented in 2012, shortly before an unprecedented marine heatwave (MHW) and associated ecological stressors resulted in widespread, but regionally variable, declines in kelp cover[8]. Because kelp abundance and distribution naturally fluctuate across a range of spatial and temporal scales, distinguishing the influence of MPAs from broader environmental drivers remains an active area of research. Nevertheless, long-term datasets provide an opportunity to quantify changes in the proportion of kelp canopy occurring within the MPA Network over time.

During the MLPA Initiative planning process, the kelp canopy data used to inform MPA design were derived from 2-meter spatial resolution CDFW aerial surveys conducted in multiple years between 1989 and 2008 (the specific survey years used varied among regional planning processes). These surveys continued after MPA Network implementation but have not occurred since 2016, limiting their ability to characterize more recent changes in kelp canopy extent. Landsat imagery[9] was thus selected for this analysis because it offers a consistent long-term statewide time series of kelp canopy observations extending from before MPA Network implementation through recent years, including the period following the 2014-2016 MHW.

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[8] CDFW. 2021. Giant Kelp and Bull Kelp Enhanced Status Report. CDFW, Marine Region.

[9] Note that Landsat's spatial resolution (30 m) is coarser than that of CDFW's aerial imagery (~2 m), which may increase the likelihood that small or sparse patches of kelp canopy are not detected. This limitation is particularly relevant in northern California, where bull kelp, the dominant canopy-forming species, exhibits lower surface biomass than giant kelp, which is dominant in southern California. As a result, fragmented or low-density patches of bull kelp are more likely to be missed, and overall extent of bull kelp canopy may be underestimated. This may occur in both datasets, though the effect is likely more pronounced in the coarser-resolution Landsat imagery.

Annual third-quarter Landsat-derived kelp canopy observations[10] were compiled for 1984-2023 and converted into annual presence-absence spatial datasets. For selected time periods, annual observations were combined to identify the maximum observed extent of kelp canopy across all selected years (i.e., maximum extent of all areas where kelp was detected during at least one year of the selected timeframe). To align with the methodology used during the MLPA Initiative planning process, kelp extent was evaluated as an alongshore linear, rather than areal, measure spanning the alongshore length of kelp canopy from a composite of all relevant years of data. This was done to ensure that both steep and gently sloping kelp beds are considered equally in analyses, since a narrow band of kelp along a steep shore and a broader bed along a gently sloping shore are likely to encompass similar biological richness so long as they extend along a similar length of shoreline. The linear distance was drawn to encompass the full kelp extent following the shape of the shoreline, bathymetric contours, and the canopy itself. Therefore, the cumulative length of kelp canopy is not directly comparable to the length of the state's coastline.


Bull kelp under water. (CDFW)

This linear maximum extent metric was then used to quantify the proportion of statewide kelp canopy extent occurring within MPAs during four time periods selected to capture different ecological and management contexts. The 2007-2013 timeframe provides a reference period encompassing conditions spanning regional implementation of the MPA Network, which occurred between September 2007 and December 2012. The 2014-2016 period captures the major MHW and its immediate effects on kelp extent. Although elevated ocean temperatures and additional heatwaves occurred beyond 2016 and ecological responses may continue to emerge in subsequent years, these years were analyzed separately to isolate the initial disturbance. The 2017-2023 period represents post-MPA implementation conditions following the MHW through the release of the DMR and the start of the MPA petition process. Finally, 1984-2023 provides a long-term baseline for comparison.

To evaluate areas of recurring kelp presence using similar timeframes, 7-year kelp persistence was also assessed for the time periods 2007-2013 and 2017-2023. Consistent with the methodology used during the MLPA Initiative planning process, persistent kelp was defined as areas where kelp was detected in at least three of the seven years in the selected time frame.

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[10] Santa Barbara Coastal LTER; Bell, T.; Cavanaugh, K., and Siegel, D. (2023) *SBC LTER: Time series of quarterly NetCDF files of kelp biomass in the canopy from Landsat 5, 7 and 8, since 1984 (ongoing)* ver 13. Environmental Data Initiative. In: Environ. Data Initiat. https://doi.org/10.6073/pasta/93b47266b20bc1782c8df9c36169e372.

Persistence was not determined for the 2014-2016 or 1984-2023 periods because they encompassed different numbers of years and would not be comparable to the two seven-year periods.

These analyses are descriptive and intended to characterize broad patterns in kelp canopy extent and representation within the MPA Network. No formal analyses were conducted to evaluate the statistical significance of observed differences. Likewise, these analyses do not evaluate the ecological importance of observed differences or identify the processes driving them. Additional exploration into the influences of environmental variability, species interactions, management, and other factors would be required to evaluate the ecological significance of observed trends.

The maximum alongshore linear extent of kelp canopy observed between 1984 and 2023 spanned 563 miles statewide, with 122 miles occurring within MPAs (21.6%; Figure 10). Maximum kelp canopy observed pre-MPA implementation (2007-2013) totaled 537 miles statewide, representing 95% of the full 1984-2023 maximum extent. During the 2014-2016 MHW, maximum kelp extent declined to 430 miles before increasing modestly to 454 miles in more recent years (2017-2023). Despite these substantial changes in total observed kelp extent, the proportion of kelp extent occurring within MPAs remained consistent across all time periods analyzed, ranging from 21.4-21.6%.

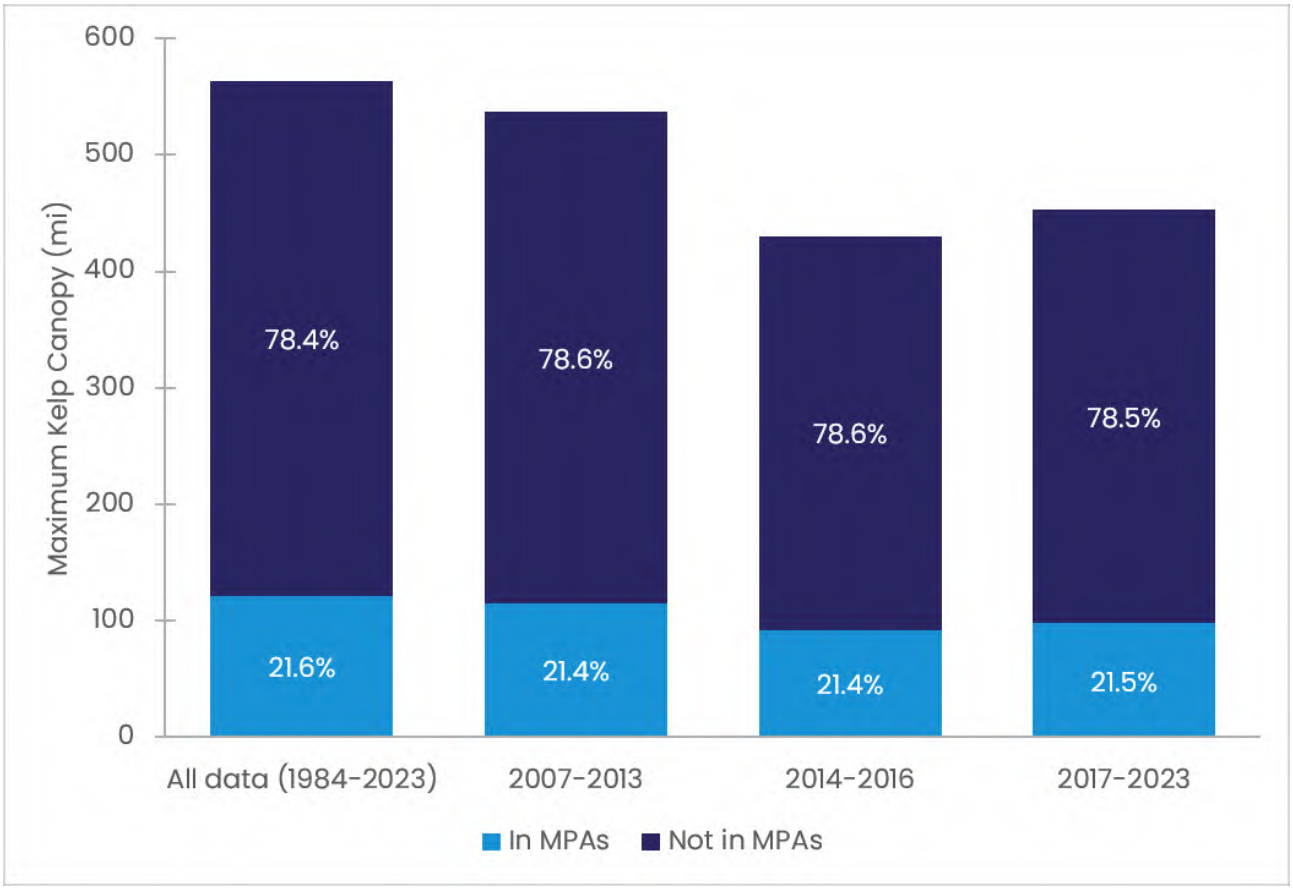


Figure 10. Total and relative (%) extent of maximum kelp canopy within MPAs (light blue) and outside of MPAs (dark blue) statewide for the time periods 1984-2023, 2007-2013, the 2014-2016 marine heat wave, and 2017-2023.



Spanish shawl nudibranch in Scorpion SMR. (A. Van Diggelen)

Persistent kelp canopy decreased from 462 miles during 2007-2013 to 302 miles during 2017-2023 (Figure 11). Despite the 34.7% decline of persistent kelp statewide following the MHW, the proportion of persistent kelp occurring within MPAs remained fairly stable, with a 0.9% increase in the 2017-2023 period, indicating the MPA Network may have afforded limited benefits to persistent kelp. In contrast, during this same period, persistent kelp represented a substantially smaller proportion of total maximum kelp extent. For example, during 2007-2013, approximately 86% of the maximum observed kelp extent was persistent (i.e., detected in at least three of seven years), compared to 66% during 2017-2023. This indicates that while kelp continued to occur across much of its historical range, it was present less consistently across years following the 2014-2016 MHW.

Overall, the proportion of the state's maximum and persistent kelp captured within the MPA Network did not appreciably change following implementation and large-scale disturbance, though the slight increase in persistent kelp warrants further study.

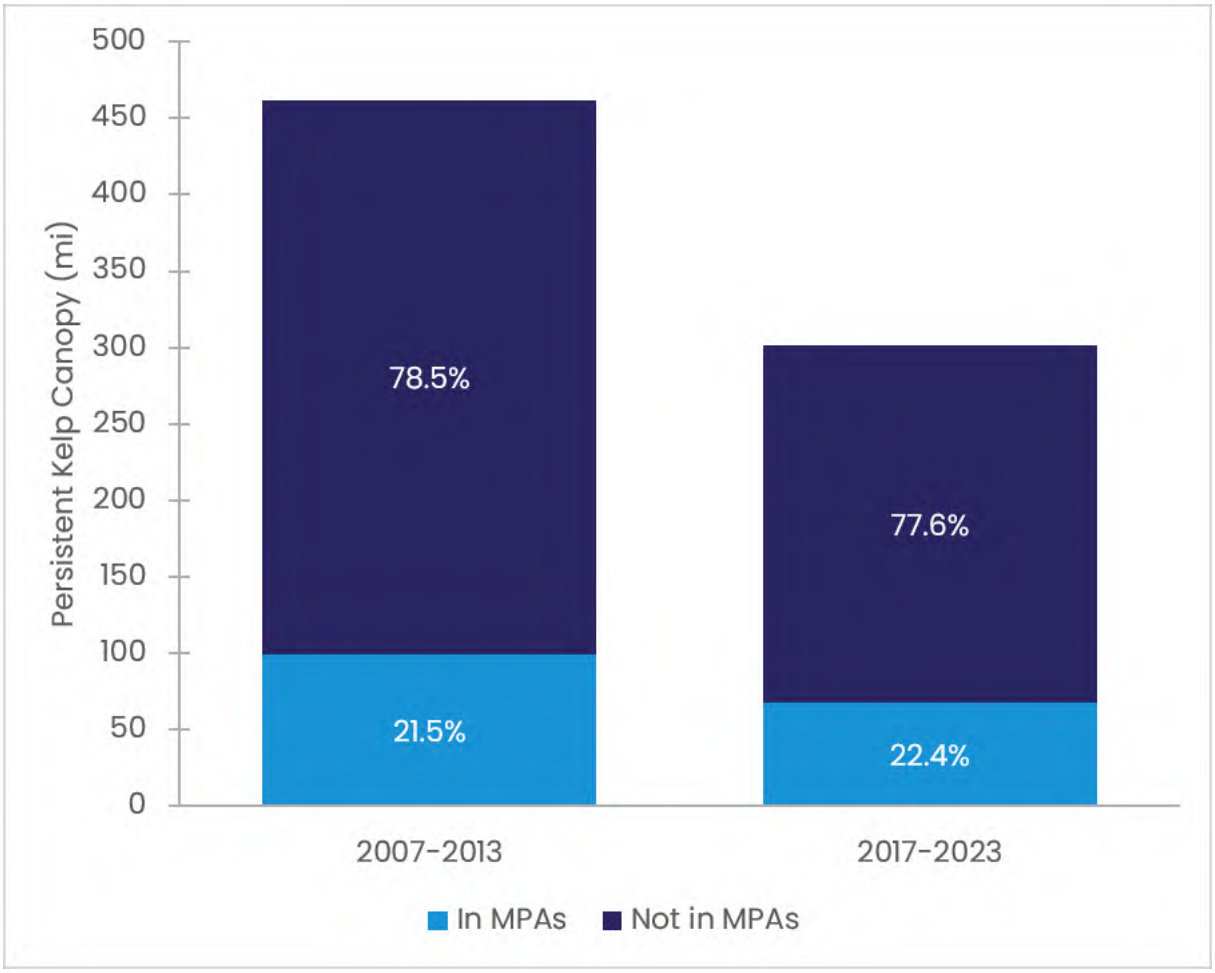


Figure 11. Total and relative (%) extent of persistent kelp canopy within MPAs (light blue) and outside of MPAs (dark blue) statewide for the two 7-yr time periods before (2007-2013) and after (2017-2023) the 2014-2016 marine heat wave.

Within the three bioregions, the maximum extent of kelp canopy varied considerably across all time periods, with the South bioregion containing the greatest extent of both maximum and persistent kelp canopy and the North bioregion the least (Figures 12-13). This is consistent with observations of patchy declines in southern California, localized declines in central California, and extreme and persistent declines in northern California (CDFW 2021). Maximum kelp extent declined during the 2014-2016 MHW in all three bioregions and increased somewhat during 2017-2023, but the magnitude of recovery differed substantially. By 2017-2023, maximum kelp extent in the Central bioregion had returned to 99% of its 2007-2013 extent, whereas the North bioregion recovered to only 51%. Persistent kelp exhibited an even stronger regional contrast, declining by 10% in the Central bioregion compared to 87% in the North bioregion.

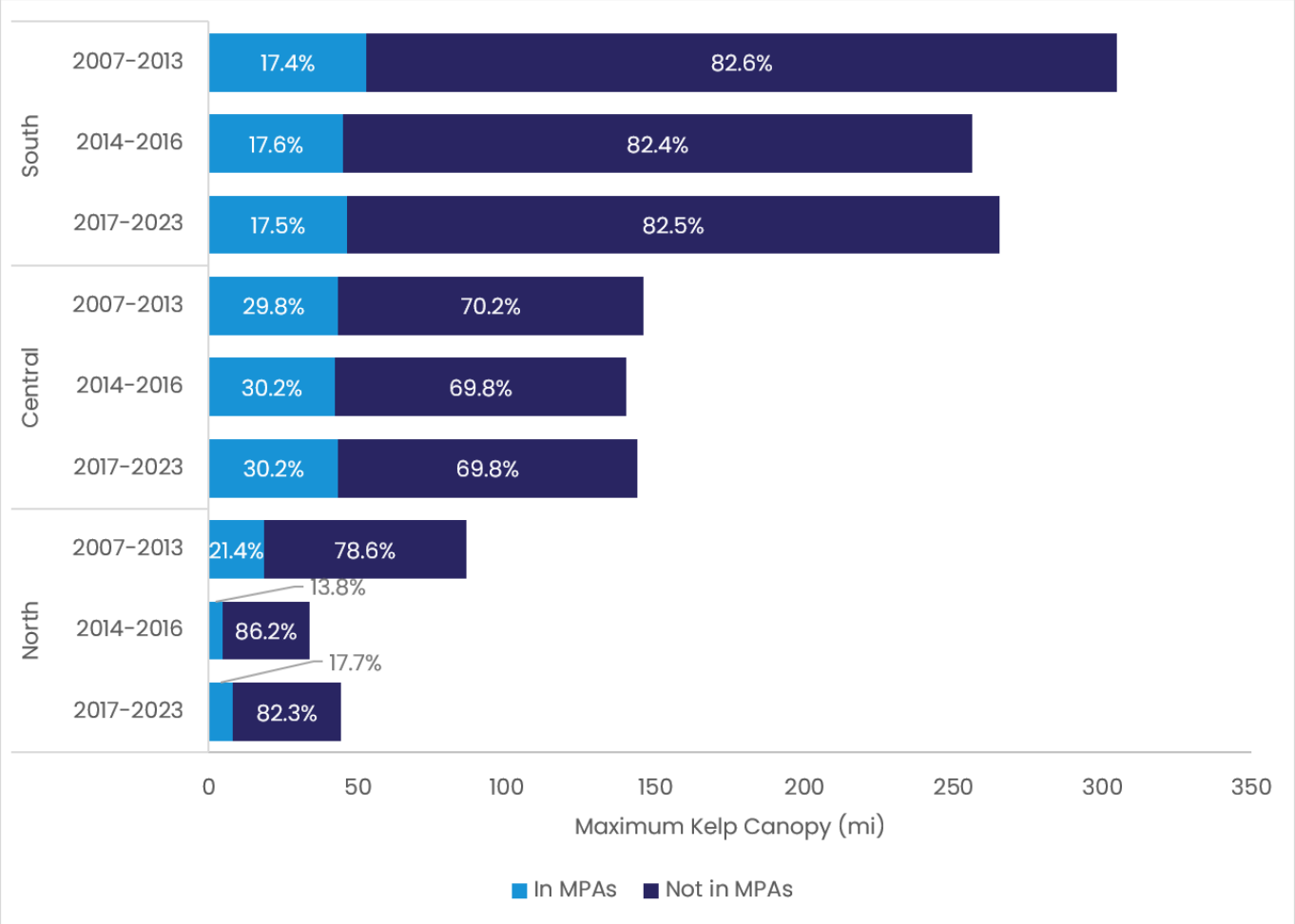


Figure 12. Absolute and relative (%) extent of maximum kelp canopy within MPAs (light blue) and outside of MPAs (dark blue) in California's three bioregions during three timeframes, 2007-2013, the 2014-2016 marine heat wave, and 2017-2023.



Sea lions gather on a sandy beach. (K. Gonzales)

Regional differences were also evident in the relative proportion of kelp within MPAs versus outside of MPAs. Across time periods, MPAs consistently represented approximately 17-18% of maximum kelp in the South bioregion and approximately 30% in the Central bioregion, indicating that regional representation remained stable despite substantial fluctuations in total kelp extent (Figure 12). A similar pattern was observed for persistent kelp (Figure 13). Notably, the Central bioregion consistently contained the highest proportion of kelp within MPAs, with approximately 30% of both maximum and persistent kelp occurring within MPAs.

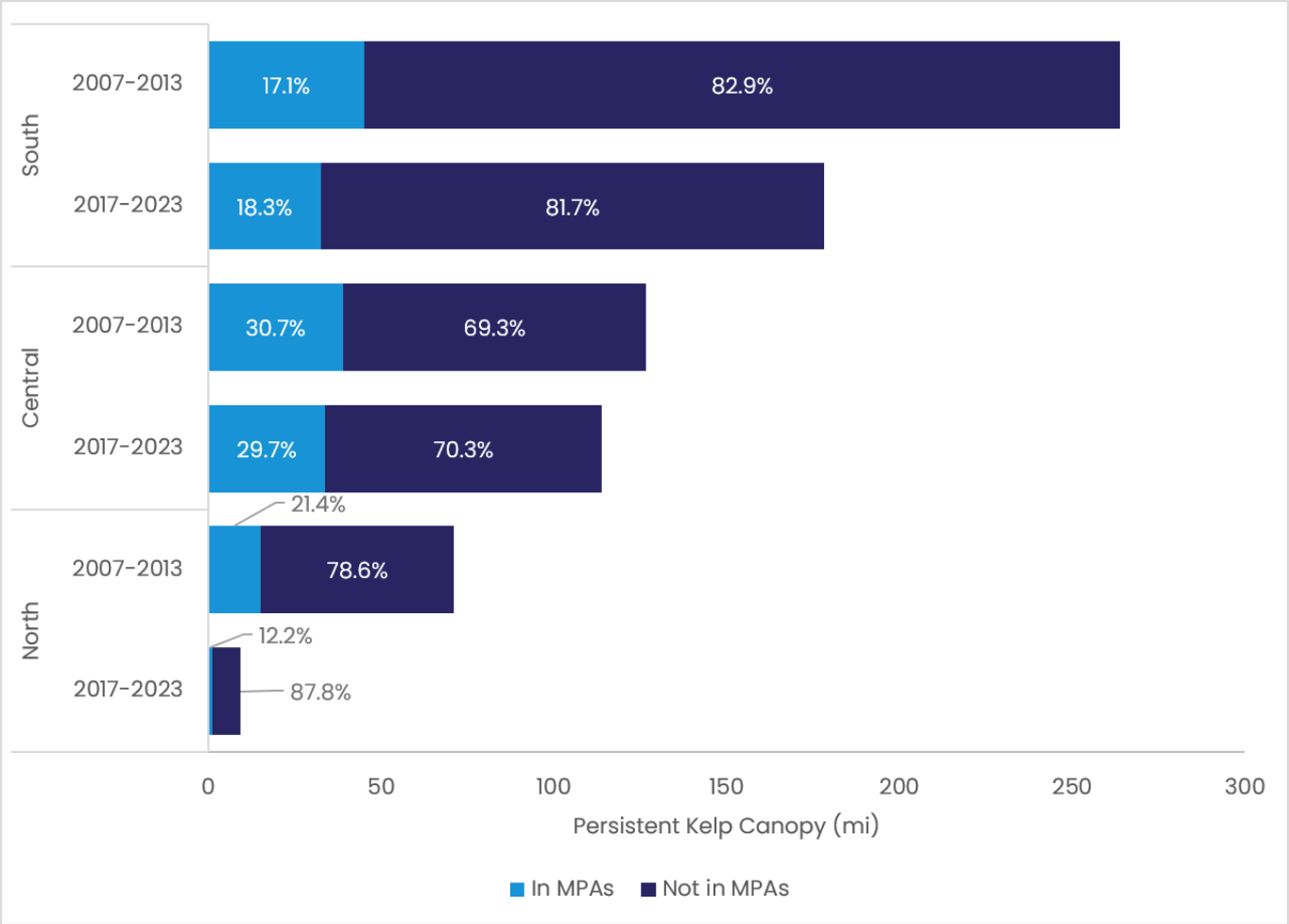


Figure 13. Absolute and relative (%) extent of persistent kelp canopy contained within MPAs (light blue) and outside of MPAs (dark blue) in California's three bioregions for the two 7-yr time periods before (2007-2013) and after (2017-2023) the 2014-2016 marine heat wave.

In contrast, the North bioregion exhibited substantial changes in both the extent of kelp and its representation within MPAs. Maximum kelp within MPAs declined from 18.4 miles during 2007-2013 to 7.8 miles during 2017-2023 (57% decline), and the proportion of maximum kelp within MPAs decreased from 21.4% to 17.7% (Figure 12). Declines were even greater for persistent kelp. Total persistent kelp within the North bioregion's MPAs decreased from 15.2 miles to 1.1 miles (92% decline), while the relative proportion within the region's MPAs declined from 21.4% to 12.2% (Figure 13).

During 2007-2013, approximately 83% of the maximum kelp extent detected in the North bioregion was persistent, compared to only 15% during 2017-2023, indicating that many locations that historically supported persistent kelp were greatly impacted following the 2014-2016 MHW. Prior to the disturbance, the MPA Network within the North bioregion contained an equal proportion (21.4%) of both maximum and persistent kelp, suggesting that persistent kelp was not disproportionately concentrated within MPAs relative to overall kelp presence. However, examination of the data within individual MPAs indicates that persistent kelp was not distributed evenly among MPAs in the North bioregion. More than 85% of the persistent kelp occurring within MPAs in the North bioregion during 2007-2013 was contained in just five MPAs (Point Arena SMR, Saunders Reef SMCA, Stewarts Point SMCA, Stewarts Point SMR, and Salt Point SMCA), all of which are located along the Sonoma-Mendocino coast. This region experienced some of the most severe and persistent kelp declines following the 2014-2016 MHW, suggesting that the observed disproportionate decrease in persistent kelp within MPAs was strongly influenced by the geographic distribution of historically persistent kelp and regional ecological conditions rather than MPA status itself.

Ultimately, impacts to kelp following major environmental disturbance were not distributed equally statewide. The proportion of kelp within MPAs remained largely stable in the Central and South Coast regions, but was severely impacted in the North Coast region. Research is ongoing to better understand the relative influence of environmental and ecological drivers on patterns of kelp persistence and recovery.



Scuba diver in a kelp forest. (CDFW)

Addressing kelp declines throughout the state is a priority. In response, CDFW, in partnership with the Ocean Protection Council, is developing a statewide, ecosystem based, adaptive Kelp Restoration Management Plan (KRMP), which will be the basis for assessing and managing kelp statewide into the future. The KRMP will include a cohesive kelp management strategy that consists of three core components:

1. An innovative framework for ecosystem-based management of kelp forests,
2. A harvest management framework and other Fishery Management Plan elements required by the Marine Life Management Act, and
3. A Restoration Toolkit.

The KRMP will include a robust, adaptive, climate-ready approach to managing the state's kelp forest ecosystems in the face of changing ocean conditions. The KRMP will help identify ecological priorities, site selection criteria, and management frameworks to guide future kelp management and restoration activities. Furthermore, as resources become available, CDFW plans to develop a decision-making framework for considering restoration activities more broadly within the state's MPAs (DMR Recommendation 18), recognizing that one of the mandates of the MLPA is that MPAs act as living laboratories where research and monitoring can occur without the influence of human activities.

THE FUTURE OF MPA SCIENCE

California's MPA Network was designed using the best available science to create an ecologically connected system of protected areas along more than 1,000 miles of coastline. Results of the 2022 DMR indicate that the MPA Network's foundational design is functioning as intended, with many MPAs showing measurable ecological benefits.

As the MPA Network matures, the focus of MPA science has shifted toward evaluations of performance and function. The DMR's 28 strategic recommendations provide the roadmap for next steps. Some of the science priorities include maintaining continuity in long-term habitat monitoring, understanding the mechanisms underlying MPA performance, improving knowledge of MPA effects on fisheries and stock status, and exploring the role of MPAs as climate adaptation tools.

The priorities ahead reflect the relatively young age of the MPA Network and existing knowledge gaps in the face of a changing ocean. The 2014-2016 MHW drove dramatic declines in kelp across California, illustrating that habitats inside and outside MPAs are vulnerable to large-scale disturbance, while also highlighting the importance of understanding the localized drivers that may support resilience and recovery. Work has begun to understand how climate change and MPAs interact within the context of California's MPA Network, based on the recommendations in the Climate Resiliency and MPAs Working Group Report. One example is the ShoreCast tool, a decision support system that provides access to California rocky intertidal data to explore biodiversity and larval connectivity across MPAs and non-MPA areas, as well as the effects of sea level rise on species distributions.

Adaptive management of California's MPA Network requires recognizing appropriate time scales for detecting change and continuing to address key information gaps in partnership with tribes, local communities, fellow agencies, and other interested parties. Sustained investment in long-term monitoring, emerging technologies, and collaborative science will deepen our understanding of how California's MPAs function, connect, and respond to changing ocean conditions. Strengthening outreach and enforcement efforts and advancing opportunities for tribal co-stewardship will expand our knowledge of the ways in which people use, access, and value MPAs. Together, progress across the social and ecological dimensions of MPA management will help ensure that California's MPA Network continues to fulfill both the goals of the MLPA and the needs of current and future generations.



Tidepooling at Cabrillo Beach. (K. Gonzales)

APPENDIX A: LEVELS OF PROTECTION BY ACTIVITY AND MLPA REGION

NORTH COAST

Table A1. Level of protection, MPA type, and associated activities (species and gear) established during the MLPA North Coast Study Region planning process (excerpted from the California MLPA Master Plan Science Advisory Team's "Methods Used to Evaluate Marine Protected Area Proposals in the MLPA North Coast Study Region"). Some activities may not conform to existing commercial and recreational allowances. Updates to scientific names since the planning process are not reflected here.

Color Code	Level of Protection	MPA Types	Activities Associated with this Protection Level
	Very High	SMR	No take
	High	SMCA SMP	Salmon and other pelagic finfish[a] (H&L or troll in waters >50 m depth); pelagic finfish[a] except salmon (spearfishing); coastal pelagic finfish[b] (H&L, round-haul net, dip net, cat net, hand); Pacific lamprey (H&L, hand harvest, spear, bow and arrow, dip net); eulachon (dip net); non-living shells (hand)
	Moderate-high	SMCA SMP	Dungeness crab (trap, hoop-net, diving, hand); salmon and other pelagic finfish[a] (troll in waters <50 m depth); surf and night smelts (dip net, a-frame net, cat net); sharks, skates, and rays (spear, harpoon, bow and arrow in non-estuarine waters); trout except steelhead rainbow trout (H&L); California halibut, flounders, soles, turbots, and sanddabs (spearfishing); market squid (H&L, round-haul net, dip net, cast net, hand)
	Moderate	SMCA SMP	Redtail surfperch (H&L from shore); surfperch (H&L from shore); California halibut, flounders, soles, turbots, and sanddabs (H&L); coonstripe shrimp and spot prawn (trap); clams (intertidal hand); nori/laver and sea lettuce (intertidal hand); salmon and other pelagic finfish[a] (H&L in waters <50 m depth); white sturgeon (H&L); sharks, skates, and rays (H&L)
	Moderate-low	SMCA SMP	Pacific halibut (H&L); rockfishes, cabezon and other sculpins, lingcod and other greenlings, California moray eel, wolf eel, and monkeyface and rock prickleback (H&L, spearfishing, trap, hand, bow and arrow); red abalone (free-diving); urchin (diving); surfperch (H&L); shiner surfperch (H&L, dip net, cast net); unspecified finfish (H&L, spearfishing); sharks, skates, and rays (H&L, spear, harpoon, bow and arrow in estuarine waters); limpets and turban snails (hand); octopus (H&L, hand); crabs (trap, hoop net, hand); Turkish towel and Mendocino grapestone[d] (intertidal hand)
	Low	SMCA SMP	Rock scallop (diving); mussels (hand); bull kelp (hand); ghost shrimp (hand); sea palm (intertidal hand); canopy-forming algae[e] (intertidal hand); native oysters (hand); unspecified shrimps (hand); unspecified marine invertebrates (hand); unspecified marine algae (hand)

SMR = state marine reserve, SMCA = state marine conservation area, SMP = state marine park, H&L = hook and line, m = meters

The SAT is currently reviewing the level of protection for numerous activities; this table will be updated as activities are reviewed and approved by the SAT. It should be noted that staff is working with the SAT to coordinate terminology for particular gear types that is consistent with both the activities being proposed by the NCRSG and as defined in regulations under California Fish and Game Code. Thus the descriptions here may change in a future version of this document.

[a] The grouping "pelagic finfish" includes: northern anchovy (Engraulis mordax), barracudas (Sphyraena spp.), billfishes (family Istiophoridae), dolphinfish (Coryphaena hippurus), Pacific herring (Clupea pallasii), jack mackerel (Trachurus symmetricus), Pacific mackerel (Scomber japonicus), salmon (Oncorhynchus spp.), Pacific sardine (Sardinops sagax), blue shark (Prionace glauca), salmon shark (Lamna ditropis), shortfin mako shark (Isurus oxyrinchus), thresher sharks (Alopias spp.), swordfish (Xiphias gladius), tunas (family Scombridae), and yellowtail (Seriola lalandi). *Marlin is not allowed for commercial take.*

[b] The grouping "coastal pelagic finfish" includes: Northern anchovy (Engraulis mordax), Pacific herring (Clupea pallasii), jack mackerel (Trachurus symmetricus), Pacific mackerel (Scomber japonicus), and Pacific sardine (Sardinops sagax).

[c] Porphyra spp. (Nori, Laver), Ulva spp. (Sea Lettuce).

[d] Chondracanthus/Gigartina exasperata (Turkish Towel), and Mastocarpus spp. (Mendocino Grapestone).

[e] The grouping "canopy-forming algae" includes the following harvested groups: Alaria spp. (Wakame), Lessoniopsis littoralis (Ocean Ribbons), Laminaria spp. (Kombu), Saccharina/Hedophyllum sessile ('Sweet' Kombu), Egregia menziesii (Feather Boa), and Fucus spp. (Bladder Wrack or Rockweed).

NORTH CENTRAL COAST

Table A2. Level of protection, MPA type, and associated activities (species and gear) established during the MLPA North Central Coast Study Region planning process (excerpted from the California Marine Life Protection Act Initiative's "Methods Used to Evaluate MPA Proposals in the North Central Coast Study Region"). Some activities may not conform to existing commercial and recreational allowances. Updates to scientific names since the planning process are not reflected here.

Color Code	Level of Protection	MPA Types	Activities Associated with this Protection Level
	Very High	SMR	No take
	High	SMCA SMP	In water depth > 50m: pelagic finfish[a] by hook and line (salmon by troll only); coastal pelagic finfish[b] by seine
	Moderate-high	SMCA SMP	In water depth < 50m: pelagic finfish by hook and line (salmon by troll only); coastal pelagic finfish by seine; Dungeness crab (traps/pots), squid (pelagic seine)
	Moderate	SMCA SMP	Salmon (non-troll H&L); abalone (diving); halibut, white seabass, shore-based finfish, croaker, and flatfishes (H&L); smelt (H&L and hand/dip nets); clams (hand harvest); giant kelp (hand harvest)
	Moderate-low	SMCA SMP	Urchin (diving); lingcod, cabezon, greenling, rockfish, and other reef fish (H&L); surfperches (H&L)
	Low	SMCA SMP	Bull kelp and mussels (any method); all trawling; giant kelp (mechanical harvest); mariculture (existing methods)

[a] *Pelagic finfish: northern anchovy (Engraulis mordax), barracudas (Sphyraena spp.), billfishes* (family Istiophoridae), dolphinfish (Coryphaena hippurus), Pacific herring (Clupea pallasii), jack mackerel (Trachurus symmetricus), Pacific mackerel (Scomber japonicus), salmon (Oncorhynchus spp.), Pacific sardine (Sardinops sagax), blue shark (Prionace glauca), salmon shark (Lamna ditropis), shortfin mako shark (Isurus oxyrinchus), thresher sharks (Alopias spp.), swordfish (Xiphias gladius), tunas (family Scombridae), and yellowtail (Seriola lalandi). *Marlin is not allowed for commercial take.*

[b] *Coastal pelagic finfish: northern anchovy (Engraulis mordax), Pacific herring (Clupea pallasii), jack mackerel (Trachurus symmetricus), Pacific mackerel (Scomber japonicus), and Pacific sardine (Sardinops sagax).*

CENTRAL COAST

Table A3. Level of protection, MPA type, and associated activities (species and gear) established during the MLPA Central Coast Study Region. Some activities may not conform to existing commercial and recreational allowances. Updates to scientific names since the planning process are not reflected here.

Color Code	**Level of Protection**	**MPA Types**	**Activities Associated with this Protection Level** [gear assumed, not specified during planning for this region]
	Very High	SMR	No take.
	High	SMCA	In water depths > 50 m: Take of salmon, albacore, and pelagic finfish[a].
	Moderate-high		NA
	Moderate	SMCA	In water depths < 50 m [inferred based on High LOP above, not explicitly stated in doc]: Take of salmon, albacore, pelagic finfish, squid; [Dungeness] crab, spot prawn, and giant kelp (hand harvested only).
	Moderate-low		NA
	Low	SMCA	[All other remaining] forms of commercial and recreational take; mechanical harvest of kelp.

[a] Pelagic Finfish are defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

SOUTH COAST

Table A4. Level of protection, MPA type, and associated activities (species and gear) established during the MLPA South Coast Study Region (excerpted from the California Marine Life Protection Act Initiative's "Methods Used to Evaluate Marine Protected Area Proposals in the MLPA South Coast Study Region"). Some activities may not conform to existing commercial and recreational allowances. Updates to scientific names since the planning process are not reflected here.

Color Code	Level of Protection	MPA Types	Activities Associated with this Protection Level
	Very High	SMR	No take
	High	SMCA SMP	Coastal pelagic finfish, bonito, and market squid (pelagic seine [round haul net], dip-net, crowder); jumbo squid (squid jigs); swordfish (harpoon); In water depth > 50m: pelagic finfish, bonito and white seabass (H&L; spear at any depth)
	Moderate-high	SMCA SMP	Catch and release in <10m water or using surface gear (H&L single barbless hooks and artificial lures only); pier-based fishing (H&L, hoop-net); halibut (spear); In water depth 30<50m on mainland: pelagic finfish, bonito and white seabass (H&L)
	Moderate	SMCA SMP	Spot prawn (trap/pots); sea cucumber (scuba/hookah); grunion (hand harvest); giant kelp (hand harvest); clams (hand harvest)
	Moderate-low	SMCA SMP	Catch and release in >10m (H&L); shore-based finfish (H&L); kelp bass, barred sand bass, lingcod, cabezon, and rockfish (H&L, spear); sheephead (H&L, spear, trap); spotted sand bass and halibut (H&L); lobster (trap, hoop net, scuba); urchin (scuba/hookah); rock crab and Kellet's whelk (trap); In water depth <50m at islands and <30m on mainland: pelagic finfish, bonito and white seabass (H&L)
	Low	SMCA SMP	Rock scallop (scuba); mussels (hand harvest); giant kelp (mechanical harvest); marine algae other than giant and bull kelp (hand harvest)

H&L = hook and line.

The SAT is currently reviewing the level of protection for numerous activities, this table will be updated as activities are reviewed and approved by the SAT. It should be noted that staff is working with the SAT to coordinate terminology for particular gear types that is consistent with both the activities being proposed by the RSG and as defined in regulations under California Fish and Game Code. Thus the descriptions here may change in a future version of this document.

APPENDIX B: MPA ATTRIBUTES

Table B1. Attributes of California MPAs (special closures not included), including planning process study region, bioregion, level of protection (LOP), size, depth range, and total amounts of key habitats. Backbone MPAs are shown in bold.

											Hard Substrate				Soft Substrate			
MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
North Bioregion																		
Pyramid Point SMCA	NC	Mod-High	13.99	0	40.76	2.98		1.27			1.47				1.90	1.00		
Point St. George Reef Offshore SMCA	NC	Mod-High	9.52	49.38	121.89							0.40				7.39	1.73	
Reading Rock SMCA	NC	Mod-High	11.96	0	54.13	2.90	0.22	0.51		<0.01		<0.01			3.01	3.65		
Reading Rock SMR	NC	Very High	9.60	41.36	81.9							0.24				9.35		
Samoa SMCA	NC	Mod-High	13.06	0	50.52	3.69									3.65	5.97		
South Humboldt Bay SMRMA	NC	Very High	0.81	0	4.24					0.81								
South Cape Mendocino SMR	NC	Very High	9.08	0	87.07	1.59	0.65	3.66			0.15	3.28			1.33	3.47		
Mattole Canyon SMR	NC	Very High	9.79	27.09	558.65							0.56	0.15	0.02		5.64	1.75	1.58
Sea Lion Gulch SMR	NC	Very High	10.42	0	118.46	2.42	2.32	2.78	0.11		0.54	3.13	0.12		2.07	3.59	1.00	
Big Flat SMCA	NC	Mod-High	11.59	0	423.47	3.21	1.35	0.10	0.05		0.44	0.02	0.01	0.01	2.47	5.06	2.92	0.57
Double Cone Rock SMCA	NC	Mod-High	18.49	0	117.15	4.66	3.25	2.34			1.81	0.09			3.13	11.20	1.97	
Ten Mile Beach SMCA	NC	Mod-High	3.54	0	89.52	1.00	0.05	<0.01		0.01					0.93	2.42		

											Hard Substrate				Soft Substrate			
MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	0-30 m (mi)	30-100 m (sq mi)	100-200 m (sq mi)	>200 m (sq mi)	0-30 m (mi)	30-100 m (sq mi)	100-200 m (sq mi)	>200 m (sq mi)
Ten Mile Estuary SMCA	NC	Very High	0.18	0	0	0.45	0.48			0.18								
Ten Mile SMR	NC	Very High	11.95	0	105.03	2.63	6.58	2.64	1.05	<0.01	1.48	0.52			1.65	8.08	0.40	
MacKerricher SMCA	NC	Low	2.49	0	38.35	4.23	3.71	5.02	1.30	<0.01	1.59	0.04			1.53	0.05		
Point Cabrillo SMR	NC	Very High	0.44	0	61.90	0.20	2.82	1.92	0.28		1.09							
Russian Gulch SMCA	NC	Low	0.22	0	33.95	0.11	2.60	1.11	0.74		0.59				0.01			
Big River Estuary SMCA	NC	Mod	0.13	0	0.94	0.24	0.77			0.12								
Van Damme SMCA	NC	Low	0.06	0	8.85	0.54	0.25	0.25	0.06	<0.01								
Navarro River Estuary SMCA	NC	Mod	0.09	0	0.96	0.05	0.72			0.09								
Point Arena SMCA	NCC	High	6.74	48.99	100.57							0.14				6.59		
Point Arena SMR	NCC	Very High	4.38	0	56.73	0.17	1.63	2.61	1.41		2.36	0.74			<0.01	2.13		
Sea Lion Cove SMCA	NCC	Mod-Low	0.22	0	16.18	0.36	2.26	0.79	0.26		0.18				0.05			
Saunders Reef SMCA	NCC	Mod-Low	9.36	0	85.91	1.83	4.29	1.93	2.68		2.09	0.96			0.65	5.85		
Del Mar Landing SMR	NCC	Very High	0.22	0	27.02	0.16	1.05	1.26	0.36		0.34				0.30			
Stewarts Point SMCA	NCC	Low	1.21	0	48.61	1.22	5.70	1.38	3.62		3.02	0.09			0.37	0.09		
Stewarts Point SMR	NCC	Very High	24.03	0	91.82	0.98	5.72	3.16	3.48		3.43	0.40			0.60	21.80		

												Hard Substrate				Soft Substrate			
MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
Salt Point SMCA	NCC	Mod-Low	1.84	0	71.06	0.62	4.28	2.34	3.35	<0.01	3.14	0.34			0.16	0.41		
Gerstle Cove SMR	NCC	Very High	0.01	0	8.08	0.04	0.27											
Russian River SMCA	NCC	Mod	0.84	0	18.97	1.51	0.53	1.03	0.02	<0.01	0.12				0.67			
Russian River SMRMA	NCC	Very High	0.36	0	1.74	1.96				0.35								
Bodega Head SMCA	NCC	Mod-High	12.31	0	83.62		0.29	0.51			0.84	3.29				7.95		
Bodega Head SMR	NCC	Very High	9.34	0	82.95	1.32	2.74	1.95			2.28	1.23			0.44	5.92		
Estero Americano SMRMA	NCC	Very High	0.13	0	1.85	0.41	0.44			0.13								
Estero de San Antonio SMRMA	NCC	Very High	0.07	0	1.61	0.60	0.48			0.07								
Point Reyes SMCA	NCC	Mod-High	12.27	14.23	66.39						0.12	0.01			0.08	11.66		
Point Reyes SMR	NCC	Very High	9.55	0	42.19	8.38	5.36	4.33	0.13	0.01	1.94	<0.01			5.88	0.61		
Estero de Limantour SMR	NCC	Very High	1.45	0	2.13	3.35	2.17			1.41								
Drakes Estero SMCA	NCC	Mod	2.50	0	1.70	2.28	5.00			2.50								
Duxbury Reef SMCA	NCC	Mod	0.69	0	5.67	3.02	3.03		0.02									
North Farallon Islands SMR	NCC	Very High	18.07	0	86.04		0.66	0.21			1.51	0.55			0.34	17.29		

MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	Hard Substrate				Soft Substrate			
											0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
Southeast Farallon Island SMCA	NCC	High	12.95	39.23	118.85							1.60				8.41	2.94	
Southeast Farallon Island SMR	NCC	Very High	5.36	0	75.44	0.08	6.01				2.89	1.13			0.53	2.19		
Central Bioregion																		
Montara SMR	NCC	Very High	11.81	0	51.21	2.14	3.45	1.89	0.59		3.44	0.24			0.23	7.59		
Pillar Point SMCA	NCC	Mod-High	6.70	0	53.54	0.07	0.32		0.03		0.79	0.24				5.46		
Año Nuevo SMR	CC	Very High	11.15	0	53.04	10.45	6.86	2.56	2.55	<0.01	3.43	0.75			2.52	1.55		
Greyhound Rock SMCA	CC	Mod	12.00	0	66.69	2.79	3.39	0.81	1.09		3.09	0.01				8.54		
Natural Bridges SMR	CC	Very High	0.25	0	3.17	3.10	3.79	1.13		<0.01								
Elkhorn Slough SMCA	CC	Low	0.22	0	7.53	0.11				0.21								
Elkhorn Slough SMR	CC	Very High	2.72	0	6.53					2.68								
Moro Cojo Slough SMR	CC	Very High	0.20	0	0					0.20								
Soquel Canyon SMCA	CC	High	22.97	73.39	652.03							0.13	0.80	1.24		12.72	3.84	4.23
Portuguese Ledge SMCA	CC	High	10.64	79.31	1512.80							0.13	0.07			1.40	5.73	3.30
Edward F. Ricketts SMCA	CC	Low	0.23	0	22.74	0.34	0.87	0.05	0.73		0.18				0.70			

												Hard Substrate				Soft Substrate			
MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
Lovers Point - Julia Platt SMR	CC	Very High	0.30	0	27.25	0.45	1.39	0.30	1.05		0.07				0.68	<0.01		
Pacific Grove Marine Gardens SMCA	CC	Low	0.98	0	56.44	1.56	2.30	0.35	1.88		1.17	0.11			0.69	0.09		
Asilomar SMR	CC	Very High	1.51	0	55.82	2.06	2.61	1.42	2.01		1.30	0.06			0.67	0.02		
Carmel Pinnacles SMR	CC	Very High	0.53	10.19	96.54							0.31				0.09	<0.01	
Carmel Bay SMCA	CC	Low	2.20	0	239.95	3.08	2.66	2.03	3.02	<0.01	1.55	0.14	0.02		1.37	0.34	0.08	
Point Lobos SMCA	CC	Mod	8.47	73.51	587.17							0.05	0.45			0.05	3.68	4.23
Point Lobos SMR	CC	Very High	5.50	0	177.85	2.10	13.70	5.93	4.49		5.00	1.35	0.07		0.59	2.12	0.25	
Point Sur SMCA	CC	High	10.62	41.63	236.40							0.81	0.01			9.48	0.32	<0.01
Point Sur SMR	CC	Very High	9.79	0	57.54	5.45	4.11	6.50	5.14	<0.01	3.89	0.85			1.51	2.68		
Big Creek SMCA	CC	Mod	7.85	43.94	614.00							<0.01	0.02	<0.01		1.01	0.74	6.07
Big Creek SMR	CC	Very High	14.51	0	753.24	2.79	4.71	3.58	5.29		2.31	0.04	0.01	<0.01	3.95	3.03	1.04	7.46
Piedras Blancas SMCA	CC	High	8.84	10.94	106.32							2.38				6.44	0.01	
Piedras Blancas SMR	CC	Very High	10.44	0	50.49	5.48	6.09	7.26	5.09	<0.01	4.10	0.55			2.46	2.04		
Cambria SMCA	CC	Low	6.26	0	33.71	5.30	4.11	5.80	5.63	<0.01	4.62	<0.01			1.19	0.09		
White Rock SMCA	CC	Low	2.91	0	43.51	1.55	4.02	1.31	3.64		2.96	0.09			0.72	0.37		

											Hard Substrate				Soft Substrate			
MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	0-30 m (mi)	30-100 m (sq mi)	100-200 m (sq mi)	>200 m (sq mi)	0-30 m (mi)	30-100 m (sq mi)	100-200 m (sq mi)	>200 m (sq mi)
Morro Bay SMR	CC	Very High	0.88	0	1.59					0.88								
Morro Bay SMRMA	CC	Low	3.07	0	9.37	1.45	0.18			3.01								
Point Buchon SMCA	CC	High	12.19	58.42	120.11							0.29	0.05			8.13	3.25	
Point Buchon SMR	CC	Very High	6.68	0	67.72	1.46	2.71	1.27	3.00		3.23	0.47			<0.01	4.46		
Vandenberg SMR	CC	Very High	32.91	0	42.03	13.18	9.99	3.80	1.28	<0.01	2.43	0.04			11.79	8.85		
South Bioregion																		
Point Conception SMR	SC	Very High	22.52	0	153.46	1.98	3.43		2.27		1.79	0.57	<0.01		2.03	15.34	3.60	
Kashtayit SMCA	SC	Mod-Low	2.02	0	52.27	1.33	1.33		0.20	<0.01					1.93	0.19		
Naples SMCA	SC	Low	2.60	0	53.00	1.55	1.38		2.07		1.52				0.54	0.41		
Campus Point SMCA (No-Take)	SC	Very High	10.56	0	230.85	3.10	1.25		2.66		1.12	0.19			2.04	6.61	1.49	0.05
Goleta Slough SMCA (No-Take)	SC	Very High	0.16	0	1.18	0.51				0.15								
Richardson Rock SMR	SC	Very High	40.75	24.79	134.49							0.20	0.04			0.52	0.09	
Harris Point SMR	SC	Very High	25.40	0	114.08	2.28	7.44		3.99		4.39	2.38	0.28		3.81	16.12	2.71	
Judith Rock SMR	SC	Very High	4.56	0	135.89	0.50	1.70		1.34		1.12	0.08			0.13	1.58		
Carrington Point SMR	SC	Very High	12.78	0	66.68	1.26	5.07		3.59		2.02	0.31			3.68	4.17		

MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	Hard Substrate				Soft Substrate			
											0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
Skunk Point SMR	SC	Very High	1.47	0	27.67	1.77	0.74		0.91						2.05			
South Point SMR	SC	Very High	13.08	0	392.91	1.45	3.47		3.78		2.11	0.26	<0.01		1.67	3.57	5.70	1.63
Painted Cave SMCA	SC	Mod-Low	1.79	0	91.10		3.04		0.47		0.24	<0.01			1.91	0.09		
Gull Island SMR	SC	Very High	19.93	0	698.09	2.29	1.89		3.11		2.59	0.14	0.17	2.09	2.51	3.89	3.36	7.40
Scorpion SMR	SC	Very High	9.64	0	237.03	0.60	3.83		2.41		0.76	0.28	<0.01		2.28	4.44	1.37	0.87
Anacapa Island SMCA	SC	Mod-Low	7.30	0	125.47	0.19	3.50		1.63		0.51	0.01			1.71	5.91	0.89	
Anacapa Island SMR	SC	Very High	11.55	0	241.18	1.00	6.42		2.42		0.98	0.13			2.26	7.17	2.37	0.82
Footprint SMR	SC	Very High	7.05	49.29	534.46							0.10	0.16	0.23		1.05	1.53	3.59
Begg Rock SMR	SC	Very High	37.9 6	62.54	119.65							9.14	4.06			16.47	8.28	
Santa Barbara Island SMR	SC	Very High	12.77	0	588.62	0.15	1.03	0.03	1.04		0.07	0.11	0.02		1.21	1.63	0.46	0.04
Point Dume SMCA	SC	High	15.92	0	683.37	4.03	0.46		1.60	<0.01	0.40	<0.01	<0.01		3.80	5.69	1.57	5.66
Point Dume SMR	SC	Very High	7.53	0	649.43	2.56	1.34		1.29		0.54	<0.01	<0.01		1.71	1.04	0.72	4.42
Point Vicente SMCA (No-Take)	SC	Very High	15.04	0	826.82	1.35	0.21	0.42	1.77		1.62	<0.01	<0.01	<0.01	0.07	1.17	0.99	12.22
Abalone Cove SMCA	SC	High	4.79 4	0	627.79	1.43	0.86	0.09	1.08		0.28	0.05			1.04	1.16	0.57	2.37
Bolsa Bay SMCA	SC	Mod-Low	0.07	0	0.31	0.12				0.07								

MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	Hard Substrate				Soft Substrate			
											0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
Bolsa Chica Basin SMCA (No-Take)	SC	Very High	0.70	0	1.73	1.15				0.70								
Arrow Point to Lion Head Point SMCA	SC	Low	0.65	0	84.07	1.17	2.42		2.52		2.11	<0.01			0.86	0.24		
Blue Cavern Offshore SMCA	SC	High	7.70	80.02	888.28									<0.01		0.05	0.26	7.38
Blue Cavern Onshore SMCA (No-Take)	SC	Very High	2.61	0	273.54	0.75	1.90		2.33		1.38	0.02		<0.01	1.32	0.85	0.81	0.70
Long Point SMR	SC	Very High	1.67	0	226.10	1.07	1.22	0.04	0.17		0.73	<0.01	<0.01		1.63	0.83	0.56	0.10
Casino Point SMCA (No-Take)	SC	Very High	0.007	10.98	18.72				0.12		0.11				0.04	<0.01		
Lover's Cove SMCA	SC	Mod-High	0.06	0	60.11	0.38	0.12	0.06	0.08		0.26	<0.01			0.22	0.02		
Farnsworth Offshore SMCA	SC	High	6.67	32.96	672.76							0.52	<0.01	0.02		3.31	1.83	0.99
Farnsworth Onshore SMCA	SC	Mod-High	2.59	0	89.96	1.84	1.57		1.45		0.21	0.02			2.02	1.77		
Cat Harbor SMCA	SC	Mod-Low	0.26	0	53.65	1.80	0.84	0.03	0.37		0.18	<0.01			0.65	0.03		
Upper Newport Bay SMCA	SC	Mod-Low	1.24	0	4.00	1.19	0.25			1.22								
Crystal Cove SMCA	SC	Mod-Low	3.53	0	70.59	3.94	2.03	0.58	1.73	<0.01	1.89	<0.01			2.41	1.46		
Laguna Beach SMR	SC	Very High	6.72	0	457.85	3.48	2.48	0.27	1.96	<0.01	1.47	<0.01			3.05	2.88	1.13	0.57

											Hard Substrate				Soft Substrate			
MPA Name	Study Region	LOP	Size (sq mi)	Min Depth (m)	Max Depth (m)	Beach (mi)	Rocky Shore (mi)	Offshore Rocks (mi)	Kelp Canopy (mi)	Estuaries (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)	0–30 m (mi)	30–100 m (sq mi)	100–200 m (sq mi)	>200 m (sq mi)
Laguna Beach SMCA (No-Take)	SC	Very High	3.09	0	523.32	0.67	0.38			<0.01	0.16	<0.01			0.89	0.94	0.57	1.04
Dana Point SMCA	SC	Mod-Low	3.47	0	46.81	3.55	2.18		2.26	<0.01	2.06	<0.01			1.62	0.82		
Batiquitos Lagoon SMCA (No-Take)	SC	Very High	0.51	0	0					0.50								
Swami's SMCA	SC	Mod-Low	12.71	0	326.81	2.68	0.90		2.57	<0.01	0.06	0.06	0.02	<0.01	3.52	3.69	3.51	1.94
San Elijo Lagoon SMCA (No-Take)	SC	Very High	0.50	0	0					0.50								
San Dieguito Lagoon SMCA	SC	Mod-Low	0.19	0	0					0.11								
San Diego-Scripps Coastal SMCA	SC	Mod-Low	1.46	0	187.06	1.19	0.19								1.55	0.71	0.02	
Matlahuayl SMR	SC	Very High	1.04	0	185.26	1.23	0.92	0.04	0.32		0.05				1.34	0.33	<0.01	
South La Jolla SMCA	SC	High	2.46	43.76	84.34							0.60				1.85		
South La Jolla SMR	SC	Very High	5.04	0	55.68	2.33	1.45	0.38	2.32		1.89	0.38			0.23	1.00		
Famosa Slough SMCA (No-Take)	SC	Very High	0.03	0	0					0.03								
Cabrillo SMR	SC	Very High	0.39	0	13.03	0.90	0.97											
Tijuana River Mouth SMCA	SC	High	3.02	0	17.28	2.37			0.12	<0.01	0.17				1.40			

APPENDIX C: HABITAT SPACING MAPS

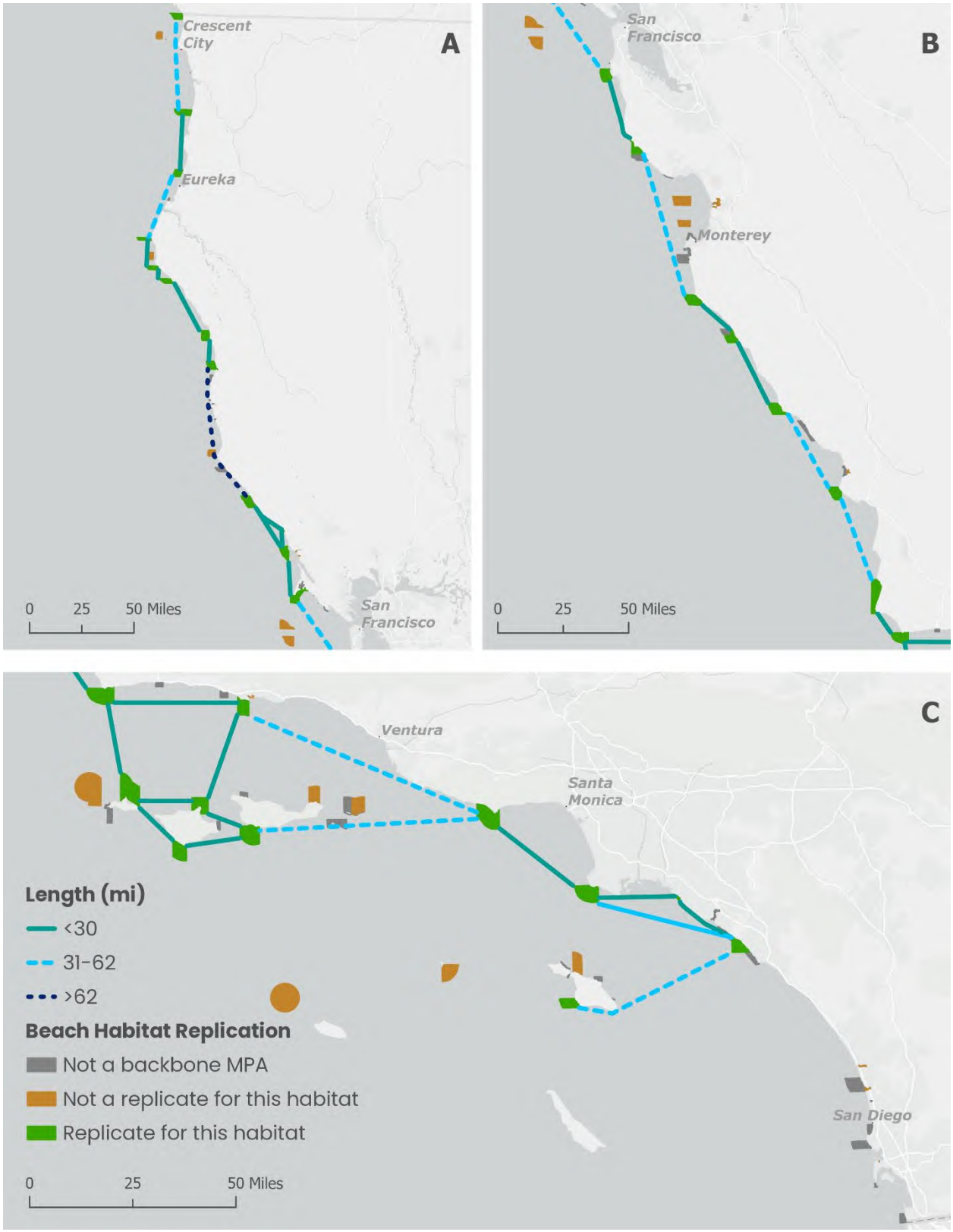


Figure C1. Linear over-water distance (miles) between California MPA replicates for beach habitat in the (a) North, (b) Central, and (c) South bioregions.

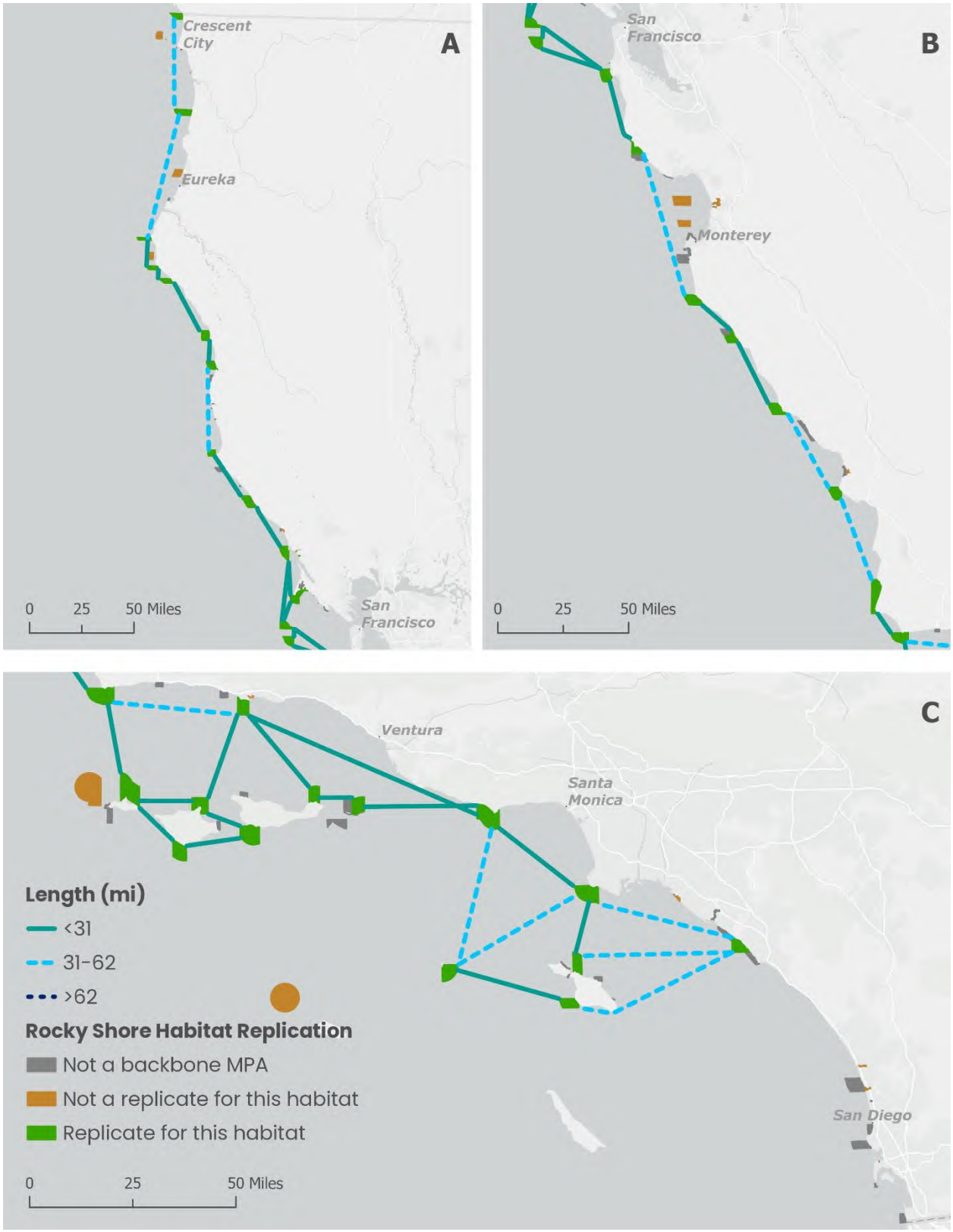


Figure C2. Linear over-water distance (miles) between California MPA replicates for rocky shore (including offshore rock) habitat in the (a) North, (b) Central, and (c) South bioregions.

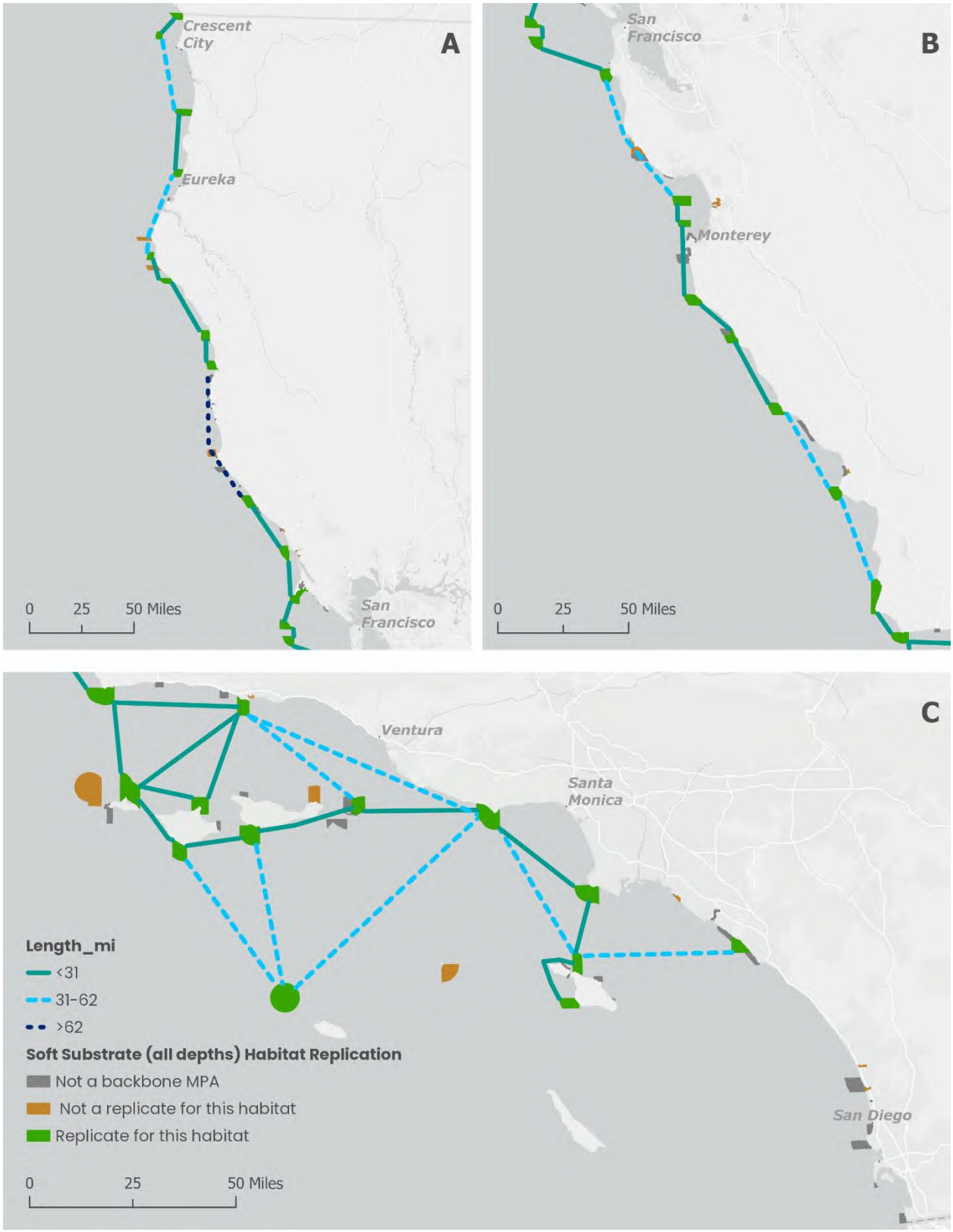


Figure C3. Linear over-water distance (miles) between California MPA replicates for soft substrate (total area, all depths) in the (a) North, (b) Central, and (c) South bioregions.

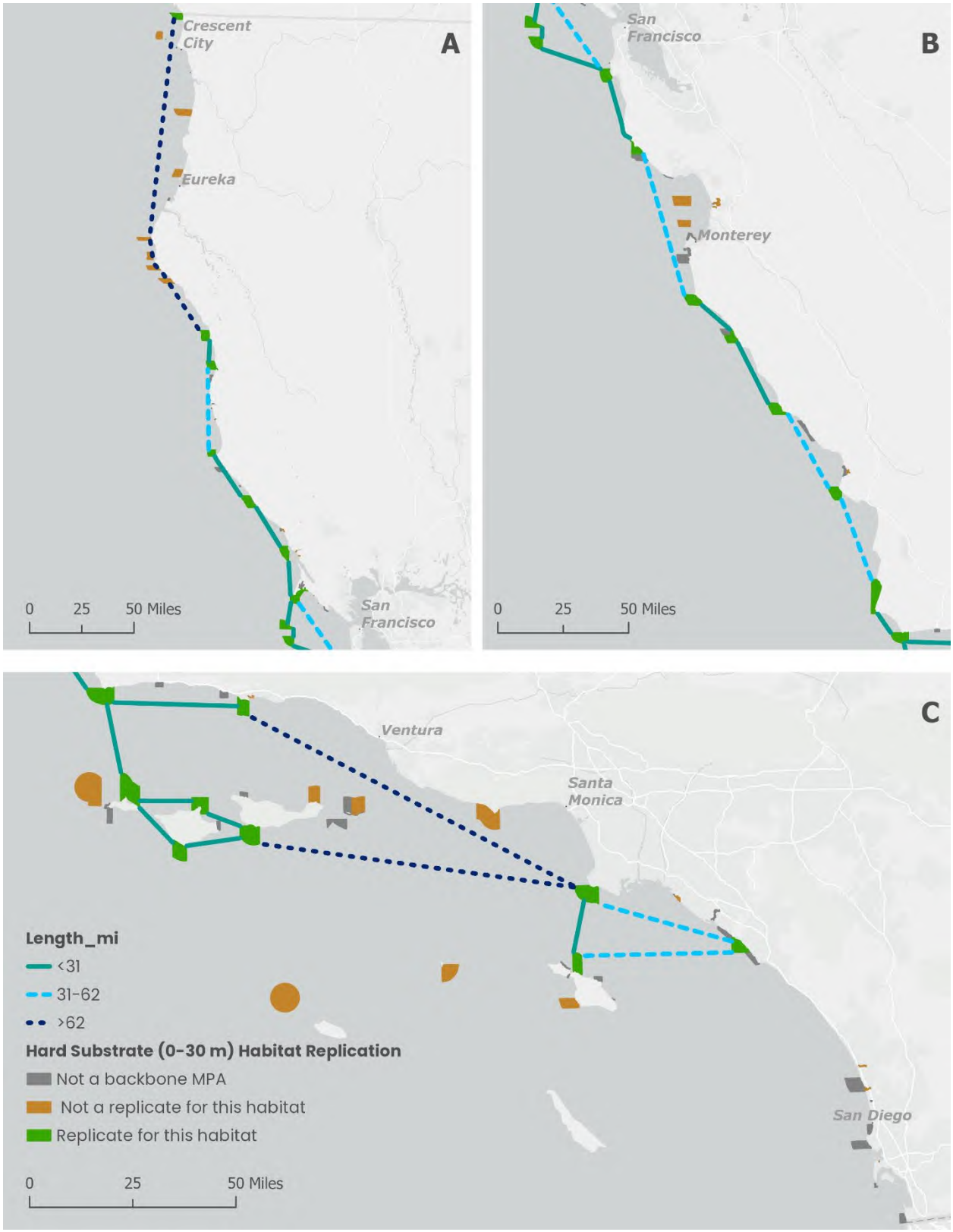


Figure C4. Linear over-water distance (miles) between California MPA replicates for hard substrate (0-30 m) habitat in the (a) North, (b) Central, and (c) South bioregions.

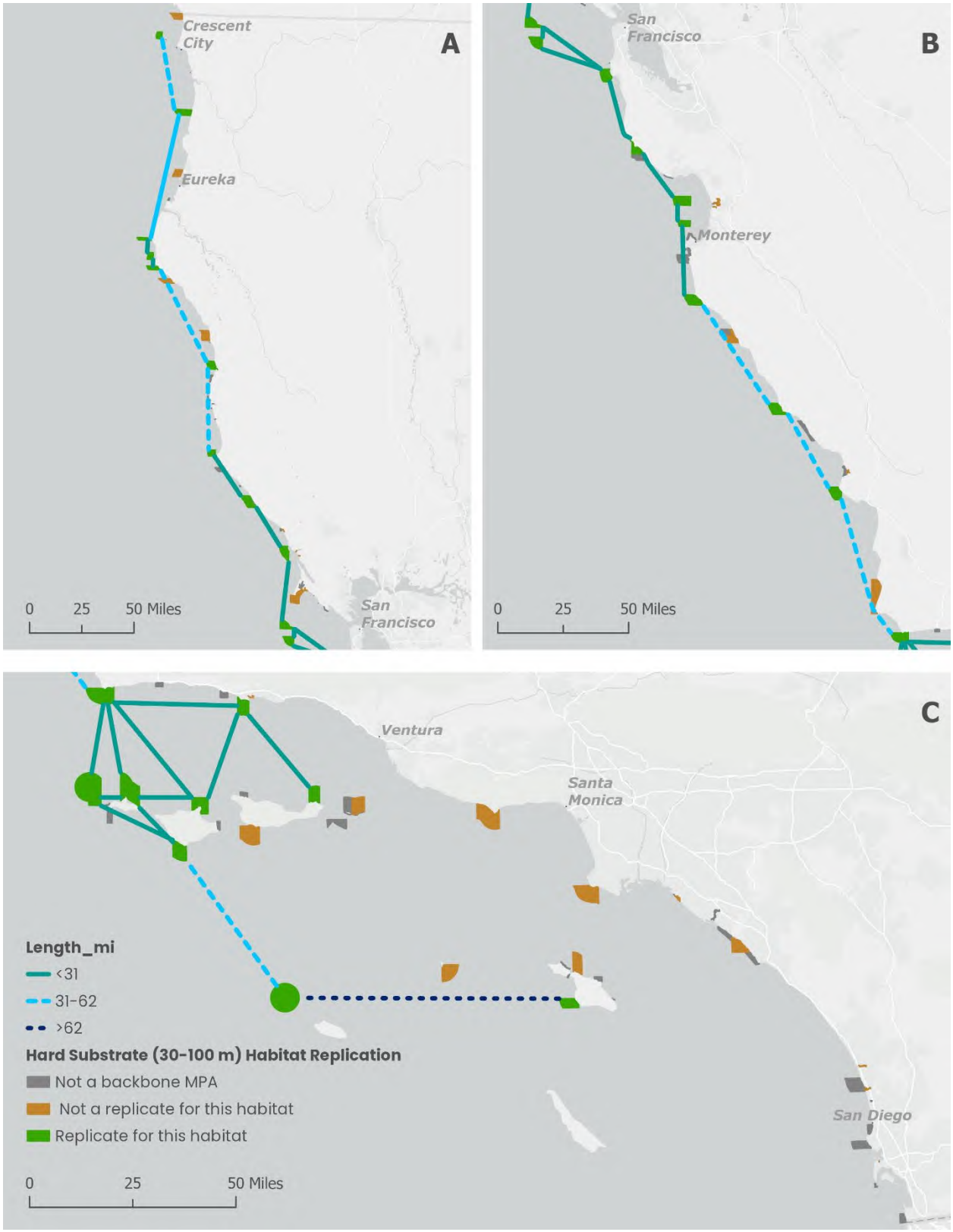


Figure C5. Linear over-water distance (miles) between California MPA replicates for hard substrate (30-100 m) habitat in the (a) North, (b) Central, and (c) South bioregions.

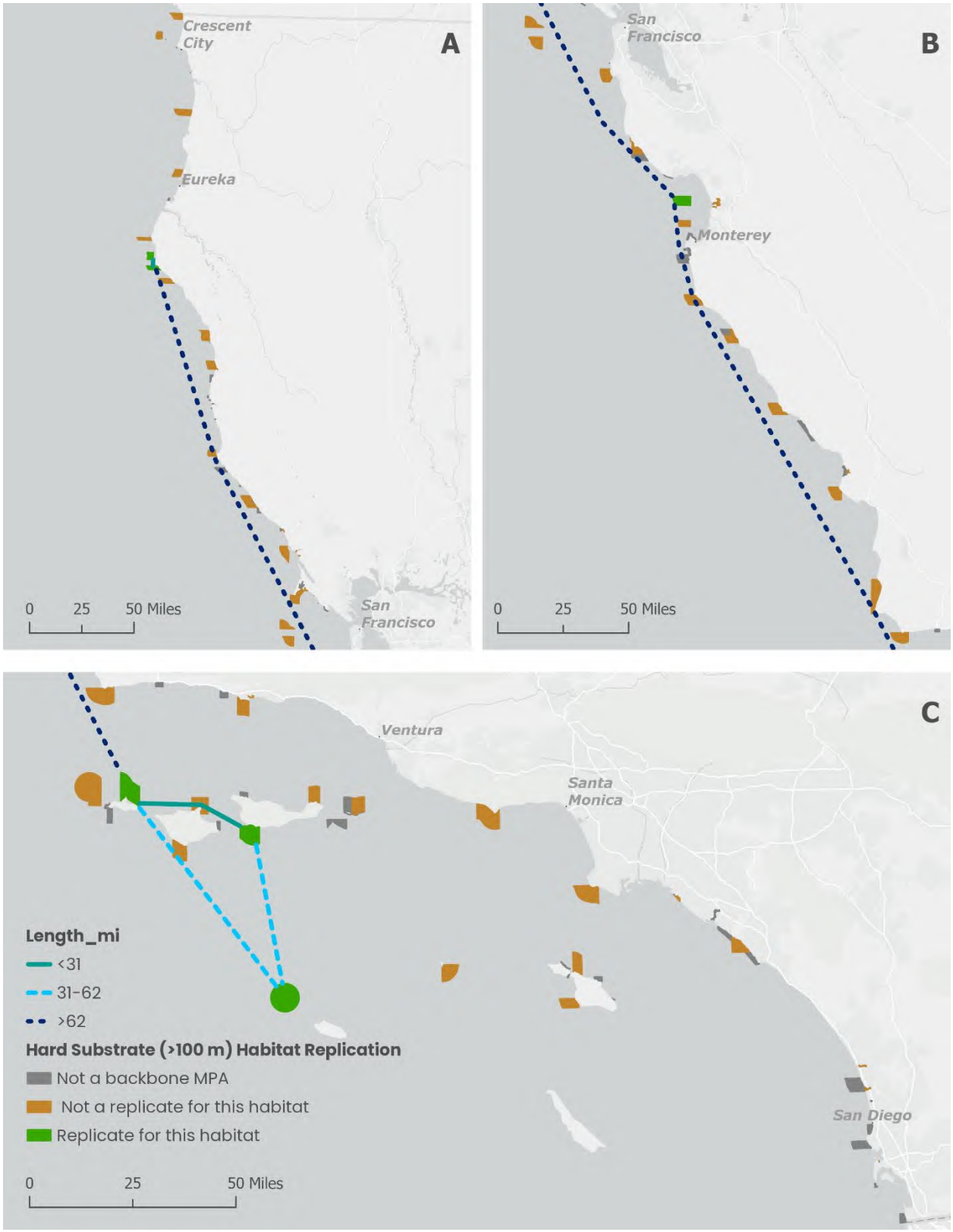


Figure C6. Linear over-water distance (miles) between California MPA replicates for hard substrate (>100 m) habitat in the (a) North, (b) Central, and (c) South bioregions.

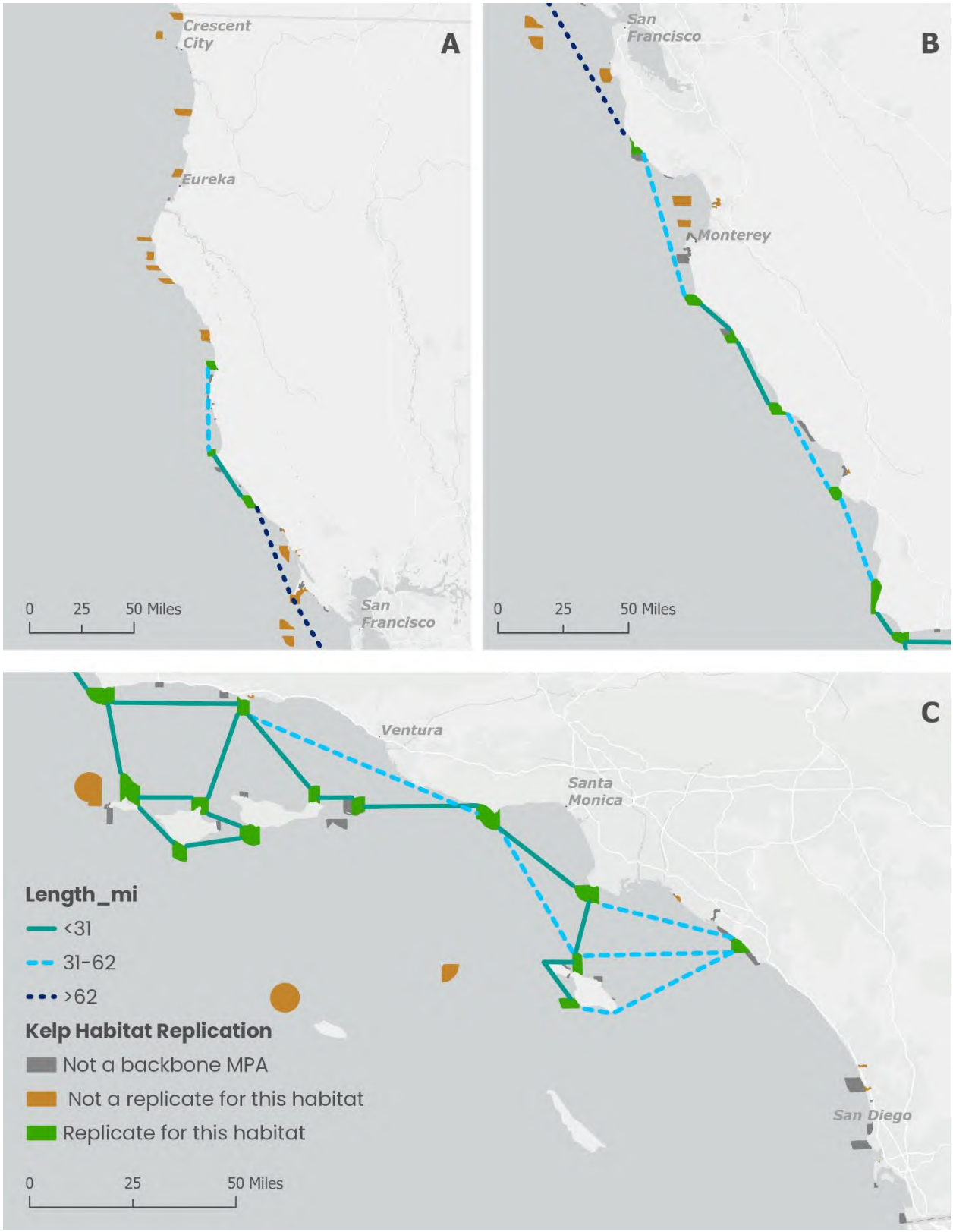


Figure C7. Linear over-water distance (miles) between California MPA replicates for kelp canopy coverage in the (a) North, (b) Central, and (c) South bioregions.

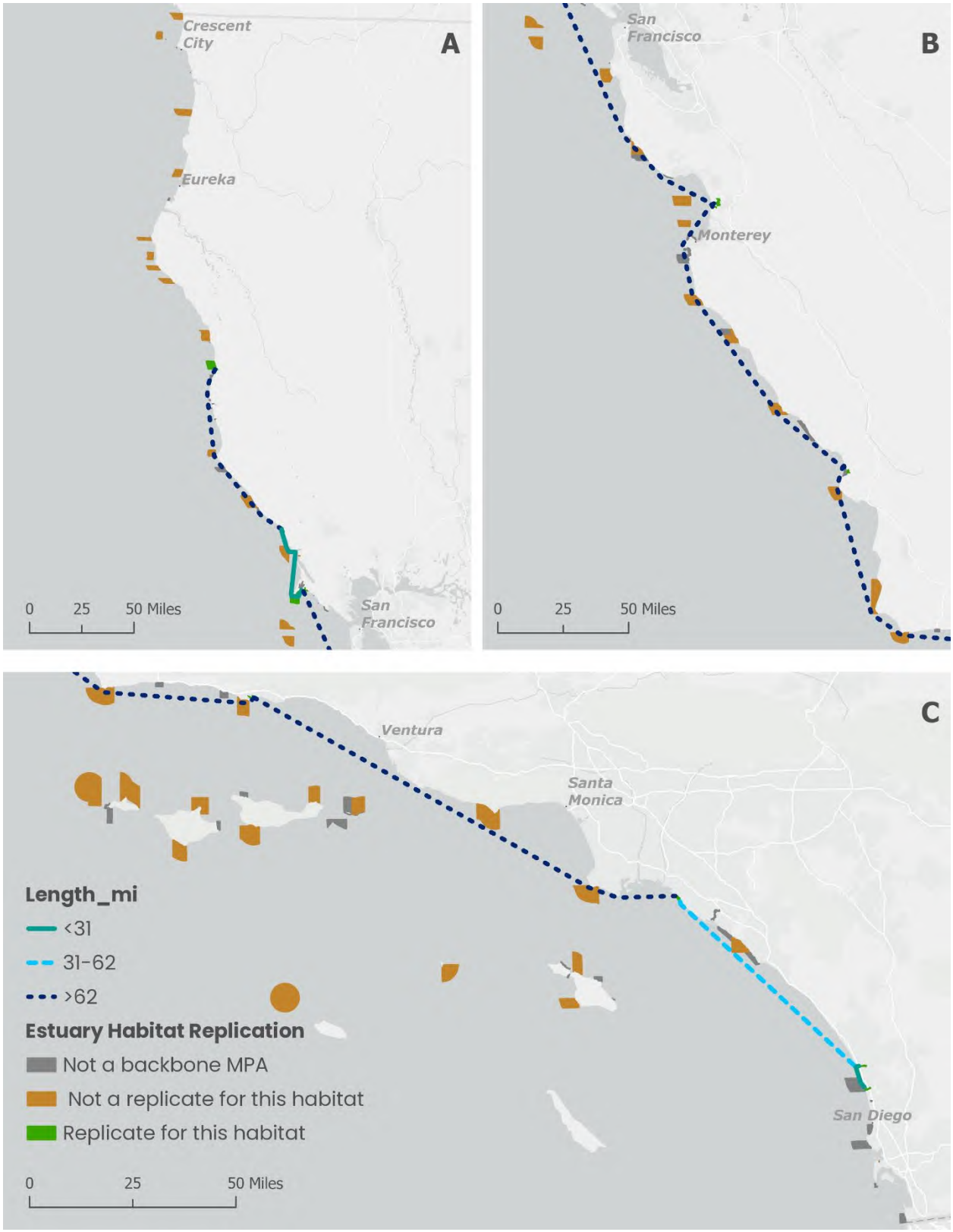


Figure C8. Linear over-water distance (miles) between California MPA replicates for estuarine habitat in the (a) North, (b) Central, and (c) South bioregions.

STATE OF CALIFORNIA

FISH AND GAME COMMISSION
MEMORANDUM

DATE: ~~May 29, 2026~~ Updated July 6, 2026 (updates displayed in blue font)

TO: Craig Shuman, Regional Manager, Marine Region
California Department of Fish and Wildlife



CC: California Department of Fish and Wildlife
Meghan Hertel, Director
Chad Dibble, Deputy Director, Wildlife and Fisheries Division
Sarah Fonseca, Tribal Liaison
Samara Maxey, Regional Tribal Coordinator, Marine Region

FROM: Melissa Miller-Henson, Executive Director
California Fish and Game Commission

SUBJECT: Actions Proposed for Tribally Led and Co-Led Marine Protected Area Petitions

This memo is intended to transmit to the Department, for evaluation purposes, current descriptions of specific proposed actions in the five tribally led or co-led marine protected area (MPA) petitions under consideration by the Commission.

During its April 14, 2026 meeting, the Commission Tribal Committee received presentations from tribes that are leading or co-leading MPA petitions, during which the tribes described updates or clarifications to their original petitions. The committee recommended that the Commission request the Department move forward with tribally led or co-led petition evaluations based on how the petitions, and individual actions contained within, were presented and described during the April 14 meeting.

At its April 15-16, 2026 meeting, the Commission supported the Tribal Committee recommendation and directed staff to submit to the Department the amended proposed actions for tribally led or co-led MPA petitions. Since the April meeting, the Commission held three regional meetings focused on MPA petitions, during which the five tribally led or co-led petitions were presented and petitioners reaffirmed the specific proposed actions as described on April 14.

Table 1 details the five tribally led or co-led MPA petitions and the specific actions requested in each, including those presented in April and reaffirmed during the regional MPA petition meetings. For clarity, the tribal changes are identified in the third column and petitions are renamed with an amendment number in the fourth column. The Department is asked to evaluate the five petitions consistent with the amendments summarized in the "…Description of Amended Petition Proposed Actions, Effective April 15, 2026" column. The Commission has requested that the Department complete and submit the evaluations to the Commission prior to, and present its recommendations during, the Commission's August 12-13, 2026 meeting.

If you have any questions or concerns, please do not hesitate to contact me directly.

Table 1: Tribally Led or Co-Led Marine Protected Area Petitions, Updated July 1, 2026 (updates displayed in blue font)

Petition Number Tribal Lead or Co-Lead and Co-Sponsor(s)	Description of Petition Proposed Actions (Original 2023 or as Amended 2025)	Tribal Petitioner Changes	Amended Petition Number and Description of Amended Petition Proposed Actions (Effective April 15, 2026)
2023-21MPA Tolowa Dee-ni' Nation	• Amend northern boundary of Pyramid Point State Marine Conservation Area (SCMA) • Remove recreational take of surf smelt • Maintain tribal take exemption for the Tolowa Dee-ni' Nation	No changes proposed • *The Department explained that surf smelt is part of a three-species "true smelt" group (surf, night, and whitebait); because the MPA allows recreational take of the group, it is necessary to remove the recreational allowance for true smelt, not just surf smelt. The Tolowa Dee-ni' Nation does not oppose this change.*	2023-21MPA_AM1 • Amend northern boundary of Pyramid Point SMCA • Remove recreational take of ~~surf~~ true smelt • Maintain tribal take exemption for the Tolowa Dee-ni' Nation
2023-28MPA_AM1~~AM2~~ Natural Resources Defense Council (NRDC) Northern Chumash Tribal Council	• Designate a new SMCA around Point Sal (size: 14.22 square miles with an alongshore span of 3.20 miles) • Identify a tribal name through consultation with Chumash people • Allow recreational take of finfish by hook and line from shore	• *Add Northern Chumash Tribal Council as co-petitioner* • *Move the southern boundary northward by approximately one-half mile to end of Vandenberg Space Force Base Road.* *SW corner: 34.895212665° N Lat, 120.731972573° W Long* *SE corner: 34.895212665° N Lat, 120.642637239° W Long* • *Allow incidental take during mission-critical operations at Vandenberg Space Force Base*	2023-28MPA_AM2 • Northern Chumash Tribal Council added as co-petitioner • Designate a new SMCA around Point Sal (size as amended: 9.18 square miles with an alongshore span of 4.03 miles) • Identify a tribal name through consultation with Chumash people • Allow recreational take of finfish by hook and line from shore • Allow incidental take during mission-critical operations at Vandenberg Space Force Base

Petition Number **Tribal Lead or Co-Lead and Co-Sponsor(s)**	**Description of Petition Proposed Actions (Original 2023 or as Amended 2025)**	**Tribal Petitioner Changes**	**Amended Petition Number and Description of Amended Petition Proposed Actions (Effective April 15, 2026)**
2023-29MPA_AM1 NRDC Santa Ynez Band of Chumash Indians Environmental Defense Center	• Designate a new marine protected area near Carpinteria as "Mishopshno SMCA" (size: 8.97 square miles) • Allow recreational take of finfish by hook and line from shore • Include a tribal take exemption for the Santa Ynez Band of Chumash Indians	• *Move western boundary to align with Caspia Lane in Summerland, at:* *34.366106° N Lat, 119.53689° W Long* • *Move the eastern boundary to align with Franklin Creek, at:* *34.366106° N Lat, 119.58868° W Long*	2023-29MPA_AM2 • Designate a new marine protected area near Carpinteria as "Mishopshno SMCA" (size as amended: 9.05 square miles with an alongshore span of 3.63 miles) • Allow recreational take of finfish by hook and line from shore • Include a tribal take exemption for the Santa Ynez Band of Chumash Indians
2023-19MPA Santa Ynez Band of Chumash Indians	• Designate a new marine protected area near Morro Bay as "Chitqawi SMCA" • Include a tribal take exemption for the Santa Ynez Band of Chumash Indians • Allow recreational take of finfish and invertebrates except mussels and scallops by hand • Allow incidental take from permitted operations	• *Remove proposed allowance for recreational take of finfish and invertebrates except mussels and scallops by hand* • *Remove incidental take allowance*	2023-19MPA_AM1 • Designate a new marine protected area near Morro Bay as "Chitqawi SMCA" • Include only a tribal take exemption for the Santa Ynez Band of Chumash Indians

Petition Number Tribal Lead or Co-Lead and Co-Sponsor(s)	Description of Petition Proposed Actions (Original 2023 or as Amended 2025)	Tribal Petitioner Changes	Amended Petition Number and Description of Amended Petition Proposed Actions (Effective April 15, 2026)
2023-20MPA Santa Ynez Band of Chumash Indians	• Expand northern boundary of Point Buchon State Marine Reserve (SMR) north to align with Point Buchon • Re-name Point Buchon SMCA as the "Chumash Co-Managed SMCA" • Remove current take allowance (recreational and commercial take of salmon and albacore) • Add allowance for recreational take of finfish and invertebrates except mussels and scallops by hand • Allow take incidental to operations in MPA • Add a tribal take exemption for the Santa Ynez Band of Chumash Indians	• *Keep current take allowance (recreational and commercial take of salmon and albacore)* • *Remove proposed allowance for recreational take of finfish and invertebrates except mussels and scallops by hand* • *Remove proposed allowance for take incidental to operations in MPA*	2023-20MPA_AM1 • Expand northern boundary of Point Buchon SMR north to align with Point Buchon • Re-name Point Buchon SMCA as the "Chumash Co-Managed SMCA" • Add a tribal take exemption for the Santa Ynez Band of Chumash Indians

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

MEMORANDUM

Date: July 30, 2026

To: Melissa Miller-Henson Executive Director
California Fish and Game Commission

From: Craig Shuman, D. Env.
Marine Regional Manager

Subject: **CDFW 2023 MPA Bin 2 Petition Evaluations for the Five Tribally-led Petitions**

At its February 14-15, 2024 meeting, the California Fish and Game Commission (CFGC) referred 20 Marine Protected Area (MPA) petitions to the California Department of Fish and Wildlife (CDFW) for review, evaluation, and recommendation. CDFW completed the Evaluations and Recommendations for the ten Bin 2 non-Tribally-led petitions and the Companion Document in March of 2026, which were received by CFGC at their April 15-16, 2026 meeting.

At the December 9, 2025 meeting, the CFGC Tribal Committee requested that before releasing the Tribally-led petition evaluations, CDFW engage with the tribes leading or co-leading petitions and provide an update on the engagement and any clarifications on the petitions at the April 14, 2026 CFGC Tribal Committee meeting.

At the April 14, 2026, CFGC Tribal Committee meeting, tribal representatives provided an overview and clarifications for the five Tribally-led petitions. CDFW presented an update on tribal outreach and engagement since December, and summarized the clarifications and proposed amendments for the Tribally-led petitions. At the meeting on April 15, 2026, the CFGC Tribal Committee recommended to CFGC that CDFW evaluate the Tribally-led petitions according to the proposed amendments and clarifications discussed during the Tribal Committee meeting on April 14. CFGC subsequently referred the amended petitions Tribally-led petitions to CDFW for evaluation and reaffirmed the evaluations should be completed using the Evaluation Framework approved by CFGC in August 2025.

CDFW has completed and is transmitting the evaluations and recommendations for the five Tribally-led petitions (Attachments 1-5). The Companion Document (Attachment 6) was updated with new information that includes a detailed timeline of the 2023 MPA Petition milestones, updates related to tribal outreach and engagement, a new section on Climate Resilience and MPAs, and additional supplemental information for Question 5 (information gaps) and Question 9 (MPA Network design and levels of protection) of the evaluation. The Companion Document should be read in

advance of the petition evaluations as it includes supplemental information and additional context that is relevant for all the evaluations. CDFW also developed a Science Guide to California's MPA Network (Attachment 7). This document includes a summary of the Science Guidelines developed and applied during the MPA planning process, and a current assessment of how the network conforms to these Science Guidelines.

If you have any questions or need more information, please contact me at r7regionalmgr@wildlife.ca.gov.

Attachment 1: CDFW Evaluation and Recommendations for **2023-19MPA_AM1**: Designate a New Chitqawi SMCA near Morro Bay with a Tribal Exemption for Santa Ynez Band of Chumash Indians

Attachment 2: CDFW Evaluation and Recommendations for **2023-20MPA_AM1:** Establish Co-Management at Point Buchon SMCA, Change the Name, and Add a Tribal Exemption for Santa Ynez Band of Chumash Indians at Point Buchon SMCA, and Change the Boundary at Point Buchon SMR

Attachment 3: CDFW Evaluation and Recommendations for **2023-21MPA_AM1:** Remove Recreational Take of True Smelt and Change the Boundary at Pyramid Point SMCA

Attachment 4: CDFW Evaluation and Recommendations for **2023-28MPA_AM2:** Designate a New SMCA Near Point Sal with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore

Attachment 5: CDFW Evaluation and Recommendations for **2023-29MPA_AM2:** Designate a New SMCA Near Mishopshno/Carpinteria with an Allowance for Recreational Take of Finfish by Hook-and-Line from Shore and a Tribal Take Exemption for Santa Ynez Band of Chumash Indians

Attachment 6: CDFW's 2023 Decadal Management Review Marine Protected Area Petition Evaluation Updated Companion Document, July 2026 Version

Attachment 7: CDFW Science Guide to California's MPA Network

ec: Meghan Hertel, Director
California Department of Fish and Wildlife

Chad Dibble, Deputy Director
Wildlife and Fisheries Division

Kevin Thomas, Deputy Director
Regional Operations

Jaimie Huynh, Deputy Director
Strategic Engagement, Equity and Partnerships

Nathaniel Arnold, Chief
Law Enforcement Division

Eric Kord, Assistant Chief
Law Enforcement Division

Wendy Bogden, General Counsel
Office of General Counsel

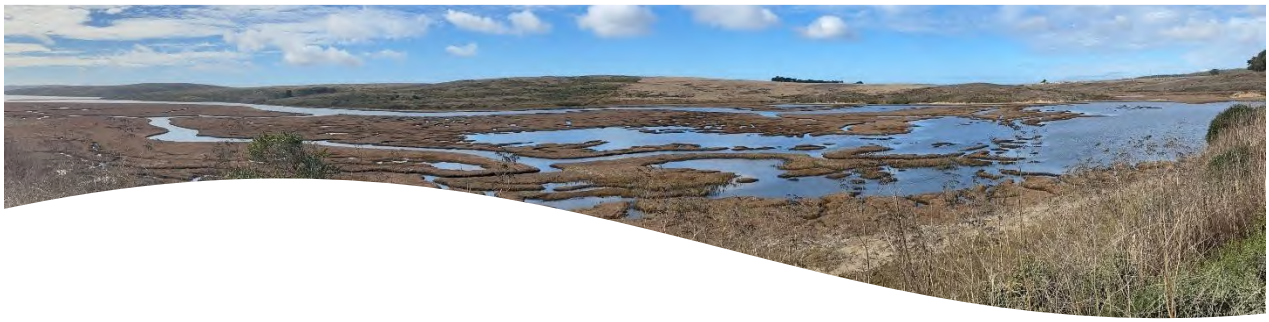
Claire Waggoner, Marine Region Habitat
Conservation Program Manager
Marine Region

Erica Mason, Statewide Marine Protected Area
Management Project Supervisor
Marine Region

Jenn Eckerle, Deputy Secretary for Ocean and
Coastal Policy Natural Resources Agency

California Department of Fish and Wildlife's Evaluation of 2023 Decadal Management Review Marine Protected Area Petition:

Designate a New Chitqawi SMCA Near Morro Bay With a Tribal Take Exemption for Santa Ynez Band of Chumash Indians (2023-19MPA_AM1)



I. PETITION SUMMARY

CFGC Tracking Number	2023-19MPA_AM1
Petition Contact/Affiliation	Sam Cohen, Santa Ynez Band of Chumash Indians (SYBCI)
Number of Proposed Actions	1
Affected MPAs	Chitqawi State Marine Conservation Area (SMCA; proposed new MPA)
Petition Summary	Designate a new SMCA in Estero Bay named Chitqawi SMCA with no take other than a tribal take exemption for the Santa Ynez Band of Chumash Indians.
Link to StoryMap page	2023-19MPA_AM1

July 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the marine protected area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions
2023-19MPA_1_AM1 Designate a new (a) tribal co-management SMCA in Estero Bay named Chitqawi State Marine Conservation Area (SMCA) with (b) no take other than a tribal take exemption for the Santa Ynez Band of Chumash Indians.	The stated intent for the proposed creation of a new SMCA is to: (1) Strengthen MPA protections MPA Network-wide by providing an 'insurance factor' against the synergistic effects of anthropogenic disturbance while helping to reach the goal of 30% of California waters protected by 2030, and (2) Strengthen the role of tribes in MPA management, monitoring efforts, and marine education activities in the Central Coast region, as tribal MPAs were not considered during the MLPA Initiative planning process in the Central Coast.

CDFW Recommendation and Brief Justification

(a) CDFW supports with an Alternative Pathway the non-regulatory request to advance co-management with Santa Ynez Band of Chumash Indians (SYBCI).

At the April 2026 California Fish and Game Commission (CFGC) Tribal Committee meeting, SYBCI confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking.

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, CDFW is committed to exploring opportunities for co-management and co-stewardship of California's MPAs and/or areas outside the MPA Network with SYBCI and any other interested tribes.

The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022). CDFW is committed to working with SYBCI on co-management within the four existing MPAs where SYBCI has a tribal exemption, and/or in areas outside the MPA Network, including the proposed Chitqawi area, without establishing a new MPA. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of CFGC's petition process and could likely occur on a faster timeline than through the adoption of new MPAs through CFGC's regulatory process.

(b) Regarding the regulatory request in 2023-19MPA_AM1 to establish a new SMCA in Estero Bay named Chitqawi with no take other than a tribal take exemption for SYBCI, CDFW recommends, CFGC Support with an Alternative Pathway and request CDFW engage with the SYCBI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area (SMCPA) to acknowledge the cultural significance of the area, rather than CFGC establishing a new SMCA.

One of the stated purposes of establishing a new MPA called Chitqawi SMCA, with a tribal exemption for the SYBCI, is to strengthen the role of tribes in MPA management. The new proposed MPA would be in the waters directly adjacent to modern day Morro Rock. Morro Rock is recognized as a powerful and deeply important, culturally significant place to many tribal peoples, including SYBCI.

As an alternative to designating a new MPA, CFGC could request CDFW work with the California Native American tribes that have cultural ties to the area and California State Parks to explore designating a SMCPA to acknowledge the cultural significance of the area without limiting access to other tribes that have a historical connection to the area. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network. The justification for the recommendation to explore an alternative designation is based on the following important considerations and determinations:

The proposed change may advance the DMR Recommendations focused on tribal stewardship and co-management for SYBCI; however, the proposed new MPA would

exclude cultural and subsistence uses by other federally and non-federally recognized tribes that also consider the proposed area a sacred place. Other federally recognized tribes with cultural ties to the area that want to maintain existing access would need to submit a petition to request a future tribal take exemption in the proposed new Chitqawi SMCA, if adopted by CFGC. Current legislative and regulatory frameworks provide pathways for tribal take exemptions for federally recognized tribes (25 C.F.R. § 83, Cal. Code Regs. Tit. 14 § 632(a)(11)). There is currently no legislative or regulatory pathway for non-federally recognized tribes to receive such an exemption. An SMCPA is one option that would retain current access enjoyed by non-federally recognized and federally recognized alike, while still formally designating the area to recognize the cultural significance of Morro Rock and the surrounding area.

The petition lists several ecological goals that focus on protection of nearshore species and enhancing connectivity and ecosystem function. In terms of meeting the MLPA Science Advisory Team (SAT) Guidelines for size and spacing, the proposed MPA size (8.45 square miles) does not meet the minimum size criteria (at least 9 square miles), and thus, would need to be increased to meet the stated connectivity and habitat replication goals.

Nearly 27% of all state waters between and including the Piedras Blancas and Point Buchon clusters are protected within MPAs (e.g., between the Piedras Blancas and Point Buchon MPA clusters to the north and south). The proposed new Chitqawi SMCA would be within 27.02 miles of eight existing MPAs carefully designed during the Central Coast MLPA Initiative planning process. There are two "backbone" MPA clusters that bookend the proposed location, Point Buchon SMCA/State Marine Reserve (SMR) and Piedras Blancas SMCA/SMR, 7.37 miles to the south and 27.02 miles to the north, respectively. There are additional MPAs nearby, including Morro Bay SMR and State Marine Recreational Management Area (SMRMA), and White Rock and Cambria SMCAs. Adding a new MPA in this region of the MPA Network would not fill a connectivity or habitat representation gap or provide ecosystem or connectivity benefits when assessed per the SAT Science Guidelines.

Consistent with directives in the Fish & G. Code and 2016 Master Plan for MPAs (§§2853 and 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. The proposed location of the new Chitqawi SMCA overlaps with important commercial and recreational fishing grounds for species such as nearshore groundfish, market squid, and salmon. The proposed new MPA would also overlap with the Atascadero Artificial Reef, which was constructed in 1985 to enhance sportfishing in the area by increasing fish production in the area and promoting kelp growth, although the status of the reef and

how much it is presently utilized for fishing is unknown. The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

Finally, the proposed location of the new SMCA has the potential to affect existing regulations, permits, leases, or management activities of a number of agencies. These interagency considerations are in alignment with the Marine Managed Areas Improvement Act (Pub. Resources Code §§ 36601, 36800). There are several water management facilities that are permitted to discharge in the waters in and around the proposed MPA. Although these facilities are required to meet water quality standards, there are potential water quality concerns with siting a new MPA at the proposed location. The establishment of the new MPA at this location would likely affect future Regional Water Board's permitting and management activities.

The proposed new MPA is adjacent to Morro Strand State Beach, which is managed by California State Parks and is designated as a State Recreation Unit under Cal. Code Regs. Tit. 14 section 4753. State Beaches are those "consisting of areas with frontage on the ocean, or bays designed to provide swimming boating, fishing, and other beach-oriented recreational activities." (Pub. Resources Code § 5019.56). According to 'California State Parks Guidelines for Creating Marine Managed Areas' (CDPR 2010), "When an MPA is proposed offshore of an existing terrestrial California Park System unit, the terrestrial park's general plan and existing public use patterns should be a guiding element for the designation and shoreline boundaries of the MPA." The General Plan for Morro Strand State Beach[1], established in 1988, cites surf fishing as one of the primary recreation activities in the unit. Fishing remains an existing allowed activity at Morro Strand State Beach[2] and any new limitations on recreational fishing should be considered in consultation with California Department of Parks and Recreation (CDPR) to avoid conflicting activities or public confusion.

There is also jurisdictional overlap with sovereign tidelands and submerged lands that were granted to the City of Morro Bay. Additional coordination with State and Regional

[1] General Plans and Management Plans

[2] Morro Strand State Beach

Water Quality Control Boards, CDPR, and the City of Morro Bay would be needed as part of considering a new MPA at this location.

The proposal to create the new Chitqawi SMCA could help advance adaptive management Recommendations 1, 2 and 24 from the DMR with SYBCI, but it does not sufficiently address a demonstrated performance gap or current or emerging MPA management challenge when measured against SAT Science Guidelines. The Chitqawi SMCA as proposed could limit other tribes' ability to continue subsistence practices and cultural harvest. Designating the area as a SMCPA is an alternative pathway that could be explored to acknowledge the cultural significance of the area without limiting subsistence practices and cultural harvest.

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes[3] (tribes) throughout the petition process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with CDFW 2023 MPA Bin 2 Petition Evaluation Framework.

WAS THE PETITION SUBMITTED BY A CALIFORNIA NATIVE AMERICAN TRIBE, REPRESENTATIVE DESIGNATED BY A TRIBE OR TRIBAL ORGANIZATION, OR HAVE A TRIBAL CO-SPONSOR?

Yes, this petition was submitted by the Santa Ynez Band of Chumash Indians, hereafter referred to as SYBCI or the tribe.

IF YES, (a)DOES THE PROPOSED CHANGE EXPLICITLY AIM TO ADVANCE TRIBAL CO-MANAGEMENT, SUBSISTENCE HARVESTING, STEWARDSHIP, AND/OR PROVIDE A TRIBAL BENEFIT THROUGH RECOGNIZING THE CULTURAL SIGNIFICANCE OF AN AREA?

Yes. The SYBCI identifies Chitqawi as "the northern most coastal Chumash village site of the territory traditionally inhabited by the diverse Chumash peoples," (Milliken and Johnson 2017) although, according to their petition, the exact historical location of the village is unknown. SYBCI requests the creation of a new Tribal MPA to foster co-management and ensure that "Tribal nations are integrated and engaged in marine life protection and education efforts."

[3] California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

(b)IS THE PROPOSED REGULATORY CHANGE EXPLICITLY LINKED TO A TRIBE OR TRIBES? (I.E. TRIBAL EXEMPTION, TRIBAL TAKE ONLY MPA, OR NEW MPA FOR CO-MANAGEMENT)?

Yes. The proposed regulatory change is explicitly linked to the SYBCI, and the tribe is requesting a new MPA with no other take than a tribal take exemption for SYBCI. See response to (a) above.

IV. PETITION EVALUATION

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-19MPA_AM1

SYBCI submitted a petition to establish a new co-managed SMCA named Chitqawi in Estero Bay (near Morro Bay), adjacent to Morro Rock in the Central Coast region. At the April 14, 2026 CFGC Tribal Committee meeting, SYBCI proposed an amendment to the petition. CFGC accepted the amendment at the April 15, 2026 meeting and referred the amended petition to CDFW for evaluation. This is an evaluation of the petition as amended in April 2026 (2023-19MPA_AM1), which proposes to establish a new co-managed SMCA named Chitqawi where no take would be allowed except for a tribal take exemption for SYBCI.

SYBCI requested that the proposed new MPA be added to the MPA Network to ensure 30% of California waters are fully protected by 2030. The petition includes several site-specific ecological objectives for the new MPA such as bolstering ecosystem level protections, enhancing connectivity, increasing protections for nearshore rockfish species, and replication of habitats to provide an "insurance factor" to protect against climate disturbances. The petition also cites co-management as an objective stating that the proposed change would:

> *"Strengthen the role of the Tribes in co-management and monitoring efforts and marine education activities throughout the marine region… Additional Tribal MPAs should be designed within the existing MPA networks to ensure that Tribal nations are integrated and engaged in marine life protection and education efforts. Additional designation of Tribal MPAs is also warranted given recent California and federal guidelines and initiatives that support Tribal co-management and collaborative natural resource management and planning."*

Based on the evaluation, CDFW finds the proposed new Chitqawi SMCA:

- As proposed, and when assessed against SAT Science Guidelines, would not improve the design and ecological function of the MPA Network as follows:

  - The three habitats mentioned in the petition (beach, hard bottom 30-100 m depth, and soft bottom 0-30 m and 30-100 m) are well-represented in this region and spacing between existing replicates of these habitats is within the range recommended by the SAT, and
  - Does not meet spacing criteria identified in SAT Science Guidelines. Nearly 27% of all state waters between and including the Piedras Blancas and Point Buchon clusters are protected within MPAs (e.g., between the Piedras Blancas and Point Buchon MPA clusters to the north and south). The proposed new Chitqawi SMCA would be within 27.02 miles of eight MPAs, including being:
    - Bookended by backbone MPAs where the Point Buchon MPA cluster would be 7.37 miles to the south and the Piedras Blancas MPA cluster would be 27.02 miles to the north, and
    - Within 11.77 miles of White Rock and Cambria SMCAs.
- Does not address a current or emerging MPA management challenge that has emerged since the DMR per the SAT Science Guidelines,
- Would be sited in an area that overlaps with a point source discharge of wastewater (Figure 1), including reverse osmosis brine,
- Could result in enforcement challenges and needs alignment with CDFW Feasibility Guidelines given regulatory complexity for the site, and
- Is in close proximity to an active fishing port and would have impacts to recreational and commercial fisheries (see Figures 2-4).

Consistent with directives in the Fish & G. Code and 2016 Master Plan for MPAs (§§2853 and 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, and data availability, CDFW did not have the ability to conduct an analysis of the economic or fiscal impacts for the proposed new MPA (see Question 5 in Attachment 1 for significant information gaps). This information is still outstanding.

As mentioned above, the proposal to advance co-management with SYBCI would advance DMR Recommendations related to tribal coordination with SYBCI. However, consumptive activities within the proposed new MPA would be prohibited for all other federally recognized tribes and non-federally recognized tribes that currently harvest in this area. Other federally recognized tribes with cultural ties to the area that want to maintain access would need to submit a petition to request a future tribal take exemption in the proposed new Chitqawi SMCA, if adopted by CFGC. There is currently no pathway for non-federally recognized tribes to receive an exemption under existing

legislative and regulatory frameworks (current tribal take exemption regulations can be found in Cal. Code Regs. Tit. 14 § 632(a)(11)).

SYBCI has a tribal take exemption in four SMCAs within the MPA Network. These exemptions were initiated after the 2012 North Coast Region MPA rulemaking when CFGC directed staff to inform federally recognized tribes about the pathway for a tribal take exemption. CFGC staff sent a letter to all tribes, notifying them of the new pathway for a tribal take exemption, and inviting them to request tribal take exemptions for any SMCA where they could provide a Factual Record of historic and/or current uses (though SMRs would not be considered). SYBCI submitted a Factual Record and requested tribal take exemptions in four South Coast region SMCAs (Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA), which were granted and adopted by the CFGC. For all these reasons, CDFW recommends advancing tribal coordination and co-stewardship with SYBCI in the four existing MPAs where SYBCI has a tribal take exemption, and/or in the proposed Chitqawi area, without establishing a new MPA.

Tribal Co-Management with SYBCI

The petition includes the request to establish a new co-management MPA named Chitqawi where all take would be prohibited except a tribal take exemption for SYBCI. SYBCI's petition highlights the cultural significance of the area and recommends the establishment of:

> *"an additional California-Chumash co-management SMCA as "Chitqawi" – the northern most coastal Chumash village site of the territory traditionally inhabited by the diverse Chumash peoples…Chitqawi is a coastal village of the Chumash that exists on the northern boundary of the Morro Bay area (although the exact location is unknown). The proposed SMCA is named after the Chumash village."*

The proposed location of the new Chitqawi SMCA is in Estero Bay on the Central Coast and in the waters adjacent to modern day Morro Rock. Known as *Lisamu'* by the Chumash[4], Morro Rock is recognized as a powerful and deeply important, culturally significant place to many tribal peoples (Sage Walker and Cooney 2022). The petition also includes an attachment, *Co-Management of California-Chumash Marine Conservation Areas a White Paper Produced for The Santa Ynez Band of Chumash Indians* (hereafter Attachment 1 of 2023-19MPA_AM1), that identifies opportunities and recommendations to implement co-management of designated California-Chumash marine conservation areas located at Anacapa Island, Naples, Point Dume, and Kashtayit

[4] https://chumashsanctuary.org/sacred-sites/

in Southern California, which are SMCAs where SYBCI currently has tribal take exemptions.

CFGC defines co-management as a collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area, or set of natural resources. Successful co-management typically comprises several components, such as clear governance authority and institutional structure, shared goals and long-term trust building, and integration of multiple worldviews and knowledge systems (Armitage et al. 2009, Berkes 2009, Ban et al. 2018, Warrior et al. 2022). In practice, this involves shared responsibility for management activities, such as monitoring, enforcement, and outreach, established through agreements developed collaboratively with tribes on a direct government-to-government basis (Berkes 2009, Ban et al. 2018, Artelle et al. 2019, Murray 2023).

Depending on the nature of the activities, co-management frameworks may be established through informal partnerships, formal agreements that do not require regulatory changes (e.g., Memorandum of Understanding), or regulatory or legislative changes. During the April 2026 CFGC Tribal Committee meeting, SYBCI clarified that the request for co-management in petition 2023-19MPA_AM1 was not a request for a regulatory change and confirmed their desire to continue to work with the state towards co-management in the proposed new Chitqawi SMCA.

Since receiving the petition, CDFW has initiated conversations with SYBCI regarding co-management and values the opportunity to learn more about tribal interests in co-management directly from SYBCI through continued collaboration. As noted in Attachment 1 of 2023-19MPA_AM1, co-management agreements necessitate robust collaboration and partnership-building between the tribe and state and "establishing successful co-management is seldom immediate. Like most participatory processes it takes time and careful attention to partnership building and strategic planning." Attachment 1 of 2023-19MPA_AM1 focuses on how to, "strengthen the opportunities to implement co-management of designated California-Chumash marine conservation areas." By prioritizing an initial focus on implementation of the recommendations to advance co-management within these existing MPAs, the state and SYBCI can work government-to-government to advance tribal stewardship more immediately.

The effort to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government-to-government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following

DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3)Building tribal capacity to participate in MPA management activities (CDFW 2022).

The establishment of a new MPA is not a prerequisite for, and does not by itself establish, the shared governance structure that underpins effective co-management. CDFW is committed to continuing to work with the SYBCI towards collaborative, sovereign-to-government co-management agreements within the existing MPA Network and elsewhere along the coast. This recommendation is intended to acknowledge and honor cultural needs by providing adequate time for tribal engagement, building partnerships, and incorporating Traditional Ecological Knowledge into the coordination and mutual understanding of the co-management over ancestral lands and waters.

Cultural Significance of the Area to Other Tribes and State Marine Cultural Preservation Areas

SYBCI is just one of the many tribes who have current and historical ties to the proposed location of the new Chitqawi SMCA. Modern day Morro Rock is recognized as a powerful and deeply important, culturally significant place for other tribes, including the Northern Chumash and Salinan tribes[5].

The importance of incorporating marine cultural heritage into MPA Network design and management was highlighted in DMR Recommendation 24, reflecting the recognition that the cultural significance of the coast could be better represented in the MPA Network. Similarly, California State Parks seeks to preserve examples of the state's diverse cultural heritage, particularly along underrepresented themes such as settlement and subsistence patterns associated with coastal prehistoric villages and tribal maritime exploration[6].

Given the petition's emphasis on cultural recognition and preservation of the waters around Morro Rock, an alternative designation that may warrant consideration is a State Marine Cultural Preservation Area (SMCPA). An SMCPA is one of the 6 marine managed areas defined and established in the Marine Managed Areas Improvement Act (MMAIA, Pub. Resources Code § 36600-36900). SMCPAs prohibit the damage, take, or possession of cultural resources, and these protections apply to the cultural resources of any tribe, regardless of federal recognition status. SMCPA designation does not restrict

[5] https://www.kqed.org/news/11940494/a-step-towards-healing-chumash-members-reunite-sacred-rock
[6] Significant Cultural Resource Properties

consumptive uses, so it could be a more inclusive approach to highlight the cultural importance of this area while maintaining existing fishing access and recreational opportunities.

SMCPAs are designated by the California State Parks and Recreation Commission and managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA. This designation may provide an effective mechanism for recognizing and preserving the cultural significance of the area without prohibiting take by other tribes.

In contrast, establishing a new MPA to allow exclusive take allowances by SYBCI would restrict access to the area for cultural take practices for tribes other than the SYBCI s. While other federally recognized tribes with cultural ties to the area could request a future tribal take exemption in the proposed new Chitqawi SMCA if adopted by CFGC (current tribal take exemption regulations can be found in Cal. Code Regs. Tit. 14 § 632(a)(11)), non-federally recognized tribes are unable to receive a tribal take exemption under the existing legislative and regulatory frameworks. Consequently, designating a new MPA in the waters adjacent to Morro Rock could create differential access among tribal communities. Designation of an SMCPA, on the other hand, could recognize and protect the cultural significance of the area, support continued exploration of co-management opportunities, maintain fishing access for existing users, and contribute to MPA Network achievement of MLPA Goals 3-6. This recommendation is also due to the lack of anticipated benefits to the MPA Network design and other considerations in the evaluation framework described below.

Local Ecological Significance, Habitat Replication, and Climate Change

In addition to acknowledging the cultural significance of the area to the Chumash peoples, SYBCI stated several ecologically focused goals for the new Chitqawi SMCA that aim to:

- *"Protect natural trophic structure and food webs, including forage species such as juvenile rockfish, squid, and coastal pelagic finfish that serve as prey for other fish, marine birds, and marine mammals,*
- *Protect larval sources and enhance reproductive capacity of nearshore fish and invertebrate species,*
- *Provide protection to nearshore shelf rockfish species,*
- *Replicate within a state marine reserve the range of shallow habitats found at Cambria and White Rock SMCAs, and*
- *Include and replicate sandy beaches, shallow hard and soft bottom habitat."*

The petition further states that the new MPA should be added to the MPA Network and designed in such a way with the above stated goals "to ensure the designed benefits [act as] an insurance factor is needed to protect marine life and habitat from the synergistic impacts of anthropogenic disturbance events," and that the "[CFGC] should consider adding other MPAs to the existing network given evidence of climate disturbance on marine life."

While there are promising results in the scientific literature that MPAs may act as climate refugia for certain species and ecosystems and/or promote recovery following a climate-driven disturbance (Micheli et al. 2012, Carr et al. 2017, Roberts et al. 2017, Bates et al. 2019, CDFW 2022, Jacquemont et al. 2022, Raimondi and Smith 2022, Ziegler et al. 2023, Benedetti-Cecchi et al. 2024, Kumagai et al. 2024, Olguín-Jacobson et al. 2025, Ortiz-Villa et al. 2025), the current state of knowledge indicates that MPAs do not consistently or predictably confer resilience to climate change (Coleman et al. 2017, Bruno et al. 2018, Freedman et al. 2020, Kyprioti et al. 2021, Smith et al. 2023, Filbee-Dexter et al. 2024, Ortiz-Villa et al. 2025). The DMR results showed that habitats and species both inside and outside MPAs experienced dramatic changes following the 2014-2016 marine heatwave. However, some habitats, such as rocky intertidal and kelp forests, were more stable and showed some resiliency to the effects of the heatwave, and that some of this stability could be attributed to higher connectivity (CDFW 2022, Carr et al. 2022, Raimondi and Smith 2022). Yet these results were variable across time and space, and highly dependent on bioregion and shifts in oceanographic conditions pre- and post-heatwave (CDFW 2022, Carr et al. 2022, Caselle et al. 2023, Hamilton et al. 2023). Positive species and community level responses following the heatwave were most pronounced on the Central Coast, where the proposed new MPA would be located, which suggests that the regional MPA Network in this area is likely already providing some level of resiliency to climate change disturbances. Although climate change was not explicitly considered during the MLPA Initiative planning process, California's MPA Network was designed with resilience-oriented principles in mind (Hofmann et al. 2021). Adding an additional MPA in this area is not likely to further promote climate resiliency beyond what the current MPA Network is already providing (see Companion Document, Attachment 1 for more information on Climate Resiliency and MPAs). Further exploration of climate change resiliency and the role of MPA design will be guided by the DMR Recommendations focused on MPA Network performance (CDFW 2022) and the recommendations put forth in the "Climate Resilience and California's Marine Protected Area Network" report (Hofmann et al. 2021).

For an MPA to contribute to ecological goals related to habitat replication and representation, the SAT Science Guidelines require that an MPA meet certain criteria for protection (Level of Protection (LOP) of Moderate-high, High, or Very High) and size (minimum area of 9 square miles). The proposed new Chitqawi SMCA is 8.45 square

miles and would need to be increased to meet the minimum size criterion for connectivity and habitat replication goals. If it did meet the size threshold, it would add habitat replicates (beach and soft bottom 0-30 m and 30-100 m[7]) that are well-represented in this region. Additionally, all spacing between existing habitat replicates is within the range recommended by the SAT. Though identifying MPA Network design deficiencies was not a specific objective of the DMR, results of the assessment of MPA Network performance relative to MPA design attributes did not indicate the MPA Network was failing to meet ecological objectives (e.g., MPA placement and spacing appears to be promoting ecosystem connectivity). The DMR indicated that with continued long-term monitoring over the next 10-year period, we anticipate being able to conduct additional analyses related to performance and influencing factors, including MPA design attributes.

Approximately 27% of all state waters between and including the Piedras Blancas and Point Buchon clusters are protected within MPAs (e.g., between the Piedras Blancas and Point Buchon MPA clusters to the north and south). The proposed new Chitqawi SMCA would be within 27.02 miles of eight MPAs. This includes being sited directly adjacent to the Morro Bay SMRMA and the Morro Bay SMR and within 11.77 miles of White Rock and Cambria SMCAs. Additionally, the proposed new Chitqawi SMCA would be situated between two "backbone" MPA clusters in the MPA Network, which serve as connection points in the MPA Network. Backbone MPAs are those that meet LOP, size, and spacing thresholds sufficient to qualify as replicating key habitat at an ecologically meaningful scale, either as a single MPA or as a purposefully designed MPA cluster. The existing Point Buchon SMR and SMCA cluster is 7.37 miles to the south of the proposed new MPA, while the Piedras Blancas SMR and SMCA cluster is 27.02 miles to the north. These two backbone clusters are 32.97 miles from each other, well within the MPA spacing guidelines established by the SAT (maximum distance of 31-62 miles apart; see Question 9 of Attachment 1 for the SAT Science Guidelines and additional context).

SYBCI's petition states that the addition of a new MPA in the Central Coast region should aim to protect important nearshore species at various life stages and ecological functions such as preserving the natural trophic structure and food webs. There is some evidence that MPAs can preserve or rebuild functioning food webs by protecting top predators that are often targeted by fisheries and/or enhance or sustain trophic species interactions (Micheli et al. 2005, Villamoor and Becerro 2012, Gilby and Stevens 2014, Soler et al. 2015, Eger and Baum 2020, Eisaguirre et al. 2020, Kumagai et al. 2024). The

[7] Hard bottom 30-100 m depth meets minimum area used in other study regions but does not meet minimum percentage used in Central Coast Study Region.

abundance of juvenile rockfish (*Sebastes* spp.) and coastal pelagic species[8] that may support foraging marine birds and mammals can be highly dynamic depending on oceanographic conditions that function on much larger scales than the proposed size of the MPA (Field and Ralston 2005, Laidig et al. 2007, Wilson et al. 2008, Ruzicka et al. 2012, Markel et al. 2017).

Another stated goal of the proposed new Chitqawi SMCA is to provide protections for nearshore rockfish and benthic invertebrates, in turn enhancing their reproductive capacity. The proposed new Chitqawi SMCA would need to increase in size to meet the minimum size criteria, but it could provide some local protection for nearshore rockfish species that have smaller home ranges, as well as sessile invertebrates such as mussels (*Mytilus* spp.) that are fixed to the substrate. Tag and recapture studies of several species of nearshore rockfish that occur in the waters of the proposed MPA exhibit high site fidelity, with some animals moving just meters annually (Hannah and Rankin 2011, Hanan and Curry 2012, Mireles et al. 2012, Green et al. 2014). Other research suggests that MPAs effectively protect larger, older, more fecund fish that produce higher quality offspring (Hixon et al. 2014, Fidler et al. 2018, Marshall et al 2019). Smaller MPAs, like the proposed Chitqawi SMCA, could provide some protection for the adult fish of these species and may confer some localized benefits to the population at a site-specific level (Lester et al. 2009, Hannah and Rankin 2011, Mireles et al. 2011, Saarman et al. 2013). However, MPA size has shown to be a main factor driving positive response ratios of nearshore rockfish inside MPAs (Friedlander et al. 2017), especially when examined in the context of an MPA Network (Ziegler et al. 2022, Caselle et al. 2023).

Given all these considerations, the proposed new Chitqawi SMCA may offer local protection for some nearshore rockfish species and sessile invertebrates. However, the proposed new Chitqawi SMCA is unlikely to meaningfully enhance ecosystem function or connectivity within the MPA Network when measured against SAT Science Guidelines. Additionally, key habitats in this region are well-represented. This is because the eight existing MPAs in the area already collectively provide these ecosystem and connectivity benefits, with nearly 27% of all state waters between and including the Piedras Blancas and Point Buchon clusters are protected within MPAs (e.g., between the Piedras Blancas and Point Buchon MPA clusters to the north and south).

Point Source Discharges and Water Quality

Fish & G. Code section 2855 requires consideration of "practical information on the marine environment and the relevant history of fishing and other resources use, areas

[8] Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicas*), jack mackerel (*Trachurus symmetricus*), northern anchovy (*Engraulis mordax*), and market squid (*Doryteuthis opalescens*).

where fishing is currently prohibited, and water pollution in the state's coastal waters" when making decisions regarding the siting of new MPAs and major modifications of existing MPAs. In general, MPAs should be sited considering information related to water pollution in the state's coastal waters (Fish & G. Code§ 2855(c)), and "to the extent practicable, to ensure that activities that upset the natural ecological functions of the area are avoided (Fish & G. Code § 2857(c))," this includes avoiding overlap with point source discharges such as wastewater treatment plant, water reclamation facility, and brackish or seawater desalination discharges.

There is an existing outfall that would discharge into the proposed new MPA (Figure 1). The City of Morro Bay operates the Morro Bay Water Reclamation Facility that is permitted to discharge blended primary and tertiary treated municipal wastewater, saline waste, and reverse osmosis concentrate from a brackish reverse osmosis facility; and reverse osmosis concentrate from indirect potable reuse from the facility's outfall located at 35°23'11"N 120°52'29" W (California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2022-0029 NPDES NO. CA3000002). The facility is authorized to discharge an average annual effluent flow of up to 0.97 million gallons per day and the maximum daily effluent flow from the facility cannot exceed 2.74 million gallons per day. This facility intermittently commingles their wastewater discharge with reverse osmosis brine from a brackish desalination facility before discharging it into Estero Bay. This facility would discharge wastewater directly into the proposed new Chitqawi SMCA.

There are two other permitted point source discharges into Estero Bay that are just to the north of the proposed new Chitqawi SMCA (Figure 1). This includes the outfall for the recently constructed Cayucos Sanitary District Water Resource Recovery Facility, which is approximately 0.7 miles north of the proposed MPA. This facility is permitted to discharge an average annual effluent flow of up to 0.34 million gallons per day of secondary treated municipal wastewater from the facility's outfall located at 35°24'44.10"N 120°53'10.02"W (California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2020-0004 NPDES NO. CA3000001). The Chevron Estero Marine Terminal also holds a permit to discharge into Estero Bay approximately one third of a mile north of the proposed Chitqawi SMCA, although the facility is not actively discharging (35°24'25"N 120°53'05"W; California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2017-0049 NPDES NO. CA0001465) (Figure 1). These are both relatively small facilities, and they would not discharge directly into the proposed new SMCA, however, they are mentioned because of their proximity to the proposed new MPA and because the petition states, "the SYBCI is proposing a general location; the specific location is identified below but the Tribe is willing to collaborate with State partners to consider this proposed SMCA in more detail."

Although all of the permitted facilities are required to meet water quality standards (and have many other requirements) in their National Pollutant Discharge Elimination System permits, due to potential water quality concerns, it is not recommended to site a new proposed MPA over existing point source discharges or where there would be overlap with the zone of initial dilution or brine mixing zone. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters includes provisions that may limit the ability to require modified limitations, substantive conditions or prohibitions on existing municipal point source wastewater discharge outfalls and also prohibit requiring a facility to move their outfall following designation of an SMCA (Chapter III.E. California Ocean Plan, SWRCB 2019)

Impacts on Existing Regulations, Permits, Leases and Management Activities of Other Agencies

The proposed new MPA is adjacent to Morro Strand State Beach, which is managed by California State Parks, which is designated as a State Recreation Unit under Cal. Code Regs. Tit. 14 section 4753. The proposed MPA's regulations would require resolution of conflicts with this State Park Unit's current rules and recreational mandate, in which State beaches are defined as "consisting of areas with frontage on the ocean, or bays designed to provide swimming boating, fishing, and other beach-oriented recreational activities" (Pub. Resources Code § 5019.56). According to the 'California State Parks Guidelines for Creating Marine Managed Areas' (CDPR 2010),

> *"When an MPA is proposed offshore of an existing terrestrial California Park System unit, the terrestrial park's general plan and existing public use patterns should be a guiding element for the designation and shoreline boundaries of the MPA."*

The General Plan for Morro Strand State Beach[9] discusses the recreation resources available, stating,

> *"Principal recreation activities in this unit include picnicking, wading, surfing, beachcombing, surf fishing, and nature study."*

Fishing remains an existing allowed activity at Morro Strand State Beach. The General Plan for Morro Strand State Beach identifies a number of constraints related to access (e.g., rough surf and cold ocean temperatures) and any additional limitations to recreational fishing would need to be considered in consultation with CDPR. The

[9] General Plans and Management Plans

proposed change would also require CDFW and CDPR to coordinate on enforcement, updates to signage, and outreach efforts.

There is also jurisdictional overlap with sovereign tidelands and submerged lands that were granted to the City of Morro Bay in 1964. Additional coordination with the State and Regional Water Boards, California State Parks, and the City of Morro Bay would be needed prior to considering a new MPA at this location.

Impacts on Fisheries and Socioeconomic Impacts

The proposed Chitqawi SMCA is directly adjacent to the Morro Bay Harbor and within CDFW commercial fishing block 607. The 8.45 square mile area of the proposed MPA would occupy 13.8% of the block. Block 607 is an economically productive, high value fishing block supporting several important commercial fisheries such as nearshore groundfish[10], market squid (*Doryteuthis opalescens*), and salmon *(Oncorhynchus spp.*). Since implementation of the statewide MPA Network, between 2013 and 2025, the nearshore groundfish landed in block 607 was worth over $1.4 million, approximately 10% of the value of all nearshore groundfish caught in the Morro Bay area in that period (Figure 2). The value of market squid landed in block 607 in that same period was over $1.3 million and made up a larger portion of the total value of that catch landed in Morro Bay, approximately 28.9% (Figure 3). Ocean salmon landed from this block in that time frame was $704,262, with approximately 17% of the total value of that catch landed in Morro Bay (Figure 4). These fishery landings, along with others from fishing block 607, contributed more than $3.58 million to the local community in the years following MPA implementation (see response to Question 15; for more details on all fishery value data, see CDFW's Marine Fisheries Data Explorer).

The proposed location for Chitqawi SMCA is just outside the entrance to the Morro Bay Harbor. Closing this area may require some commercial fishery participants to travel further to access fishing grounds, increasing the fuel and time required to land equivalent catch, which could reduce net value of any landings. There are also several

[10] For a list of all nearshore groundfish, see the California Nearshore Fishery Management Plan (CDFW 2002). Representative nearshore groundfish from the surrounding area of the proposed new MPA include cabezon, *Scorpaenichthys marmoratus;* California scorpionfish, *Scorpaena guttata;* California sheephead, *Bodianus pulcher;* black rockfish, *Sebastes melanops;* black-and-yellow rockfish, *S. chrysomelas;* blue rockfish, *S. mystinus;* brown rockfish, *S. auriculatus,* calico rockfish, *S. dalli;* China rockfish, *S. nebulosus;* copper rockfish, *S. caurinus;* gopher rockfish, *S. carnatus;* grass rockfish, *S. rastrelliger;* kelp rockfish, *S. atrovirens;* olive rockfish, *S. serranoides;* quillback rockfish, *S. maliger;* treefish, *S. serriceps;* kelp greenling, *Hexagrammos decagrammus;* rock greenling, *H. lagocephalus; and* monkeyface prickleback, *Cebidichthys violaceus*.

Commercial Passenger Fishing Vessels (CPFVs)[11] operating out of Morro Bay Harbor. This proposed change would also restrict operations within a productive fishing block close to the harbor.

In addition to supporting several commercial fisheries on the Central Coast, Estero Bay and other areas around Morro Bay, especially the area around Morro Rock, are popular for recreational fishing for both local community members and visitors alike. The jetties that mark the entrance to Morro Bay Harbor are frequented by recreational hook-and-line anglers, especially because a fishing license is not needed to fish from the jetty specifically. Morro Rock Beach and Morro Strand State Beach to the north of the rock would also fall within the proposed Chitqawi SMCA. These areas are also popular sites for recreational hook-and-line fishing, recreational crabbing, and clamming. Closing these areas to fishing may impact access to free fishing opportunities.

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12). The MLPA and Master Plan (CDFW 2016) require consideration of socioeconomic impacts and the relevant history of fishing and other resources use in an area (Fish & G. Code § 2855(c)) when making decisions about major structural modifications to the MPA Network, including the addition of new MPAs. The addition of a new MPA in this area would likely result in socioeconomic impacts to fisheries and the surrounding communities, although the nature and extent of these impacts is unknown (see Question 5 in Attachment 1 for significant information gaps).

Enforcement

The proposed new MPA as designed would not align with the following Feasibility Guidelines: proposed boundaries are not all described using readily determined lines of latitude and longitude, they do not align with easily recognizable permanent landmarks or with the boundaries of the neighboring Morro Bay SMRMA, which could cause confusion for vessels exiting the SMRMA and Morro Bay Harbor, and the offshore boundary does not extend to the 3 nautical mile limit of state waters. Establishing a new

[11] The Commercial Passenger Fishing Vessel (CPFV) Fleet takes paying passengers to recreationally fish at offshore coastal locations.

MPA at this site would also add to regulatory complexity in the area, as there are two other MPAs within Morro Bay right on the other side of the jetty from the proposed site: Morro Bay SMRMA and the Morro Bay SMR, both of which would have different regulations than the proposed Chitqawi SMCA.

The proposed new MPA would not align with the Feasibility Guidelines recommendation that MPA designs should be simple and clear and avoid creating unnecessarily complex arrangements. The location of the proposed new MPA is adjacent to the Morro Bay SMRMA, which allows recreational take of finfish on the Morro Bay north jetty that would be positioned between the two MPAs. This would make it such that fishing could occur on one side of the Morro Bay north jetty but not the other. Furthermore, the proposed boundaries of the new MPA fall just outside the mouth of the busy port of Morro Bay Harbor. The subsequent vessel traffic exiting the harbor and transiting from the Morro Bay SMRMA into the proposed MPA would could increase compliance issues. Each of these diversions from the Feasibility Guidelines creates enforcement challenges as they increase the likelihood of public confusion, unintentional infractions, and instances of non-compliance. With any new MPA regulation, there is an anticipated period of non-compliance. However, given the regulatory complexity and proximity to a busy port that supports various commercial and recreational fisheries, it is anticipated there would need to be significant investments in clearly understandable signage and outreach on an ongoing basis.

Conclusion

CDFW is committed to furthering co-stewardship and is interested in continuing to engage with SYBCI on co-management within the existing MPA Network or in this area. However, there are faster and less burdensome pathways to achieve co-management. The proposed new Chitqawi SMCA could complicate existing ceremonial and subsistence harvest opportunities for other tribes, some with significant cultural ties to Morro Rock and the surrounding area.

When measured against the SAT Science Guidelines, the proposed new Chitqawi SMCA would not provide added ecological benefits to the MPA Network beyond what exists in the eight neighboring MPAs. There are also MPA siting and water quality challenges, enforceability of the design and location due to regulatory complexity, and impacts to recreational and commercial fisheries (see Figures 2-4).

CDFW recommends a non-regulatory pathway to expedite co-management and is committed to continuing to pursue co-management with SYBCI. In conjunction with this, and as a potential pathway to recognize the cultural significance of the location, and to better incorporate marine cultural heritage into the design of the MPA Network (DMR

Recommendation 24), there may be interest in exploring an SMCPA designation with CDFW, California State Parks, and California State Parks and Recreation Commission (Marine Managed Areas Improvement Act, Pub. Resources Code § 36600-36900). Designating this area as an SMCPA would prohibit the damage, take, or possession of any cultural resources, acknowledge the cultural significance of the area, while also preserving any historic objects in the area, for example, artifacts from submerged village sites. SMCPAs are designated by the California State Parks and Recreation Commission and managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA. This designation would recognize the cultural importance of the area and would avoid potential limitations on fishing access or take associated with ceremony and cultural practices for tribes other than SYBCI.

RECOMMENDATION FOR 2023-19MPA_AM1

Given these considerations, and the information in the evaluation below, for petition **2023-19MPA_AM1**:

- **CDFW Supports with an Alternative Pathway the non-regulatory request to advance co-management and is committed to continuing to pursue co-management with SYBCI**. At the April 2026 CFGC Tribal Committee meeting, SYBCI confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking. This non-regulatory request was not evaluated further.
- **Regarding the regulatory request in 2023-19MPA_AM1 to establish a new SMCA in Estero Bay named Chitqawi with no take other than a tribal take exemption for SYBCI, CDFW recommends, CFGC Support with an Alternative Pathway and request CDFW engage with the SYCBI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area (SMCPA) to acknowledge the cultural significance of the area, rather than CFGC establishing a new SMCA.**

EVALUATION QUESTIONS

2023-19MPA_AM1: Designate a new SMCA in Estero Bay named Chitqawi SMCA with no take other than a tribal take exemption for the Santa Ynez Band of Chumash Indians.

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

No. The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the MPA Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning MPA Network that was designed to holistically address the MLPA Goals as a whole. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan Objectives.

The tribe has proposed a new SMCA in Estero Bay (near Morro Bay) with a tribal take exemption for SYBCI. SYBCI describes objectives for the proposed MPA that would align with MLPA Goals 1, 2, 3, and 4, related to preserving natural diversity, protecting marine populations and habitats, and improving recreational activities. Although the request for co-management aligns with Master Plan objectives and the proposed new MPA has potential to meet MLPA Goals 1 and 2, it is unlikely that the new Chitqawi SMCA as proposed would meet Goals 3 and 4, and is inconsistent with Goal 6, related to MPA design and management as an MPA Network.

SYBCI's proposal aims to enhance MPA Network design by replicating various nearshore habitats, such as sandy beaches and shallow (0-30 m depth) hard and soft bottom habitat (Goal 4). Though the proposed MPA would indeed encompass unique marine life and habitats, the MPA as proposed at 8.45 square miles (Table 1) would not meet the size requirements (at least 9 square miles) to contribute to replication goals for these habitats (see response to Question 9 for the SAT Science Guidelines and additional context). Additionally, although identifying MPA Network design deficiencies was not a specific objective of the DMR, results of the assessment of MPA Network performance relative to MPA design attributes did not indicate the MPA Network was failing to meet ecological objectives (e.g., MPA placement and spacing appears to be promoting ecosystem connectivity). The DMR indicated that with continued long-term monitoring over the next 10-year period, we anticipate being able to conduct additional

analyses related to performance and influencing factors, including MPA design attributes.

The proposed new Chitqawi SMCA would have a southern portion just outside Morro Bay Harbor and would overlap with state parks (e.g. Morro Strand State Beach) and beaches that receive high levels of visitation for a wide range of consumptive and non-consumptive activities (MPA Watch data reports for San Luis Obispo County, California State Parks System Statistical Reports). Given the popularity of the area surrounding Morro Rock, it is unclear how establishing an MPA that removes existing recreational consumptive opportunities without adhering to SAT Science Guidelines would improve public enjoyment (Goal 3).

Lastly, the MLPA Initiative planning process set a clear precedent for creating and managing California's MPAs as a cohesive MPA Network through a long-term, robust, science-based, stakeholder-driven process (Goal 6). This includes ensuring that all MPAs are designed and managed as a single, interconnected component of a statewide MPA Network. As designed, the proposed new Chitqawi SMCA would offer minimal local ecological protections and is too small to add habitat replicates or serve as a connection point in the broader MPA Network.

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

Yes. The establishment of the MPA alone does not advance DMR Recommendations. However, the additional request to co-manage the area with SYBCI is a pathway to advance prioritized adaptive management Recommendations from the DMR (CDFW 2022): (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements for Recommendation (3) Building tribal capacity to participate in MPA management activities. However, the Chitqawi SMCA as proposed would limit any other tribes' ability to continue subsistence and cultural harvest practices. Designating the area as a SMCPA is an alternative pathway that could be explored to acknowledge the cultural significance of the area without limiting subsistence practices. Additionally, CDFW could work with SYBCI to advance these DMR Recommendations within the existing MPA Network or areas outside the MPA Network, including developing a co-management agreement for this area. See Question 2a of Attachment 1 for the DMR and DMR Recommendations.

QUESTION 2B: IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?

Not applicable, as the proposed change advances adaptive management recommendations.

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

Yes. The proposed expansion overlaps with Administrative Kelp Bed 206, which is closed, and Kelp Bed 207, which is leasable. Closed kelp beds are closed to all commercial kelp harvesting. Commercial kelp can be harvested within leasable kelp beds until a lease is obtained for the bed, at which time the bed can only be harvested by the lease holder.

The proposed change also has the potential to impact three existing Experimental Fishing Permits (EFPs):

- EFPT2-002 - Dungeness crab (*Metacarcinus magister*), rock crab (*Cancer productus, Metacarcinus anthonyi*, and *Romaleon antennarium*), and spot prawn (*Pandalus platyceros*).
- EFPT2-004 - Dungeness crab (primary) and rock crab (secondary).
- EFPT4-001- Brown box crab (*Lopholithodes foraminatus*) and king crab (California king crab- *Paralithodes californiensis*, spiny king crab- *Paralithodes rathbuni*, scarlet king crab - *Lithodes couesi*).

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. The proposed new Chitqawi SMCA would overlap with granted lands held by the City of Morro Bay. Sovereign tidelands and submerged lands were first granted to San Luis Obispo County in 1947 to operate a harbor and to maintain associated facilities needed for commerce and navigation. The grant was amended in 1960 to add purposes related to recreational use, such as a playground, public park, and parking. The title was transferred to the City of Morro Bay in 1964. It is unclear whether and to what degree the proposed change would affect the City's management activities.

The proposed new MPA is adjacent to Morro Strand State Beach, which is managed by CDPR. The proposed new MPA would require resolution of conflicts with allowed activities within this State Beach, which is designated as a State Recreation Unit under Cal. Code Regs. Tit. 14 section 4753. The proposed MPA's regulations would require resolution of conflicts with this State Park Unit's rules and recreational mandate, in which State

Beaches are defined as "consisting of areas with frontage on the ocean, or bays designed to provide swimming boating, fishing, and other beach-oriented recreational activities." (Pub. Resources Code § 5019.56). According to 'California State Parks Guidelines for Creating Marine Managed Areas' (CDPR 2010),

> *"When an MPA is proposed offshore of an existing terrestrial California Park System unit, the terrestrial park's general plan and existing public use patterns should be a guiding element for the designation and shoreline boundaries of the MPA."*

The General Plan[12] for Morro Strand State Beach discusses the recreation resources available, stating,

> *"Principal recreation activities in this unit include picnicking, wading, surfing, beachcombing, surf fishing, and nature study."*

Fishing remains an existing allowed activity at Morro Strand State Beach[13]. It is unclear exactly how the proposed change would affect the management activities of CDPR. Any limitations to recreational fishing would need to be considered in consultation with CDPR. The proposed change would also require CDFW and CDPR to coordinate on enforcement, updates to signage, and outreach efforts.

There is an existing outfall that would discharge into the proposed new MPA (Figure 1). The City of Morro Bay operates the Morro Bay Water Reclamation Facility that is permitted to discharge blended primary and tertiary treated municipal wastewater, saline waste, and reverse osmosis concentrate from a brackish reverse osmosis facility, and reverse osmosis concentrate from indirect potable reuse from the facility's outfall. There are two other permitted point source discharges into Estero Bay that are just to the north of the proposed new Chitqawi SMCA. Given these existing discharges/activities, the proposed new MPA has the potential to interact with the regulations and permitting activities of the State and Regional Water Boards related to point source (e.g., wastewater treatment facilities) and non-point source discharges (e.g., stormwater runoff).

The proposed new MPA has the potential to interact with the regulations and permitting activities of the State and Regional Water Resources Control Boards related to point source (e.g., wastewater treatment facilities) and non-point source discharges (e.g., stormwater runoff). The State Water Resources Control Board can designate State Water Quality Protection Areas (SWQPAs) to prevent the undesirable alteration of natural

[12] General Plans and Management Plans
[13] Morro Strand State Beach

water quality within MPAs. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (California Ocean Plan) was amended in 2012 to include the process for designating SWQPAs and Implementation Provisions for Marine Managed Areas (Chapter III.E., State Water Board 2019). This was done with the intention to align these SWQPAs with the MPA Network. The provisions are implemented by the Regional Water Resources Control Boards, including through Waste Discharge Requirements, National Pollutant Discharge Elimination System permits, and municipal separate storm sewer system permits. If the State Water Resources Control Board designates the new MPA as part of the existing SWQPAs, this would have implications on the State Water Resources Control Boards' workload and for permittees that would need to come into compliance with new permit requirements. The scope and magnitude of the State Water Resources Control Boards' workload and the cost of compliance for permittees is unknown

The Atascadero Artificial Reef (CDFW 1989, 2001), constructed in 1985, lies within the boundaries of the proposed new MPA. Its purpose is to enhance sportfishing by increasing fish production in the area and promoting kelp growth. The proposed new Chitqawi SMCA would prohibit sportfishing in the area, which would contrast with the local goal of installing the artificial reef to enhance sportfishing in the area. However, the status of the reef and current level of fishing at the site is unknown. It is unclear whether the proposed change would affect the management of the Atascadero Artificial Reef.

Future offshore wind energy development may occur in federal waters near the location of the proposed MPA. Associated infrastructure such as underwater cables may overlap with the proposed location of the MPA, although the status of offshore wind projects moving forward is unknown.

This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of Tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. When evaluating this petition, CDFW reviewed the information in the petition, as well as information including, but not limited to:

- MLPA planning documents and related information (e.g., MLPA Goals and MPA Master Plan adaptive management objectives),
- Current research on MPA Network connectivity and climate resilience,
- Commercial and recreational fishing data, such as that available through the Marine Fisheries Data Explorer tool,

- California State Water Resources Contral Board's California Ocean Plan and Regional Water Quality Control Board Central Coast Region permitting information, and
- California State Parks Guidelines for Creating Marine Managed Areas (CDPR 2010) and the CDPR Approved General Plan for Morro Strand State Beach[14].

CDFW has identified information gaps that limit the ability to fully evaluate the proposed change, primarily:

- Confirmation from CFGC that the original Factual Record(s) of Current and Historical Uses previously submitted by SYBCI to CFGC for Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA include(s) the area contained within the proposed Chitqawi SMCA, consistent with historic practices for tribal take exemptions,
- Consideration of potential socioeconomic impacts on the local economy including commercial and recreational fisheries and the near-by Morro Bay Harbor, and
- Tribal concerns and interests of all affected tribes related to the establishment of a new MPA at this location.

Additionally, there are information gaps related to assessing issues regarding equity and access for traditionally underserved communities with the existing MPA Network as well as the proposed changes in the 2023 MPA petitions. See the response to Question 14 below and Question 5 in Attachment 1 for more information.

Another information gap primarily includes inconsistent evidence that MPAs may act as a climate refugia for certain species and ecosystems. While there is promising research showing that MPAs, including some within the existing MPA Network, may confer some resilience to climate disturbances (Micheli et al. 2012, Carr et al. 2017, Roberts et al. 2017, Bates et al. 2019, CDFW 2022, Jacquemont et al. 2022, Raimondi and Smith 2022, Ziegler et al. 2023, Benedetti-Cecchi et al. 2024, Kumagai et al. 2024, Olguín-Jacobson et al. 2025, Ortiz-Villa et al. 2025), these benefits are not predictably consistent (Coleman et al. 2017, Bruno et al. 2018, Freedman et al. 2020, Kyprioti et al. 2021, Smith et al. 2023, Filbee-Dexter et al. 2024, Ortiz-Villa et al. 2025). Although additional research on these topics could inform long-term adaptive management of the MPA Network, the recommendation to deny this petition does not depend on resolving these uncertainties.

Although climate change was not explicitly considered during the MLPA Initiative planning process, the MPA Network was designed with resilience-oriented principles in

[14] General Plans and Management Plans

mind with the aim of safeguarding the state's marine ecosystems well into the future (Hofmann et al. 2021). Anthropogenic stressors such as poor water quality, coastal development, and fishing activities can further exacerbate the effects of climate change on coastal ecosystems. MPAs may confer some resiliency to climate change by providing a buffer from some of these stressors, especially MPAs that limit or completely exclude fishing (Micheli et al. 2012, Roberts et al. 2017). Management of California's fisheries is mandated by the Marine Life Management Act, which includes objectives such as ecosystem protection, sustainability, and rebuilding populations, among others (Fish & G. Code § 7050). While the primary function of MPAs in California is to protect and enhance marine habitats and populations, understanding how effective fisheries management measures interact with a functioning MPA Network to bolster resiliency to climate change in California is still a critical knowledge gap identified in the DMR to be addressed through implementation of Recommendations 26-28 that focus on influencing factors and fisheries integration (CDFW 2022).

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. DMR Recommendation 4 states that CDFW and CFGC should "apply what is learned from the first DMR to support proposed changes to the MPA Network," and that "current and future proposed changes to Network design, individual MPAs, and current MPA Management Program priorities and policies [should be] consistent with the findings of this Review."

When the DMR results were released in 2022, they did not indicate that large scale changes, such as the addition of new MPAs, were necessary to improve MPA Network performance. The recommendation at that time was that more time is needed for the benefits of the MPA Network to be fully realized. Several of the DMR Prioritized Recommendations aim to fill critical knowledge gaps in our understanding of the MPA Network functioning as a social-ecological system. Prior to implementing large-scale changes, critical knowledge gaps, including better integration of fisheries and MPA management, need to be filled, along with continued climate change monitoring, and human dimensions considerations. Furthermore, the directives in Fish & G. Code section 2853(c)(5) require a process for the establishment, modification, or abolishment of existing or new MPAs that should involve interested parties and be consistent with the Master Plan objectives that align with Fish & G. Code section 2855. These objectives require CDFW to consider factors such as socioeconomic impacts, design of monitoring and evaluation activities, and methods to encourage public participation in the stewardship of the MPA Network. CFGC's petition process does not offer the level of robust engagement and in-depth analysis required by the MLPA and Master Plan for siting new MPAs.

With respect to tribal co-management of California's MPAs, several of the DMR Prioritized Recommendations (CDFW 2022) are directly related to advancing tribal coordination, including recommendations 1, 2, and 24: (1) Improve state agencies tribal engagement and relationship building efforts; (2) Create a clear pathway to tribal MPA management; and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements for recommendation (3) Building tribal capacity to participate in MPA management activities.

CDFW has been unable to make substantial progress on other DMR Recommendations due to the time and resources dedicated to the MPA petition process. As a result, CDFW still needs to work with tribes to develop a pathway to tribal MPA management and to improve tribal capacity to engage in MPA management activities and co-stewardship agreements. Tribes and the State already use a variety of approaches to establish such frameworks, including formal co-stewardship agreements, co-management agreements, and memoranda of understanding. Accordingly, CDFW is committed to continuing to work collaboratively with tribes through these and other such partnerships. See 'Tribal Co-Management' in the Evaluation Narrative and Overview for more information.

DMR Recommendation 24 (MPA Network Design) focuses specifically on working with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network. It includes two sub-recommendations:

(a) Develop a process to incorporate SMCPAs (MMAIA § 36700(6)(d)) into existing MPAs and new locations across the Network, and

(b) Define metrics for identifying culturally important objects and sites to recommend for potential protection.

One potential pathway for implementation at this location is designation of a State Marine Cultural Preservation Area (SMCPA) by California State Parks, as identified in MMAIA § 36700(6)(d). This could help advance DMR Recommendation 24. However, it represents a current management gap, as no SMCPAs exist in the MPA Network, and their designation would require coordination with California State Parks and action by the Parks and Recreation Commission.

DMR Recommendation 8 related to Justice, Equity, Diversity, and Inclusion, would "Evaluate the accessibility of MPAs to various community groups," This work has not yet been completed, but could help assess how the proposed new MPA might affect communities of concern.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

No. A tribal-take only MPA was not considered in Estero Bay during the Central Coast MLPA Initiative planning process, although the Atascadero Beach SMCA was considered during the MLPA Initiative planning process at the same location as the proposed Chitqawi SMCA. This consideration was intended to retain an MPA originally established in 1985 to protect Pismo clams (*Tivela stultorum*).

Retaining this existing MPA (to be called Atascadero Beach SMCA) would have been part of the No-change option (e.g., Package 0, Existing MPAs). However, given that the MPA would have retained protection for just Pismo clams and that the availability of legal-sized clams to recreational harvesters at that time had been reduced throughout the entire region, none of the three MPA array proposals submitted by the Central Coast Regional Stakeholder Group included The Atascadero Beach SMCA (MLPA 2006).

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

No. SYBCI identifies several factors as new information warranting consideration of the newly proposed MPA, including changing ocean conditions associated with climate change and the lack of government-to-government consultation with tribes during the original MLPA Initiative planning process. While these issues are important, neither provides a sufficient basis for reevaluating the proposed change.

SYBCI states that one of the primary purposes of the proposed new MPA is to create an "insurance factor needed to protect marine life and habitat" from climate disturbances. Due to the significant challenge that climate change presents in California and globally, especially to coastal marine environments, CDFW remains committed to managing the MPA Network through the lens of climate change. However, where existing MPAs already meet the established science-based design criteria, as they do near the proposed location, and proposals do not provide evidence that the proposed change would demonstrably provide resiliency by enhancing ecosystem function, the addition of a new MPA alone is insufficient to conclude that climate resilience would be enhanced. The existing MPA Network was designed using core ecological and resiliency principles (Hofmann et al. 2021), specifically larval connectivity and habitat replication. Therefore, an MPA that does not meet the minimum SAT Science Guidelines (e.g., size) has a low probability of contributing meaningful

additional resilience to the MPA Network or of achieving the desired ecological goals for the region. Given the region of the proposed new MPA has not been identified as deficient in meeting SAT Science Guidelines for habitat representation, replication, or spacing, adding a new MPA in this area is unlikely to confer ecosystem or connectivity benefits beyond what the existing MPAs in the area already provide. This is true even if the MPA were proposed at the minimum SAT threshold for size. See response to Question 9 for the SAT Science Guidelines and additional context, and Attachment 1 for more information on climate resiliency.

Although climate change was not explicitly considered during the MLPA Initiative planning process, the MPA Network was designed with resilience-oriented principles in mind with the aim of safeguarding the state's marine ecosystems well into the future (Hofmann et al. 2021). Anthropogenic stressors such as poor water quality, coastal development, and fishing activities can further exacerbate the effects of climate change on coastal ecosystems. MPAs may confer some resiliency to climate change by providing a buffer from some of these stressors, especially MPAs that limit or completely exclude fishing (Micheli et al. 2012, Roberts et al. 2017). Management of California's fisheries is mandated by the Marine Life Management Act, which includes objectives such as ecosystem protection, sustainability, and rebuilding populations, among others (Fish & G. Code § 7050). While the primary function of MPAs in California is to protect and enhance marine habitats and populations, understanding how effective fisheries management measures interact with a functioning MPA Network to bolster resiliency to climate change in California is still a critical knowledge gap identified in the DMR to be addressed through implementation of Recommendations 26-28 that focus on influencing factors and fisheries integration (CDFW 2022).

Attachment 1 to the petition states that, "there was very little effort by the State during the early period of the implementation of the MLPA to consider Tribal MPAs in the network design," and, "since the adoption of the MPA Network, there has been considerable evidence on the benefits of traditional ecological knowledge and other indigenous experience in marine life protection." More recently, the DMR Recommendations outline CDFW's priorities for the advancement of tribal stewardship in MPA management and governance in California. These include improving state agencies' tribal engagement, relationship building, and creating clear pathways and building tribal capacity for tribal MPA management within the existing MPA Network, and incorporation of marine cultural heritage into the design of the MPA Network (CDFW 2022). In alignment with Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy, CDFW is committed to

continuing to work with tribes towards collaborative, government-to-government co-management agreements. This commitment is intended to acknowledge and honor cultural needs by providing adequate time for tribal engagement, building partnerships, and incorporating Traditional Ecological Knowledge into a mutual understanding of co-management over ancestral lands and waters.

In implementing these recommendations, the initial focus toward co-management could alternatively be on existing MPAs in the MPA Network where SYBCI already has tribal exemptions, and which can be accomplished through non-regulatory means. This approach may serve to advance tribal stewardship more immediately and help to inform future efforts elsewhere in the state.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Not applicable. The proposed change does not affect an existing MPA.

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

No. The MLPA requires that the design of individual MPAs and the statewide MPA Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The science guidelines developed by the Science Advisory Team and outlined in the Master Plan were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with these guidelines depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least 9 square miles and meet one of the three highest LOPs (i.e., Very High, High, or Moderate-high) to contribute to ecological goals such as habitat replication and representation.

The proposed new MPA would be 8.45 square miles (Table 1) with a cursory LOP assignment of High[15]. Although the new MPA may meet the LOP threshold, it does not meet the minimum size criterion of at least 9 square miles and would need to be increased to meet the minimum size criteria for connectivity goals to improve the design of the MPA Network or enhance alignment with MLPA SAT Guidelines to act as a habitat

[15] LOP assignment precludes consideration of tribal take within the proposed tribal-take only SMCA. The resulting assignment resulted from factoring only non-tribal activities (which are not allowed) and the maximum LOP for any SMCA, which is High.

replicate. Even if it were to meet the size threshold, there are two "backbone" MPA clusters nearby, Point Buchon SMCA/SMR and Piedras Blancas SMCA/SMR. "Backbone" MPA clusters were thoughtfully designed to meet the SAT Guidelines for LOP, size, and spacing to replicate key habitats at an ecologically meaningful scale. The distance between the proposed Chitqawi SMCA and the Point Buchon MPA cluster to the south is 7.37 miles and is 27.02 miles from the Piedras Blancas MPA cluster to the north. At 32.97 miles apart, these two MPA clusters are already spaced on the lower end of the maximum MPA spacing guidelines (31-62 miles) to support connectivity in this portion of the MPA Network. There are additional MPAs nearby that do not act as backbone MPAs, White Rock and Cambria SMCAs, just 11.77 miles from the proposed Chitqawi SMCA. Morro Bay SMRMA and SMR are directly adjacent on the other side of the jetty from the proposed location. Given the region of the proposed new MPA has not been identified as deficient in meeting SAT Science Guidelines for habitat representation, replication, or spacing, adding a new MPA in this area is unlikely to confer ecosystem or connectivity benefits beyond what the existing MPAs in the area already provide. This is true even if the MPA were proposed at the minimum SAT threshold for size. See Question 9 of Attachment 1 the SAT Science Guidelines and additional context.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

No. The proposed change would not align with the following Feasibility Guidelines: boundaries are not all described using readily determined lines of latitude and longitude or easily recognizable permanent landmarks, and the offshore boundary does not extend to the 3 nautical mile limit of state waters.

Furthermore, the Feasibility Guidelines recommend take regulations be easily understood by the public to reduce unintentional violations and should be readily enforceable. This includes creating regulations that include technical or complex prohibitions. The jetty that marks the entrance to Morro Bay Harbor is a popular place for hook-and-line fishing, and marks one of the boundaries of the Morro Bay SMRMA where recreational take of finfish[16] is allowed (Cal. Code Regs. Tit. 14 § 632(b)(91)). Some of the proposed new MPA would fall in the waters on the opposite side of the jetty from the SMRMA. This would make it such that fishing could occur on one side of the jetty but not the other, which is likely to cause confusion and unintended issues with compliance (i.e., if fishing is observed occurring on the SMRMA side of the jetty, anglers may assume they can fish from either side of the jetty). Additionally, some anglers may legally fish on one side of the jetty but attempt to hide rods in the riprap and fish illegally on the other side within

[16] Any species of bony fish or cartilaginous fish (sharks, skates, rays).

the proposed MPA. This would be extremely difficult to enforce, especially in low light conditions. See Question 10a of Attachment 1 for CDFW Feasibility Guidelines.

QUESTION 10B: IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES?

Yes. An alternative path to fulfill tribal engagement and co-management goals is to explore opportunities for co-management in existing MPAs and/or outside the MPA Network, including in the Chitqawi area, without establishing a new MPA. The existing MPA Network provides the most immediate and effective framework for advancing durable tribal co-management, and CDFW is committed to pursuing that path in collaboration with interested tribal partners.

Additionally, an alternative to designating a new MPA would be for CDFW to work with the California Native American tribes that have cultural ties to the area and the California State Parks to explore designating a SMCPA to acknowledge the cultural significance of the area without limiting fishing access to the public and other tribes that have a historical connection to the area. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

No. The proposed new MPA would result in enforcement challenges because the boundaries are not aligned with readily determinable lines of latitude and longitude or easily recognizable permanent landmarks, and the offshore boundary does not extend to the 3 nautical mile state water boundary, all which compromise enforceability. Furthermore, the jetties that mark the entrance to Morro Bay Harbor is a popular place for hook-and-line fishing, and marks one of the boundaries of the Morro Bay SMRMA where recreational take of finfish is allowed (Cal. Code Regs. Tit. 14 § 632(b)(91)). Some of the proposed new MPA would fall in the waters on the opposite side of the jetty from the SMRMA. This would make it such that fishing could occur on one side of the jetty but not the other, which could cause confusion and issues with compliance.

The proposed tribal take exemption is supported in concept, and Cal. Code Regs. Tit. 14 section 632 (a)(11) provides a definition of tribal take for certain existing MPAs. If all the requirements in the subsection are met, then enforcement of the MPA tribal exemption, including within a tribal take only MPA, is possible. However, MPA tribal exemptions can be a challenge to enforce under certain circumstances and CDFW recommends further

discussions as to how the requested exemptions for this petition would read in regulation as it relates to Cal. Code Regs. Tit. 14 section 632(b)(11).

Partial-take MPAs are generally more difficult to enforce than No-take MPAs due to the:

- Difficulty in discerning if an activity is allowed when surveilling the MPA from afar,
- Increased potential for non-compliance by members of the public who observe activity taking place in an MPA but are unfamiliar with the specific regulations, and
- Increased potential for the illegal take of other species.

Additionally, because this is a proposed new MPA, there is an anticipated period of non-compliance following regulatory changes, particularly when additional restrictions are implemented. This would require additional resources, investments in outreach, education, and enforcement to support enforcement and compliance.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

No. The proposed new Chitqawi SMCA would not simplify any existing MPA regulations. In fact, the proposed change may complicate regulations and decrease public understanding (see responses to Questions 10 and 11 for more information on feasibility and enforceability of the proposed regulation change).

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. The proposed change has potential to maintain or enhance local protection of marine resources by no longer allowing all extractive activities in the area, except for tribal take by SYBCI.

The proposed new SMCA also has potential to enhance protection of marine resources at the local scale (e.g., nearshore fish species that have smaller home ranges and benthic invertebrates that spend their lives affixed to the substrate). However, part of the stated intent of the new MPA is to protect and increase replication of key habitats, and the proposed size (8.45 square miles) would need to be increased to meet the minimum size criteria to count toward habitat representation and replication (see response to Question 9 for the SAT Science Guidelines and additional context). Although a larger proposed MPA could confer additional marine habitat protection at the local scale, the region of the proposed new MPA has not been identified as deficient in meeting SAT Science Guidelines for habitat representation, replication, or spacing. As such, a new MPA in this area is unlikely to enhance protection of marine resources at the MPA Network

scale. This is true even if the proposed size meets the SAT Science Guidelines criterion for size.

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. The proposed change has the potential to affect both consumptive and non-consumptive activities. The data described here represents a single analysis of potential impacts on fisheries in the area. The full extent of socioeconomic impacts in this area, including on fisheries, is unknown (see Question 5 in Attachment 1 for significant information gaps)

Commercial fishing in the area is likely to be adversely impacted. The proposed MPA would close 13.8% of commercial fishing block 607, an economically significant and productive fishing area close to Morro Bay. Morro Bay is a coastal fishing community, and this block has been the source of millions of dollars of catch value since final implementation of the MPA Network in 2012. Specifically, between 2013 and 2025, local fishermen caught and landed $1.4 million worth of nearshore groundfish (Figure 2) and $1.3 million worth of market squid (Figure 3) from this single block, representing 10 and 28% of the total value for all catch in the region for those fisheries, respectively. This block is also significant for ocean salmon trolling (Figure 4), where approximately $700 thousand worth of ocean salmon was caught and landed between 2013 and 2025, representing 17% of the total value of ocean salmon caught in the region in that time frame. Other regionally important commercial fisheries in the area include red rock crab (*Cancer productus*), other unspecified rock crab, and Dungeness crab caught by trap, and white seabass (*Atractoscion nobilis*) and halibut (California halibut, *Paralichthys californicus,* and Pacific halibut*, Hippoglossus stenolepis),* caught via hook-and-line. However, the proposed MPA is expected to have lower impact on these fisheries in block 607 relative those discussed above (e.g., the total value of block 607 for these fisheries combined from 2013 to 2025 was $180 thousand). In total, fishing block 607 contributed more than $3.58 million in landings value to the local community in the years after the completion of MPA Network implementation (for more details on all fishery value data, see CDFW's Marine Fisheries Data Explorer).

The part of fishing block 607 that overlaps with the proposed MPA is the closest to, and therefore easiest to access from, Morro Bay Harbor. Establishing a tribal take only SMCA

in this area may require some commercial fishery participants to travel further to access fishing grounds, increasing the fuel and time required to bring back equivalent catch, which could reduce the net value of any landings.

Several Commercial Passenger Fishing Vessels (CPFVs) also operate out of Morro Bay. These vessels take paying customers to fish at offshore coastal locations. This proposed change has potential to restrict these vessels' operations within a productive fishing block near the harbor. The data described here represents a single analysis of potential impacts on fisheries in the area. The full extent of socioeconomic impacts in this area, including on fisheries, is unknown (see Question 5 in Attachment 1 for more on information gaps).

The ocean side of the jetty to the south of Morro Rock and Morro Rock Beach, and to the north of the rock at Morro Strand State Beach, would all be within the proposed Chitqawi SMCA. These areas are popular sites for recreational hook-and-line fishing, crabbing, and clamming, which would be restricted by the proposed MPA. Fishing from the manmade jetty does not require a fishing license, so anglers seeking free fishing opportunities would be affected.

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

Regarding research and study opportunities, the proposed MPA is close to a major research institution, California Polytechnic Institute, San Luis Obispo There do not appear to be any long-term monitoring sites or non-MPA reference sites within the boundaries of the proposed MPA.

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1 for additional context on CFGC's response.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response.

The proposed change would reduce fishing access, particularly for fishery participants associated with the coastal fishing communities of Morro Bay and Avila (Port San Luis). The proposed change has the potential to impact several commercial fisheries that utilize this area. However, this change would provide improved access for federally recognized tribal communities.

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

No. There are no potential interactions with or effects on any of the other 2023 MPA petitions.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

Table 1. MPA attributes (area, LOP, depth range, and habitat extent) of Chitqawi SMCA as proposed in petition 2023-19MPA_AM1. Habitat extent may be reported in linear miles or square miles, depending on data availability and Science Advisory Team guidance. A dash (—) indicates that the proposed MPA does not contain the habitat type. An MPA contributes to habitat replication only if it first meets the minimum size (>9 sq mi) and LOP (Very High, High, or Moderate-high) criteria (i.e., first two rows must be bold), according to SAT Science Guidelines established during the MLPA Initiative planning process. As proposed, the Chitqawi SMCA is 8.45 square miles and would need to be increased to meet the minimum size criteria for connectivity goals[a].

	Proposed
MPA Area (sq mi)	8.45
Level of Protection	**High**[b]
Min Depth (m)	0
Max Depth (m)	66.4
Eelgrass (sq mi)	—
Kelp (mi)	—
Beach (mi)[a]	2.20
Rocky Intertidal (mi)	0.41
Estuaries (sq mi)	3e-3
Hard Substrate	
0-30 m (mi)	0.09
30-100 m (sq mi)[a]	0.27
100-200 m (sq mi)	—
>200 m (sq mi)	—
Soft Substrate	
0-30 m (mi)[a]	2.78
30-100 m (sq mi)	4.49
100-200 m (sq mi)	—
>200 m (sq mi)	—

[a] If the proposed Chitqawi SMCA were to meet the size threshold of at least 9 square miles, the proposed MPA would count as a habitat replicate for beach, hard substrate (30-100 m), and soft substrate (0-30m), according to SAT Science Guidelines established during the MLPA Initiative planning process.

[b] LOP assignment precludes consideration of tribal take within the proposed tribal-take only SMCA. The resulting assignment resulted from factoring only non-tribal activities (which are not allowed) and the maximum LOP for any SMCA, which is High.

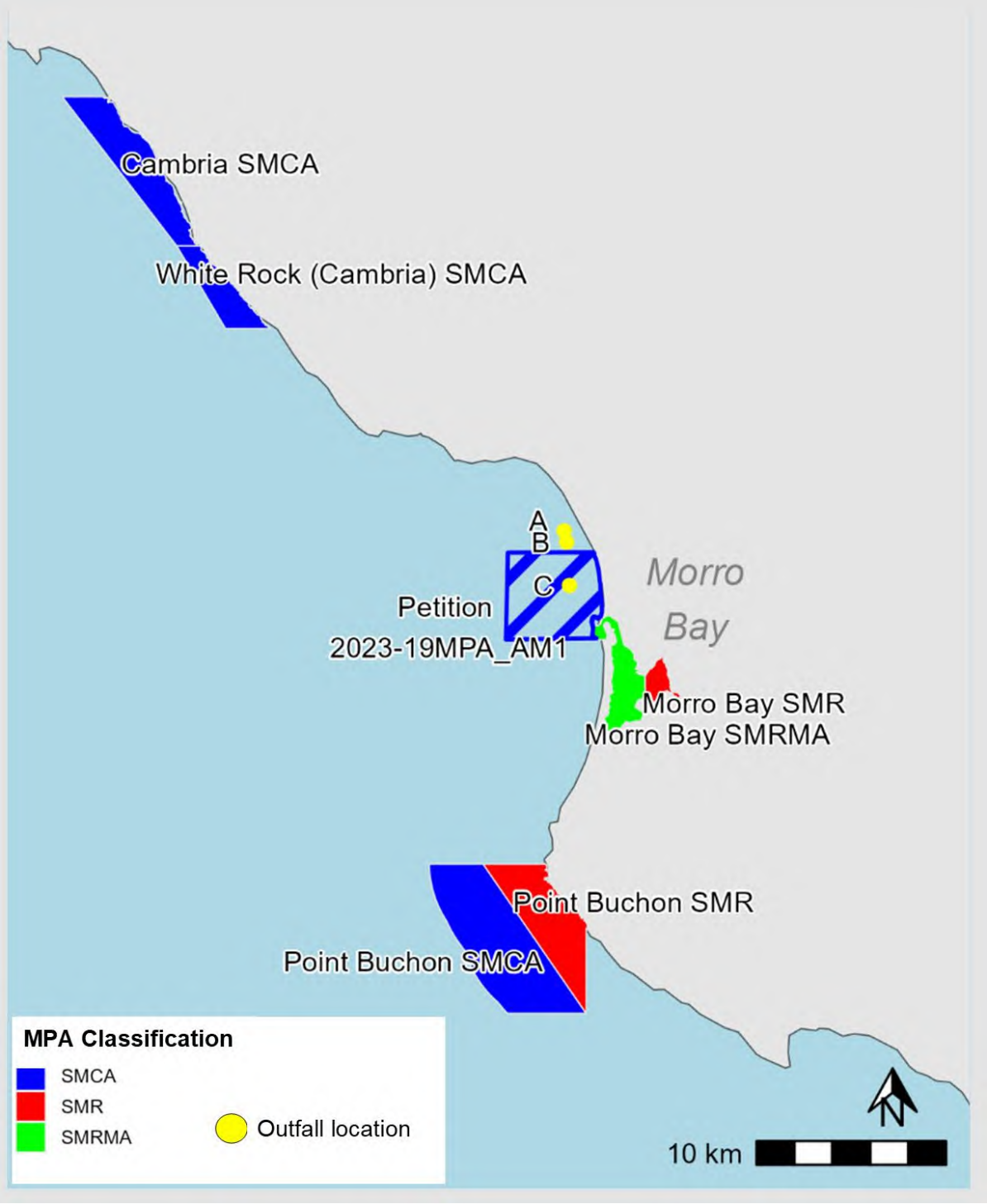


Figure 1. Point source discharge locations for Cayucos Sanitary District Wastewater Treatment Plant (A), Chevron Estero Bay Marine Terminal (B), and Morro Bay Water Reclamation Facility (C), relative to 2023-19MPA_AM1 proposed new SMCA (blue hatching).

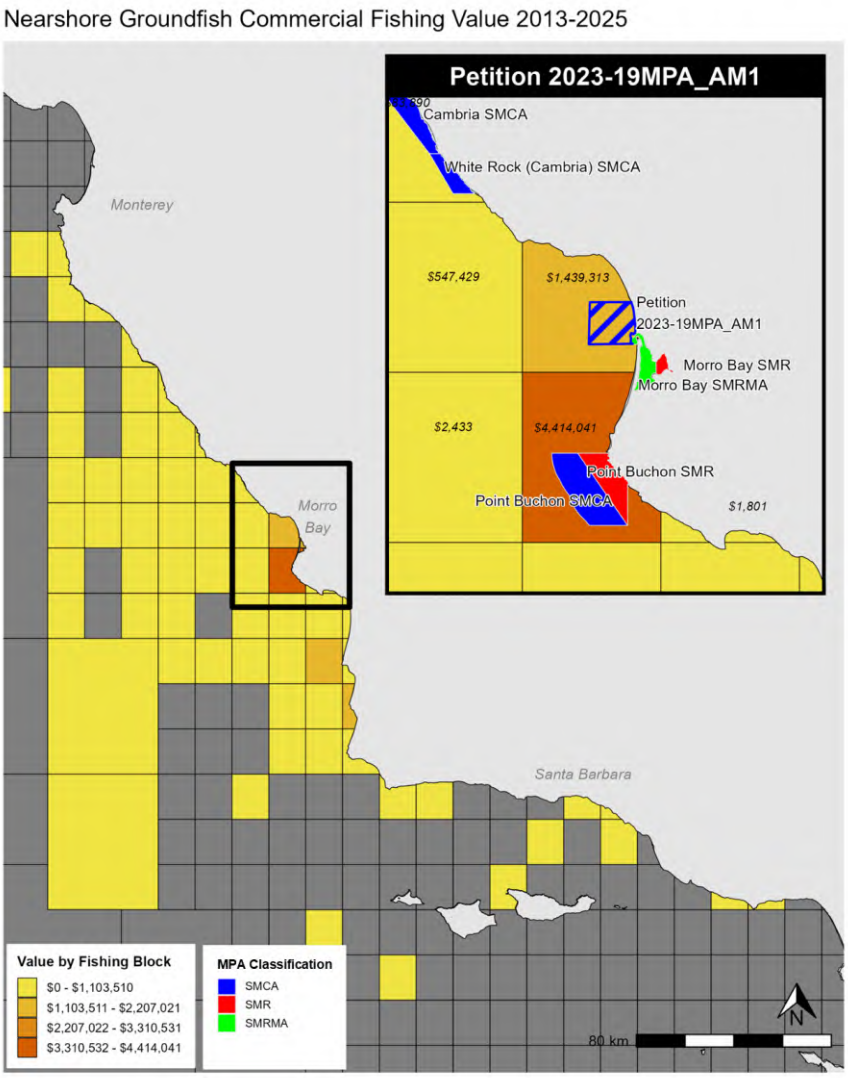


Figure 2. Total value (in $US) of commercially caught nearshore groundfish in the area shown (cabezon, *Scorpaenichthys marmoratus;* California scorpionfish, *Scorpaena guttata;* California sheephead, *Bodianus pulcher;* black rockfish, *Sebastes melanops;* black-and-yellow rockfish, *S. chrysomelas;* blue rockfish, *S. mystinus;* brown rockfish, *S. auriculatus;* China rockfish, *S. nebulosus;* copper rockfish, *S. caurinus;* gopher rockfish, *S. carnatus;* grass rockfish, *S. rastrelliger;* kelp rockfish, *S. atrovirens;* olive rockfish, *S. serranoides;* quillback rockfish, *S. maliger;* treefish, *S. serriceps;* kelp greenling, *Hexagrammos decagrammus;* rock greenling, *H. lagocephalus;* and monkeyface prickleback, *Cebidichthys violaceus*) via a variety of gear types including hook-and-line, Portuguese longline, fish trap, and trawl from 2013 to 2025 by California Department of Fish and Wildlife fishing block for the Morro Bay area (Arroyo Grande, Atascadero, Avila/Port San Luis, Bakersfield, Baywood Park, Cambria Cayucos, Grover City) with reference to petition 2023-19MPA_AM1. Actual dollar value provided within fishing blocks

that overlap with the proposed new Chitqawi SMCA boundary (blue hatching). *Note no calico rockfish were landed during this time period for the Morro Bay area. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

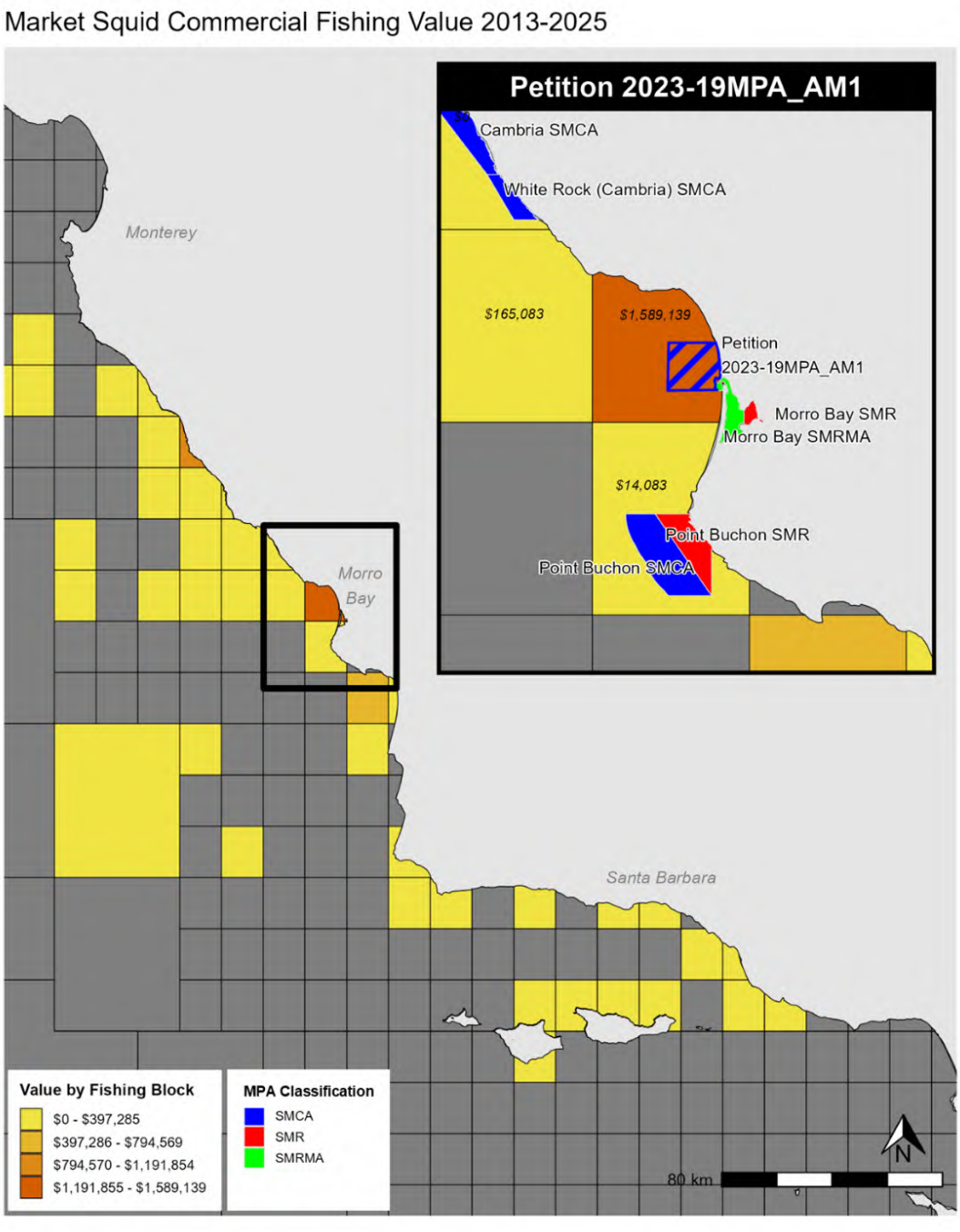


Figure 3. Total value (in $US) of commercially caught market squid (*Doryteuthis opalescens*) primarily by seine from 2013 to 2025 by California Department of Fish and Wildlife fishing block for the Morro Bay area (Arroyo Grande, Atascadero, Avila/Port San

Luis, Bakersfield, Baywood Park, Cambria Cayucos, Grover City) with reference to petition 2023-19MPA_AM1. Actual dollar value provided within fishing blocks that overlap with the proposed new Chitqawi SMCA boundary (blue hatching). Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

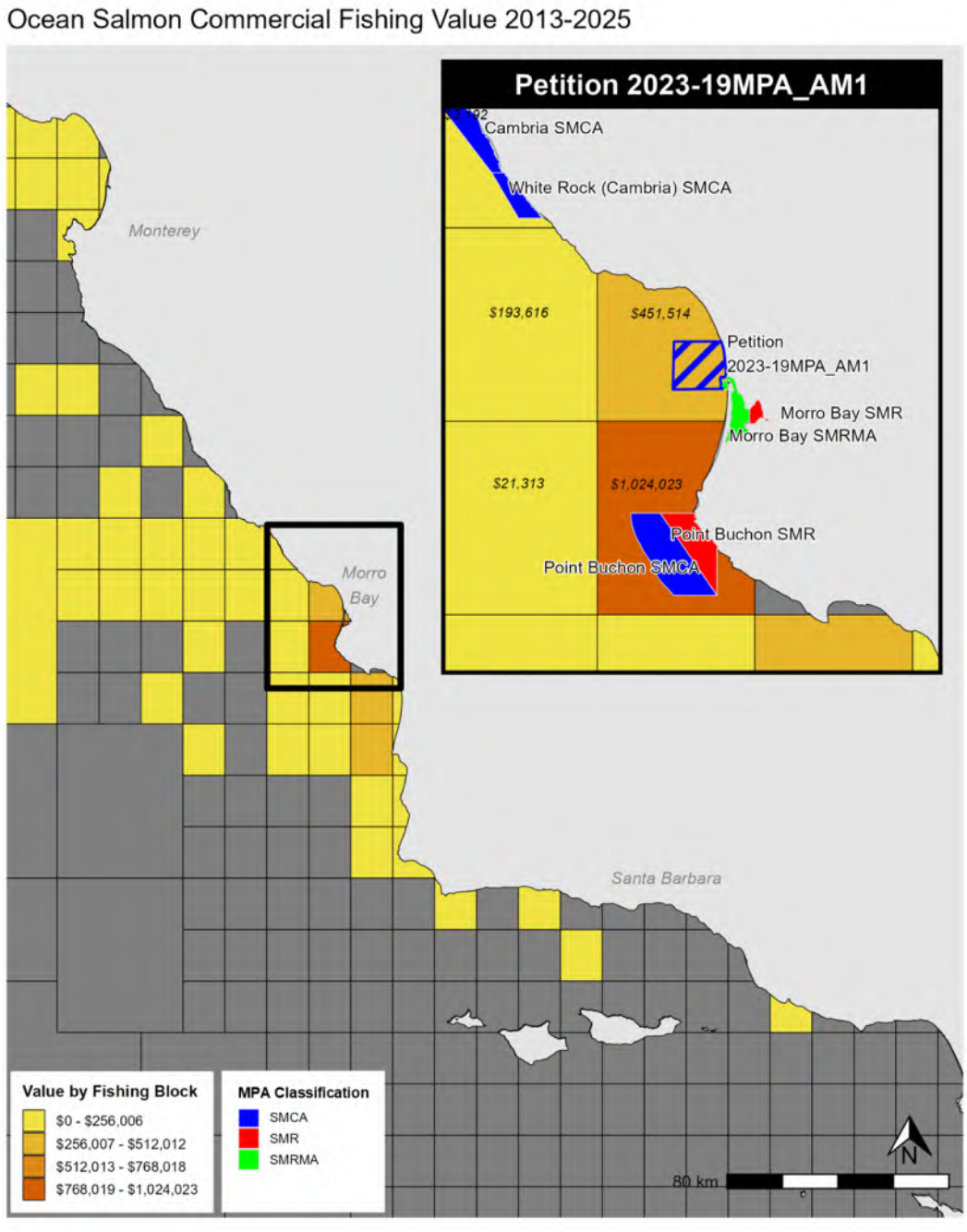


Figure 4. Total value (in $US) of ocean salmon (*Oncorhynchus tshawytscha*) caught by hook-and-line from 2013 to 2025 by California Department of Fish and Wildlife fishing

block for the Morro Bay area (Arroyo Grande, Atascadero, Avila/Port San Luis, Bakersfield, Baywood Park, Cambria Cayucos, Grover City) with reference to petition 2023-19MPA_AM1. Actual dollar value provided within fishing blocks that overlap with the proposed new Chitqawi SMCA boundary (blue hatching). Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

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California Department of Fish and Wildlife's Evaluation of 2023 Decadal Management Review Marine Protected Area Petition:

Establish Co-Management at Point Buchon SMCA, Change the Name, and Add a Tribal Exemption for Santa Ynez Band of Chumash Indians at Point Buchon SMCA, and Change the Boundary at Point Buchon SMR (2023-20MPA_AM1)



I. PETITION SUMMARY

CFGC Tracking Number	2023-20MPA_AM1
Petition Contact/Affiliation	Sam Cohen, Santa Ynez Band of Chumash Indians
Number of Proposed Actions	4
Affected MPAs	Point Buchon State Marine Conservation Area (SMCA) & State Marine Reserve (SMR)
Petition Summary	Establish co-management with Santa Ynez Band of Chumash Indians, rename Point Buchon SMCA, and add a tribal take exemption for SYBCI to Point Buchon SMCA, and extend northern boundary of Point Buchon SMR to align with the point.
Link to StoryMap page	2023-20MPA_AM1

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA MARINE PROTECTED AREAS

July 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the Marine Protected Area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-20MPA_1_AM1 Establish co-management with Santa Ynez Band of Chumash Indians at Point Buchon State Marine Conservation Area (SMCA).	The petitioner's stated intent is to (1) Foster co-management and tribal engagement as envisioned by State and Federal Tribal engagement and collaborative management guidelines, and (2) Designate an additional Tribal SMCA for the Central Coast Region.	**Support with Alternative Pathway.** During the Decadal Management Review (DMR) of California's MPA Network, a Tribal Steering Committee developed recommendations including the following near term priorities to improve state agencies' tribal engagement and relationship building efforts and create a clear pathway to tribal MPA co-management; and a long term priority to work with the California Fish and Game Commission (CFGC) and partners to better incorporate marine cultural heritage into the design of the MPA Network. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require adoption and implementation through CFGC's official petition process. At the April 2026 CFGC Tribal Committee meeting, the Santa Ynez Band of Chumash Indians (SYBCI) confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW is aligned with this approach and supports advancing this proposed action through an alternative/non-regulatory pathway, consistent with the DMR Recommendations. CDFW is committed to working directly with SYBCI to explore opportunities to advance coordination and co-stewardship in Point Buchon SMCA.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-20MPA_2_AM1 Adjust the northern boundary of Point Buchon State Marine Reserve (SMR) to align with Point Buchon.	The petitioner's stated intent is to, "support the MPA Collaborative Network's Regulatory Recommendation…to move the SMR's boundary to the north to better capture the marine area offshore the Point and to improve enforcement of the marine reserve area."	**Deny.** The proposed change would not result in additional habitat protection within the MPA, and does not align with the CDFW Feasibility Guidelines, which could compromise enforceability. Additionally, the petition does not include information on whether the proposed SMR boundary change would advance tribal co-management, subsistence harvesting, stewardship, and/or provide a tribal benefit through recognizing the cultural significance of an area. The current boundary aligns with CDFW Feasibility Guidelines as it falls on a readily determinable line of latitude (35° 15.250' N. lat.) and aligns with easily recognizable landmarks (tall flagpole and terminus of the Point Buchon trail from the parking lot). This supports compliance for shore-based and boat-based users and facilitates enforcement. Moving the boundary 350 feet (150 m) to the north could introduce enforcement challenges because it would no longer align with a readily determinable line of latitude and the SMR boundary would no longer align with the boundary of the adjacent Point Buchon SMCA. Compliance concerns raised in the petition are not supported by enforcement data, which indicate generally low citation levels since 2022 and improving trends (Table 1). Additionally, both shore- and boat-based access to the MPA at Point Buchon is limited, including within the area defined by the proposed boundary change. The onshore area adjacent to the SMR is land-owned and -operated by Pacific Gas &

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
		Electric (PG&E), where fishing is prohibited. Additionally, Point Buchon consists of steep cliffs and hazardous waters that naturally limit easy access by shore- and boat-based users. Consequently, the proposed change would not address a current or emerging MPA management challenge that has emerged since the DMR and would not advance management of the MPA Network.
2023-20MPA_3_AM1 Rename Point Buchon SMCA	The petitioner's stated intent is that "there are no Tribal MPAs designated within the Central Coast Region network" and therefore "SYBCI recommends that the Point Buchon SMCA be designated as a Chumash SMCA."	**Grant in Concept.** During the April 2026 CFGC Tribal Committee meeting, SYBCI clarified the original request, "that the Point Buchon SMCA be designated as a Chumash SMCA that will support Tribal engagement and co-management of the SMCA within the Central Coast Region network," was a request to rename the Point Buchon SMCA, rather than to redesignate the MPA. CDFW recommends CFGC work with SYBCI and other federally and non-federally recognized tribes as appropriate to identify a new name that aligns with CFGC's Naming Protected Area Policy, which states, "When identifying the name for, or an opportunity to rename, a protected area, the [CFGC] and [CDFW] will invite tribes with ancestral ties to that area to engage in meaningful information-sharing about the cultural significance of the area, and to identify traditional or contemporary tribal names for the area. In selecting a name, the [CFGC] will give significant weight to tribally identified names, with particular emphasis on restoring tribal place names. In its selection, the [CFGC] may consider combining the tribal place name with a currently used

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
		name that is understandable and locatable, as appropriate, to ensure accessibility and identification by the broader public while restoring tribal heritage recognition." Working with SYBCI and other federally and non-federally recognized tribes as appropriate to rename Point Buchon SMCA advances DMR Recommendations related to improving tribal coordination and co-stewardship (1-2) and to better incorporate marine cultural heritage into the design of the MPA Network (24).
2023-20MPA_4_AM1 Add tribal take exemption to Point Buchon SMCA for Santa Ynez Band of Chumash Indians.	The petitioner's stated intent is that the tribal exemption process was put in place after the Central Coast Marine Life Protection Act (MLPA) Initiative planning process and they are formally requesting an exemption for SYBCI to allow gathering, ceremony, or harvest that historically occurred in the area.	**Grant,** pending confirmation from CFGC that the original Factual Record(s) of Current and Historical Uses previously submitted by SYBCI to CFGC for Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA include(s) the area contained within the proposed Point Buchon SMCA. If the previously submitted Factual Record of Current and Historical Uses does not include Point Buchon, SYBCI will need to provide this to CFGC for review, consistent with prior considerations for tribal take exemptions. During the April 14, 2026 CFGC Tribal Committee meeting discussion, SYBCI proposed to amend the original take request, and narrow the request to only add a tribal take exemption for SYBCI in Point Buchon SMCA. Following the meeting, the proposed action to amend the take request to only add a tribal take exemption for SYBCI was accepted by CFGC and referred to CDFW for evaluation.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
		CFGC has the regulatory authority to grant tribal take exemptions to federally recognized tribes in MPAs that overlap with areas of historic and/or current uses by federally recognized tribes for specific, non-commercial uses as reflected in a factual record of use provided by the tribe (i.e., a Factual Record of Current and Historical Uses pertaining to the specific MPA location). The proposed tribal take exemption is a component to the broader suite of requests by SYBCI, including a name change and a state-level co-management framework (see proposed actions 2023-20MPA_1_AM1 and 2023-20MPA_3_AM1 above). CDFW notes that implementing these measures collectively serves to advance state-tribal partnership objectives. The request to add a tribal take exemption to Point Buchon SMCA for SYBCI is also aligned with the following tribally-focused DMR Recommendations, (1) improving state agencies' tribal engagement, (2) creating clear pathways for tribal MPA management within the existing MPA Network, and (24) better incorporating marine cultural heritage into the design of the MPA Network. Implementing this tribal take exemption could be an initial step for CDFW and SYBCI to develop collaborative management practices at Point Buchon that go beyond the tribal take exemption.

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes[1] (tribes) throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework.

WAS THE PETITION SUBMITTED BY A CALIFORNIA NATIVE AMERICAN TRIBE, REPRESENTATIVE DESIGNATED BY A TRIBE OR TRIBAL ORGANIZATION, OR HAVE A TRIBAL CO-SPONSOR?

Yes, this petition was submitted by a representative of the Santa Ynez Band of Chumash Indians, hereafter referred to as SYBCI or tribe.

IF YES, (a)DOES THE PROPOSED CHANGE EXPLICITLY AIM TO ADVANCE TRIBAL CO-MANAGEMENT, SUBSISTENCE HARVESTING, STEWARDSHIP, AND/OR PROVIDE A TRIBAL BENEFIT THROUGH RECOGNIZING THE CULTURAL SIGNIFICANCE OF AN AREA?

2023-20MPA_1, 3, and 4_AM1. Yes. The petition notes that, "[Point] Buchon is a Chumash ethnohistorical village site… [and] is an area of special spiritual significance to the Chumash maritime peoples." Each of these three proposed actions explicitly aim to advance tribal co-management, harvest, stewardship, and recognition of the cultural significance of the area.

2023-20MPA_2_AM1. Unclear. The boundary change to Point Buchon SMR appears unrelated to proposed actions 2023-20MPA_1, 3, and 4_AM1, which refer to the Point Buchon SMCA. The tribe's stated rationale for moving the Point Buchon SMR northern boundary northward states, "the SYBCI also supports the MPA Collaborative Network's Regulatory Recommendation (Row 104, Column E) to adjust the boundary of the Point Buchon SMR to the north to better capture the offshore marine area of the Point," and "to improve enforcement of the marine reserve area." The proposed change is cited as an 'MPA Collaborative Network Regulatory Recommendation' and the petition does not include information on whether the SMR boundary change would advance tribal co-management, subsistence harvesting, stewardship, and/or provide a tribal benefit through recognizing the cultural significance of an area.

[1]California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

(b)IS THE PROPOSED REGULATORY CHANGE EXPLICITLY LINKED TO A TRIBE OR TRIBES? (I.E. TRIBAL EXEMPTION, TRIBAL TAKE ONLY MPA, OR NEW MPA FOR CO-MANAGEMENT)?

2023-20MPA_1, 3, and 4_AM1. Yes. The proposed requests and regulatory changes are explicitly linked to SYBCI. See response to (a) above.

2023-20MPA_2_AM1 Unclear. See response to (a) above.

IV. PETITION EVALUATION

The petition proposed for CDFW evaluation includes one non-regulatory change and two regulatory changes for Point Buchon SMCA, and one regulatory change for Point Buchon SMR. The proposed changes and subsequent CDFW evaluation reflect the clarifications and amendments requested by the SYBCI at the April 14, 2026 CFGC Tribal Committee meeting and referred to CDFW at the April 15, 2026 CFGC meeting.

The originally submitted petition included a request for redesignation of the area to a Chumash-California co-managed MPA and a request for a broader take allowance within Point Buchon SMCA to include recreational take of finfish[2], invertebrates except rock scallops and mussels by hand harvest, and provisions for maintenance of pre-existing artificial structures. This would have resulted in several additions to the current Point Buchon SMCA take allowances, which currently allow the commercial and recreational take of salmon (*Oncorhynchus spp.*) and albacore (*Thunnus alalunga*).

At the April 14, 2026 CFGC Tribal Committee meeting, SYBCI provided clarification for proposed actions 1 (co-management) and 3 (renaming) and requested an amendment to proposed action 4 (take allowance). The tribe confirmed their intent for pursuing tribal co-management with CDFW and that they were not requesting specific regulatory changes but rather to continue to work with CDFW on advancing co-management of Point Buchon SMCA. They also clarified the petition request "that the Point Buchon SMCA be designated as a Chumash SMCA that will support Tribal engagement and co-management of the SMCA within the Central Coast Region network" is a request for the SMCA to be renamed to reflect co-management and acknowledge Chumash heritage. Finally, SYBCI requested to amend the original take request (broader recreational take) to instead maintain the existing recreational take allowances for Point Buchon SMCA and add a tribal take exemption for SYBCI. The original boundary change request related to Point Buchon SMR, to move the northern border to align with the point at Point Buchon, remains unchanged.

[2] Any species of bony fish or cartilaginous fish (sharks, skates and rays).

In summary, the petition's proposed actions, as discussed at the April 14, 2026 CFGC Tribal Committee meeting, include the following:

- 2023-20MPA_1_AM1: Establish co-management with SYBCI at Point Buchon SMCA (non-regulatory),
- 2023-20MPA_2_AM1: Adjust the northern boundary of Point Buchon SMR to align with the point at Point Buchon,
- 2023-20MPA_3_AM1: Rename Point Buchon SMCA, and
- 2023-20MPA_4_AM1: Add a tribal take exemption for SYBCI at Point Buchon SMCA.

The petition amendment (2023-20MPA_AM1) was accepted by CFGC and referred to CDFW for evaluation in April 2026.

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-20MPA_1_AM1

SYBCI proposes "co-management of the [Point Buchon] SMCA within the Central Coast Region network" where "there are no Tribal MPAs designated." The petition states that "there was very little effort by the State during the early period of the implementation of the [MLPA Initiative planning process] to consider Tribal MPAs in the network design." SYBCI further notes that "since the adoption of the MPA Network, there has been considerable evidence on the benefits of traditional ecological knowledge and other indigenous experience in marine life protection."

As described in the petition, the tribe's request for co-management was also intended to create overlap of tribal stewardship and management between the Point Buchon SMCA and the proposed Chumash Heritage National Marine Sanctuary[3]. The tribe indicated a desire for co-management within the state-managed SMCA.

CFGC defines co-management as a collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area, or set of natural resources (CFGC 2020). Successful co-management efforts typically share several components, such as clear governance and institutional structure, shared goals and long-term trust building, and integration of multiple worldviews and knowledge systems (Armitage et al. 2009, Berkes 2009, Ban et al. 2018, Warrior et al. 2022). In practice, this involves shared responsibility for management activities, such as monitoring, enforcement, and outreach, established through agreements developed collaboratively with tribes on a direct government-to-government basis (Berkes 2009, Ban et al. 2018, Artelle et al. 2019, Murray 2023).

[3] https://sanctuaries.noaa.gov/chumash-heritage/

In alignment with Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy, CDFW is committed to continuing to work with tribes towards collaborative, government-to-government co-management agreements. This commitment is intended to acknowledge and honor cultural needs by providing adequate time for tribal engagement, building partnerships, and incorporating Traditional Ecological Knowledge into a mutual understanding of co-management over ancestral lands and waters.

The petition highlights the significance of the area to the tribe, noting that, "[Point] Buchon is a Chumash ethnohistorical village site… [and] is an area of special spiritual significance to the Chumash maritime peoples." The proposed action would recognize SYBCI's deep cultural and historical ties to their ancestral lands and waters in this area and aligns with CDFW's priorities for tribal coordination and MPA governance, including improving state agencies' tribal engagement, relationship building, and creating clear pathways and building capacity for tribal MPA management within the existing MPA Network, and better incorporating marine cultural heritage into the design of the MPA Network (CDFW 2022). Tribal co-management frameworks may be established through formal agreements that do not require regulatory changes; however, as noted by McGinnis (2024), they necessitate robust collaboration and partnership-building. During the April 2026 CFGC Tribal Committee meeting, CDFW received clarification that the request for co-management would not require any regulatory changes, but that additional coordination and collaboration is needed with SYBCI to support implementation of this request at Point Buchon SMCA.

RECOMMENDATION FOR 2023-20MPA_1_AM1

Given these considerations, **CDFW recommends SUPPORT WITH AN ALTERNATIVE PATHWAY** as the proposed change does not require regulatory changes to implement**. CDFW is committed to working with SYBCI on an approach to co-management of Point Buchon SMCA.** Because this change is a non-regulatory request, it was not evaluated further within this framework.

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-20MPA_2_AM1

This petition proposes to shift the northern boundary of Point Buchon SMR 350 feet north from 35° 15.250′ N to 35° 15.318′ N to align with the point at Point Buchon in support of the recommendation provided by the MPA Collaborative Network with the goal of "better capturing the marine habitat offshore of the Point and to improve enforcement of the marine reserve area." The petition states, "the SYBCI supports the regulatory and boundary changes recommended by the MPA Collaborative Network's Regulatory Recommendation," but did not include any information related to cultural significance of the proposed SMR boundary change.

Point Buchon SMR encompasses more than 6.5 square miles of rocky reefs, sandy seafloor and beaches, kelp forests, and rocky intertidal areas. While expanding the SMR would minimally increase the area under protection (by 0.26 square miles, Table 2), the existing Point Buchon SMR and adjacent Point Buchon SMCA as designed already meet the Science Advisory Team (SAT) Science Guidelines established during the MLPA Initiative planning process and contribute to key MPA Network objectives as an intentionally designed MPA cluster, including habitat replication and representation. Expanding the boundary 350 feet to the north would not measurably improve the individual MPA design or MPA Network performance in this region (Table 2).

The petition raises compliance concerns associated with the Point Buchon SMR boundary but does not include specific information. The most recent MPA Collaborative Community Compliance Forum Report for San Luis Obispo County (MPACN 2020) reported that Point Buchon SMCA and SMR were the most common poaching spots in the county. Specific to the SMR, the report states, "some boats tuck in close to the coast to fish in the SMR where they feel like they will not be observed and at Disney Point." This, however, is not consistent with CDFW enforcement's experience at Pt. Buchon. Additionally, Disney Point is located south of Point Buchon within the SMR, not near the northern boundary of the SMR. The same report raised the concern as an 'Issue of Elevation' in which a proposal to install a camera or Marine Monitor radar system near the flagpole, looking south at Point Buchon was suggested.

Available enforcement data from 2016 to 2025 indicate improving trends since 2022, dropping from 30 citations in the SMR in 2022 to just 2 in 2025 (Table 1). CDFW's Marine Enforcement District (MED) confirmed a period of low compliance in the Point Buchon SMR/SMCA complex in 2022. CDFW enforcement data shows a significant portion of these citations were related to groundfish regulations. This period followed two groundfish rulemakings, first an emergency rulemaking reducing bag limits for certain species of rockfish (CFGC 2021), followed by changes to allowed fishing depths for groundfish species (CFGC 2022), both of which can lead to an increase in citations when anglers do not stay informed of changing regulations. Compliance issues are not uncommon after regulatory changes are enacted and they typically taper off after increased outreach and enforcement. Historically, citations within Point Buchon SMR were 7 per year prior to 2019 and 2020, when 17 and 21 citations were issued, respectively. Citations dropped in 2021 to 3 but rose dramatically to 30 in 2022. Since then, citations declined to 7 in 2023, 0 in 2024 and 2 in 2025 (Table 1). MED attributes the improved compliance to additional outreach and education efforts as well as enforcement presence.

Since implementation of California's MPA Network, targeted regulatory refinements, including adjusting MPA boundaries for clarity and maximum alignment with CDFW Feasibility Guidelines, were made following an MPA Network-wide assessment (see

Appendix G of the DMR). None of the previous MPA regulatory packages identified a need to adjust the current northern boundary at Point Buchon SMR (see Attachment 1). No new information or changing conditions since implementation has been identified that would justify revisiting the original design of the Point Buchon SMR. Moreover, the proposed boundary shift has the potential to introduce new management and enforcement challenges. The current northern boundary of the SMR intentionally aligns with the Point Buchon SMCA boundary and a readily determinable line of latitude, creating a clear and enforceable configuration. Moving the SMR boundary 350 feet to the north would offset the boundaries of the two MPAs and create a more complex, L-shaped configuration that could be confusing for the public and more difficult for enforcement personnel to monitor. The current boundary comes on shore at a prominent flagpole that is easy to see for both shore- and boat-based users and the boundary aligns with the terminus of the Point Buchon Trail from the nearest parking lot. The flagpole is maintained by PG&E, which owns the land adjacent to the SMR and operates the nearby Diablo Canyon Power Plant.

Finally, the proposal is unlikely to meaningfully increase protection of marine resources because the area north of the boundary is effectively protected from shore. Shoreline access at Point Buchon is restricted because the land is owned by PG&E. Landside access to the area is only available through the PG&E-managed trail corridor near the Diablo Canyon Power Plant. The trail is only accessible during daytime hours for part of the week. Otherwise, the trail access is behind multiple locked gates. PG&E also limits the number of hikers that can access the trail on the days that it is open, and fishing is not allowed from the trail (PG&E 2025). Even if visitors to the area attempted to fish, the steep cliffs, rocky outcrops, and heavy wave action also make fishing from shore (or close to shore by boat) difficult. Expanding the SMR boundary would therefore provide little additional benefit in an area that is well protected due to limited and sometimes difficult access, while potentially making the boundary harder to understand and enforce, particularly for offshore users.

After careful review, CDFW finds the proposal to move the northern boundary of the Point Buchon SMR 350 feet to the north:

- As proposed and when assessed against SAT Science Guidelines, would not measurably improve the ecological performance of Point Buchon SMR or the Point Buchon SMR/SMCA cluster,
- Could result in enforcement challenges,
- Does not address a current or emerging MPA management challenge that has emerged since the DMR, and
- Would not advance management of the MPA Network at Point Buchon SMR/SMCA cluster.

RECOMMENDATION FOR 2023-20MPA_2_AM1

Given these considerations, and the information in the evaluation below, **CDFW recommends CFGC DENY the proposed action** to extend the northern boundary of Point Buchon SMR 350 feet to the north.

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-20MPA_3_AM1

The petition includes a request, "that the Point Buchon SMCA be designated as a Chumash SMCA that will support Tribal engagement and co-management of the SMCA within the Central Coast Region network." During the April 2026 CFGC Tribal Committee meeting, CDFW received clarification that this request is to *rename* (rather than redesignate) Point Buchon SMCA.

The Chumash people have been stewarding the California coast since time immemorial. One hundred and forty-eight historic Chumash village sites have been identified from Malibu to San Luis Obispo, and on the Channel Islands (Glassow 1995). Given the cultural significance of the area to the Chumash peoples, and the establishment of the Chumash Heritage National Marine Sanctuary in 2024 to the south, inclusion of the Chumash name in the MPA would provide recognition of the original stewards of the land and waters around Point Buchon. It also aligns with the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

CDFW finds the proposed change:

- Acknowledges the role of the Chumash peoples as the original stewards of the land and waters in the area, and
- Is an initial step towards advancing state commitments and DMR Recommendations regarding the advancement of tribal stewardship in MPA management and governance.

The proposed name should align with the CFGC Naming Protected Areas Policy[4], which states:

> *"When identifying the name for, or an opportunity to rename, a protected area, the [CFGC] and [CDFW] will invite tribes with ancestral ties to that area to engage in meaningful information-sharing about the cultural significance of the area, and to identify traditional or contemporary tribal names for the area. In*

[4] California Fish and Game Commission Policy webpage available at this link, including their policy on naming protected areas

selecting a name, the [CFGC] will give significant weight to tribally-identified names, with particular emphasis on restoring tribal place names. In its selection, the [CFGC] may consider combining the tribal place name with a currently-used name that is understandable and locatable, as appropriate, to ensure accessibility and identification by the broader public while restoring tribal heritage recognition."

RECOMMENDATION FOR 2023-20MPA_3_AM1

Given the above considerations, **CDFW recommends CFGC GRANT IN CONCEPT 2023-20MPA_3_AM1** and that CFGC work with SYBCI and any other interested tribes to identify a name for Point Buchon SMCA that aligns with the CFGC Naming Protected Areas Policy.

The proposed name change was not evaluated further.

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-20MPA_4_AM1

The proposed action for 2023-20MPA_4_AM1 in the original petition included a request to replace the existing take at Point Buchon SMCA (recreational and commercial take of salmon and albacore (Cal. Code Regs. Tit. 14, § 632(b)(94)) with the following:

"(B) Area restrictions defined in subsection 632(a)(1)(C) apply, with the following specified exceptions:

1. The recreational take of finfish[5] [subsection 632(a)(2)], invertebrates except rock scallops and mussels by hand harvest is allowed.
2. Take pursuant to activities authorized under subsection 632(b)(97)(C) is allowed.
3. The following federally recognized tribe is exempt from the area and take regulations found in subsection 632(b)(97) of these regulations and shall comply with all other existing regulations and statutes: Santa Ynez Band of Chumash Indians."

At the April 14, 2026, CFGC Tribal Committee meeting, SYBCI requested an amendment to retain the existing take allowances for Point Buchon SMCA and add a tribal take exemption for SYBCI to expand SYBCI tribal exemptions into the Central Coast region for cultural gathering, ceremony, or harvest that historically occurred in the area. This amendment was later referred to CDFW by CFGC and evaluated here.

[5] Any species of bony fish or cartilaginous fish (sharks, skates and rays).

Tribal take in MPA regulations, which corresponds with tribal exemptions for area-specific take restrictions, applies to "federally recognized tribes[6]." As stated in regulations, "Members taking living marine resources under this provision are subject to current seasonal, bag, possession, gear and size limits in existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b)."

As stated above, during the Central Coast MLPA Initiative planning process that occurred from 2005-2007, Tribal Take' in MPAs had not yet been defined in regulation. Several years later, during the regulatory process to adopt the final regional MPA array (in the North Coast), three options were developed to accommodate tribal take within MPAs. CFGC chose Tribal Option 1 to provide specific non-commercial tribal uses by federally recognized tribes and asked federally recognized tribes to submit a factual record of historic and current uses in specific geographies, other than SMRs (CFGC 2011). CFGC directed CDFW to develop regulatory language defining tribal take using specific criteria, including that all tribal take must be consistent with existing regulations (CFGC 2011). CFGC's action to amend Cal. Code Regs. Tit. 14, section 632 (a), to add provisions relating to "Tribal Take," along with additional amendments to subdivision (b) pertaining to the North Coast Study Region, was approved by the Office of Administrative Law on November 19, 2012, and became effective December 19, 2012 (CFGC 2012). This change enabled CFGC to grant tribal take exemptions in MPAs that overlap with areas of historic and/or current uses by federally recognized tribes for specific, non-commercial uses as reflected in a factual record of use provided by the tribe (i.e., a "Factual Record of Current and Historical Uses" pertaining to the specific MPA location).

Following adoption of the "Tribal Take" definition in 2012, CFGC directed CFGC staff to inform federally recognized tribes about the pathway for a tribal take exemption. CFGC staff sent a letter to all tribes, notifying them of the new pathway for a tribal take exemption, and inviting them to request tribal take exemptions for any SMCA where they could provide a Factual Record, excluding within SMRs. Several tribes, including SYBCI, petitioned CFGC to add exemptions to existing MPAs in other regions[7]. Twenty-five tribes in California currently hold tribal exemptions in one or more MPAs in the MPA Network (Cal. Code Reg. Tit. 14, § 632).

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[6] "Federally recognized tribe" means any tribes on the List of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, published annually in the Federal Register.

[7] California state MPAs with tribal exemptions for take include: Pyramid Point SMCA, Point St. George Offshore SMCA, Reading Rock SMCA, Samoa SMCA, South Humboldt Bay State Marine Recreational Management Area, Big Flat SMCA, Double Cone Rock SMCA, Ten Mile Beach SMCA, Ten Mile Estuary SMCA, Big River Estuary SMCA, Navarro River Estuary SMCA, Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA.

Granting a tribal take exemption for SYBCI in Point Buchon SMCA is an opportunity to advance tribal co-stewardship within the existing MPA Network and would provide a regulatory pathway to recognize the cultural importance of the land and waters of Point Buchon to the Chumash maritime peoples. When SYBCI submitted petitions for tribal take exemptions for other MPAs further south in the Santa Barbara Channel and on the Malibu Coast, they provided information about historic occupation and use of the coast by the Chumash people prior to European colonization. This included a map of Chumash country, originally created for a report to the National Park Service, which identified Chumash village sites along the Southern and Central Coasts. Per this map, the Chumash villages of Pelpatsu and Chanu were just to the north and south of the modern Point Buchon MPA cluster, respectively (McLendon and Johnson, 1999). Tribal exemptions for the SYBCI have been adopted by CFGC within four South Coast MPAs: Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA. Granting a tribal exemption for SYBCI for Point Buchon SMCA and leveraging the existing tribal exemptions for SYBCI in the four South Coast MPAs, poses a near-term opportunity to advance co-management between the tribe and CDFW within the existing MPA Network now, while broader discussions regarding co-management across the entire MPA Network are ongoing.

The proposed tribal take exemption is a component to the broader suite of requests by SYBCI, including a name change and a state-level co-management framework (see overview and narrative for proposed actions 2023-20MPA_1_AM1 and 2023-20MPA_3_AM1). CDFW notes that implementing these measures collectively serves to advance state-tribal partnership objectives and acknowledges the unique cultural relationship between the Chumash peoples and the Point Buchon marine environment. After careful review, CDFW finds the proposed change:

- Advances DMR Recommendations focused on strengthening tribal stewardship and capacity in MPA management and governance,
- Acknowledges the important role of the Chumash peoples as the original stewards of the land and waters in the area,
- Will provide more opportunities for SYBCI tribal members to harvest for cultural practices and ceremonial purposes, and
- Provides a near-term opportunity to bolster tribal co-management within the existing MPA Network.

CDFW recognizes that the requested tribal take exemption has potential to serve as an initial regulatory milestone that would complement the broader goal of tribal co-management. Implementing this exemption would provide a structured opportunity for CDFW and SYBCI to develop collaborative management practices at Point Buchon that can serve as a model for the wider MPA Network.

July 2026

RECOMMENDATION FOR 2023-20MPA_4_AM1

Given these considerations, **CDFW recommends CFGC GRANT the proposed change** to add a tribal exemption at Point Buchon SMCA for SYBCI, pending confirmation from CFGC that the original Factual Record(s) of Current and Historical Uses previously submitted by SYBCI to CFGC for Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA include(s) the area contained within the proposed Point Buchon SMCA. If the previously submitted Factual Record of Current and Historical Uses does not include Point Buchon, SYBCI will need to provide this to CFGC for review, consistent with prior considerations for tribal take exemptions. The proposed action was not further evaluated within the evaluation framework.

EVALUATION QUESTIONS

2023-20MPA_2_AM1: Adjust the northern boundary of Point Buchon SMR to align with Point Buchon.

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the MPA Network were not necessarily designed to address all six Goals of the MLPA but instead were intended to act as an important component of a functioning MPA Network that was designed to holistically address the MLPA Goals. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan objectives.

Point Buchon SMR, acting as an MPA cluster with Point Buchon SMCA, was explicitly designed to meet Goals 1-6. It protects a variety of habitats including sandy beach, rocky intertidal, offshore pinnacles, and hard and soft benthic habitats. It benefits bird and marine mammal species of concern by protecting forage species, as well as larval sources, and enhances reproductive capacity of nearshore and midwater fish and invertebrate species. While the petition states that expanding the boundary slightly to the north would "better capture the offshore marine area of the Point," it does not state what specifically would be protected in the 0.26 square miles that would be added by the expansion. Point Buchon SMR was specifically designed to meet the size and spacing thresholds to act as a habitat replicate for sandy beach, rocky intertidal, pinnacles, kelp, and hard and soft bottom habitat (see Question 9 of Attachment 1 for the SAT Science Guidelines and additional context).

While the proposed expansion of Point Buchon SMR may provide limited additional protection for the natural diversity and abundance of marine life that occurs north of the current boundary, the current boundaries were carefully selected during the MLPA Initiative planning process to meet the Goals of the MLPA, the Feasibility Guidelines, and the SAT Science Guidelines established during the MLPA Initiative planning process. As designed, Point Buchon SMR aims to meet Goals 1-6 and moving the boundary 350 feet to the north would offer no further benefit to the design of the Point Buchon SMCA, the Point Buchon SMCA/SMR complex, or the ecological functioning of the MPA Network.

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

No. The proposed change does not advance adaptive management Recommendations from the Decadal Management Review. See Question 2a of Attachment 1 for the Decadal Management Review and adaptive management Recommendations.

QUESTION 2B: IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?

No. The proposed change does not address a current or emerging MPA management challenge that has emerged since the DMR. While SYBCI states that they support the MPA Collaborative Network's proposed change to expand the boundary of Point Buchon SMR to the north to "better capture the offshore marine area of the Point and to clarify the boundary of the SMR," the proposed change does not correspond with any of the Decadal Management Review Prioritized Recommendations[8].

Following a previous MPA Network-wide assessment to ensure maximum alignment with the Feasibility Guidelines, there were two regulatory packages that specifically clarified and corrected MPA boundaries throughout the MPA Network to improve boundary clarity for shore- and boat-based users, and ultimately, boundary enforceability (see Introduction in Attachment 1, and Appendix G of the DMR). The current northern boundary at Point Buchon SMR was not identified as needing refinement.

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

Yes. Point Buchon SMCA and SMR both occur across two administrative kelp beds (206, which is currently closed, and #205, which is currently open). Extending the boundary north would only expand the MPA within kelp bed #206. As this bed is currently closed, this action is unlikely to impact kelp harvest activity unless the bed is opened in the future. Thus, expanding the MPA will maintain the existing level of impact on kelp harvesting, without adding any new restrictions.

[8] MPA Decadal Management Review Report: Prioritized Recommendations

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. The proposed northward expansion of the Point Buchon SMR boundary abuts land owned by PG&E at the Diablo Canyon Power Plant. Shoreline access is limited in this area and any management activities and/or changes to the MPA regulations may need to be coordinated with PG&E.

These interagency considerations are in alignment with the Marine Managed Areas Improvement Act (Pub. Resources Code §§ 36601, 36800). This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of Tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change. When evaluating this petition, CDFW reviewed the information in the petition as well as information including but not limited to:

- MLPA planning documents and related information (e.g., MLPA Goals and MPA Master Plan adaptive management objectives, MLPAI 2006),
- PG&E Point Buchon Trail Rules and Regulations (PG&E 2025),
- CDFW MED Data (Table 1), and
- Community Compliance Forum Reports (MPACN 2020).

CFGC will need to confirm whether the original Factual Record(s) of Current and Historical Uses previously submitted by SYBCI to CFGC for Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA include(s) the area contained within the proposed Point Buchon SMCA. If the previously submitted Factual Record of Current and Historical Uses does not include Point Buchon, SYBCI will need to provide this to CFGC for review, consistent with prior considerations for tribal take exemptions.

The information in the petition and other information reviewed by CDFW did not demonstrate relevance of the proposed change to MPA adaptive management or that a change to the MPA regulations is warranted. See Question 5 of Attachment 1 for significant information gaps.

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

No. During the MLPA Initiative planning process, alternatives to the adopted configuration included a truncated version of the SMR with an SMCA to the south and to the west, a variation where the northern boundary extended beyond Point Buchon to the north (package 2R), and an offshore SMCA and onshore SMR cluster (package 3R), a variation of which was adopted (with a slightly different boundary between the SMCA and SMR than that proposed in package 3R).

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

No. There is no new information available that would warrant reevaluation of the proposed change.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

No. The Point Buchon SMCA and adjacent Point Buchon SMR were designed as an MPA cluster to provide a High Level of Protection (LOP) in both MPAs. Together, these MPAs were intended to meet the Goals of the MLPA while providing offshore recreational and commercial fishing for albacore and salmon. The proposed northern boundary change would not align with the original intent of the MPA's boundary design. The proximity to the Diablo Canyon Power Plant was taken into consideration during the planning process and the boundary was explicitly placed to "minimize negative socio-economic impacts to the fishing community in the Morro Bay/Port San Luis area, to the extent possible, by creating a state marine reserve in an area already closed to all fishing due to national security considerations" (MLPAI 2006). Expanding the boundary north could also infringe on the fishing grounds to the north, negating the intention specified during the planning process and ultimate adoption of the boundaries by CFGC (CFGC 2006).

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

The MLPA requires that the design of individual MPAs and the statewide MPA Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The Science Guidelines developed by the SAT and outlined in the Master Plan were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with SAT Science Guidelines established during the MLPA Initiative planning process depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least 9 square miles and meet one of the three highest LOPs (Very High, High, or Moderate-high) to contribute to ecological goals such as habitat replication and representation. See Question 9 of Attachment 1 for the SAT Science Guidelines and additional context.

Point Buchon SMR, together with neighboring Point Buchon SMCA, meets both minimum criteria for size (18.87 square miles as an MPA cluster) and spacing (32.97 miles from the Piedras Blancas MPA cluster to the north and 32.5 miles away from the Vandenberg SMR to the south) and thus, contributes to foundational ecological MPA Network objectives, including replication and representation of kelp, beach, rocky intertidal, hard bottom (0-30 and 30-100 m depth zones), and soft bottom (30-100 m depth zone) habitats. Each of these habitats fall within the recommended maximum spacing of 62 miles from the nearest replicate.

Shifting the SMR boundary 350 feet to the north to align with Point Buchon would add additional area to the SMR (0.26 square miles), as well as to each of the existing replicated habitats (Table 2). This change would provide minor improvements to the design of the individual MPA but would not advance additional MPA Network-scale ecological objectives beyond what is currently provided. Implementation of the proposed change may add a small amount of area to the SMR, but not enough to meaningfully improve the ecological function of the individual Point Buchon SMR or the MPA Network and would not further enhance alignment with the SAT Science Guidelines established during the MLPA Initiative planning process.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

No. The proposed change to extend the SMR boundary north would not align with the Feasibility Guideline pertaining to MPA Boundaries and Design Considerations. Point Buchon SMCA and SMR comprise an MPA cluster, and when considered together, a change to the SMR boundary (without a corresponding change to the SMCA boundary)

would be more difficult to determine in navigation and would create an L-shaped cluster. This configuration would be confusing to the public and difficult to enforce and is explicitly discouraged by the Feasibility Guidelines.

Although the petition raises compliance concerns, these do not appear related to public confusion around the boundary design (see Question 11 for information on enforceability). Additionally, there is a tall flagpole on land at the point that currently serves as a clear land-based marker for both shore-based and boat-based users.

See Question 10a of Attachment 1 for the CDFW Feasibility Guidelines.

> **QUESTION 10B:** IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES?
>
> **No.** There is no information that has emerged since implementation of the MPA Network to support the proposed change.

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

No. Moving the boundary 350 feet north to align with Point Buchon would not result in improved alignment with CDFW Feasibility Guidelines and thus, would not enhance enforceability. Currently, there is an easily recognizable landmark visible from shore that corresponds with the existing line of latitude for the northern boundary of Point Buchon SMR in the MPA regulations. The northern boundary of Point Buchon SMR also aligns with the northern boundary for the offshore Point Buchon SMCA boundary. The proposed change would result in the northern boundaries of the two MPAs being offset, which does not align with Feasibility Guidelines, creating potential for public confusion and enforcement challenges. Successful enforcement would require extensive public outreach and education to inform the public of the new boundaries.

The regulatory compliance concerns raised in the petition likely pertain to reports from the MPACN Community Compliance Report for San Luis Obispo County that listed Point Buchon SMR and SMCA as the most common poaching spots in the county (MPACN 2020). The report states that, “Some boats tuck in close to the coast to fish in the SMR where they feel like they cannot be observed and at Disney Point.” This area is within the SMR, downcoast of its northern boundary. Available enforcement data from 2016-2025 indicate improving trends since 2022, dropping from 30 citations in the SMR in 2022 to just 2 in 2025 (Table 1). MED confirmed a period of low compliance in the Point Buchon SMR/SMCA complex in 2022 following an emergency action that reduced rockfish bag limits. An uptick in compliance issues is not uncommon after regulatory changes are

enacted. MED attributes the improved compliance after 2022 to additional outreach and education efforts and well as enforcement presence.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

No. The proposed change to the boundary of Point Buchon SMR is not intended to simplify the regulatory language and would not enhance public understanding without changing the intent of the MPA. In fact, the proposed boundary change has potential to introduce confusion.

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. The proposed change would add 0.26 square miles to the current 6.68 square mile area of the SMR (Table 2). However, Point Buchon SMR, together with Point Buchon SMCA, already meets the SAT Science Guidelines established during the MLPA Initiative planning process for habitat replication of a variety of habitats including sandy beach, rocky intertidal, offshore pinnacles, and hard and soft benthic habitats. The subsequent increases in the areas of each habitat would be negligible, depending on the habitat (Table 2). While the proposed change could maintain or enhance protection of marine resources by adding ~350 feet of shoreline, it is not enough to meaningfully improve protections beyond what the existing MPA currently provides. Additionally, PG&E does not allow fishing from shore along this portion of coast (PG&E 2025). The area at the point contains steep, rocky cliffs and is difficult to access from land. The waters near the point are also difficult to fish by boat due to the many rocky outcrops and heavy wave action.

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. Expanding the SMR north by 350 feet would remove 0.26 square miles of area where fishing is currently allowed.

Point Buchon SMR is a key long-term monitoring site for several habitats surveyed by the MPA Monitoring Program. The Multi-Agency Rocky Intertidal Network, Partnership for Interdisciplinary Studies of Coastal Oceans, and Marine Applied Research & Exploration survey the rocky intertidal, kelp forest, and deep reef, respectively. Additionally, the

California Collaborative Fisheries Research Program conducts hook-and-line catch-and-release surveys of nearshore groundfish[9] in MPAs and nearby reference areas. Some of these groups have conducted monitoring surveys in the Point Buchon SMR for decades, even predating the MLPA. Expanding the northern boundary of the SMR may overlap with some of the monitoring reference sites and could interfere with one of the longest data time series in the MPA Network. Consistent monitoring of each key habitat has occurred since at least 2007, when the Central Coast MPAs were implemented. Such overlap has potential to compromise baseline tracking and interfere with the ability to effectively evaluate the long-term ecological performance of the SMR. The data described here represents a single analysis of potential impacts on the area. The full extent of socioeconomic impacts in this area, including any impacts on consumptive activities such as fisheries, is unknown (see Question 5 in Attachment 1 for significant information gaps).

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response. The proposed change would reduce fishing

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[9] For a list of all nearshore groundfish, see the California Nearshore Fishery Management Plan (CDFW 2002). Representative nearshore groundfish from the surrounding area of the proposed new MPA include cabezon, *Scorpaenichthys marmoratus;* California scorpionfish, *Scorpaena guttata;* California sheephead, *Bodianus pulcher;* black rockfish, *Sebastes melanops;* black-and-yellow rockfish, *S. chrysomelas;* blue rockfish, *S. mystinus;* brown rockfish, *S. auriculatus,* calico rockfish, *S. dalli;* China rockfish, *S. nebulosus;* copper rockfish, *S. caurinus;* gopher rockfish, *S. carnatus;* grass rockfish, *S. rastrelliger;* kelp rockfish, *S. atrovirens;* olive rockfish, *S. serranoides;* quillback rockfish, *S. maliger;* treefish, *S. serriceps;* kelp greenling, *Hexagrammos decagrammus;* rock greenling, *H. lagocephalus; and* monkeyface prickleback, *Cebidichthys violaceus*.

access, particularly for fishing participants associated with the coastal fishing communities of:

- Avila (Port San Luis, ~7 nautical miles away from area of proposed change), and
- Morro Bay (~7 nautical miles away from area of proposed change).

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

Yes. Petition 2023-34MPA proposes turning the SMCA into an SMR, which would effectively merge the two MPAs' boundaries.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

Table 1. CDFW Marine Enforcement District total citations for Point Buchon State Marine Conservation Area (SMCA) and Point Buchon State Marine Reserve (SMR) between 2016 and 2025.

MPA	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Point Buchon SMCA	2	4	9	0	1	3	19	5	0	0
Point Buchon SMR	7	7	7	17	21	3	30	7	0	2

Table 2. MPA attributes (area, Level of Protection, depth range, and habitat extent) of the existing Point Buchon SMCA and Point Buchon SMR with the boundary adjusted as proposed in petition 2023-MPA20_2_AM1, including the percent change associated with the boundary change proposed in 2023-20MPA_2_AM1. Habitat extent may be reported in linear miles or square miles, depending on data availability and Science Advisory Team guidance. A dash () indicates that the MPA does not contain the habitat type. Percent change is calculated by dividing the difference between proposed and existing values by the existing value and multiplying by 100. Percent change is reported as N/A when the calculation is not possible, such as when the existing MPA does not contain the habitat type or when existing and proposed values are reported in different units.

Values shown in **bold** indicate that the MPA attribute meets the relevant science guideline established by the SAT during the MLPA Initiative planning process. An MPA contributes to habitat replication only if it first meets the minimum size (>9 square miles) and Level of Protection (Very High, High, or Moderate-high) criteria (i.e., first two rows must be bold). Point Buchon SMR meets those requirements when clustered with Point Buchon SMCA.

	SMR Existing	SMR Proposed	SMCA Existing	Cluster Existing	Cluster Proposed	SMR Change (%)
Area (sq mi)	6.68	6.94	12.19	**18.87**	**19.13**	4
Level of Protection	Very High	Very High	High	**≥High**	**≥High**	—
Min Depth (m)	0	0	58.5	0	0	—
Max Depth (m)	67.7	68.2	120.1	120.1	120.1	—
Eelgrass (sq mi)	—	—	—	—	—	—
Kelp (mi)	3.00	3.04	—	**3.00**	**3.04**	1
Beach (mi)	1.46	1.52	—	**1.46**	**1.52**	4
Rocky Intertidal (mi)	2.71	3.05	—	**2.71**	**3.05**	13
Estuaries (sq mi)	—	—	—	—	—	—
Hard Substrate						
0-30 m (mi)	2.72	2.86	—	**2.72**	**2.86**	5
30-100 m (sq mi)	0.47	0.52	0.29	**0.76**	**0.81**	11
100-200 m (sq mi)	—	—	0.05	0.05	0.05	—
>200 m (sq mi)	—	—	—	—	—	—
Soft Substrate						
0-30 m (mi)	0.36	0.36	—	0.36	0.36	0
30-100 m (sq mi)	4.46	4.57	8.13	**12.6**	**12.7**	2
100-200 m (sq mi)	—	—	3.25	3.25	3.25	—
>200 m (sq mi)	—	—	—	—	—	—

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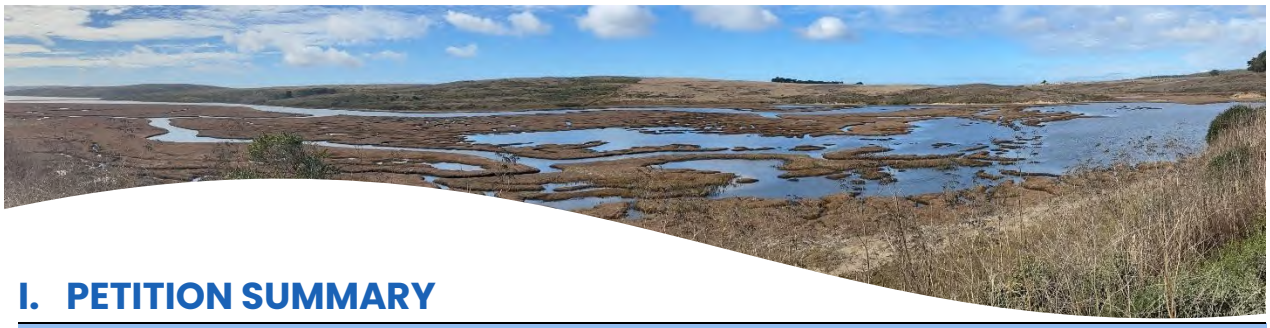
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California Department of Fish and Wildlife's EVALUATION of 2023 Decadal Management Review Marine Protected Area Petition:

Remove Recreational Take of True Smelt and Change the Boundary at Pyramid Point SMCA (2023-21MPA_AM1)



I. PETITION SUMMARY

CFGC Tracking Number	2023-21MPA_AM1
Petition Contact/Affiliation	Rosa Laucci, Tolowa Dee-ni' Nation
Number of Proposed Actions	2
Affected MPAs	Pyramid Point State Marine Conservation Area (SMCA)
Petition Summary	Remove allowance for recreational take of true smelt in Pyramid Point SMCA and retain the existing tribal exemption for Tolowa Dee-ni' Nation; change northern boundary from the official California/Oregon state line (42° N) to align with the landside surveyed border (41°59'55" N).
Link to StoryMap page	2023-21MPA_AM1

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA MARINE PROTECTED AREAS

July 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the marine protected area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-21MPA_1_AM1 Remove recreational take allowance for true smelt in Pyramid Point State Marine Conservation Area (SMCA) and retain the existing tribal exemption for Tolowa Dee-ni' Nation.	*Lhvmsr*, also known as surf smelt (*Hypomesus pretiosus*), has seen significant decline since the late 1990s, which has caused concerns among tribal citizens that have continued the practice of stewarding this culturally significant resource. The change will help protect a species that has cultural importance to the people of the Tolowa Dee-ni' Nation as well as ecological significance.	**Grant.** CDFW recommends approving the removal of the allowance for recreational take of true smelt from Pyramid Point SMCA; and retaining the existing SMCA classification and the tribal exemption for Tolowa Dee-ni' Nation. The current regulations at Pyramid Point SMCA include recreational take of true smelt, which is defined as night smelt (*Spirinchus starksi),* surf smelt, and whitebait smelt (*Allosmerus elongatus*) under Cal. Code Regs Tit. 14 section 632 and are regulated as a unit. Removing the current recreational take allowance for true smelt in the Pyramid Point SMCA regulations while maintaining the tribal take exemption for the Tolowa Dee-ni' Nation is an important step in honoring the tribe as the original stewards of the area. The proposed change would advance Decadal Management Review (DMR) recommendations, including those related to the advancement of tribal stewardship in MPA management and governance in California (DMR Recommendations 1, 2, & 3). The proposed change is also consistent with the original intent for this MPA identified during the original Marine Life Protection Act (MLPA) planning process. Although no formal stock assessment exists for surf smelt, the fishery experienced a severe decline from 1995-1999. Recent trends in surf smelt landings data indicate the fishery has not recovered to pre-2000 levels.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
		Restricting recreational fishing of true smelt in Pyramid Point SMCA while continuing to allow traditional uses by the Tolowa Dee-ni' Nation is a local management strategy that acknowledges the role of the Tolowa Dee-ni' Nation as a steward of the species and the importance of this marine resource to their "spiritual, physical, and cultural health and well-being"; and helps ensure that ecological recovery goals are met in alignment with MLPA Goals. Given these considerations, CDFW recommends removing the allowance for recreational take of true smelt while retaining the SMCA classification and the existing tribal exemption for the Tolowa Dee-ni' Nation.
2023-21MPA_2_AM1 Change northern boundary of Pyramid Point SMCA from the official California/Oregon state line (42° N) to align with the landside surveyed border (41°59'55" N).	The original SMCA boundary used a mapping system that does not align with the on-the-ground state line. Misalignment of the northern boundary of Pyramid Point SMCA with the on-land CA/OR border is causing enforcement and compliance challenges within the area between state jurisdictions.	**Deny.** The current northern boundary of the SMCA, as adopted by CFGC, is located along the 42nd parallel north in alignment with the legally recognized border between California and Oregon. In approximately 1869, the land surveyor incorrectly surveyed the California/Oregon border as 41°59'55" N, which is approximately 560 ft south of the true border. Although 41°59'55" N is recognized as the states' border in some contexts, the 42nd parallel remains the official and legally recognized boundary by both state governments (California Constitution Art. III § 2, Oregon Constitution Art. XVI § 1). The proposed boundary change is inconsistent with both the Science Advisory Team (SAT) Science Guidelines established during the MLPA Initiative planning process and the CDFW Feasibility Guidelines, would reduce the size of the MPA, would create regulatory inconsistencies, and has the potential to increase enforcement challenges.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
		The petition did not include information demonstrating cultural significance for the proposed boundary change. The proposed change does not address a current or emerging MPA management challenge that has emerged since the DMR and would not advance management of the MPA Network.

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes[1] (tribes) throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework.

WAS THE PETITION SUBMITTED BY A CALIFORNIA NATIVE AMERICAN TRIBE, REPRESENTATIVE DESIGNATED BY A TRIBE OR TRIBAL ORGANIZATION, OR HAVE A TRIBAL CO-SPONSOR?

Yes, this petition was submitted by Tolowa Dee-ni' Nation (hereafter referred to as the Nation).

IF YES, (a)DOES THE PROPOSED CHANGE EXPLICITLY AIM TO ADVANCE TRIBAL CO-MANAGEMENT, SUBSISTENCE HARVESTING, STEWARDSHIP, AND/OR PROVIDE A TRIBAL BENEFIT THROUGH RECOGNIZING THE CULTURAL SIGNIFICANCE OF AN AREA?

2023-21MPA_1_AM1 Yes. The Nation's petition highlights, "The area of *Tr'uu-luu-k'wvt*, also known as Pyramid Point, a Marine Protected Area (MPA) designated by the State of California in 2012, is an area where traditional *lhvmsr* [surf smelt (*Hypomesus pretiosus*)] fish camps have been identified and have been utilized since time immemorial." The Nation's petition cites concerns with lhvmsr population declines and states that, "It is imperative the Nation continues to take an active role to determine ecological, environmental, and anthropogenic impacts affecting this invaluable resource. This includes petitioning for the removal of lhvmsr as allowable [recreational] take from the state's northernmost Marine Protected Area, Pyramid Point State Marine Conservation Area." The proposed change explicitly aims to advance tribal co-management, traditional harvest, tribal stewardship, and provide a tribal benefit.

2023-21MPA_2_AM1. Unclear. The "Rationale for Regulation Change" for moving the northern boundary of Pyramid Point SMCA south states, "original boundary used a mapping system that does not align with on-the-ground state line." This justification appears again in the petition's Appendix 2, "MPA Collaborative Vetted Regulation Recommendations." The petition does not include any other information on the boundary change, including how the change would advance tribal co-management,

[1]California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

subsistence harvesting, stewardship, and/or provide a tribal benefit through recognizing the cultural significance of an area.

(b)IS THE PROPOSED REGULATORY CHANGE EXPLICITLY LINKED TO A TRIBE OR TRIBES? (I.E. TRIBAL EXEMPTION, TRIBAL TAKE ONLY MPA, OR NEW MPA FOR CO-MANAGEMENT)?

2023-21MPA_1_AM1 Yes. The proposed regulatory change is explicitly linked to the Tolowa Dee-ni' Nation. See response to (a) above.

2023-21MPA_2 Unclear. The proposed regulatory change is included in petition 2023-21MPA_2, but the petition did not provide evidence of a direct link between the proposed boundary change and the tribe. See response to (a) above.

IV. PETITION EVALUATION

The Nation submitted two proposed changes to the Pyramid Point SMCA regulations:

- 2023-21MPA_1: "Remove allowance for surf smelt (*Hypomesus pretiosus*) by dip net or Hawaiian type throw net; Change to No-take SMCA with [the existing] tribal exemption for Tolowa Dee-ni' Nation," and
- 2023-21MPA_2: "Change northern boundary [from the official California/Oregon state line (42° N)] to align with recognized California/Oregon state line [the landside surveyed border (41°59'55" N)], as stated in E4 of the MPA Collaborative Network's Regulatory Recommendations."

At the April 2026 CFGC Tribal Committee meeting, 2023-21MPA_1 was clarified that the intent was to remove the existing recreational take allowance from Pyramid Point SMCA for true smelt, which includes surf smelt, by dip net or Hawaiian type throw net; and retain the existing SMCA designation and tribal exemption for Tolowa Dee-ni' Nation. CFGC accepted this amendment (2023-21MPA_AM1) and referred to CDFW for evaluation in April 2026.

Tribal take in MPA regulations, which corresponds with tribal exemptions for area-specific take restrictions, applies to "federally recognized tribes"[2]. As stated in these regulations, "Members taking living marine resources under this provision are subject to current seasonal, bag, possession, gear and size limits in existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b)."

[2] "Federally recognized tribe" means any tribes on the *List of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, published annually in the Federal Register.

During the initial phase of the 2023 MPA Petition process, when CDFW sorted petitions into bins based on their level of complexity, this petition was initially considered for Bin 1[3]. However, it was moved to Bin 2 to have sufficient time for tribal consultation, tribal engagement, and dedicated discussions with CFGC Tribal Committee as well as to receive guidance from CFGC on the framework for evaluating Tribally-led petitions.

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-21MPA_1_AM1

The Nation proposes to remove recreational take of *lhvmsr*, otherwise known as surf smelt (*Hypomesus pretiosus*), by dip net or Hawaiian type throw net from the Pyramid Point SMCA regulations, and in so-doing, change the designation to a No-take SMCA and maintain the current tribal take exemption for the Nation. The Nation's petition highlights,

> *"The area of Tr'uu-luu-k'wvt, also known as Pyramid Point, a Marine Protected Area designated by the State of California in 2012, is an area where traditional lhvmsr [surf smelt] fish camps have been identified and have been utilized since time immemorial."*

The Nation cites concerns with lhvmsr population declines and states that,

> *"It is imperative the Nation continues to take an active role to determine ecological environmental, and anthropogenic impacts affecting this invaluable resource. This includes petitioning for the removal of lhvmsr as allowable take from the state's Northernmost Marine Protected Area, Pyramid Point State Marine Conservation Area."*

During the North Coast MLPA Initiative planning process, in order to "provide for specific non-commercial tribal uses by federally recognized tribes" in MPAs, the North Coast Regional Stakeholder Group (NCRSG), with guidance from the Blue Ribbon Task Force (BRTF), designed several MPAs in which separate specific recreational take allowances were proposed to accommodate existing traditional tribal non-commercial uses (MLPAI 2010a, CFGC 2012), with the additional intent that these allowances eventually "be restricted to only tribes and tribal communities when administrative or legislative action is taken" (MLPAI 2010). The proposed Pyramid Point SMCA included a recreational take allowance for surf and night smelt by cast net[4] or dip net[5], in addition to several specific

[3] In the 2023 MPA Petition process, Bin 1 categorized petitions with sufficient information for immediate evaluation and potential near-term action. Bin 2 was designated for petitions requiring additional policy guidance, resources, or specific administrative processes.
[4] Includes Hawaiian-type throw nets and other throw nets but not beach nets (i.e., seine gear)
[5] Includes A-frame nets.

recreational take allowances intended to accommodate tribal uses, including surf smelt by beach net (i.e., seine gear; MLPAI 2010a).

During the regulatory process to adopt the North Coast MPAs, CFGC directed the California Natural Resources Agency (CNRA) to explore a clear pathway, "to allow for the tribes to have exclusive use" within MPAs (CFGC 2011a). A working group was assembled by the Secretary of CNRA consisting of two deputy attorney generals, chief counsel for two departments, various non-legal staff, and sovereign tribal nations in the North Coast (CFGC 2011a). Multiple pathways were considered and at the subsequent CFGC Notice Hearing pertaining to North Coast MPAs three options were proposed to legally accommodate tribal take within MPA regulations. CFGC chose Tribal Option 1, which provided a pathway to exempt federally recognized tribes from MPA regulations. This option required that federally recognized tribes submit a factual record of historic and current uses in specific geographies, other than State Marine Reserves (CFGC 2011b). It also required that all tribal take must be consistent with existing regulations (CFGC 2011b). As such, an exemption precluded the need to include separate tribal allowances by species and gear type within each applicable MPA. This pathway enabled CFGC to grant tribal take exemptions in MPAs that overlap with areas of historic and/or current uses by federally recognized tribes for specific, non-commercial uses as reflected in a factual record of use provided by the tribe (i.e., a "Factual Record of Current and Historical Uses" pertaining to the specific MPA location). The only tribe to submit a factual record specific to the geography of the proposed Pyramid Point SMCA was Smith River Rancheria (i.e., the Nation)[6], and the final North Coast MPA design adopted by the CFGC included a recreational take allowance for surf smelt by dip net[5] or Hawaiian type throw net[4] and a tribal take exemption for the Nation [formerly Smith River Rancheria] at Pyramid Point SMCA (CFGC 2012).

The current regulations for Pyramid Point SMCA were subsequently revised to clarify the species; these regulations include a tribal exemption for the Nation and an allowance for the use of dip net[5] or Hawaiian type throw net[4] to recreationally take true smelt, which is defined as night smelt (*Spirinchus starksi),* surf smelt, and whitebait smelt (*Allosmerus elongatus*) under Cal. Code Regs. Tit. 14 section 28.45. True smelt are regulated as a unit with a recreational take limit of 25 pounds in combination of the three species, per person per day. The Nation originally requested (2023-21MPA) to remove the allowance for surf smelt by dip net or Hawaiian type throw net and change the SMCA to a No-take SMCA designation while retaining the Nation's existing tribal take exemption. To achieve the intent of the request, the recreational take allowance for 'true smelt,' which includes

[6] Although the ISOR pertaining to Pyramid Point lists several tribes, including Smith River Rancheria, this was later noted as being the result of clerical error, and Smith River Rancheria was deemed the only tribe to submit an actual Factual Record

surf smelt, would need to be removed from Cal. Code Regs. Tit. 14 section 632(b)(1). Given the request is to retain the Nation's existing tribal take exemption, the MPA would need to remain designated as an SMCA rather than a No-take SMCA[7], as requested in the petition. This is consistent with clarifications noted on the record at the CFGC Tribal Committee meeting on April 14, 2026 and later referred to CDFW for evaluation (2023-21MPA_AM1). The SMCA classification and tribal take exemption for the Nation at Pyramid Point SMCA Cal. Code Regs. Tit. 14 section 632(b)(1)(B)3 were not evaluated as they are already included in the current regulations for Pyramid Point SMCA and require no change. Consequently, CDFW evaluated removing the current allowance for recreational take of true smelt by dip net or Hawaiian type throw net for Pyramid Point SMCA (Cal. Code Regs. § 632(b)(1)(B)1).

Surf smelt are a critical forage fish for higher trophic level predatory fish, seabirds, and marine mammals, and are an integral part of the nearshore ecosystem (Bargmann 1998, Pikitch et al. 2012). They range from Izembek Lagoon, southeast Alaska to Long Beach, California (CDFW 2021), with commercial fisheries occurring in California, Washington (Wash. Admin. Code § 220-356), and British Columbia (B.C. Reg. 93/53, pt. IV), and recreational fisheries spanning from Monterey, California to Alaska (Cal. Code Regs., Tit. 14, Div. 1, Subd. 1, Ch. 4; Or. Admin. R., Ch. 635, Div. 39; Wash. Admin. Code, Tit. 220, Ch. 315, B.C. Reg. 96/137; 5 Alaska Admin. Code, Art. 1). In California, surf smelt are taken with a variety of gears in commercial, recreational, and tribal fisheries. In Pyramid Point SMCA, current regulations allow for the recreational take of true smelt by dip net or Hawaiian type throw net. The gear is primarily used from shore where surf smelt lay their eggs during the spawning season; a small selection of suitable beaches are available for surf smelt spawning (Parks et al. 2013). Although the gear types used in the fishery are considered highly selective with minimal bycatch and low environmental impact, the seasonal targeting of surf smelt during the summer spawning period makes them vulnerable to harvest impacts. Surf smelt are also sensitive to warming oceans, including in coastal environments (Lee & Levings 2007, Russell et al. 2022), as well as other anthropogenic impacts such as habitat loss/alteration and pollution (Misitano et al. 1994, Quinn et al. 2012). Beach erosion, mechanical compaction of spawning substrate, and beach development have all been observed and recorded in and adjacent to Pyramid Point SMCA (Lane 2019).

[7] The No-take SMCA designation is an historic MPA classification that prohibited take of any living, geologic, or cultural resource except take associated with maintenance of pre-existing artificial structures in MPAs. However, CFGC updated the regulations in 2023 to allow maintenance of 'Pre-Existing Artificial Structures' and established 'Incidental Take Buffer Zones' in all State Marine Reserves, State Marine Conservation Areas, and State Marine Parks. Consequently, the No-take SMCA designation is no longer necessary.

No stock assessment exists for surf smelt in California, and there are no estimates of abundance for surf smelt (CDFW 2021). However, trends in fishery-dependent data indicate probable declines in abundance, with landings at historic lows in 2023 and 2024 (Figure 1). The CDFW Surf Smelt Enhanced Status Report identifies several high priority knowledge gaps for management, including catch and effort estimates for recreational fisheries, estimates of commercial fishing effort, and species identification of embryos and larvae—information critical for improving estimates of total mortality and developing improved indices of surf smelt abundance (CDFW 2021). Despite these knowledge gaps, the recent trends in landings, combined with available information on surf smelt life history and existing environmental threats, suggest a vulnerable, depressed population relative to historic populations.

These findings correspond with Tribal/Indigenous Traditional Knowledge in the area, where most tribal interviewees (including members of the Nation) ranked the quantity of surf smelt and night smelt as somewhat or significantly worse over their generation (Van Pelt et al. 2017). As highlighted by the Nation in this petition,

> "*This decline has caused a panic among the Nation's citizens because of the cultural significance of the species, as elders and traditional fishermen are not seeing a return of the smelt to the Tolowa Dee-ni' territory in the numbers they have historically*."

Surf smelt has also been identified as a keystone species of concern by the Nation (Van Pelt et al. 2017), who is monitoring the local surf smelt population and habitat to inform the Nation's Harvest Title regulations[8].

From an ecological perspective, further limiting take of true smelt at Pyramid Point SMCA has potential to benefit the three smelt species and aid in surf smelt recovery at a localized scale. Given the species vulnerability to harvest impacts when they aggregate to spawn and that the fishery has not yet recovered from the late 1990s fishery collapse (Figure 1), continued recreational harvest of spawning aggregate species, even at low levels, may hinder recovery and resilience (Jarvis Mason et al. 2025) at this location. While fishery management tools, such as bag limits and seasonal closures, have potential to address population concerns at the regional scale, restricting recreational fishing within Pyramid Point SMCA, while continuing to allow traditional uses by the Nation, is a local management strategy. This strategy acknowledges the role of the Nation in co-stewardship of the species, monitoring, and the importance of this marine resource to their spiritual, physical, and cultural health and well-being, while also helping to ensure that ecological recovery goals are met in alignment with MLPA Goals. MLPA

[8] Tolowa Dee-ni' Nation Marine Monitoring

Goals 1 and 2 include protecting the function and integrity of marine ecosystems and conserving and protecting marine life populations, and Pyramid Point SMCA holds a large concentration of suitable spawning grounds (Lane 2019). Goal 4 relates to protecting marine natural heritage. Thus, the Nation's request highlights a localized concern for this species as it pertains to habitat protection, ecosystem health, and cultural significance within Pyramid Point SMCA.

Although exclusive tribal access in Pyramid Point SMCA was not adopted following the North Coast planning process, policies such as Executive Order B-10-11 (2011) and the CDFW Tribal Communication and Consultation Policy (2014) have helped to bridge the gap between the MLPA and tribes since that time. More recently, Executive Order N-15-19 (2019), the 2020 Ancestral Lands Policy, and the CNRA Tribal Stewardship Policy, have continued to shape state policy by prioritizing cultural access and preservation and further incorporating sovereign recognition, among many other objectives.

Granting the proposed change acknowledges the important role of the Nation as the original stewards of the land and waters in the area, in the conservation and recovery of the culturally and ecologically important species and helps to preserve the Nation's traditional practice of "fish camp." Therefore, CDFW finds the proposed change:

- Could advance tribal co-management, subsistence harvesting, tribal stewardship, and provide a tribal benefit,
- Has the potential to advance both the conservation objectives of the MPA Network and the intent to preserve tribal cultural and subsistence practices of the Nation,
- Aligns with DMR recommendations regarding the advancement of tribal stewardship in MPA management and governance,
- Is consistent with the goals of this MPA, as identified in the MLPA Initiative planning process, and may help further advance these goals,
- Aligns with the original intent of this MPA, and
- Advances management of the MPA Network.

RECOMMENDATION FOR 2023-21MPA_1_AM1

Given these considerations, and the information in the evaluation below, **CDFW recommends CFGC Grant** the proposed change to remove the allowance for recreational take of true smelt by dip net or Hawaiian type throw net in Pyramid Point SMCA while retaining the existing SMCA designation and tribal exemption for the Nation.

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-21MPA_2

The petition includes a proposal to shift the northern boundary of Pyramid Point SMCA south "to align with the recognized California/Oregon state line, as stated in E4 of the MPA Collaborative Vetted Regulation Recommendations (Appendix 2 of the petition)." The justification for the proposed change, as stated in Appendix 2 of the petition, includes the following, "original boundary used a mapping system that does not align with on-the-ground state line." This is the only justification provided in the petition.

The current northern boundary of Pyramid Point SMCA, as adopted by CFGC, is located along the 42nd parallel north, which reflects the state line between California and Oregon as recognized by both state governments (Cal. Const., Art. III, § 2; Or. Const., Art. XVI, § 1).

In 1868, the U.S. General Land Office hired Daniel Major and a crew of 19 others to survey the CA/OR and Nevada state intersections. Using the technology available at the time (i.e., a sextant and following the stars) they navigated and maneuvered across mountainous terrain and brush, from the 120 meridian to the Pacific Ocean. As a result of the survey technique and difficult terrain, the state line meanders north and south of 42nd parallel north such that the state line near the coast was surveyed at 41°59'55" N, approximately 560 feet south of the true border, 42°00'00" N.

The northern boundary of Pyramid Point SMCA in the existing MPA regulations (42°00.000' N. lat) currently meets CDFW Feasibility Guidelines. Maintaining the current northern boundary at the 42nd parallel north ensures alignment with established state-managed marine fisheries boundaries (e.g., this boundary is referenced in many existing California state fishing regulations, fishing charts, federal fishery regulations, and Marine Region Geographic Information Systems spatial layers). It also ensures jurisdictional clarity, enforcement efficiency, and administrative consistency across state programs. Conversely, the proposed southward shift by 560 feet would deviate from these long-standing feasibility guidelines and create operational challenges.

From an MPA design perspective, the proposed southward shift of the northern boundary would result in an overall reduction in size of the MPA, offering no added value to the MPA Network relative to science objectives, and would not advance recommendations from the DMR. Furthermore, the current boundary has never been identified as a necessary change during previous MPA adaptive management packages, three of which were cleanup packages specific to MPA boundary changes. MPA boundary changes adopted as part of these packages addressed previously identified enforcement concerns, of which the northern boundary at Pyramid Point SMCA was not included.

CDFW finds the proposed change:

- Does not align with the original intent of this MPA,
- Does not enhance the individual design of the MPA and reduces the size of the MPA,
- Does not enhance enforcement and compliance, and
- Does not advance management of the MPA Network.

CDFW did not evaluate proposed change 2023-21MPA_2 beyond the considerations discussed here in the Evaluation Narrative.

RECOMMENDATION FOR 2023-21MPA_2

Given the considerations discussed above **CDFW recommends CFGC DENY** changing the northern boundary of Pyramid Point SMCA from the official California/Oregon state border (42°00'00'' N) to align with the on-land California/Oregon state border (41°59'55" N).

EVALUATION QUESTIONS

2023-21MPA_1_AM1: Remove recreational take allowance for true smelt in Pyramid Point SMCA and retain the existing tribal exemption for Tolowa Dee-ni' Nation.

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

Yes. The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the Network were not necessarily designed to address all six goals of the MLPA but instead act as an important component of a functioning Network that was designed to holistically address the MLPA Goals as a whole. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan Objectives.

As part of California's MPA Network, Pyramid Point SMCA was intended to meet all six MLPA Goals. The proposed change to remove the recreational take allowance for true smelt by dip net or Hawaiian type throw net, while retaining the tribal exemption for the Nation would maintain alignment with these goals and advance MLPA Goals 1, 2, 3, and 4 related to preserving natural diversity, sustaining marine life populations, protecting

marine habitats for their intrinsic and cultural value, and improving management and research opportunities.

The proposed change also aligns with the Master Plan's broader commitment to partner with California Native American tribes and tribal governments to advance MPA management and governance. The Nation has a Natural Resources (Nvn-nust-'aa~-ta) Department[9] that conducts surf smelt eDNA and habitat surveys, including sites within Pyramid Point SMCA. The Nation has expressed a desire to collect more data, especially comparative data, and states in their petition that this will "inform the development of a future conservation plan that can address habitat restoration, best management practices, and related policy and regulatory measures, backed by scientific data, to ensure that this ecological and cultural keystone species can make a robust recovery."

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

Yes. The proposed change to remove the recreational take allowance for true smelt by dip net or Hawaiian type throw net, while retaining the tribal take exemption for the Nation is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

The Nation has stewarded the area that includes Pyramid Point SMCA since time immemorial. Today, the Nation is a critical partner in marine resource management along the North Coast. In partnership with other tribes and state universities, they have provided key information that has filled gaps in the understanding of true smelt, including baseline data for spawning surf smelt (Lane 2019), population status of night smelt in Northern California (Zenobia 2024), and Tribal/Indigenous Traditional Knowledge of true smelt and other marine indicator species (Van Pelt et al. 2017). Removing recreational take of true smelt at Pyramid Point SMCA will support the Nation in their effort to steward these species and the area of Tr'uu-luu-k'wvt/Pyramid Point SMCA.

[9] Tolowa Dee-ni' Nation Marine Monitoring

See Question 2a of Attachment 1 for the Decadal Management Review and adaptive management Recommendations.

> **QUESTION 2B:** IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?
>
> **Not applicable**, as the proposed change advances adaptive management recommendations

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

No. CDFW does not anticipate that CFGC would need to make conforming changes to other regulations, permits, or leases in response to the proposed change to these MPA regulations.

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. The proposed new MPA is adjacent to Pelican State Beach, which is managed by California State Parks and designated as a State Recreation Unit under Cal. Code Regs. Tit. 14 section 4753. State Beaches are defined as "consisting of areas with frontage on the ocean, or bays designed to provide swimming boating, fishing, and other beach-oriented recreational activities." (Pub. Resources Code 5019.56). According to 'State Parks Guidelines for Creating Marine Managed Areas' (CDPR 2010),

> *"When an MPA is proposed offshore of an existing terrestrial California Park System unit, the terrestrial park's general plan and existing public use patterns should be a guiding element for the designation and shoreline boundaries of the MPA."*

While Pelican State Beach does not have an existing management plan, fishing is an allowed activity[10]. Additional coordination with State Parks would be needed to facilitate implementation of the proposed change.

[10] Pelican State Beach Information

Additionally, Clifford Kamph Memorial Park[11] (a Del Norte County Park) is adjacent to Pyramid Point SMCA; implementation of the proposed change may require coordination with Del Norte County Parks and may interact with their management activities.

These interagency considerations are in alignment with the Marine Managed Areas Improvement Act (Pub. Resources Code §§ 36601, 36800). This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

No. CDFW has sufficient information to evaluate and make a recommendation on this proposal. When evaluating this petition, CDFW reviewed the information in the petition as well as information including but not limited to:

- Tribal collaborative project, Informing the North Coast MPA Baseline, Traditional Ecological Knowledge of Keystone Marine Species and Ecosystems (2017),
- CDFW [CDFG] California Living Marine Resources Status Report (2001),
- CDFW Surf Smelt Enhanced Status Report (2021),
- CDFW Recreational Fishing Surveys,
- CDFW commercial landings data for night smelt and surf smelt through 2024, and
- The Safina Center at Stony Brook University and Monterey Bay Aquarium Seafood Watch Report for Surf smelt, California and Washington, Cast nets, Scoop nets, and Beach seines (2018).

There is a lack of recreational fishing and socioeconomic data in this region pertaining to shore-based fishing (see response to Question 15 for more details), and no formal stock assessment exists for surf smelt. However, available data and observations from Tribal/Indigenous Traditional Knowledge (Van Pelt et al 2017) and the Surf Smelt Enhanced Status Report (CDFW 2021), indicate a severe decline in the surf smelt population and fishery. Additional information indicates the fishery has not recovered to pre-2000 levels, with commercial catch remaining at lower levels through 2015, and declining since 2020 (CDFW 2021, Figure 1)[12]. These trends further substantiate the Nation's

[11] County of Del Norte Clifford Kamph Memorial Park Information

[12] While CDFW collects recreational fishing data through the California Recreational Fisheries Survey, these surveys are not intended to specifically capture recreational surf smelt harvest at the time of spawning, and thus while there are no records of any true smelt recreationally caught within the bounds of Pyramid Point SMCA, it may not accurately reflect recreational effort.

observations of "a significant decline in the returning numbers of Ihvmsr to our traditional fishing grounds."

The data described here represents a single analysis of potential impacts on fisheries in the area. The full extent of socioeconomic impacts in this area, including on fisheries, is unknown (see Question 5 in Attachment 1).

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Yes. Beginning in July 2009, CDFW and MLPA Initiative staff began discussions with north coast tribes and tribal communities regarding the MLPA Initiative North Coast planning process. Following input from tribes and guidance from the BRTF "to accommodate non-commercial, traditional subsistence, religious, cultural and other customary tribal gathering uses" (MLPAI 2010a) in MPA design, the revised Round 3 NCRSG proposal pertaining to Pyramid Point SMCA included a recreational take allowance for surf and night smelt by cast net[13] or dip net[14], in addition to several specific recreational take allowances intended to accommodate such tribal non-commercial uses, including surf smelt by beach net (i.e., seine gear; MLPAI 2010a).

The ultimate intention of the NCRSG (MLPAI 2011), which was further recommended by the BRTF (MLPAI 2010b), was that the "proposed recreational uses intended to accommodate traditional tribal uses be restricted to only tribes and tribal communities when administrative or legislative action is taken that allows only tribes and tribal communities to engage in traditional tribal uses within MPAs and SMRMAs [State Marine Recreational Managed Areas]."

During the regulatory process to adopt the NCRSG Round 3 unified proposal, three options were developed to accommodate tribal take within MPAs on the north coast. CFGC chose Tribal Option 1, which provided a pathway to exempt federally recognized tribes from MPA regulations where applicable, and asked the federally recognized tribes to submit a factual record of historic and current uses in specific geographies, other than

[13] Includes Hawaiian-type throw nets and other throw nets but not beach nets (i.e., seine gear)
[14] Include A-frame nets.

State Marine Reserves, to the CFGC within 60 days (CFGC 2011b). The CFGC received six factual records representing 24 federally recognized north coast tribes and tribal communities prior to the 60-day deadline, including from the Nation (CFGC 2012). The factual records identified 11 MPAs for tribal use with overlapping requests in some MPAs by specific tribes, including Pyramid Point SMCA. Ultimately, the Nation was the only tribe to submit a Factual Record for the area specific to Pyramid Point SMCA[15].

Although exclusive tribal access in Pyramid Point SMCA was not adopted following the North Coast planning process, the current Pyramid Point SMCA take regulations were intended to continue to allow tribal take by the Nation while being designed to meet the ecological objectives of the MPA. The proposal in petition 2023-21MPA_AM1 to remove the recreational take allowance of true smelt in Pyramid Point and retain the existing tribal take exemption for the Nation, is aligned with the intent of Pyramid Point SMCA as contemplated during the MLPA Initiative planning process.

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

Yes. Since implementation of the MPA Network, Governor Newsom's Executive Order N-15-19 (2019), the 2020 Ancestral Lands Policy (2020), and the CNRA Tribal Stewardship Policy have shaped state policy to incorporate sovereign recognition and prioritize cultural access and preservation, among many other objectives. CDFW is committed to conserve, protect, and manage the state's natural resources in consultation with California Native American tribes. Several DMR recommendations serving to advance tribal stewardship in MPA management and governance in California, include: (1) Improving state agencies' tribal engagement and relationship building efforts, (2) Creating a clear pathway to tribal MPA co-management, and (3) Building tribal capacity to participate in MPA management activities. Additionally, the California Ocean Protection Council and state agencies have formally committed to advancing these executive mandates and actively support the Tribal Marine Stewards Network, which empowers tribes to monitor ancestral waters and incorporate Traditional Ecological Knowledge into the Network's adaptive management. These efforts signal changing conditions since the MLPA Implementation Phase and clear justification in moving toward alignment with stated intentions to ultimately remove the recreational allowance

[15] Although the MLPAI North Coast Study Region Initial Statement of Reasons document lists several tribes, including Smith River Rancheria, for a tribal exemption in Pyramid Point SMCA, this was later noted as being the result of clerical error, and Smith River Rancheria was deemed the only tribe to submit a Factual Record for this specific geography.

for the public that was initially incorporated to accommodate the Nation's traditional uses.

During the regulatory process to adopt the North Coast MPAs, CFGC directed the CNRA to explore a clear pathway "to allow for the tribes to have exclusive use" within MPAs (CFGC 2011a). A working group was assembled by the Secretary of CNRA consisting of two deputy attorney generals, chief counsel for two departments, various non-legal staff, and sovereign tribal nations in the North Coast (CFGC 2011a). Multiple pathways were considered, and though a tribal exemption for the Nation was ultimately adopted for Pyramid Point SMCA, it did not provide exclusive take allowances for the tribe. The proposed change would result in the removal of the recreational take allowance for true smelt and continue the Nation's access through their existing tribal take exemption in Pyramid Point SMCA.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Yes. The proposed change aligns with the original intent of the MPA. See response to Question 7a for more information, including the BRTF's recommendation that proposed recreational uses to accommodate tribes be ultimately limited to only tribes and tribal communities.

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

No. Pyramid Point SMCA currently meets both minimum criteria (area and LOP), and thus already contributes to foundational ecological MPA Network objectives. Removing the recreational take of true smelt by dip net or Hawaiian type throw net while retaining the tribal take exemption would maintain the SMCA's design, which is aligned with the SAT Science Guidelines. The MLPA requires that the design of individual MPAs and the statewide Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The Science Guidelines developed by the SAT and outlined in the Master Plan were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with the SAT Science Guidelines established during the MLPA Initiative planning process depends on level of protection (LOP), which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least 9 square miles and meet one of the three highest levels of protection (i.e., Very High, High, or Moderate-high) to

contribute to ecological goals such as habitat replication and representation. See Question 9 of Attachment 1 for the SAT Science Guidelines and additional context.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

Yes. Pyramid Point SMCA was designed to meet the CDFW Feasibility Guidelines and the request to remove recreational take of true smelt by dip net or Hawaiian type throw net would further simplify the take regulations. In conjunction with this request, the Nation requested to reclassify the MPA to a No-take SMCA because the "designation will be clearer to [the] public, reducing violations." An SMCA (No-take) classification generally prohibits the take of living, geologic, and cultural marine resources, but allows incidental take such as dredging and maintenance to continue (CFGC 2010). However, since there is an existing tribal take exemption for the Nation at Pyramid Point SMCA, to continue alignment with the CDFW Feasibility Guidelines, the classification should remain an SMCA rather than a No-take SMCA. See Question 10a of Attachment 1 for the CDFW Feasibility Guidelines.

> ### **QUESTION 10B:** IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES?
>
> **Not applicable,** as the proposal aligns with CDFW Feasibility Guidelines.

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

Yes. Reducing take allowances and allowed activities in this MPA would maintain or improve enforceability. Removing the recreational take allowance for true smelt by dip net or Hawaiian type throw net would require fewer regulations to enforce. Additionally, the enforceability of the tribal exemption would be maintained, as no change to the exemption was requested. Increased outreach and signage could help with compliance following a regulatory change to remove the existing take allowance for the public.

The proposed tribal take exemption is supported in concept, and Cal. Code Regs. Tit. 14 section 632(a)(11) provides a definition of tribal take for certain existing MPAs. If all the requirements in the subsection are met, then enforcement of the MPA tribal exemption, including a tribal take only MPA, is possible. However, MPA tribal exemptions, including within a tribal take only MPA, can be a challenge to enforce under certain circumstances.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

Yes. The proposed change will simplify the regulations without changing the intent of the MPA by removing a section of regulations (Cal. Code Regs. Tit. 14 § 632(b)(1)(B)1) intended to be removed. During the MLPA Initiative planning process, Pyramid Point SMCA was designed to balance ecological protection with recognition of tribal cultural and subsistence access (CFGC 2011b & 2012). The original intent of the MPA was to safeguard marine resources while maintaining opportunities for tribes, including Tolowa Dee-ni' Nation (formerly Smith River Rancheria), to continue traditional, non-commercial fishing, gathering, and harvesting for subsistence, ceremonial and/or stewardship purposes (CFGC 2011b & 2012). During the MLPA Initiative planning process, the mechanism to accommodate traditional tribal uses within the MPAs was to incorporate specific non-commercial allowances, with the intent that the allowances eventually "be restricted to only tribes and tribal communities when administrative or legislative action is taken that allows only tribes and tribal communities to engage in traditional tribal uses within MPAs." (MLPA 2010b). Although the original proposed non-commercial allowance to accommodate tribal uses included the take of surf smelt by beach net, and not dip net or Hawaiian type throw net (as is currently specified in the regulations for Pyramid Point SMCA) the Nation cites in their petition, "Lhvmsr are harvested with a traditional A-frame net by the men of the society and then processed by the family members who oversee the family camp unit." A-frame nets are considered a type of dip net (MLPAI 2010a).

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. Removing the allowance for recreational take of true smelt by dip net or Hawaiian type throw net from the Pyramid Point SMCA regulations has the potential to enhance protection of true smelt, including surf smelt, and aid in the recovery of these species.

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. The proposed action would affect the consumptive activities related to the recreational take of true smelt. The degree to which recreational take of true smelt would be impacted is unclear. Due to budget constraints and other factors, beach and bank angler intercept surveys, conducted by the California Recreational Fisheries Survey to

monitor biological data and provide total catch estimates, have been intermittent across California Recreational Fisheries Survey districts and months since 2018. However, even in years when surveys occurred, survey data may not provide an accurate representation of surf smelt catches. For example, beach and bank survey effort was not designed to systematically capture recreational surf smelt harvest, which is dependent on surf smelt spawning and habitat suitability (i.e. spatiotemporal overlap in beach and bank California Recreational Fisheries Survey effort may not be a reliable representation of the times and beaches when and where surf smelt are targeted by recreational anglers).

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response. The proposed change would reduce fishing access, particularly for fishing participants associated with the coastal fishing community of Crescent City (~20 nautical miles south of area of proposed change).

Due to the remote location of this SMCA, further engagement with local community members would help clarify the extent of potential impacts to nearby coastal fishing communities.

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

No. The proposed change does not interact with or have the potential to affect proposed changes in other 2023 MPA petitions.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

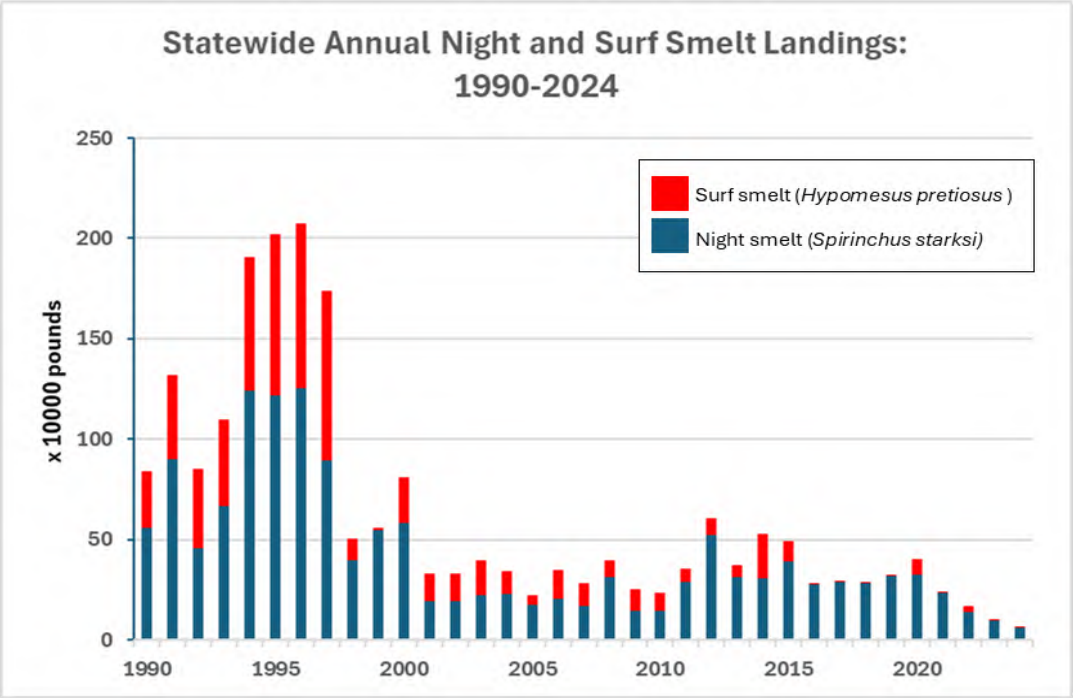


Figure 1. Trends in commercial landings (in thousands of pounds) for night smelt (*Spirinchus starksi*) and surf smelt (*Hypomesus pretiosus*) in California, 1990-2024.

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California Department of Fish and Wildlife's Evaluation of 2023 Decadal Management Review Marine Protected Area Petition:

Designate a New SMCA Near Point Sal with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore (2023-28MPA_AM2)



I. PETITION SUMMARY

CFGC Tracking Number	2023-28MPA_AM2
Petition Contact/Affiliation	Lisa Suatoni, Natural Resources Defense Council; co-sponsored by Northern Chumash Tribal Council
Number of Proposed Actions	1
Affected MPAs	Point Sal State Marine Conservation Area (SMCA; proposed new MPA)
Petition Summary	Designate a new SMCA that is just over 9 sq mi around Point Sal in central California with allowance for recreational take of finfish by hook-and-line from shore; consult with tribes to identify a traditional tribal name for the new MPA; include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base, discretionally restrict public entry, and require CDFW to develop a Memorandum of Understanding (MOU) with the Commander of Vandenberg Space Force Base for the mutually beneficial management and administration of the Point Sal SMCA; and then work to formalize an official collaborative co-stewardship agreement among CDFW, the Northern Chumash Tribal Council (NCTC), and other interested tribes.
Link to StoryMap page	2023-28MPA_AM2

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA MARINE PROTECTED AREAS

July 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the Marine Protected Area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions
2023-28MPA_AM2 Designate a new SMCA that is just over 9 sq. mi. around Point Sal in central California with allowance for recreational take of finfish by hook-and-line from shore; consult with tribes to identify a traditional tribal name for the new MPA; include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base (VSFB), discretionally restrict public entry, and require CDFW to develop a Memorandum of Understanding (MOU) with the Commander of VSFB for the mutually beneficial management and administration of the Point Sal SMCA; and then work to formalize an official collaborative co-stewardship agreement among CDFW, the Northern Chumash Tribal Council (NCTC), and other interested tribes.	The petitioner states that the goals of the proposed change are to, "(1) advance Tribal co-stewardship and MPA management through a collaborative co-stewardship approach with the Northern Chumash Tribal Council, (2) protect this rich and productive ecosystem and the biodiversity found within, (3) to protect this larval retention zone and the connectivity dynamics within the region, and (4) to enhance the climate resilience of the broader state MPA network." The petitioners included regulatory language regarding VSFB following conversations with officials at VSFB to accommodate base activities.

CDFW Recommendation and Brief Justification

Support with an Alternative Pathway the non-regulatory request to advance co-management.

At the April 2026 CFGC Tribal Committee meeting, the tribe confirmed the intent is to pursue co-management with CDFW through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking.

The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, and consistent with these priority recommendations from the DMR, CDFW is committed to exploring opportunities for co-management and co-stewardship of California's MPAs as well as within areas outside MPA boundaries with NCTC and other interested tribes. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process and could likely occur on a faster timeline than through the adoption of new MPAs through the CFGC's regulatory process.

Regarding the regulatory request in 2023-28MPA_AM2 to establish a new SMCA around Point Sal that allows recreational take of finfish by hook-and-line from shore:

CDFW was tasked with evaluating the 2023 Bin 2 MPA petitions using guidance from the Marine Life Protection Act (MLPA), Master Plan, DMR recommendations, and the approved evaluation framework. CDFW thoroughly evaluated this petition within the framework adopted by CFGC and presents the available information here. An MPA was considered at Point Sal during the MLPA Planning Process but was not selected, in part due to socioeconomic considerations. As proposed, the Point Sal MPA would not enhance MPA Network design beyond what the current MPA Network offers because of the Moderate-low Level of Protection (LOP). However, there are alternative designations that can be

used to recognize the cultural significance of the location or that would offer greater ecological protections than the proposed SMCA, consistent with Science Advisory Team (SAT) Science Guidelines established during the MLPA Initiative planning process (i.e., SMR, Special Closure). The various designations (i.e., SMCA as proposed, SMCPA, MPA with at least a Moderate-high LOP, and Special Closure) meet different objectives and there are tradeoffs among the alternatives that CFGC will need to consider (e.g., robust ecological protections would limit tribal take and recreational and commercial fishing) (See Table 1). Below are CDFW's findings after applying the approved Evaluation Framework, followed by Table 1 with considerations for the proposed new Point Sal SMCA compared to alternatives that would better meet the petitioner's stated objectives in a manner that is consistent with the SAT Science Guidelines and CDFW Feasibility Guidelines (CDFW 2010), concluding with a list of potential CFGC actions related to this petition.

CDFW recommends CFGC consider the following:

The proposed SMCA currently includes an allowance for recreational take of finfish by hook-and-line from shore, which is an activity with an assigned Moderate-low LOP. As proposed, the SMCA would offer minimal additional protections relative to the ecological goals described in the petition. Section II of CDFW Feasibility Guidelines (MLPA Goals, Regional Objectives and Site Specific Rationale; CDFW 2010) state that the proposed goals and regional objectives should be consistent with SAT Scientific Guidelines and that the objectives identified for each MPA should be consistent with the design and the allowed take. The MLPA Goals and site-specific objectives identified in the petition for the proposed SMCA are not aligned with the proposed take regulations (e.g., ecological Goals 1 and 2 cannot be attributed to an MPA with an assigned LOP below Moderate-high). The proposed MPA would need to be redesigned to meet the stated goals in the petition and ensure alignment with the SAT Science Guidelines and CDFW Feasibility Guidelines (CDFW 2010). A State Marine Reserve (SMR) with a Very High LOP or a highly protected SMCA (at least a Moderate-high LOP) would align with Goals 1 and 2 by offering stronger protection and would serve as a backbone MPA and add three habitat replicates (i.e., rocky intertidal, beach, and nearshore soft substrate habitat). However, these habitats are currently well replicated in this region of the MPA Network (Table 2), so the extent to which an additional highly protected MPA would enhance local protection or regional connectivity would warrant additional site-specific ecological monitoring data. A reevaluation of MPA Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and MPA Network performance, but this is currently a data gap.

The proposed new SMCA at Point Sal would limit NCTC's and other tribes' ability to continue subsistence practices and cultural harvest other than hook-and-line fishing for

finfish from shore. As proposed, the SMCA would prohibit shore-based recreational take of other species (e.g., seaweed and invertebrates such as crab and mussels), as well as offshore/boat fishing. Modifying the proposed SMCA design to provide additional take allowances for NCTC and other non-federally recognized tribes would further diverge from the MPA's ability to meet the ecological goals stated in the petition (MLPA Goals 1 and 2). In contrast, designing the MPA to meet ecological objectives would require an SMCA design with at least a Moderate-high LOP or an SMR with a Very High LOP. Both of these designations would further limit tribal take, including take associated with any cultural or subsistence practices, unless a federally-recognized tribe seeks, and CFGC approves, a tribal take exemption within a SMCA. Current legislative and regulatory frameworks provide pathways for tribal take exemptions for federally recognized tribes (25 C.F.R. § 83, Cal. Code Regs., tit. 14 § 632, subd. (a)(11)). No such pathway exists for non-federally recognized tribes. It is unclear how the proposed change may affect other tribal management and monitoring activities.

The proposed new SMCA at Point Sal was considered in context of potential benefits to the existing MPA Network. The proposed new MPA at Point Sal would be in an area of coastline that is not currently deficient in meeting SAT Science Guidelines for habitat replication or protection. The closest backbone MPAs containing key habitats that would be replicated in the proposed Point Sal SMCA are Vandenberg SMR 10.4 miles south and the Point Buchon SMR/SMCA cluster 19.4 miles north of the proposed Point Sal SMCA. These backbone MPAs are spaced 32.5 miles apart, which is within the recommended spacing interval of 31-62 miles. Additionally, although the proposed MPA exceeds the size threshold of 9 square miles, it does not meet the LOP criterion of Moderate-high or above required by the SAT Science Guidelines. The MPA as proposed would not serve as a backbone MPA and thus would not enhance MPA Network design as defined against Science Guidelines. Additional data are needed to determine if an MPA at this location with a High or Very High LOP would produce meaningful ecological benefits beyond what is achieved by the existing science-based design.

CDFW considered this proposed change in context of the other proposed actions in the 14 other 2023 Bin 2 MPA Petitions. While some adjacent proposals preserve regional protections, the petitions for the Vandenberg SMR propose decreased protections. The petitions for Vandenberg SMR propose adding an allowance for shore-based hook-and-line fishing, which would lower its LOP such that it would lose its status as a backbone MPA. In contrast, to the north, the proposal for Point Buchon SMR preserves its backbone status and the new Chitqawi SMCA introduces new protections but not a new backbone MPA as currently proposed because it is not at least 9 sq. mi.; to the south, the proposal for Point Conception SMR expands its boundaries. CFGC may need to consider the sequencing of their decision-making for the petitions in this region, particularly for this petition where there may be interplay with decisions for other petitions.

A Special Closure designation would be the most appropriate mechanism to address the concerns raised in the petition regarding birds and pinniped populations utilizing the area around Lion Rock at Point Sal. California MPA designations are not effective tools when the primary objective is to protect these species from human disturbance because MPAs do not limit access to the areas like Special Closures do. The CDFW Feasibility Guidelines state, a "Special Closures should only be proposed if other state and federal regulations are inadequate to provide protections to marine species. Proposed Special Closures should include information on the rationale behind the proposal, species involved, and specific information on why other existing state and federal protections (including the establishment of an MPA) are not adequate." (CDFW 2010) Although this designation is the most appropriate designation to offer additional protections for birds and/or pinnipeds, CDFW does not have site-specific data documenting that other state and federal protections are not adequate to protect birds and pinnipeds in this area.

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Establishing an SMR or SMCA would not limit recreational access, but a special closure would. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

The request to add the proposed language regarding VSFB is not needed in Cal. Code Regs. tit. 14, section 632 because: (1) Cal. Code Regs. tit. 14, section 632, subd. (a) already includes provisions to accommodate "uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents," including VSFB; (2) CDFW and VSFB have existing authorities to periodically restrict access to areas, so the language would be redundant; and (3) The directive for CDFW and VSFB to develop an MOU is non-regulatory and CDFW could work with VSFB to amend the existing MOU with VSFB that covers Vandenberg SMR if another MPA is established adjacent to the base.

The proposed Point Sal SMCA has the potential to adversely impact the commercial nearshore groundfish fishery, Commercial Passenger Fishing Vessel (CPFV) fleet, and private boat anglers operating out of Morro Bay area ports. Spatial trends in average catch per angler between 2016 and 2024 from the California Recreational Fisheries Survey (CRFS) indicate the area is heavily used by private boat anglers. Although a summary of potential socioeconomic impacts to fisheries is provided in Question 15, a

thorough analysis of socioeconomic and fiscal impacts was outside the scope of this petition process. CFGC staff may need to conduct additional local outreach to tribes and all interested parties, including, but not limited to, individuals from the sport and commercial fishing industries, aquaculture industries, coastal and ocean tourism and recreation industries, marine conservation organizations, local governments, marine scientists, and the public.

An MPA in this area was considered during the MLPA Initiative planning process and intentionally not adopted, in part due to socioeconomic considerations. These socioeconomic concerns are likely still relevant today, but a detailed socioeconomic analysis has not been conducted. Beyond the unknown socioeconomic and fiscal impacts, there are additional gaps in information, including data demonstrating the need for a place-based MPA (e.g., significance of the larval retention zone) or Special Closure.

Table 1. A comparison of the proposed new Point Sal MPA that would allow recreational take of finfish by hook-and-line from shore (2023-28_AM2 Point Sal SMCA), and Potential Alternative designations/designs, including a Point Sal State Marine Cultural Preservation Area, a Point Sal SMR or an SMCA at least 9 sq. mi with at least a Moderate-high LOP, and a Special Closure around Lion Rock for birds and pinnipeds.

Considerations	2023-28MPA_AM2	Potential Alternatives		
	Proposed Point Sal SMCA	Point Sal SMCPA	Point Sal SMR/Mod-High LOP SMCA	Lion Rock Special Closure
Acknowledges the cultural importance of the area to NCTC	No	Yes[1]	No	No
Allows take by California Native American tribes, including take associated with any cultural or subsistence practices	Limited take[2]	Yes	No/ Limited Take[3]	No
Has the potential to preserve marine cultural heritage by prohibiting take of cultural marine resources	Yes	Yes	Yes	Yes
Would enhance MPA Network connectivity	No	No	Unknown[4]	No
Meets SAT Science Guidelines for a backbone MPA	No	No	Yes[5]	No

[1] An SMCPA designation is a pathway to acknowledge the cultural importance of the area to NCTC but could also to acknowledge the cultural importance of the area to other California Native American tribes pending consultation.

[2] California Native American tribes would be limited to harvesting finfish by hook-and-line from shore

[3] The SMR would prohibit tribal take, including take associated with any cultural or subsistence practices, unless a federally-recognized tribe seeks, and CFGC approves, a tribal take exemption. An SMCA with a Moderate-high LOP would have limited take.

[4] A reevaluation of MPA Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and MPA Network performance

[5] As a backbone MPA (>9 sq. mi. and at least Moderate-high LOP), the MPA would add 3 habitat replicates (Table 2), but these habitats are already well represented in this region.

Considerations	2023-28MPA_AM2	Potential Alternatives		
	Proposed Point Sal SMCA	Point Sal SMCPA	Point Sal SMR/Mod-High LOP SMCA	Lion Rock Special Closure
Meets CDFW Feasibility Guideline: MLPA Goals, Regional Objectives and Site-Specific Rationale	No[6]	NA	Yes	Yes
(a) Addresses a place-based ecological objective, and (b) There is site-specific data that supports an ecological need for establishing an MPA or Special Closure	No No	No NA	Yes No	Yes No
Direct benefits to birds or pinnipeds	No	No	No	Yes
Allows recreational fishing	Yes[7]	Yes[7]	No	No[8]
Allows commercial fishing	No	Yes	No	No
Allows recreational access (e.g., kayaking, motorized boats)	Yes	Yes	Yes	No
Anticipated socioeconomic impacts	Yes	No	Yes	Yes

[6] To ensure alignment with the SAT Science Guidelines and Feasibility Guidelines (CDFW 2010) and meet the stated goals 1 and 2 in the petition, the MPA would need to be redesigned as a State Marine Reserve (SMR) with a Very High LOP or a highly protected SMCA (at least a Moderate-high LOP).

[7] Recreational fishing could continue as is if an SMCPA were designated. The SMCA would allow recreational take of finfish by hook-and-line from shore. All other shore-based take (e.g., geological, seaweed, and invertebrates such as crabs and mussels) and boat-based take would be prohibited.

[8] Recreational and commercial fishing and recreational access would be prohibited in the area within 300 or 1000 feet around Lion Rock, not the 9.27 sq mi area.

Given the considerations above and in the evaluation, CFGC could consider the following options:

1. **Support with Alternative Pathway**: Request CDFW engage with the NCTC, other interested tribes, and California State Parks to explore designating the area as a **State Marine Cultural Preservation Area** to acknowledge the cultural significance of the area, rather than establishing a new MPA.
2. **Grant with Alternative Pathway, Point Sal SMR or a SMCA with at least Moderate-high LOP:** Establish a new MPA at Point Sal and request CDFW identify northern and southern boundaries that are better aligned with Feasibility Guidelines rather than the proposed boundaries in 2023-28MPA_AM2.
3. **Grant with Alternative Pathway, Special Closure Lion Rock:** Establish a new Special Closure around Lion Rock for birds and pinnipeds. This alternative could be considered on its own or as an add-on to Options (1), (2), and (4).
4. **Grant in Concept Point Sal SMCA:** Establish a new SMCA at Point Sal as proposed in 2023-28MPA_AM2 that allows recreational take of finfish by hook-and-line from shore (Moderate-low LOP) and request CDFW identify northern and southern boundaries that are better aligned with Feasibility Guidelines rather than the proposed boundaries in 2023-28MPA_AM2.
5. **Deny**: do not establish a new SMCA (or SMR or Special Closure) at Point Sal.

Finally, the petition included a request to "rename the Point Sal State Marine Conservation Area with a Chumash place name after further consultation with other Chumash Tribes in the region." If CFGC grants a newly designated area, CDFW recommends CFGC work with NCTC and other tribes as appropriate to identify a name that aligns with CFGC's Naming Protected Area Policy, which states, "When identifying the name for, or an opportunity to rename, a protected area, the Commission and Department will invite tribes with ancestral ties to that area to engage in meaningful information-sharing about the cultural significance of the area, and to identify traditional or contemporary tribal names for the area. In selecting a name, the Commission will give significant weight to tribally-identified names, with particular emphasis on restoring tribal place names. In its selection, the Commission may consider combining the tribal place name with a currently used name that is understandable and locatable, as appropriate, to ensure accessibility and identification by the broader public while restoring tribal heritage recognition."

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes[9] (tribes) throughout the petition process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework.

WAS THE PETITION SUBMITTED BY A CALIFORNIA NATIVE AMERICAN TRIBE, REPRESENTATIVE DESIGNATED BY A TRIBE OR TRIBAL ORGANIZATION, OR HAVE A TRIBAL CO-SPONSOR?

Yes, this petition was submitted by the Natural Resources Defense Council (NRDC) and co-sponsored by the Northern Chumash Tribal Council (hereafter referred to as NCTC when referring to the tribe or as petitioners when referring to NCTC and NRDC).

IF YES, (a) DOES THE PROPOSED CHANGE EXPLICITLY AIM TO ADVANCE TRIBAL CO-MANAGEMENT, SUBSISTENCE HARVESTING, STEWARDSHIP, AND/OR PROVIDE A TRIBAL BENEFIT THROUGH RECOGNIZING THE CULTURAL SIGNIFICANCE OF AN AREA?

Yes, the petition aims to provide a tribal benefit by recognizing the cultural significance of the area and advance tribal co-management and marine stewardship through the development of an agreement among CDFW, NCTC, and other interested tribes. The petitioners state that:

> *"Point Sal also holds cultural significance for the Chumash people, with evidence of their occupation as recently as 250 years ago and as far back as 4,800 years ago; Chumash artifacts are visible throughout Point Sal, and analyses of burial sites from the area demonstrate the rich cultural ties to the traditional stewards of this land. Furthermore, Point Sal is still of importance to the Chumash people who visit and use the area today. Protecting the marine waters and coastal resources of Point Sal would help to recognize its value as a cultural heritage site that still contributes to the identity, sense of place, and cultural and subsistence practices for many of the Indigenous people of Central California today. Cosponsored by the Northern Chumash Tribal Council, the Point Sal SMCA seeks to advance Tribal co-stewardship and management of a California MPA."*

[9] California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

(b) IS THE PROPOSED REGULATORY CHANGE EXPLICITLY LINKED TO A TRIBE OR TRIBES (I.E., TRIBAL EXEMPTION, TRIBAL TAKE ONLY MPA, OR NEW MPA FOR CO-MANAGEMENT)?

Yes, the petitioners propose a regulatory change to create a new SMCA at Point Sal and consult with tribes to identify a traditional tribal name for the new MPA to, "advance Tribal co-stewardship and MPA management through a collaborative co-stewardship approach with the Northern Chumash Tribal Council." The petition includes a non-regulatory request to formalize an official collaborative co-stewardship agreement among CDFW, NCTC, and other interested tribes.

IV. PETITION EVALUATION

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-28MPA_AM2

The petition proposes to: establish a new SMCA that is 9.27[10] sq miles around Point Sal in the Central Coast region that would prohibit all take except for the recreational take of finfish by hook-and-line from shore; consult with tribes to identify a traditional tribal name for the new MPA; and include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base (VSFB) which is 10.4 miles south of the proposed MPA, discretionally restrict public entry, and require CDFW to develop a Memorandum of Understanding (MOU) with the Commander of VSFB for the mutually beneficial management and administration of the Point Sal SMCA. The petition also includes a recommendation, "that the state consult with local Indigenous communities and Tribes to explore co-management options for the Point Sal SMCA before designation" and to work to formalize an official collaborative co-stewardship agreement among CDFW, NCTC, and other interested tribes.

The new SMCA is intended to:

> "(1) advance Tribal co-stewardship and MPA management through a collaborative co-stewardship approach with the Northern Chumash Tribal Council,
>
> (2) protect this rich and productive ecosystem and biodiversity found within,
>
> (3) protect an important larval retention zone and enhance the connectivity dynamics within the region, and
>
> (4) enhance the climate resilience of the broader state MPA network."

[10] The petition, 2023-28MPA_AM2, states that the proposed new Point Sal SMCA would be 9.18 sq. mi. Using the coordinates provided in the petition along with CDFW standard jurisdictional layers in ArcGIS, CDFW determined the area of the proposed new SMCA to be 9.27 sq. mi. The discrepancy is likely the result of using different layers for delineating the shoreline.

The petition originally proposed to establish a State Marine Reserve (SMR). The petition was amended March 14, 2025, to add an allowance for recreational take of finfish from shore using hook-and-line, with a corresponding change to the proposed designation from SMR to SMCA (2023-28MPA_AM1). In November 2025, the petitioners submitted a letter to CFGC indicating NCTC was formally cosponsoring the petition and requested amendments to the petition to change the boundary and add language regarding VSFB. The CFGC Tribal Committee and CFGC accepted the petition as a Tribally-led petition at the December 2025 meeting; however, the additional amendments were not accepted or referred to CDFW at that time.

At the April 2026 CFGC Tribal Committee meeting, the petitioners requested CFGC reconsider the November 2025 amendments to add language related to VSFB (see VSFB section below) and move the southern boundary approximately one mile north to "avoid conflicts with existing mission-critical operations of [VSFB]." CFGC accepted and referred the November 2025 amendments to CDFW for evaluation in April 2026 (2023-28MPA_AM2). This is an evaluation of the petition as amended in April 2026, including:

- The non-regulatory request to develop a Tribal co-management agreement with NCTC and other tribes, and
- The regulatory request to establish a new 9.27 sq. mi. SMCA at Point Sal that allows for the recreational take of finfish by hook-and-line from shore with the following boundaries:
  - 34.895212665° N lat. 120.731972573° W long. (southwest corner)
  - 34.929894739° N lat. 120.727488272° W long. (northwest corner)
  - 34.930008197° N lat. 120.666597401° W long. (northeast corner)
  - 34.895212665° N lat. 120.642637239° W long. (southeast corner)

Tribal Co-management and Cultural Considerations

The petition highlights the cultural significance of the Point Sal area and its importance to the tribal communities who have stewarded the area since time immemorial. Evidence of this presence throughout history is so abundant that the U.S. Bureau of Land Management (BLM) manages a 77-acre landside portion of this area as an Area of Critical Environmental Concern to protect these important cultural resources. CDFW recognizes and respects NCTC's longstanding connections with the area. Consistent with DMR priority recommendations for improving tribal coordination and strengthening tribal engagement in MPA governance, CDFW is committed to advancing collaborative stewardship and co-management opportunities with NCTC and other interested tribes in California.

Successful co-management efforts typically share several components, such as clearly defined governance structures, shared management objectives, long-term trust building, and the integration of multiple worldviews and knowledge systems (Armitage et al. 2009, Berkes 2009, Ban et al. 2018, Warrior et al. 2022). In practice, this involves shared responsibility for management activities, such as monitoring, enforcement, and outreach, established through agreements developed collaboratively with tribes on a direct government-to-government basis (Berkes 2009, Ban et al. 2018, Artelle et al. 2019, Murray 2023).

Consistent with this broader understanding, CFGC defines co-management as a collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area, or set of natural resources. Importantly, these frameworks do not necessarily require regulatory or legislative changes; depending on the nature of the activities, they may be established through informal partnerships or non-regulatory formal agreements (e.g., MOU).

Co-sponsorship of the petition by NCTC was formally accepted by CFGC in December 2025. As stated in the petition, "[as] part of NCTC's ongoing leadership in Chumash stewardship of California's marine resources, we are committed to garnering strong protections for the sacred and culturally important waters of Point Sal." The petitioners also "request that upon designation of this SMCA, CDFW work to formalize an official collaborative co-stewardship agreement with NCTC and other interested [t]ribes." The petition identifies several desired outcomes of co-stewardship, including incorporation of indigenous knowledge into MPA management, meaningful tribal participation in stewardship activities, support for tribal engagement, and facilitation of cultural access and activities within the MPA.

CDFW shares the petitioners' goals of advancing tribal stewardship and co-management and is committed to continuing to work with tribes towards collaborative, government-to-government co-management agreements. As this is a non-regulatory request, CDFW may pursue these agreements with tribes independently of the CFGC petition process, which has the benefit of greater flexibility that provides enhanced opportunities for tribal engagement, partnership-building, and integration of traditional ecological knowledge into durable co-management structures, likely on timelines faster than could be achieved through the CFGC's regulatory program. The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following

DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022). These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process and could likely occur on a faster timeline than adoption of new MPAs through CFGC's regulatory process.

State Marine Cultural Preservation Areas

The petition highlights the historical and cultural importance of the Point Sal area, stating that, "Protecting the marine waters and coastal resources of Point Sal would help to recognize its value as a cultural heritage site that still contributes to the identity and sense of place, and cultural and subsistence practices for many of the Indigenous people of Central California today." These are important considerations that warrant continued research and engagement. Consideration of marine cultural heritage is also consistent with broader state efforts to better represent the cultural and historical significance of coastal areas. DMR Recommendation 24 highlights the importance of incorporating marine cultural heritage into MPA Network design and management, reflecting the recognition that the cultural significance of the coast could be better represented in the MPA Network. Similarly, California State Parks seeks to preserve examples of the state's diverse cultural heritage, particularly along underrepresented themes such as settlement and subsistence patterns associated with coastal prehistoric villages and tribal maritime exploration[11].

Given the petition's emphasis on cultural recognition and preservation, an alternative designation that may warrant consideration is a State Marine Cultural Preservation Area (SMCPA). An SMCPA is one of 6 Marine Managed Areas defined and established in the Marine Managed Areas Improvement Act (MMAIA, Pub. Resources Code, §§ 36600-36900). In contrast to an MPA, an SMCPA is specifically intended to preserve "cultural objects or sites of historical, archaeological, or scientific interest in marine areas," which could serve as a complement to the existing landside BLM protection. SMCPAs are designated by the California State Park and Recreation Commission and either managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA[12].

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[11] California State Parks Significant Cultural Resource Properties

[12] Per the MMAIA (Pub. Resources Code § 36700), an area can be designated under more than one classification. Therefore, a defined geographic area could be designated as a standalone SMCPA or may be co-designated with an MPA classification (e.g., SMR, SMP, or SMCA).

This designation may provide an effective mechanism for recognizing and preserving the cultural significance of the area while continuing to explore opportunities for tribal co-management. SMCPAs prohibit the damage, take, or possession of cultural resources, and these protections apply to the cultural resources of any tribe, regardless of federal recognition status.

Importantly, SMCPA designation does not restrict consumptive uses, so it could be a more inclusive approach to highlighting the cultural importance of this area while maintaining existing fishing access. In contrast, implementation of the proposed Point Sal SMCA would limit access to marine resources that are currently available for recreational, traditional, ceremonial, or subsistence purposes that involve take. The petitioners identified supporting cultural access and activities within the MPA as a desired co-stewardship objective. However, except for recreational take of finfish from shore using hook-and-line, the proposed regulations would prohibit all take for all users regardless of tribal status or affiliation. This includes prohibiting shore-based recreational take of other species (e.g., seaweed and invertebrates such as crab and mussels), as well as boat fishing. Even if the proposed SMCA design were modified to provide additional take allowances to accommodate NCTC and other non-federally recognized tribes, the proposal would further diverge from the MPA's ability to meet the ecological goals stated in the petition (MLPA Goals 1 and 2). Designing the MPA to meet ecological objectives would require an SMCA design with at least a Moderate-high LOP or an SMR, but these designations would further limit tribal take, including take associated with any cultural or subsistence practices, unless a federally-recognized tribe seeks, and CFGC approves, a tribal take exemption. Current legislative and regulatory frameworks provide pathways for tribal take exemptions for federally recognized tribes (25 C.F.R. § 83, Cal. Code Regs., tit. 14 § 632, subd. (a)(11)). No such pathway exists for non-federally recognized tribes. Designation of an SMCPA, on the other hand, could recognize and protect the cultural significance of the area and complement BLM landside protection while maintaining existing fishing access. Such a designation could also support continued exploration of co-management opportunities and contribute to MPA Network achievement of Marine Life Protection Act (MLPA) Goals 3-6.

Local Ecological Significance

Consistent with the MLPA, California's existing system of MPAs was redesigned to increase its coherence and effectiveness for protecting the state's marine life, habitats, and ecosystems. Although the core MPA Network is designed as an interconnected series of backbone MPAs, there are also some MPAs that were established to address place-based needs, such as local "ecologically important areas and areas of key human interest" that may still contribute to the overall MPA Network (CDFW 2008). For example, Gerstle Cove SMR (0.01 sq. mi.) and Natural Bridges State Marine Reserve (0.25 sq. mi.)

were established to protect locally significant rocky intertidal habitats without serving as MPA backbones. Similarly, Matlahuayl SMR (1.04 sq. mi.) was retained in the MPA Network to encompass an ecologically important area that has been protected since 1929. Given that "individual MPAs may serve varied primary purposes while collectively achieving the overall goals and guidelines" of the MLPA (Fish & G. Code, § 2857, subd. (c)), establishment of a new MPA could be appropriate where there is compelling rationale for localized protection or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network (Goal 4).

The ecological significance of Point Sal is currently recognized by several marine and terrestrial designations. The proposed new Point Sal SMCA would be within the Chumash Heritage National Marine Sanctuary. National Marine Sanctuaries are areas designated to protect nationally significant natural, cultural, and historical resources. BLM manages the Point Sal promontory (headland) as an Area of Critical Environmental Concern due to its fragile ecosystems, wildlife, and cultural resources[13]. The Santa Barbara County Parks Department manages the 130 acres of Point Sal land conserved by The Land Trust for Santa Barbara County, including trails, wetlands, and coastal habitats[14]. Point Sal State Beach, a California State Park, encompasses about 80 acres, including a little over one and a half miles of shoreline, onshore of the proposed Point Sal SMCA[15]. This location presents a potential opportunity to have a land and sea connection with onshore and offshore ecological protected areas.

Several characteristics contribute to the ecological significance of the Point Sal area. It occurs near a marine biogeographic transition zone associated with Point Conception, where cold-temperate and warm-temperate species of the northeastern Pacific overlap (Cudaback et al. 2005, Pitz et al. 2020, Kumar et al. 2021, Miller 2023). Species and communities that are characteristic of both northern and southern California co-occur in this region, contributing to high biodiversity and ecological complexity. The diverse mosaic of habitats found in the area include rocky intertidal, shallow and deep rocky reef, and extensive sandy bottom in both the shallow and deeper subtidal. This habitat diversity supports a broad range of species, including rockfish and invertebrates associated with rocky reef, and demersal species occupying sandy substrates (NCCOS 2007, NOAA 2008, Raimondi et al. 1999). Offshore rocks, including Lion Rock, provide important haul-out habitat for pinnipeds and roosting or breeding habitat for seabirds, while surrounding waters are used by a variety of marine mammals for foraging and migration (Mason et al. 2007, Capitolo et al. 2011, Robinette and Acosta 2011, Capitolo et al.

[13] https://www.blm.gov/visit/point-sal
[14] https://www.sblandtrust.org/land/point-sal-santa-maria-area/
[15] Point Sal State Beach

2012, Robinette et al. 2012, Robinette et al. 2013, Santora and Sydeman 2015, CDFW OSPR 2018, NMFS 2024, USSF 2025).

The petition identified localized concerns regarding disturbance to pinnipeds and seabirds using Lion Rock, which is located within the proposed SMCA boundaries. MPA designation affects take of living, geological, or cultural resources but does not limit public access, boating, or anchoring. Given that marine mammals are protected by the Marine Mammal Protection Act and take of seabirds is generally not permitted, MPA designation is unlikely to provide additional protection to these species. If disturbance to these populations is a primary concern, a Special Closure designation, which restricts access to the waters in the immediate vicinity of Lion Rock, would be a more appropriate management approach. CFGC can designate a Special Closure to prohibit access or restrict boating activities in waters adjacent to seabird rookeries or marine mammal haul-out sites. The Feasibility Guidelines state, a "Special Closures should only be proposed if other state and federal regulations are inadequate to provide protections to marine species. Proposed Special Closures should include information on the rationale behind the proposal, species involved, and specific information on why other existing state and federal protections (including the establishment of an MPA) are not adequate." (CDFW 2010). CDFW does not have site-specific data documenting that other state and federal protections are not adequate to protect birds and pinnipeds in this area but wanted to identify this designation as the appropriate designation to offer additional protections for birds and/or pinnipeds. CFGC has established 14 Special Closures for relatively small, discrete marine areas to achieve the goals of the MLPA (CDFW 2016).

The waters in this area exhibit particularly complex oceanographic dynamics (Cudaback et al. 2005, Kumar et al. 2021). Local circulation and retention patterns are influenced by the promontory, which in turn affects the transport of larvae and nutrients and contributes to broader regional connectivity patterns (Wing et al. 1995, Graham and Largier 1997, Mace and Morgan 2006). Studies of seabird foraging at Point Sal suggest the headland may concentrate juvenile fish in the lee relative to adjacent open-coast areas (Ford et al. 2004, NCCOS 2005, Robinette et al. 2019), indicating that local conditions contribute to high productivity supporting a diverse food web that includes marine mammals and seabirds.

Among the biodiversity in the Point Sal region are several threatened or endangered marine species known to visit seasonally and/or have critical habitat in the area. These include blue whale, *Balaenoptera musculus*; humpback whale, *Megaptera novaeangliae;* southern sea otter, *Enhydra lutris*; leatherback sea turtle, *Dermochelys coriacea;* and black abalone, *Haliotis cracherodii* (CDFW OSPR 2018). Both blue and humpback whales are listed as endangered under the federal Endangered Species Act (ESA), while the southern sea otter is listed as threatened under the ESA. The leatherback sea turtle and

black abalone are both listed as endangered under the federal ESA and the California Endangered Species Act (CESA). California least tern (*Sternula antillarum browni*) are protected as an endangered species under ESA and CESA, while Western snowy plover (*Charadrius nivosus nivosus*) is listed as threatened under ESA. By providing seasonal sanctuary and safeguarding critical habitat for these species, designating a new highly protected MPA at Point Sal would advance Goal 2 of the MLPA, which explicitly aims to "help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted." During the South Coast planning process, the Science Advisory Team (SAT) provided the following guidance, “any protection given to [highly mobile forage species such as anchovies, squid, and krill] will ultimately translate into added marine bird and mammal protection” (MLPAI 2009). Thus, an argument could be made that MPA protection of important forage species in this location could offer indirect benefits to these populations by protecting forage species, particularly during breeding and/or nesting seasons when animals are foraging close to shore (Micheli et al. 2005, Villamoor and Becerro 2012, Eger and Baum 2020).

Portions of the biogeographic transition zone surrounding Point Sal are protected in the 32.9-sq. mi. Vandenberg SMR and the 22.5-sq. mi. Point Conception SMR, located 10.4 and 33.2 miles south, respectively, from the proposed Point Sal SMCA. Additionally, VSFB and Vandenberg SMR may offer the same land and sea connection with onshore and offshore ecological protected areas, as the VSFB restricts terrestrial access, although the nature and extent of the impacts of military activities on these protected areas is unknown. Several ecological processes and features discussed in the petition, including coastal upwelling, krill hotspots, and marine mammal foraging and migration areas, occur at regional scales that extend far beyond the proposed SMCA’s boundaries. Lastly, while there is a larval retention zone in the area, the significance and magnitude of the potential larval contributions derived from protecting this area are unknown.

Section II of Feasibility Guidelines (MLPA Goals, Regional Objectives and Site-Specific Rationale; CDFW 2010) state that the proposed goals and regional objectives should be consistent with SAT Scientific Guidelines and that the objectives identified for each MPA should be consistent with the design and the allowed take. Ultimately, the goals described in the petition, including to “protect this rich and productive ecosystem and biodiversity found within” and “protect an important larval retention zone and enhance the connectivity dynamics within the region,” are ecological objectives associated with higher levels of protection (i.e., MLPA Goals 1 and 2). A Moderate-low SMCA would not contribute to habitat replication within the MPA Network and relative to an SMR, has a lower probability of enhancing MPA Network connectivity, as described in the SAT Science Guidelines established during the MLPA Initiative planning process. Consequently, if CFGC determines that establishment of an additional MPA at Point Sal is warranted to achieve

these ecological objectives, a designation providing at least a Moderate-high Level of Protection (LOP) would more closely align with those objectives.

Habitat Protection and Network Design

The Point Sal area is ecologically valuable and there are benefits to siting MPAs near terrestrial protected areas. However, the available information does not demonstrate how designation of a new partial take SMCA at this location would meaningfully improve the structure or function of the existing MPA Network or achieve the site-specific ecological goals sought by the petitioner. As noted above, three of the four goals of the proposed MPA are to protect the productive ecosystem and rich biodiversity found locally, as well as to protect the larval retention zone and support the broader connectivity dynamics region wide. These objectives are consistent with MLPA Goals 1, 2, and 6, but the proposed design conflicts with meeting those stated objectives. First, as noted above, according to the SAT Science Guidelines, MLPA Goals 1 and 2 should not be attributed to an MPA having an assigned LOP below Moderate-high. Second, MLPA Goal 6 is to ensure that MPAs are designed, to the extent possible, as a component of a statewide network. While the proposed MPA would include a range of habitat types, these habitats are not currently underrepresented within the existing MPA Network, and the petition does not demonstrate that additional protection at this location would address a specific deficiency in current MPA Network design.

The existing MPA Network meets the SAT Science Guidelines in this portion of the coast. MPAs that meet the minimum size threshold and one of the three highest LOPs (i.e., Very High, High, or Moderate-high) are referred to as backbone MPAs because they are considered to provide substantial ecological benefits to the connected MPA Network. Although the proposed Point Sal SMCA exceeds the minimum size threshold at 9.27 square miles, the proposed take allowance for recreational finfish by hook-and-line from shore corresponds to a Moderate-low LOP (see response to Question 13 for more information).

The Moderate-low LOP applies regardless of current levels of use or access. During the MLPA Initiative planning process, the SAT took a standardized and precautionary approach to applying LOPs across the state, including considering a maximum plausible intensity for any given proposed activity within MPAs. Point Sal State Beach is currently only accessible via the 12-mile round trip Point Sal Trail because the road has been closed since 2008, making access challenging. However, the petition states, “In addition to the designation of a new Point Sal SMCA, we urge the state to redouble its efforts to provide access to Point Sal State Beach by reopening Point Sal Road.” Given the LOP is based on types of allowed activities rather than current or expected intensity of those uses, the proposed new SMCA would have a Moderate-low LOP to ensure consistency with the precautionary approach reflected in the SAT Science Guidelines. Thus, despite

the area's current remoteness and access challenges, it would be inconsistent to presume the proposed SMCA would function with a higher LOP or offer the same protection as an SMR. To achieve the petitioner's stated ecological and protection goals, the proposed MPA would need to be established as an SMR with a Very High LOP or as a highly protected SMCA (at least Moderate-high LOP). Otherwise, the MPA as proposed would not qualify as a backbone MPA and thus would not improve alignment with the SAT Science Guidelines or contribute toward MLPA Goals 1 and 2. Inconsistent application of the precautionary approach used to develop SAT Science Guidelines risks undermining the scientific foundation of the statewide MPA Network.

The petition indicates that the proposed MPA would protect kelp beds within the proposed boundaries; however, available CDFW aerial survey data and satellite imagery do not indicate persistent kelp canopy in the proposed location. According to the petitioners, the proposed action is also intended to contribute to habitat replication for hard and soft bottom habitats in the 0-30 m and 30-100 m depth zones. To contribute to habitat replication, an MPA must be a backbone MPA and contain enough of a specific habitat to capture 90% of the biodiversity associated with that habitat. This minimum amount varies by habitat and is determined from biological surveys. The proposed Point Sal SMCA does not meet the LOP criteria to be a backbone MPA and consequently would not contribute to replication of any habitats in the MPA Network (Table 2). If the MPA was proposed with at least a Moderate-high LOP, it would meet the LOP criteria to be a backbone MPA and would add habitat replication for rocky intertidal, beach, and nearshore soft bottom habitat. However, these three habitats are well represented and spaced in the existing MPA Network. The closest replicates of all three habitats are found in the Point Buchon SMR/SMCA cluster 19.4 miles north and Vandenberg SMR 10.4 miles south of the proposed new Point Sal SMCA. These existing backbone MPAs are spaced 32.5 miles apart, well within the recommended maximum distance range of 31-62 miles. Thus, it is unclear whether the proposed Moderate-low SMCA at Point Sal would provide any additional ecological benefits beyond those achieved through the existing science-based design.

The petition also suggests that the proposed MPA would enhance larval retention and connectivity. Analyses of the MPA Network have found that the existing MPA Network as designed is functioning effectively, with existing MPAs shown to be both demographically and environmentally connected (CDFW 2022, Yeager et al. 2023). For example, Yeager et al. (2023) state their results suggest, "there is high sub-network connectivity in the different habitats in the system (i.e., high MPA-to-MPA environmental connectivity) and that [California] MPAs were generally placed in locations favored to receive high levels of propagule replenishment based on environmental transport alone." A reevaluation of MPA Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and

MPA Network performance, but currently, this is a data gap. To gain a more comprehensive understanding of MPA Network connectivity (DMR Recommendation 23), site specific data gaps in nearshore habitat mapping and species data in specific locations would need to be filled and incorporated into existing connectivity modeling efforts.

Future Stressors and Climate Resilience

The petition identifies mitigation of climate change and other future stressors as primary rationale for establishing a new partial take MPA at Point Sal, including a stated objective to enhance the climate resilience of the broader MPA Network. While the petition cites climate-smart MPA design principles (Arafeh-Dalmau et al. 2023) and identifies ways in which the proposed SMCA is theoretically consistent with this guidance, it does not provide site-specific analyses to demonstrate the extent to which MPA designation at Point Sal would confer resilience based on this guidance at either the scale of the individual MPA or the MPA Network. In addition, much of the literature cited in support of climate resilience pertains to fully protected reserves, not partial take MPAs such as the proposed Point Sal SMCA (Barnett et al. 2015, Jacquemont et al. 2022).

While there are promising results in the scientific literature that MPAs may act as climate refugia for certain species and ecosystems and/or promote recovery following a climate-driven disturbance (Micheli et al. 2012, Carr et al. 2017, Roberts et al. 2017, Bates et al. 2019, CDFW 2022, Jacquemont et al. 2022, Raimondi and Smith 2022, Ziegler et al. 2023, Benedetti-Cecchi et al. 2024, Kumagai et al. 2024, Olguín-Jacobson et al. 2025, Ortiz-Villa et al. 2025), the current state of knowledge indicates that MPAs do not consistently or predictably confer resilience to climate change (Coleman et al. 2017, Bruno et al. 2018, Freedman et al. 2020, Kyprioti et al. 2021, Smith et al. 2023, Filbee-Dexter et al. 2024, Ortiz-Villa et al. 2025). The DMR showed that habitats and species both inside and outside MPAs experienced dramatic changes following the 2014-2016 marine heatwave. However, some habitats, such as rocky intertidal and kelp forests, were more stable and showed some resiliency to the effects of the heatwave, and some of this stability could be attributed to higher connectivity (CDFW 2022, Carr et al. 2022, Raimondi et al. 2022). Yet these results were variable, and highly dependent on bioregion and shifts in oceanographic conditions pre- and post-heatwave (CDFW 2022, Carr et al. 2022, Caselle et al. 2023, Hamilton et al. 2023).

Therefore, while MPAs may indirectly support climate resilience under certain conditions, an MPA explicitly intended to serve this function should be supported by evidence demonstrating how it would contribute to resilience at the site and MPA Network scales. Without this information, it is difficult to evaluate whether the proposed action would achieve the function the petitioners envision. Further exploration of climate change resiliency and the role of MPA design will be guided by the DMR recommendations

focused on MPA Network performance (CDFW 2022) and the recommendations put forth in the "Climate Resilience and California's Marine Protected Area Network" report (Hofmann et al. 2021).

Coastal development and other future stressors are also identified as considerations supporting establishment of the proposed SMCA. While an SMCA designation would prohibit take incidental to new construction and therefore would limit development within the footprint of the MPA itself, this would have no bearing on the development of neighboring areas. Neither coastal nor offshore (past the 3 nautical mile state waters boundary, the maximum extent of any state MPA) development is regulated by state MPAs. Existing MPAs are sited adjacent to areas that have experienced or are likely to experience coastal and offshore development, illustrating that MPA designation does not in itself regulate these activities beyond MPA boundaries. As a result, the relationship between the proposed designation and the mitigation of these stressors is unclear.

Equity and Access

The proposed action is framed in the petition as an opportunity to enhance equitable access to marine resources for nearby disadvantaged communities, particularly when combined with broader efforts to improve access and connection to nature. While MPAs may enhance numerous non-consumptive recreational opportunities, the petition does not convey the mechanism by which designation of a new MPA at this location would improve access or result in more equitable access for disadvantaged communities to marine resources.

The area provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et. al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

Physical access to Point Sal has historically been, and continues to be, limited due to its remote location, hazardous nearshore conditions, and treacherous cliffs. The primary access route is via the approximately 12-mile round trip Point Sal Trail, which presents a significant barrier to visitation for many users. Offshore, boating access is often dependent on weather and ocean conditions. Beyond this, there are frequently additional barriers for people from disadvantaged communities who want to access the coast, particularly from shore or boat (Christensen and King 2017, USFWS 2024). It is unclear how MPA designation in this area would increase access for disadvantaged

communities. The underlying connection appears to be that increased regulatory protection would make the ocean healthier and more productive, which would then provide benefits to nearby marginalized or disadvantaged communities, such as by enhancing shore-based recreational activities. However, this relationship is not clearly supported in the petition or in the scientific literature for the marine environment in California. MPA designation alone does not increase physical access, reduce barriers to participation, or directly address the socioeconomic factors that influence equitable access to coastal resources. The petition also does not address the extent to which nearby communities already utilize the area or the potential consequences to those same communities of restricting many of the uses currently allowed under existing regulations.

Impacts to Fisheries and Socioeconomic Impacts

Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code, §§ 2853 & 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, and data availability, CDFW was able to conduct a preliminary assessment but did not conduct an in-depth analysis of the economic or fiscal impacts for the proposed new MPA. The proposed Point Sal SMCA has the potential to adversely impact the commercial nearshore groundfish[16] fishery, Commercial Passenger Fishing Vessel (CPFV)[17] fleet, and private boat anglers operating out of Port San Luis in Avila Beach and Morro Bay.

The proposed SMCA overlaps with Commercial Fishing Blocks (fishing blocks) 631 and 632. In the years since the MPA Network was fully implemented (2013-2025), these two blocks yielded approximately $191,000 and $3.2 million worth of commercial nearshore groundfish caught by all allowed gear types (Figure 1; for more details on all commercial fishery value data, see the CDFW Marine Fisheries Data Explorer). The combined value of approximately $3.4 million makes up 22% of commercial nearshore groundfish landings

[16] For a list of all nearshore groundfish, see the California Nearshore Fishery Management Plan (CDFW 2002). Representative nearshore groundfish from the surrounding area of the proposed new MPA include cabezon, *Scorpaenichthys marmoratus;* California scorpionfish, *Scorpaena guttata;* California sheephead, *Bodianus pulcher;* black rockfish, *Sebastes melanops;* black-and-yellow rockfish, *S. chrysomelas;* blue rockfish, *S. mystinus;* brown rockfish, *S. auriculatus,* calico rockfish, *S. dalli;* China rockfish, *S. nebulosus;* copper rockfish, *S. caurinus;* gopher rockfish, *S. carnatus;* grass rockfish, *S. rastrelliger;* kelp rockfish, *S. atrovirens;* olive rockfish, *S. serranoides;* quillback rockfish, *S. maliger;* treefish, *S. serriceps;* kelp greenling, *Hexagrammos decagrammus;* rock greenling, *H. lagocephalus; and* monkeyface prickleback, *Cebidichthys violaceus*.

[17] The CPFV fleet takes paying passengers to recreationally fish at offshore coastal locations.

for the nearby ports of Morro Bay and Port San Luis combined. Consequently, establishing a new MPA at Point Sal has the potential to have adverse impacts on the commercial nearshore groundfish fishery due to the potential loss of fishing grounds within the proposed SMCA boundaries. For all commercial landings in the area, Morro Bay Harbor alone accounted for over half of the landing records (60.3%).

Furthermore, while the area is not readily accessible for shore-based anglers due to a long hike to the site, CPFVs and private boaters operating out of Morro Bay area ports (Port San Luis, Morro Bay Harbor, and San Simeon) frequent the area, especially during periods of rough weather when other fishing options are not available. Since the MPA Network was fully implemented in 2012 (between 2013 and 2025), there were a total of 702 CPFV trips to blocks 631 and 632. During this period, there was an average 12.4 (± 10.7 SD) CPFV trips per year to block 631, and an average 49.2 (± 21 SD) CPFV trips per year to block 632 (Figure 2). These two blocks account for 12.8% of all CPFV trips out of Morro Bay area ports during that time frame. Thus, restricting boat-based fishing access within the proposed new Point Sal SMCA has the potential to have adverse economic impacts on the CPFV fleet (see response to Question 15 for additional details). Spatial trends in average catch per angler between 2016 and 2024 from the California Recreational Fisheries Survey (CRFS)[18] also indicate the area is heavily used by private boaters (Figure 3).

Additionally, California Polytechnic State University, San Luis Obispo, operates a fisheries observer program on CPFVs based out of Port San Luis; this program collects data to support federal stock assessments for rockfishes (*Sebastes* spp.). Prohibiting boat-based fishing in this area has high potential to impact the quality of those assessments. For more detailed information, see response to Question 15.

The addition of a new MPA in this area would likely result in socioeconomic impacts, including to fisheries and the surrounding communities, although the full extent of these impacts is unknown (see Question 5 in Attachment 1). A thorough analysis of socioeconomic and fiscal impacts was outside the scope of the 2023 MPA petition process.

[18] CRFS conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (approximately 1 x 1 square miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

Historical Context: MLPA Initiative Planning Process

An MPA at Point Sal was considered during the MLPA Initiative planning process, but it was deliberately not included in the final adopted MPA Network. Package 3, one of three MPA arrays developed internally by the Central Coast Regional Stakeholder Group (CCRSG), and Package AC, developed externally[19] by NRDC (co-sponsors of the petition) and Point Blue Conservation Science, both proposed SMRs at Point Sal with footprints similar to the SMCA proposed in this petition. The other two CCRSG array packages did not include an MPA near Point Sal. Each of the groups responsible for development of MPA packages noted difficulties in determining the extent to protect the area's three main headlands (i.e., Point Sal, Purisima Point, and Point Arguello) while minimizing socioeconomic impacts (MLPAI 2006). For example, in their second revision, the proponents of Package 2 included an MPA at Purisima Point (Vandenberg SMR) but not at Point Sal or Point Arguello, stating that they chose to leave "several major headland areas outside of MPA protection to facilitate scientific comparison and to minimize socioeconomic impacts." As part of the rationale for including an MPA at Purisima Point, the group said that the "proposed SMR is designed to leave the area around Point Sal (which is more easily accessible from port and therefore more heavily fished) open to fishing activities."

The developers of Package 3, which was billed as a "hybrid" array that united myriad, sometimes opposing, perspectives, originally included an MPA at Purisima Point. In their second revision, they stated, "In response to the feedback from the SAT, the group . . . exchanged a proposed SMR at Purisima Point for an SMR at Point Sal to address spacing concerns." Following several iterations of refinement and direction from the Blue Ribbon Task Force, a modified proposal, Package 3R, was jointly developed by MLPA Initiative staff, proponents of the original Package 3, and SAT members. This array was ultimately recommended as the preferred alternative, and included an SMR at Purisima Point, but not at Point Sal.

An MPA in this area was considered multiple times throughout the rigorous, science-based, stakeholder-driven MLPA planning process and intentionally not adopted at that time. The socioeconomic considerations that informed this outcome likely remain relevant (see Impacts to Fisheries and Socioeconomic Impacts above and response to Question 15 for more information on potential consumptive impacts) and new information warranting revisiting this assessment has not been presented.

[19] During the Central Coast region planning process, the SAT and MLPA Initiative staff evaluated externally generated proposals, in addition to arrays proposed by the CCRSG.

In addition to socioeconomic impact considerations, the ultimate decision to not adopt an MPA at Point Sal was also related to monitoring purposes. Point Sal was intended to function as an unprotected reference site for comparative monitoring in conjunction with Vandenberg SMR, just to the south (MLPAI 2006). While none of the core MPA long-term monitoring occurs at Point Sal, the site is an important monitoring area outside of MPAs for fisheries stock assessments. Establishing a new MPA at this site could affect those surveys (See Question 15 for more information).

Point Sal State Beach

As noted above, the proposed MPA is adjacent to Point Sal State Beach, which is managed by California State Parks, and other lands owned or managed by Santa Barbara County, BLM, and VSFB. The MMAIA recognized the benefits of protecting the land-sea connection by siting MPAs near terrestrial protected areas, stating that, "To maximize the benefits that can be gained from having connected protected areas, whenever an MMA is adjacent to a terrestrial protected area, the managing agencies shall coordinate their activities to the greatest extent possible to achieve the objectives of both areas" (Pub. Resources Code, § 36601, subd. (c)). Similarly, according to "State Parks Guidelines for Creating Marine Managed Areas" (CSP 2010),

> *"When an MPA is proposed offshore of an existing terrestrial California State Park System unit, the terrestrial park's general plan[20] and existing public use patterns should be a guiding element for the designation and shoreline boundaries of the MPA."*

Accordingly, MPA designation would require resolution of conflicts with current State Parks management plans for these established terrestrial areas.

Point Sal State Beach is currently only accessible via the Point Sal Trail because Point Sal Road has been closed since 2008. As noted above, the petition recommends that the state work to reopen the road to provide beach access. However, encouraging increased visitation may not align with the General Plan for the State Beach, which identifies a number of logistical planning issues related to increasing access (e.g., safety and erosion, garbage receptacles and management, and restroom facilities). For instance, the Santa Barbara/Ventura Coastal State Park System General Plan for Point Sal State Beach discusses "Allowable Use Intensity", stating,

> *"Due to the serious problems with slope stability and erosion, use intensity at Point Sal State Beach shall be kept at a low level by providing only minimal*

[20] California State Parks General Plans and Management Plans

facilities necessary for public health and safety. Erosion of lands above the state beach property will probably always be a significant constraint to recreational use in the area, due to the steep nature of bluff and hillside slopes and associated soil characteristics."

The proposed regulations for the Point Sal SMCA are another possible area of misalignment with the current management of the State Beach. In 1962, the then State Park Commission designated the park unit as a State Beach as defined in Pub. Resources Code, section 5019.56. State Beaches are defined as "consisting of areas with frontage on the ocean, or bays designed to provide swimming, boating, fishing, and other beach-oriented recreational activities." The Point Sal SMCA as proposed would allow recreational take of finfish by hook-and-line from shore, which aligns with the intent of the State Beach designation. However, other shore-based, recreational take of other resources (e.g., seaweed, crab, and mussels) would no longer be allowed. This limitation, including any further limitations to recreational harvest (i.e., establishment of an SMR or highly protected SMCA) would need to be considered in consultation with California State Parks.

The proposed change may also affect existing regulations, permits, leases, or management activities of other agencies, including Santa Barbara County, BLM, and VSFB. For additional details about VSFB, see the evaluation narrative below.

Vandenberg Space Force Base

The petitioners indicated that meetings with personnel from VSFB informed the submission of the November 2025 amended petition, which included moving the southern boundary approximately one mile north to "avoid conflicts with existing mission-critical operations of Vandenberg Space Force Base" and proposed including the following language in Cal. Code Regs., tit. 14, section 632 for the new proposed SMCA:

1. *"Take incidental to base operations and commercial space launch operations identified by the Vandenberg Space Force Base Commander as mission critical is allowed.*
2. *"Public entry may be restricted at the discretion of the California Department of Fish and Wildlife (Department) to protect wildlife, aquatic life, or habitat, or by the Commander of Vandenberg Space Force Base to protect and provide safety for base operations.*
3. *"The Department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Space Force Base for the mutually beneficial management and administration of the Point Sal State Marine Conservation Area. The MOU shall include, but not be limited to, the*

> *identification of Vandenberg Space Force Base's national defense mission activities that are unrestricted by the subject regulations and details on management and administrative roles and responsibilities."*

The request to add the proposed language regarding VSFB is not needed in Cal. Code Regs. tit. 14, section 632 because: (1) Cal. Code Regs. tit. 14, section 632, subd. (a) already includes provisions to accommodate "uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents," including VSFB; (2) CDFW and VSFB have existing authorities to periodically restrict access to areas, so the language would be redundant; and (3) The directive for CDFW and VSFB to develop an MOU is non-regulatory and CDFW could work with VSFB to amend the existing MOU with VSFB that covers Vandenberg SMR if another MPA is established adjacent to the base.

Further, CDFW and VSFB currently have a valid MOU for Vandenberg SMR for the purpose of voluntary cooperation in clarifying the goals and objectives in the management and administration for Vandenberg SMR; protecting coastal and marine resources; and preserving essential military training, operational capabilities, and other mission critical activities. CDFW could work with VSFB to amend the existing MOU with VSFB that covers Vandenberg SMR if another MPA were established adjacent to the base.

Identified Information Gaps

Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code, §§2853 and 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, as well as data availability, CDFW did not provide a supplemental analysis of the economic or fiscal impacts for the proposed new MPA (see Question 5 in Attachment 1), and this remains unresolved.

Potential effects of the proposed action on equity and access to marine resources for marginalized communities remain unknown. See response to Question 5 in the Companion Document for more information.

Several other important pieces of information are needed to provide an informed recommendation. As a baseline principle, any change to the MPA Network, including any proposed new MPAs, must be evaluated within the context of the entire MPA Network to determine how it benefits or complements existing regional protections.

First, CDFW considered this proposed change in context of the other proposed actions in the 14 other 2023 Bin 2 petitions. While some adjacent proposals preserve regional protections, the petitions for the Vandenberg SMR have the most critical bearing on Point Sal because they are the only proposals in proximity to Point Sal that pose a net reduction in regional conservation. For example, to the north, the proposal for Point Buchon SMR preserves its backbone status and the new Chitqawi SMCA introduces no new backbone MPA; to the south, the proposal for Point Conception SMR expands its boundaries. In contrast, the petitions for Vandenberg SMR propose adding an allowance for shore-based hook-and-line fishing, which would lower its LOP such that it would lose its status as a backbone MPA. This has bearing on the assessment at Point Sal because the ecological contribution of any individual MPA depends in part on its relationship to surrounding MPAs; changes elsewhere in the MPA Network may influence how the effects of designating the proposed Point Sal SMCA are interpreted. This uncertainty highlights the challenges associated with evaluating individual MPA modifications in isolation, as changes to a single site can have implications for broader MPA Network performance. Second, while localized data shows that Point Sal is an important larval retention zone, a comprehensive evaluation of connectivity across the entire MPA Network is still forthcoming. The potential contributions to larval transport and connectivity of an SMCA at Point Sal are highlighted in the petition. While localized data suggest that Point Sal is an important larval retention zone, a reevaluation of MPA Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and MPA Network performance, but currently, this is a data gap. Such an analysis, including one that incorporates the myriad of proposed changes from petitioners, was outside the scope of the petition process. This data gap is particularly relevant given the proximity of the proposed Point Sal SMCA to Vandenberg SMR, which is affected by petition 2023-18MPA and 2022-002 and currently functions as a vital regional backbone supporting connectivity for six key habitats in the region.

Ultimately, the data gaps and complexity associated with this location have precluded CDFW from providing CFGC a single recommendation for the regulatory request to establish a new MPA at Point Sal. In lieu of a recommendation, CDFW has compiled the information in the evaluation framework and provides the following options for CFGC to consider.

RECOMMENDATION FOR 2023-28MPA_AM2

Given these considerations, and the information in the evaluation below:

Support with an Alternative Pathway the non-regulatory request to advance co-management.

At the April 2026 CFGC Tribal Committee meeting, the tribe confirmed the intent is to pursue co-management with CDFW through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking.

The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, and consistent with these priority recommendations from the DMR, CDFW is committed to exploring opportunities for co-management and co-stewardship of California's MPAs as well as within areas outside MPA boundaries with NCTC and other interested tribes. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process and could likely occur on a faster timeline than through the adoption of new MPAs through the CFGC's regulatory process.

Regarding the regulatory request in 2023-28MPA_AM2 to establish a new SMCA around Point Sal that allows recreational take of finfish by hook-and-line from shore,

CDFW was tasked with evaluating the 2023 Bin 2 MPA petitions using guidance from the Marine Life Protection Act (MLPA), Master Plan, DMR recommendations, and the approved evaluation framework. CDFW thoroughly evaluated this petition within the framework adopted by CFGC and presents the available information here. An MPA was considered at Point Sal during the MLPA Planning Process but was not selected, in part due to socioeconomic considerations. As proposed, the Point Sal MPA would not enhance MPA Network design beyond what the current MPA Network offers because of the Moderate-low Level of Protection (LOP). However, there are alternative designations that can be used to recognize the cultural significance of the location or that would offer greater ecological protections than the proposed SMCA, consistent with Science Advisory Team (SAT) Science Guidelines established during the MLPA Initiative planning process (i.e., SMR, Special Closure). The various designations (i.e., SMCA as proposed, SMCPA, MPA with

at least a Moderate-high LOP, and Special Closure) meet different objectives and there are tradeoffs among the alternatives that CFGC will need to consider (e.g., robust ecological protections would limit tribal take and recreational and commercial fishing) (See Table 1).

Given the considerations above and in the Evaluation Framework, CFGC could consider the following options:

1. **Support with Alternative Pathway**: Request CDFW engage with the NCTC, other interested tribes, and California State Parks to explore designating the area as a **State Marine Cultural Preservation Area** to acknowledge the cultural significance of the area, rather than establishing a new MPA.
2. **Grant with Alternative Pathway, Point Sal SMR or a SMCA with at least Moderate-high LOP:** Establish a new MPA at Point Sal and request CDFW identify northern and southern boundaries that are better aligned with Feasibility Guidelines rather than the proposed boundaries in 2023-28MPA_AM2.
3. **Grant with Alternative Pathway, Special Closure Lion Rock:** Establish a new Special Closure around Lion Rock for birds and pinnipeds. This alternative could be considered on its own or as an add-on to Options (1), (2), and (4).
4. **Grant in Concept Point Sal SMCA:** Establish a new SMCA at Point Sal as proposed in 2023-28MPA_AM2 that allows recreational take of finfish by hook-and-line from shore (Moderate-low LOP) and request CDFW identify northern and southern boundaries that are better aligned with Feasibility Guidelines rather than the proposed boundaries in 2023-28MPA_AM2.
5. **Deny**: do not establish a new SMCA (or SMR or Special Closure) at Point Sal.

Finally, the petition included a request to "rename the Point Sal State Marine Conservation Area with a Chumash place name after further consultation with other Chumash Tribes in the region." If CFGC grants a newly designated area, CDFW recommends CFGC work with NCTC and other tribes as appropriate to identify a name that aligns with CFGC's Naming Protected Area Policy, which states, "When identifying the name for, or an opportunity to rename, a protected area, the Commission and Department will invite tribes with ancestral ties to that area to engage in meaningful information-sharing about the cultural significance of the area, and to identify traditional or contemporary tribal names for the area. In selecting a name, the Commission will give significant weight to tribally-identified names, with particular emphasis on restoring tribal place names. In its selection, the Commission may consider combining the tribal place name with a currently used name that is understandable and locatable, as appropriate, to ensure accessibility and identification by the broader public while restoring tribal heritage recognition."

EVALUATION QUESTIONS

2023-28MPA_AM2: Designate a New SMCA Near Point Sal with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore

Responses to the Evaluation Questions below only pertain to the proposed regulatory request in the petition to create a new SMCA around Point Sal that allows recreational take of finfish by hook-and-line from shore.

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

No. The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning Network that was designed to holistically address the MLPA Goals. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan Objectives.

The petitioners have proposed a new SMCA near Point Sal with an allowance for recreational take of finfish from shore by hook-and-line. These regulations would result in a Moderate-low LOP for the proposed MPA (see response to Question 9 for more details). The petitioner notes that the proposed MPA would align with MLPA Goals 1, 2, 3, and 6, related to preserving natural diversity and marine natural heritage, protecting marine populations and habitats, improving recreational opportunities, and managing MPAs as a cohesive MPA Network. However, as proposed, the Point Sal SMCA is unlikely to benefit the MPA Network or address a current or emerging MPA management challenge that has emerged since the DMR.

Section II of Feasibility Guidelines (MLPA Goals, Regional Objectives and Site-Specific Rationale; CDFW 2010) state that the proposed goals and regional objectives should be consistent with SAT Scientific Guidelines and that the objectives identified for each MPA should be consistent with the design and the allowed take. Broadly, the minimal LOP is incompatible with the achievement of ecological goals, such as the protection of biodiversity and ecosystem function (Goal 1) or the conservation of marine life populations (Goal 2), because it would prevent the proposed SMCA from functioning as a

backbone MPA. It would also preclude contribution to MPA Network design goals, such as habitat replication (Goal 4) or MPA Network connectivity (Goal 6). Therefore, the stated objectives are not aligned with the proposed design or with SAT Science Guidelines (Goal 5).

Consistent with the MLPA, California's prior system of MPAs was redesigned to increase its coherence and effectiveness for protecting the state's marine life, habitats, and ecosystems. Although the MPA Network is designed as an interconnected series of MPAs, there are also some MPAs that were established to address place-based needs while still contributing to other goals of the overall system. For example, Gerstle Cove SMR (0.01 sq. mi.) and Natural Bridges State Marine Reserve (0.25 sq. mi.) were established to protect locally significant rocky intertidal habitats without serving as MPA backbones. Similarly, Matlahuayl SMR (1.04 sq. mi.) was retained in the MPA Network to encompass an ecologically important area that has been protected since 1929. Therefore, a new MPA at Point Sal could be established if there is significant rationale for localized protection or evidence that the area encompasses unique marine resources or processes that are not well represented in the existing MPA Network (Goal 4) and the allowed uses are consistent with the intended protections. However, there are data gaps (see Question 5), and it is unclear whether the area warrants localized protection, or whether the area encompasses unique marine resources or processes that are not well represented in the existing MPA Network. If there is rationale for localized protection, the LOP of the MPA would need to be at least Moderate-high to offer that protection.

However, potential ecological gains must be weighed against other MLPA Goals. The MPA Network was intentionally designed to balance conservation benefits with the needs of coastal communities and diverse ocean users, including fisheries (Goal 3). A stated goal of establishing the proposed SMCA is to enhance shore-based recreation and improve access to marine resources and fishing opportunities for nearby disadvantaged communities. This is aligned with Goal 3, however, the rationale underpinning the petition's stated relationship between MPA designation and improvements in recreational opportunities, access, or equity is not clearly demonstrated. While the petition suggests that additional MPAs can promote equitable access when paired with initiatives to increase ocean connections, it is unclear what distinct role the MPA itself would play beyond what these initiatives could achieve independently. The petition also notes that the SMCA would expand access to marine resources and fishing opportunities due to the proximity of a popular shore fishing site north of the proposed boundary; however, the site is already open to fishing and recreating and so the rationale for how MPA establishment would decrease barriers and increase accessibility is not evident.

The SMCA as proposed could be managed and enforced as part of the MPA Network, but the stated objectives do not align with SAT Science Guidelines (Goal 5). As

recommended in studies cited in the petition, the ecological and climate resilience outcomes envisioned by the petitioner would be more effectively achieved through fully or highly protected reserves rather than minimally protected areas (Barnett et al. 2015, Jacquemont et al. 2022).

Lastly, the MLPA Initiative planning process set a clear precedent for creating and managing California's MPAs as a cohesive MPA Network through a long-term, robust, science-based, stakeholder-driven process (Goal 6). In line with this foundation, the MPA Network should continue to be evaluated as an integrated system, as piecemeal modifications can have consequences that extend beyond the boundaries of a single MPA. CDFW considered this proposed change in context of the other proposed actions in the 14 other 2023 Bin 2 petitions. While some adjacent proposals preserve regional protections, the petitions for the Vandenberg SMR have the most critical bearing on Point Sal because they are the only proposals in proximity to Point Sal that pose a net reduction in regional conservation. The petitions for Vandenberg SMR propose adding an allowance for shore-based hook-and-line fishing, which would lower its LOP such that it would lose its status as a backbone MPA. In contrast, to the north, the proposal for Point Buchon SMR preserves its backbone status and the new Chitqawi SMCA introduces no new backbone MPA; to the south, the proposal for Point Conception SMR expands its boundaries.

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

Yes. The establishment of the MPA alone does not advance DMR recommendations; however, the additional requests to co-manage the area with NCTC and other interested tribes is a pathway to advance adaptive management Recommendations 1, 2, and 24 from the DMR (CDFW 2022): (1) Improve state agencies tribal engagement and relationship building efforts; (2) Create a clear pathway to tribal MPA management; and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements on Recommendation (3) Build tribal capacity to participate in MPA management activities.

The petition states that, "Protecting the marine waters and coastal resources of Point Sal would help to recognize its value as a cultural heritage site that still contributes to the identity, sense of place, and cultural and subsistence practices for many of the Indigenous people of Central California today." However, the Point Sal SMCA as proposed would limit NCTC's and other tribes' ability to continue subsistence practices and cultural harvest other than hook-and-line fishing for finfish from shore, including shore-based recreational take of other species (e.g., seaweed and invertebrates such as crabs and

mussels), and all offshore and boat-based fishing. Designating the area as a SMCPA is an alternative pathway that could be explored to acknowledge the cultural significance of the area without limiting subsistence practices. Additionally, CDFW could work with NCTC to advance these DMR recommendations, including developing a co-management agreement for this area. See Question 2a of Attachment 1 for the DMR and adaptive management Recommendations.

QUESTION 2B: IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?

Not applicable, as the proposed change advances adaptive management recommendations.

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

Yes. The proposed expansion overlaps with Administrative Kelp Bed 202, which is leasable, and Administrative Kelp Bed 203, which is closed. Kelp can be commercially harvested within leasable kelp beds until a lease is obtained for the bed, at which time the bed can only be harvested by the lease holder. Closed kelp beds prohibit all commercial kelp harvesting. Commercial kelp harvest has not been reported in these beds.

The proposed change also has the potential to impact three existing Experimental Fishing Permits (EFPs): EFPT2-002 (Dungeness crab/rock crab), and EFPT2-004 (Dungeness crab).

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. The proposed Point Sal MPA would be inside the Chumash Heritage National Marine Sanctuary, which is federally administered by the National Ocean and Atmospheric Administration. Implementation of the proposed change would require consultation and coordination with federal authorities and may interact with their management activities.

There is an ongoing data gathering effort in this area that supports federal rockfish stock assessments by providing an index of relative abundance, and length and age composition data (see response to Question 15 related to potential impacts to non-consumptive activities). Federal stock assessments that include data collected from within the boundaries of the proposed Point Sal SMCA include the 2015 Bocaccio

assessment (He et al. 2015), the 2015 China Rockfish assessment (Dick et al. 2016), the 2017 Bocaccio assessment (He and Field 2018), and the 2019 combined Gopher and Black-and-Yellow Rockfish assessment (Monk and He 2019). Such assessments are in turn used by the Pacific Fishery Management Council to manage fish stocks by setting legal catch limits and shares. Implementing the proposed Point Sal SMCA would require a Scientific Collecting Permit to conduct hook-and-line fishing in the SMCA to continue to collect data for this purpose, which could diminish the numbers of fish permitted for take. The new MPA is likely to reduce the availability of fishery-dependent data from this area, which has potential to confound assessment results for some species into the future. It is unclear how the proposed change would affect National Oceanic and Atmospheric Administration management activities related to federal groundfish.

The Point Sal SMCA, as proposed, would limit NCTC's and other tribes' ability to continue boat-based subsistence practices and other shore-based fishing or cultural harvest of invertebrates and algae. It is unclear how the proposed change may affect other tribal management and monitoring activities.

The proposed MPA is adjacent to terrestrial protected areas, including Point Sal State Beach, which is managed by California State Parks, and other lands owned or managed by Santa Barbara County, BLM, and VSFB. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of Santa Barbara County, BLM, and VSFB. For additional details about VSFB, see the evaluation narrative above.

With respect to Point Sal State Beach, coordination with California State Parks would be required to ensure alignment with their management activities. According to "State Parks Guidelines for Creating Marine Managed Areas" (CSP 2010),

> *"When an MPA is proposed offshore of an existing terrestrial California State Park System unit, the terrestrial park's general plan (http://www.parks.ca.gov/?page_id=21299) and existing public use patterns should be a guiding element for the designation and shoreline boundaries of the MPA."*

Several aspects of the petition would require resolution of conflicts with current State Parks management plans for these established terrestrial areas. For example, Point Sal State Beach is currently only accessible via the Point Sal Trail because the road has been closed since 2008. The petition states, "In addition to the designation of a new Point Sal SMCA, we urge the state to redouble its efforts to provide access to Point Sal State Beach by reopening Point Sal Road."

However, increased access may not be aligned with California State Parks' management plan for the area. The Santa Barbara/Ventura Coastal State Park System General Plan for Point Sal State Beach discusses "Allowable Use Intensity", stating,

> *"Due to the serious problems with slope stability and erosion, use intensity at Point Sal State Beach shall be kept at a low level by providing only minimal facilities necessary for public health and safety. Erosion of lands above the state beach property will probably always be a significant constraint to recreational use in the area, due to the steep nature of bluff and hillside slopes and associated soil characteristics*."

Additionally, in 1962, the then State Park Commission designated the park unit as a State Beach as defined in Pub. Resources Code, section 5019.56. State Beaches are defined as "consisting of areas with frontage on the ocean, or bays designed to provide swimming, boating, fishing, and other beach-oriented recreational activities." As proposed, the Point Sal SMCA would align with existing shore-based finfish fishing by hook-and-line[21], but would limit other types of shore-based recreational take (e.g., seaweed and invertebrates such as crab and mussels), and recreational boat fishing. These additional limitations to recreational harvest would need to be considered in consultation with California State Parks. The proposed change would also require CDFW and California State Parks to coordinate on enforcement, updates to signage, and outreach efforts.

The proposed new MPA has the potential to interact with the regulations and permitting activities of the State and Regional Water Quality Control Boards related to point source (e.g., wastewater treatment facilities) and non-point source discharges (e.g., stormwater runoff). The State Water Resources Control Board in collaboration with Regional Water Quality Control Boards can designate State Quality Protection Areas (SWQPAs) to prevent the undesirable alteration of natural water quality within MPAs. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (California Ocean Plan) was amended in 2012 to include the process for designating SWQPAs and Implementation Provisions for Marine Managed Areas (Chapter III.E., State Water Board 2019). This was done with the intention to align these SWQPAs with the MPA Network. The provisions are implemented by the Regional Water Quality Control Boards, including through Waste Discharge Requirements, National Pollutant Discharge Elimination System permits, and municipal separate storm sewer system permits. If the State Water Resources Control Board designates the new MPA as part of the existing SWQPAs, this would have implications for the Water Boards' workload and for permittees that would need to come into compliance with new permit requirements. The scope and

[21] Other MPA designations that would prohibit shore-based recreational fishing (i.e., an SMR or highly protected SMCA) would need to be considered in consultation with California State Parks.

magnitude of the State Water Resources Control Board's workload and the cost of compliance for permittees is unknown.

This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of Tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. When evaluating this petition, CDFW reviewed the information in the petition, as well as information including, but not limited to:

- MLPA planning documents and related information (e.g., MLPA Goals and MPA Master Plan adaptive management objectives),
- Current research on MPA connectivity and climate resilience,
- State efforts to improve relationships with California Native American tribes,
- Literature and agency documents on local ecological significance,
- California State Parks Management Plans
- Habitat data in a Geographic Information System, and
- Commercial and recreational fishing data, such as that available through the Marine Fisheries Data Explorer tool.

CDFW has identified information gaps that limit the ability to fully evaluate the proposed change, primarily:

- Tribal concerns and interests of all affected tribes related to the establishment of a new MPA at this location.
- Effect of the proposed action on equity and access to marine resources for marginalized communities. Broadly, there are information gaps related to assessing issues regarding equity and access for traditionally underserved communities with the existing MPA Network as well as the proposed changes in the 2023 MPA petitions.
- Site specific data demonstrating how a partial take MPA would enhance productivity of the larval retention zone beyond current conditions or the potential added local value or value to the MPA Network through establishing a place-based MPA.
- Evaluation of connectivity across the entire MPA Network.
    - The potential contributions to larval transport and connectivity of an SMCA at Point Sal are highlighted in the petition. While localized data suggest that Point Sal is an important larval retention zone, a reevaluation of MPA

Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and MPA Network performance, but currently, this is a data gap. This data gap is particularly relevant given the proximity of the proposed Point Sal SMCA to Vandenberg SMR, which is affected by petitions 2023-18MPAand 2022-002 and currently functions as a vital regional backbone supporting connectivity for 6 key habitats in the region.

- Site specific data that demonstrates the need to protect the area in a Special Closure for birds or pinnipeds beyond what existing protections offer (e.g., Marine Mammal Protection Act; California least tern have protections as an endangered species under both ESA and CESA.
- More research is needed to determine the factors that contribute to resilience across different species, habitats, and regions and how to best support these benefits. This is DMR Prioritized Recommendation (25), Develop and implement climate change research and monitoring priorities and metrics for California's MPA Network.
- The outcomes of petitions 2023-18MPA and 2022-002 are pending and could result in MPA Network-scale implications that have bearing on the assessment of a new MPA in Point Sal.
    - While some adjacent proposals preserve regional protections, the petitions for the Vandenberg SMR have the most critical bearing on Point Sal because they are the only proposals in proximity to Point Sal that pose a net reduction in regional conservation. The petitions for Vandenberg SMR propose adding an allowance for shore-based hook-and-line fishing, which would lower its LOP such that it would lose its status as a backbone MPA. In contrast, to the north, the proposal for Point Buchon SMR preserves its backbone status and the new Chitqawi SMCA introduces no new backbone MPA; to the south, the proposal for Point Conception SMR expands its boundaries.
    - Located just 10.42 miles south of the proposed Point Sal SMR boundary, Vandenberg SMR is currently California's largest mainland MPA and serves as a vital regional backbone by protecting critical habitats including kelp, beach, rocky intertidal, hard substrate (0-30 m depth), and soft substrate (0-30 and 30-100 m depths). Petitions 2023-18MPA and 2022-002 propose adding an allowance for shore-based hook-and-line fishing, which would reduce the SMR's LOP and alter its contribution to habitat replication and connectivity in the region. The ecological contribution of an individual MPA depends in part on its relationship with surrounding MPAs. Consequently, this pending decision introduces uncertainty regarding future MPA Network performance and therefore limits the ability to fully evaluate MPA Network-

scale implications of the proposed Point Sal SMCA. This uncertainty highlights the challenges associated with evaluating individual MPA modifications in isolation, as changes to a single site can have implications for broader MPA Network function and performance.

- A comprehensive analysis of how MPAs affect the benefits that non-consumptive users may derive from the ocean.
- A comprehensive analysis of socioeconomic impacts, including commercial and recreational fisheries when making decisions regarding the siting of new MPAs.

See Question 5 of Attachment 1 for significant information gaps.

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. DMR Recommendation 4 states that CDFW and CFGC should "apply what is learned from the first DMR to support proposed changes to the MPA Network," and that "current and future proposed changes to Network design, individual MPAs, and current MPA Management Program priorities and policies [should be] consistent with the findings of this Review."

When the DMR results were released in 2022, they did not indicate that large scale changes, such as the addition of new MPAs, were necessary to improve MPA Network performance. The recommendation at that time was that more time is needed for the benefits of the MPA Network to be fully realized. Results from the DMR did not indicate a deficiency in MPA Network connectivity that would warrant the establishment of a new MPA at Point Sal. Rather, several of the DMR Prioritized Recommendations are aimed at filling critical knowledge gaps in our understanding of the MPA Network functioning as a social-ecological system. Prior to implementing large-scale changes, critical knowledge gaps, including better integration of fisheries and MPA management, need to be filled, along with continued climate change monitoring and human dimensions considerations. Furthermore, the directives in Fish & G. Code, section 2853(c)(5) require a process for the establishment, modification, or abolishment of existing or new MPAs that should involve interested parties and be consistent with the Master Plan objectives that align with Fish & G. Code, section 2853(c)(5). These objectives require CDFW to consider factors such as socioeconomic impacts, results of monitoring and evaluation, and methods for robust public participation in the design of the MPA Network. CFGC's petition process does not offer the level of robust engagement and in-depth analysis required by the MLPA and Master Plan for siting new MPAs.

With respect to tribal co-management of California's MPAs, several of the DMR Prioritized Recommendations (CDFW 2022) are directly related to advancing tribal coordination,

including recommendations 1, 2, and 24: (1) Improve state agencies tribal engagement and relationship building efforts; (2) Create a clear pathway to tribal MPA management; and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements for recommendation (3) Build tribal capacity to participate in MPA management activities.

CDFW has been unable to make substantial progress on other DMR Recommendations due to the time and resources dedicated to the MPA petition process. As a result, CDFW still needs to work with tribes to develop a pathway to tribal MPA management and to improve tribal capacity to engage in MPA management activities and co-stewardship agreements. Tribes and the State already use a variety of approaches to establish such frameworks, including formal co-stewardship agreements, co-management agreements, and memoranda of understanding. Accordingly, CDFW is committed to continuing to work collaboratively with tribes through these and other such partnerships. See 'Tribal Co-Management' in the Evaluation Narrative and Overview for more information.

DMR Recommendation 24 (MPA Network Design) focuses specifically on working with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network. It includes two sub-recommendations:

(a) Develop a process to incorporate SMCPAs (MMAIA § 36700(6)(d)) into existing MPAs and new locations across the Network, and
(b) Define metrics for identifying culturally important objects and sites to recommend for potential protection.

One potential pathway for implementation at this location is designation of a State Marine Cultural Preservation Area (SMCPA) by California State Parks, as identified in MMAIA § 36700(6)(d). This could help advance DMR Recommendation 24. However, it represents a current management gap, as no SMCPAs exist in the MPA Network, and their designation would require coordination with California State Parks and action by the Parks and Recreation Commission.

DMR Recommendation 8 related to Justice, Equity, Diversity, and Inclusion, would "Evaluate the accessibility of MPAs to various community groups," This work has not yet been completed, but could help assess how the proposed new MPA might affect communities of concern.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Yes. An MPA at Point Sal was considered during the MLPA Initiative planning process, but not with the take allowances proposed in the petition (MLPAI 2006).

An MPA at Point Sal was considered during the MLPA Initiative planning process, but it was deliberately not included in the final adopted MPA Network. Package 3, one of three MPA arrays developed internally by the Central Coast Regional Stakeholder Group CCRSG, and Package AC, developed externally[22] by NRDC (co-sponsors of the petition) and Point Blue Conservation Science, both proposed SMRs at Point Sal with footprints similar to the SMCA proposed in this petition. The other two CCRSG array packages did not include an MPA near Point Sal. Each of the groups responsible for development of MPA packages noted difficulties in determining the extent to protect the area's three main headlands (i.e., Point Sal, Purisima Point, and Point Arguello) while minimizing socioeconomic impacts (MLPAI 2006). For example, in their second revision, the proponents of Package 2 included an MPA at Purisima Point (Vandenberg SMR) but not at Point Sal or Point Arguello, stating that they chose to leave "several major headland areas outside of MPA protection to facilitate scientific comparison and to minimize socioeconomic impacts." As part of the rationale for including an MPA at Purisima Point, the group said that the "proposed SMR is designed to leave the area around Point Sal (which is more easily accessible from port and therefore more heavily fished) open to fishing activities."

The developers of Package 3, which was billed as a "hybrid" array that united myriad, sometimes opposing, perspectives, originally included an MPA at Purisima Point. In their second revision, they stated, "In response to the feedback from the SAT, the group . . . exchanged a proposed SMR at Purisima Point for an SMR at Point Sal to address spacing concerns." Following several iterations of refinement and direction from the Blue Ribbon Task Force, a modified proposal, Package 3R, was jointly developed by MLPA Initiative staff, proponents of the original Package 3, and SAT members. This array was ultimately recommended as the preferred alternative, and included an SMR at Purisima Point, but not at Point Sal.

An MPA in this area was considered multiple times throughout the rigorous, science-based, stakeholder-driven MLPA planning process and intentionally not adopted at that time. The socioeconomic considerations that informed this outcome likely remain

[22] During the Central Coast region planning process, the SAT and MLPA Initiative staff evaluated externally generated proposals, in addition to arrays proposed by the CCRSG.

relevant (see Impacts to Fisheries and Socioeconomic Impacts above and response to Question 15 for more information on potential consumptive impacts) and new information warranting revisiting this assessment has not been presented.

Monitoring of the MPA Network was an additional consideration. Point Sal was intended to function as an unprotected reference site for Vandenberg SMR, 10 miles south (MLPAI 2006). Although the Point Sal area does not currently serve as a reference site for MPA monitoring of key habitats, other important monitoring efforts do occur here (see Question 15 for more information).

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

No. The petition identifies several factors as new information warranting reconsideration of the proposed MPA, including changing ocean conditions associated with climate change, the lack of government-to-government consultation with tribes during the original MLPA Initiative planning process, continued development and industrialization of coastal resources since the implementation phase, and new scientific literature highlighting the conservation value of the area. While these issues are important, none provides a sufficient basis for reevaluating the proposed change.

Tribal partnerships and engagement since the MLPA Initiative planning process have evolved through mechanisms such as Executive Orders and specific regulatory changes. For example, Executive Order B-10-11 (2011) and the CDFW Tribal Communication and Consultation Policy (2014) helped to bridge the gap in the MLPA. More recently, Executive Order N-15-19 (2019), the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy have continued to shape state policy by prioritizing cultural access and preservation and further incorporating sovereign recognition, among many other objectives. An alternative path to fulfill tribal engagement and the non-regulatory request for co-management is to explore opportunities for co-management in the Point Sal area without establishing a new MPA. Additionally, an alternative to designating a new MPA would be for CDFW to work with the California Native American tribes that have cultural ties to the area and California State Parks to explore designating a SMCPA to acknowledge the cultural significance of the area without limiting fishing access to the public and other tribes that have a historical connection to the area, which would better align with Goal 3. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

With respect to climate change, the establishment of a single new MPA, particularly one not specifically designed to address climate resilience, is unlikely to meaningfully influence the overall resilience or functionality of the broader MPA Network (see response to Question 9 for MPA design and SAT Science Guidelines). Although climate change was not explicitly incorporated into the original MLPA Initiative planning process, the ecological principles underlying MPA Network design, such as larval connectivity and habitat replication, support both ecological and climate resilience. Indeed, MPAs in California have been shown to support larger, older, and more abundant marine populations that are more resilient to disturbances (CDFW 2022). Still, the extent to which these ecological benefits translate into improved resistance or adaptation to climate-driven impacts remains uncertain, and the magnitude of any such benefit is likely highly spatiotemporally variable. For example, while there is promising research showing that MPAs, including some within the existing MPA Network, may confer some resilience to climate disturbances (Micheli et al. 2012, Carr et al. 2017, Roberts et al. 2017, Bates et al. 2019, CDFW 2022, Jacquemont et al. 2022, Raimondi and Smith 2022, Ziegler et al. 2023, Benedetti-Cecchi et al. 2024, Kumagai et al. 2024, Olguín-Jacobson et al. 2025, Ortiz-Villa et al. 2025), these benefits are not predictably consistent (Coleman et al. 2017, Bruno et al. 2018, Freedman et al. 2020, Kyprioti et al. 2021, Smith et al. 2023, Filbee-Dexter et al. 2024, Ortiz-Villa et al. 2025). Thus, adding an additional MPA in this area is not likely to further promote climate resiliency beyond what the current MPA Network is currently providing (See Companion Document, Attachment 1 for more information on Climate Resiliency and MPAs). More research is needed to determine the factors that contribute to resilience across different species, habitats, and regions and how to best support these benefits. Further exploration of climate change resiliency and the role of MPA design will be guided by the DMR Recommendations focused on MPA Network performance (CDFW 2022) and the recommendations put forth in the "Climate Resilience and California's Marine Protected Area Network" report (Hofmann et al. 2021).

The threat of increased coastal development and marine industrialization are also mentioned as reasons to buffer the MPA Network. However, the existence of an MPA will not necessarily impede future coastal or marine development in this area.

Lastly, the conservation value of the area is not in question; this area was discussed at length during the Central Coast region planning process (2004 – 2007), primarily due to its conservation value. What is not apparent is the benefit to the MPA Network of adding the proposed partial take MPA beyond what is afforded by the existing protections. Research highlighted in the petition indicates

this area may be an important larval retention zone. However, the area will continue functioning as an important larval retention zone regardless of whether it is within an MPA or not. The results from the DMR do not indicate a deficiency in MPA Network connectivity that would warrant the establishment of a new MPA. Moreover, the proposed regulations would prevent this MPA from acting as a backbone MPA; therefore, it is not expected to contribute to ecological objectives of the MPA Network.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Not applicable. The proposed change does not affect an existing MPA.

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

No. The MLPA requires that the design of individual MPAs and the statewide MPA Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The SAT Science Guidelines, as outlined in the Master Plan, were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with these guidelines depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least 9 sq. mi. and meet one of the three highest LOPs (i.e., Very High, High, or Moderate-high) to contribute to ecological goals such as habitat replication and representation.

The proposed new MPA would be 9.27 sq. mi. with a Moderate-low LOP, when using the LOP assignments developed by the South Coast Region SAT[23] (Table 2). Although the proposed MPA exceeds the minimum size threshold of 9 sq. mi., it does not meet the LOP criterion of Moderate-high or above required by the SAT Science Guidelines, so the MPA as proposed would not serve as a backbone MPA. Therefore, implementation of the proposed change would not improve the design of the MPA Network or enhance alignment with the SAT Science Guidelines. Additional data are needed to determine if an

[23] The proposed Point Sal SMCA is located in the Central Coast Study Region. However, the LOP assigned to this form of take by the SAT in the South Coast Study Region is used here, because the SAT in the Central Coast Study Region did not consider allowances for take of unspecified finfish by hook-and-line from shore and because Point Sal is located at the southern end of the Central Coast Study Region near the South Coast Study Region.

MPA at this location with a Moderate-high LOP would produce meaningful ecological benefits beyond what is already achieved by the existing science-based design.

Information included in the petition highlights the ecological significance and diverse habitats in this area and suggests that the proposed MPA would add replicates of key habitats to the MPA Network. However, contribution to habitat replication requires both backbone status and sufficient area of a specific habitat to capture 90% of the biodiversity associated with that habitat, as determined from biological surveys. Although the proposed MPA would contain the minimum amounts required of rocky intertidal, beach, and nearshore soft bottom habitat to contribute to representation of these habitats, it would not contribute to replication of these habitats in the MPA Network because of the Moderate-low LOP. If the MPA was proposed as an SMR or a highly protected SMCA (at least a Moderate-high LOP), it would meet the LOP criteria to be a backbone MPA and would contribute to replication of rocky intertidal, beach, and nearshore soft substrate. However, these three habitats are well represented and spaced in the existing MPA Network. The closest backbone MPAs containing these habitats are Vandenberg SMR 10.4 miles south and the Point Buchon SMR/SMCA cluster 19.4 miles north of the proposed Point Sal SMCA. Spaced 32.5 miles apart, these backbone MPAs are well within the recommended maximum spacing interval of 31-62 miles. The petitioners also indicate that the proposed MPA would improve replication of hard and soft bottom habitats in the 0-30 and 30-100 m depth zones. Even if the proposed MPA achieved backbone status, the MPA as proposed would need to be expanded by approximately 7 sq. mi. to contain the minimum quantity of nearshore hard bottom habitat or of hard or soft bottom habitat in the 30-100 m depth zone required to contribute to replication of these habitats (Table 2). See Question 9 of Attachment 1 for the SAT Science Guidelines and additional context.

Ultimately, alignment with SAT Science Guidelines is evaluated at the MPA Network scale, where metrics like habitat replication and spacing are assessed collectively across all MPAs rather than individually. Consistent with this approach, individual petitions should not be evaluated in isolation, as changes to a single MPA may affect overall MPA Network performance. The petitions 2023-18MPA and 2022-002 have potential to affect the design of Vandenberg SMR, which introduces uncertainty in the structure of the MPA Network, as there are implications relevant to evaluating conformance of the proposed Point Sal SMCA with the SAT Science Guidelines. However, it does not alter the current assessment that the proposed Point Sal SMCA does not clearly enhance alignment with the SAT Science Guidelines within the existing MPA Network.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

No. The proposed new SMCA as designed would not align with the following Feasibility Guidelines: boundaries are not all described using readily determined lines of latitude and longitude and regional objectives and site-specific rationales should reflect the design of the MPA. Landmarks described in the petition align with the proposed boundaries, but it is unclear whether these landmarks (e.g., the end of VSFB Road) are easily recognizable from both shore and by boat. MLPA Goals and site-specific objectives for the proposed MPA are described, though many are not aligned with the proposed take regulations (e.g., ecological goals should not be attributed to an MPA with an LOP below Moderate-high). See Question 10a of Attachment 1 for CDFW Feasibility Guidelines.

QUESTION 10B: IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES??

CDFW has presented alternatives and recommends CFGC consider whether there is rationale for moving forward with an alternative, given the considerations and data gaps presented in the narrative and Table 1. There are alternatives that would meet the intent but better align with SAT Science Guidelines and CDFW Feasibility Guidelines. One alternative to designating a new MPA would be for CFGC to request CDFW to work with NCTC and other California Native American tribes that have cultural ties to the area, and California State Parks to explore designating a SMCPA to acknowledge the cultural significance of the area. Another alternative if CFGC wishes to expand the MPA Network by establishing a new place-based MPA, is to establish an SMR or more highly protected SMCA, which would be more likely to meet the ecological goals stated in the petition. The boundaries could be modified to use readily determined lines of latitude and longitude and easily recognizable permanent landmarks to better align with the Feasibility Guidelines.

If disturbance to bird and pinniped populations is a primary concern, a Special Closure[24] designation restricting access to the waters in the immediate vicinity of Lion Rock would be a more appropriate designation than an MPA. MPA designation affects take of living, geological, or cultural resources. Although this designation is the appropriate designation to offer additional protections for birds

[24] An area designated by CFGC that prohibits access or restricts boating activities in waters adjacent to seabird rookeries or marine mammal haul-out sites; used by CFGC for relatively small, discrete marine areas to achieve the goals of the MLPA (CDFW 2016).

and/or pinnipeds, CDFW does not have site-specific data documenting that other state and federal protections are not adequate to protect birds and pinnipeds in this area. Given that marine mammals are protected by the Marine Mammal Protection Act and take of seabirds is generally not permitted, MPA designation is unlikely to provide additional protections for these species.

The Feasibility Guidelines state, a "Special Closures should only be proposed if other state and federal regulations are inadequate to provide protections to marine species. Proposed Special Closures should include information on the rationale behind the proposal, species involved, and specific information on why other existing state and federal protections (including the establishment of an MPA) are not adequate." CFGC has established 14 Special Closures for relatively small, discrete marine areas to achieve the goals of the MLPA (CDFW 2016).

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

No. The proposed new MPA would result in enforcement challenges because the boundaries are not aligned with readily determinable lines of latitude and longitude. It is unclear whether the proposed boundaries align with permanent landmarks that are easily recognizable for boat-based and shore-based users.

The proposed change would introduce a new section of MPA regulations which would require enforcement. Partial-take MPAs such as the one proposed in this petition are generally more difficult to enforce than No-take MPAs because of:

- Difficulty in discerning if an activity is allowed when surveilling the MPA from afar,
- Increased potential for non-compliance by members of the public who observe activity taking place in an MPA but are unfamiliar with the specific regulations, and
- Increased potential for the illegal take of other species.

Additionally, because this is a proposed new MPA, there is an anticipated period of non-compliance following regulatory changes, particularly when additional restrictions are implemented. This would require additional resource investments in outreach, education, and enforcement to support enforcement and compliance.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

No. The proposed new Point Sal SMCA would not simplify existing language or enhance public understanding. It would add a new section of regulations and some of the

proposed language would be duplicative with other existing regulations or is unnecessary.

The request to add the proposed language regarding VSFB is not needed in Cal. Code Regs. tit. 14, section 632 because: (1) Cal. Code Regs. tit. 14, section 632, subd. (a) already includes provisions to accommodate "uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents," including VSFB; (2) CDFW and VSFB have existing authorities to periodically restrict access to areas, so the language would be redundant; and (3) The directive for CDFW and VSFB to develop an MOU is non-regulatory and CDFW could work with VSFB to amend the existing MOU with VSFB that covers Vandenberg SMR if another MPA is established adjacent to the base.

Further, CDFW and VSFB have a valid MOU for Vandenberg SMR for the purpose of voluntary cooperation in clarifying the goals and objectives in the management and administration for Vandenberg SMR; protecting coastal and marine resources; and preserving essential military training, operational capabilities, and other mission critical activities. CDFW could work with VSFB to amend the existing MOU if another MPA is established adjacent to the base.

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. The proposed change would prohibit commercial and recreational boat-based fishing, which could provide localized protection to marine resources, particularly to fish and invertebrates in the offshore portion of the proposed SMCA. The proposed change would also prohibit other shore-based, recreational take (e.g., seaweed and invertebrates such as crab and mussels). However, recreational shore-based hook-and-line fishing would still be permitted, resulting in a Moderate-low LOP under the SAT framework (see response to Question 9). Although ecological objectives including protection of productive key habitats and enhancement of regional connectivity are identified in the petition, the MPA as proposed is not expected to fully achieve these objectives because the LOP is lower than that associated with backbone MPAs under the SAT Science Guidelines.

During the MLPA Initiative planning process, the SAT based LOP assignments on the assumption of maximum plausible intensity for any given proposed activity within MPAs. Thus, activities assigned a Moderate-low LOP were deemed likely by the SAT to alter species abundance relative to an SMR, as well as to significantly alter community structure by changing the abundance of a species that plays an important ecological role. In determining those species likely to benefit from an SMR, the SAT considered species home range sizes and movement patterns, including site fidelity to those home

ranges. Many of the species that may be caught using hook-and-line from shore have small home ranges, exhibit vulnerable life history traits (e.g., late to mature, slow-growing, bear live young), or form spawning aggregations in the surf zone. These characteristics make them particularly vulnerable to the direct impacts of fishing from shore. As such, many surf zone fishes, including surf perches (embiotocids), rockfishes (*Sebastes* spp.), and sharks, skates, and rays (elasmobranchs), were identified as species likely to benefit from MPA protection. These species, along with other frequently targeted surf zone fishes, play important roles in the food web dynamics of nearshore communities. Harvest of these species not only directly alters the abundance of these species, but also likely affects community structure, both in the surf zone and in adjacent habitats and depth zones. As a result, the impacts of fishing from shore may extend far from the zone of actual fishing. With respect to shore fishing, the SAT Guidelines state, "Many of the species removed through shore fishing play important roles in the nearshore community. For example, surfperches and croakers are important invertebrate predators, sea chubs (opaleye and halfmoon) are important omnivorous grazers, silversides are micro-omnivores and all groups provide important prey for a variety of larger fishes, marine birds and mammals. By altering the abundance of multiple species, shore fishing is likely to have impacts on community structure within an MPA both within the range of the actual fishing gear as well as in adjacent depth zones and habitats." In addition to direct impacts, the SAT also considered indirect impacts, including bycatch, incidental take, and habitat/gear interactions.

Point Sal State Beach is currently only accessible via the 12-mile round trip Point Sal Trail because the road has been closed since 2008, making access somewhat challenging for many. However, the petition states, "In addition to the designation of a new Point Sal SMCA, we urge the state to redouble its efforts to provide access to Point Sal State Beach by reopening Point Sal Road." This could increase visitation and use within the area and may also produce unintended adverse impacts to sensitive dune habitats, such as erosion and habitat disturbance (see response to Question 4 for more details).

Given LOP assignments are based on types of allowed activities rather than current or expected intensity of those uses, the proposed new SMCA would have a Moderate-low LOP to ensure consistency with the SAT Science Guidelines and maintain their precautionary approach. Thus, despite the area's current remoteness and access challenges, it would be inconsistent to presume the proposed SMCA would function with a higher LOP or offer the same protection as an SMR. To achieve the petitioner's stated ecological and protection goals, the proposed MPA would need to be established as an SMR with a Very High LOP or as a highly protected SMCA (at least Moderate-high LOP). Otherwise, the MPA as proposed would not qualify as a backbone MPA and thus would not improve alignment with the SAT Science Guidelines or contribute toward MLPA Goals 1 and 2. Inconsistent application of the precautionary approach used to develop the SAT

Science Guidelines risks undermining the scientific foundation of the statewide MPA Network.

Regardless of LOP, additional information is needed to evaluate the conservation benefit of the proposed MPA. For example, while the petitioner notes the presence of kelp beds as a habitat that would benefit from protection at this site, kelp has never been detected within the proposed boundaries in Landsat imagery and was detected only once over a 13-year period of CDFW aerial surveys. The area lies within a biogeographical transition zone and functions as a larval retention zone due to the physiography of the headlands (Wing et al. 1995, Graham and Largier 1997, Mace and Morgan 2006). Although studies cited by the petitioner indicate that eddies formed in the lee of headlands can accumulate larvae, additional analyses would be necessary to evaluate the extent to which the proposed MPA would meaningfully contribute to larval connectivity or recruitment within the broader MPA Network (Mace and Morgan 2006, Robinette et al. 2019). Moreover, as noted in one of the studies cited by the petitioner, such accumulation zones may not always coincide with habitat suitable for meeting MPA science or design objectives (Mace and Morgan 2006). These zones are typically nearshore sandy deposition areas, which, while regionally less common, are well represented in the existing MPA Network. Further analysis would be required to determine the potential marginal value of protecting more of this habitat type within the existing MPA Network.

The petition also mentions the importance of minimizing human disturbance to seabirds and pinnipeds in the area, particularly around Lion Rock. Lion Rock is a significant pinniped haul out and seabird roosting and breeding area (Mason et al. 2007, Capitolo et al. 2011, Robinette and Acosta 2011, Capitolo et al. 2012, Robinette et al. 2012, Robinette et al. 2013, Santora and Sydeman 2015, CDFW OSPR 2018, NMFS 2024, USSF 2025). However, an SMCA designation would still permit entry into the area and may not achieve the effect envisioned by the petitioners; instead, designation of a Special Closure around the rock could be considered as a targeted management measure to specifically address human disturbance and offer more protection.

CDFW considered this proposed change in context of the other proposed actions in the 14 other 2023 Bin 2 petitions. While some adjacent proposals preserve regional protections, the petitions for the Vandenberg SMR have the most critical bearing on Point Sal because they are the only proposals in proximity to Point Sal that pose a net reduction in regional conservation. The petitions for Vandenberg SMR propose adding an allowance for shore-based hook-and-line fishing, which would lower its LOP such that it would lose its status as a backbone MPA. In contrast, to the north, the proposal for Point Buchon SMR preserves its backbone status and the new Chitqawi SMCA introduces no new backbone MPA; to the south, the proposal for Point Conception SMR expands its boundaries. This introduces uncertainty in the structure of the MPA Network and is

relevant to the assessment of whether the proposed new MPA at Point Sal will maintain or enhance protection of marine resources. See response to Question 5 regarding significant information gaps.

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. The proposed change has the potential to affect both consumptive and non-consumptive activities.

One of the goals of the proposed MPA is to, "advance Tribal co-stewardship and MPA management through a collaborative co-stewardship approach with the Northern Chumash Tribal Council," with supporting cultural access and activities within the MPA one of the specific desired outcomes of co-stewardship. Despite this, the Point Sal SMCA, as proposed, would limit NCTC's and other tribes' ability to continue subsistence practices and cultural harvest of shore-based resources (except hook-and-line fishing for finfish), including shore-based recreational take (e.g., seaweed and invertebrates such as crab and mussels) and boat fishing.

The proposed Point Sal SMCA has the potential to impact both commercial and recreational consumptive uses. Consumptive users that would be impacted include the commercial nearshore groundfish[25] fishery and recreational anglers who travel to the area by boat, such as by CPFV[26] or private/rental boats, from Morro Bay area ports.

The proposed Point Sal SMCA overlaps with Commercial Fishing Blocks 631 and 632. From 2013-2025, these two blocks have contributed roughly $3.4 million in commercial

[25] For a list of all nearshore groundfish, see the California Nearshore Fishery Management Plan (CDFW 2002). Representative nearshore groundfish from the surrounding area of the proposed new MPA include cabezon, *Scorpaenichthys marmoratus;* California scorpionfish, *Scorpaena guttata;* California sheephead, *Bodianus pulcher;* black rockfish, *Sebastes melanops;* black-and-yellow rockfish, *S. chrysomelas;* blue rockfish, *S. mystinus;* brown rockfish, *S. auriculatus,* calico rockfish, *S. dalli;* China rockfish, *S. nebulosus;* copper rockfish, *S. caurinus;* gopher rockfish, *S. carnatus;* grass rockfish, *S. rastrelliger;* kelp rockfish, *S. atrovirens;* olive rockfish, *S. serranoides;* quillback rockfish, *S. maliger;* treefish, *S. serriceps;* kelp greenling, *Hexagrammos decagrammus;* rock greenling, *H. lagocephalus; and* monkeyface prickleback, *Cebidichthys violaceus*.

[26] The CPFV fleet takes paying customers to recreationally fish at offshore coastal locations.

groundfish fishery landings (Figure 1), accounting for approximately 22% of all value of commercial nearshore groundfish landed by all allowed gear types at the nearby ports of Morro Bay and Port San Luis combined. Implementing the proposed MPA would result in loss of those fishing grounds within the MPA.

While the area is not as readily accessible to shore-based fishing due to a long hike to the site, CPFVs and private boaters operating out of Morro Bay area ports (Port San Luis, Morro Bay Harbor, and San Simeon) frequent the area, especially during periods of rough weather when other fishing options are not available. Since the MPA Network was fully implemented, there were a total of 702 CPFV trips to fishing blocks 631 and 632. This tracking spans from 2013 through the most recent 2025 data. During this period, there was an average of 12.4 (± 10.7 SD) CPFV trips per year to block 631, and an average of 49.2 (± 21 SD) CPFV trips per year to block 632 (Figure 2). These blocks account for 12.8% of all CPFV trips out of Morro Bay ports during that time frame. Spatial trends in average catch per angler between 2016 and 2024 from CRFS[27] indicate the area is popular with private and rental boat anglers (Figure 3).

Other shore-based consumptive uses, including the recreational take of resources such as seaweed, crab, and mussels may also be affected.

More specific CPFV location information in the Point Sal area was obtained from the California Polytechnic State University, San Luis Obispo fisheries observer program (Cal Poly Observer Program, abbreviated here as CPOP). This program sends fisheries observers aboard CPFV recreational fishing trips out of Morro Bay and Port San Luis, who collect length and species data for all fish caught by a subset of anglers during each fishing "drop" (the period in which lines were in the water), as well as metadata for each drop such as GPS coordinates (Stephens et al. 2006, Dodgen et al. 2025). CPOP observers accompanied 145 CPFV trips out of Port San Luis between 2004 and 2018 (data from Dodgen et al. 2025). Of these trips, 22, or approximately 15%, fished within the boundaries of the proposed Point Sal MPA (Figure 4, data from Dodgen et al. 2025). All observed CPFV trips located within blocks 631 and 632 went to the area that would be occupied by the proposed MPA. In the 2004-2018 period, there were a total of 5,878 CPFV trips out of Port San Luis, meaning that approximately 2.5% of them were observed. The fact that a considerable proportion, 15%, of the small percentage of trips observed went to this location suggests that it is visited by this fleet frequently. Prohibiting boat-based fishing

[27] CRFS conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (approximately 1 x 1 square miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

access in this area is therefore expected to have adverse economic impacts on the CPFV fleet. As noted above in response to Question 7, this area was considered for inclusion in the MPA Network during the planning process but was ultimately excluded due to its high importance to commercial and recreational fisheries. Those same considerations remain relevant and suggest that the proposed change would have substantial effects on existing consumptive uses of the area.

The proposed change would also affect federal stock assessment research. Assessments using CPOP data include the 2015 Bocaccio assessment (He et al. 2015), the 2015 China Rockfish assessment (Dick et al. 2016), the 2017 Bocaccio assessment (He and Field 2018), and the 2019 combined Gopher and Black-and-Yellow Rockfish assessment (Monk and He 2019). Data collected by CPOP is used in the model in two ways, 1) as an index of abundance with associated size structure data, and 2) the fish kept or discarded dead by anglers on these trips is incorporated into the overall estimate of the total weight of all recreational fish removed. Implementing the proposed Point Sal SMCA would preclude open public CPFV fishing trips in the area. This restriction limits localized CPOP data collection and creates a monitoring "blind spot" for stock assessment scientists tracking groundfish populations. For example:

- Continuing CPOP data collection would require specifically charted research trips rather than leveraging existing public fishing trips.
- The Scientific Collecting Permit for the research charters would strictly limit the number of fish that could be legally kept.
- Artificially limiting the number of retained fish introduces sampling bias and makes it difficult to distinguish an actual population decline from a survey that simply missed the fish's geographic concentration.
- Restricting catch data could distort overall length and age composition models, particularly if this specific area serves as a strong population recruitment location.
- These combined data gaps ultimately introduce a much higher measure of uncertainty into final stock assessment estimates.

Given the value of these data for federal stock assessments and that all CPOP-observed trips that went to this area fished within the proposed SMCA's boundaries (data from Dodgen et al. 2025), the new MPA is likely to reduce the availability of fishery-dependent data from this area, which has potential to impact the quality of these assessments and consequently, our understanding of the status and health of economically valuable rockfish populations.

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and

wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et. al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

The data described here represents a single analysis of potential impacts on fisheries in the area. The full extent of socioeconomic impacts in this area, including on fisheries, is unknown (see Question 5 in Attachment 1).

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response.

The proposed change would reduce fishing access, particularly for fishery participants associated with the coastal fishing communities of Avila (Port San Luis) and Morro Bay. While the extent of the impact is unclear, decreased access may affect the viability of the homeported fishing operations and broader fishing community. The action does retain shore-based hook and line fishing.

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

Yes. There is a potential interaction with petition 2023-18 MPA and 2022-002. While some adjacent proposals preserve regional protections, the petitions for the Vandenberg SMR have the most critical bearing on Point Sal because they are the only proposals in proximity to Point Sal that pose a net reduction in regional conservation. The petitions for Vandenberg SMR propose adding an allowance for shore-based hook-and-line fishing, which would lower its LOP such that it would lose its status as a backbone MPA. In contrast, to the north, the proposal for Point Buchon SMR preserves its backbone status and the new Chitqawi SMCA introduces no new backbone MPA; to the south, the proposal for Point Conception SMR expands its boundaries (see responses to Questions 5, 9, and 13).

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

Table 2. MPA attributes (area, LOP, depth range, and habitat extent) of Point Sal SMCA as proposed in petition 2023-28MPA_AM2. Habitat extent may be reported in linear miles or square miles, depending on data availability and Science Advisory Team guidance. A dash (—) indicates that the proposed MPA does not contain the habitat type. An MPA contributes to habitat replication only if it first meets the minimum size (>9 sq. mi.) and LOP (Very High, High, or Moderate-high) criteria (i.e., first two rows must be bold), according to SAT Science Guidelines established during the MLPA Initiative planning process. As proposed, the Point Sal SMCA has an LOP of Moderate-low and does not meet the threshold for LOP[a].

	Proposed
MPA Area (sq mi)	**9.27**
Level of Protection	Moderate-low
Min Depth (m)	0
Max Depth (m)	56.9
Eelgrass (sq mi)	—
Kelp (mi)	—
Beach (mi) [a]	2.56
Rocky Intertidal (mi) [a]	2.55
Estuaries (sq mi)	—
Hard Substrate	
0-30 m (mi)	0.86
30-100 m (sq mi)	0.16
100-200 m (sq mi)	—
>200 m (sq mi)	—
Soft Substrate	
0-30 m (mi) [a]	2.64
30-100 m (sq mi)	4.23
100-200 m (sq mi)	—
>200 m (sq mi)	—

[a] If the proposed Point Sal MPA were to meet the SAT Science Guidelines for LOP of at least Moderate-high, the proposed MPA contains sufficient habitat to qualify as a habitat replicate for beach, rocky intertidal, and soft substrate (0-30 m), according to SAT Science Guidelines established during the MLPA Initiative planning process.

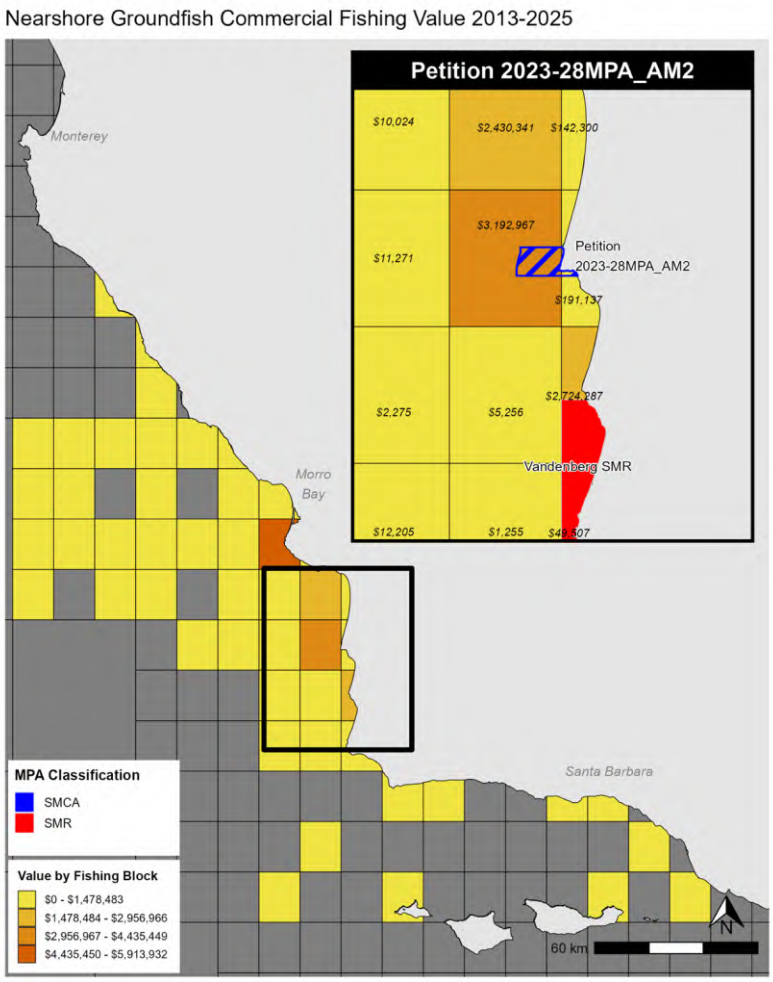


Figure 1. Total value (in $US) of commercially caught nearshore groundfish (cabezon, *Scorpaenichthys marmoratus;* California scorpionfish, *Scorpaena guttata;* California sheephead, *Bodianus pulcher;* black rockfish, *Sebastes melanops;* black-and-yellow rockfish, *S. chrysomelas;* blue rockfish, *S. mystinus;* brown rockfish, *S. auriculatus;* China rockfish, *S. nebulosus;* copper rockfish, *S. caurinus;* gopher rockfish, *S. carnatus;* grass rockfish, *S. rastrelliger;* kelp rockfish, *S. atrovirens;* olive rockfish, *S. serranoides;* quillback rockfish, *S. maliger;* treefish, *S. serriceps;* kelp greenling, *Hexagrammos decagrammus;* rock greenling, *H. lagocephalus;* and monkeyface prickleback, *Cebidichthys violaceus*)* via a variety of gear types from 2013 to 2025. The proposed new Point Sal SMCA is shown on the inset as blue hatching and the existing Vandenberg SMR is shown in red. The proposed MPA lies across Commercial Fishing Blocks 631 and 632. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square). *Note that no calico rockfish were landed during this period for the Point Sal area.

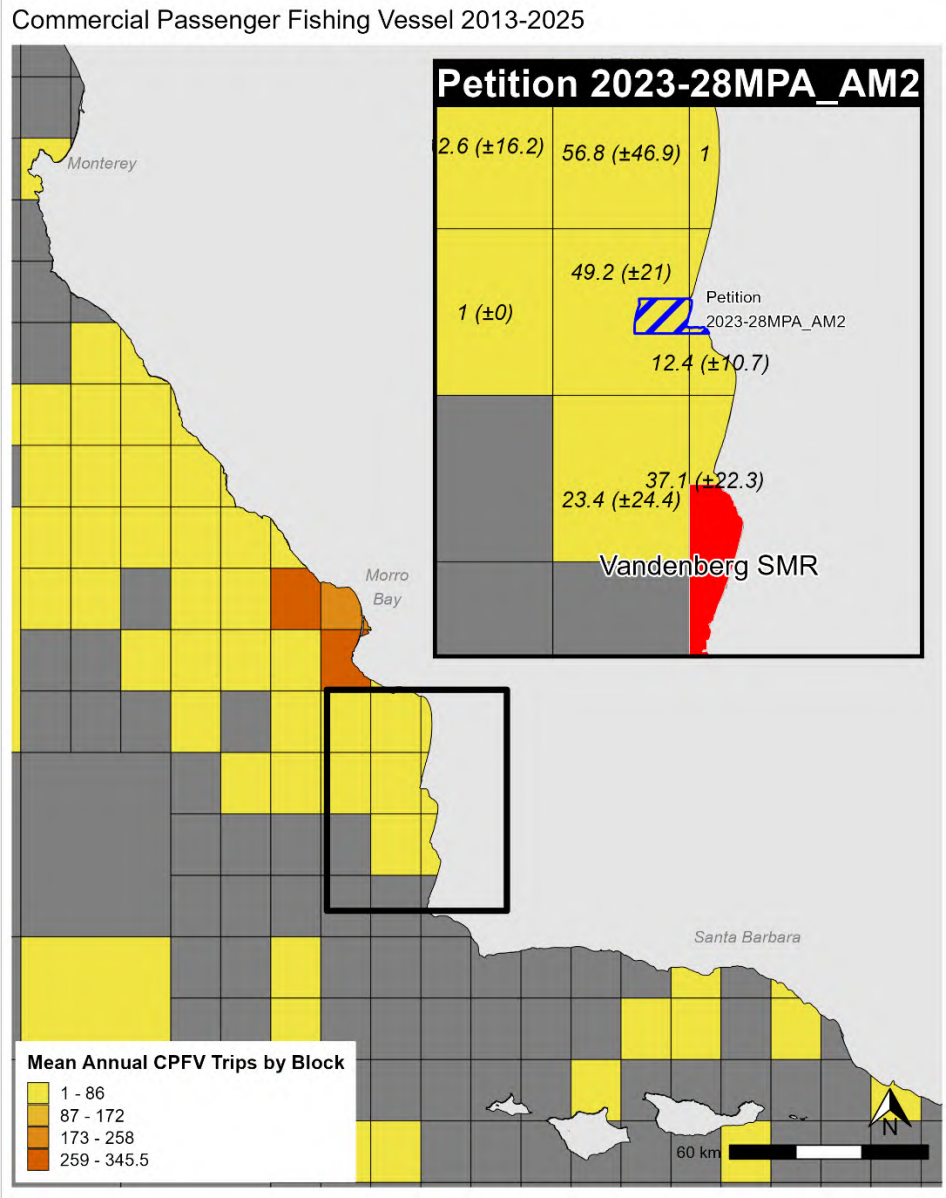


Figure 2. Mean annual (±SD) Commercial Passenger Fishing Vessel (CPFV) trips by Commercial Fishing Block (fishing block) for the area surrounding the proposed Point Sal MPA, between 2013 and 2025. The CPFV fleet brings paying passengers to recreationally fish at offshore coastal locations. The proposed new Point Sal SMCA is shown on the inset as blue hatching and the existing Vandenberg SMR shown in red. The proposed MPA overlaps with fishing blocks 631 and 632. Each fishing block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square). CPFV trips represented here do not include multi-day fishing trips.

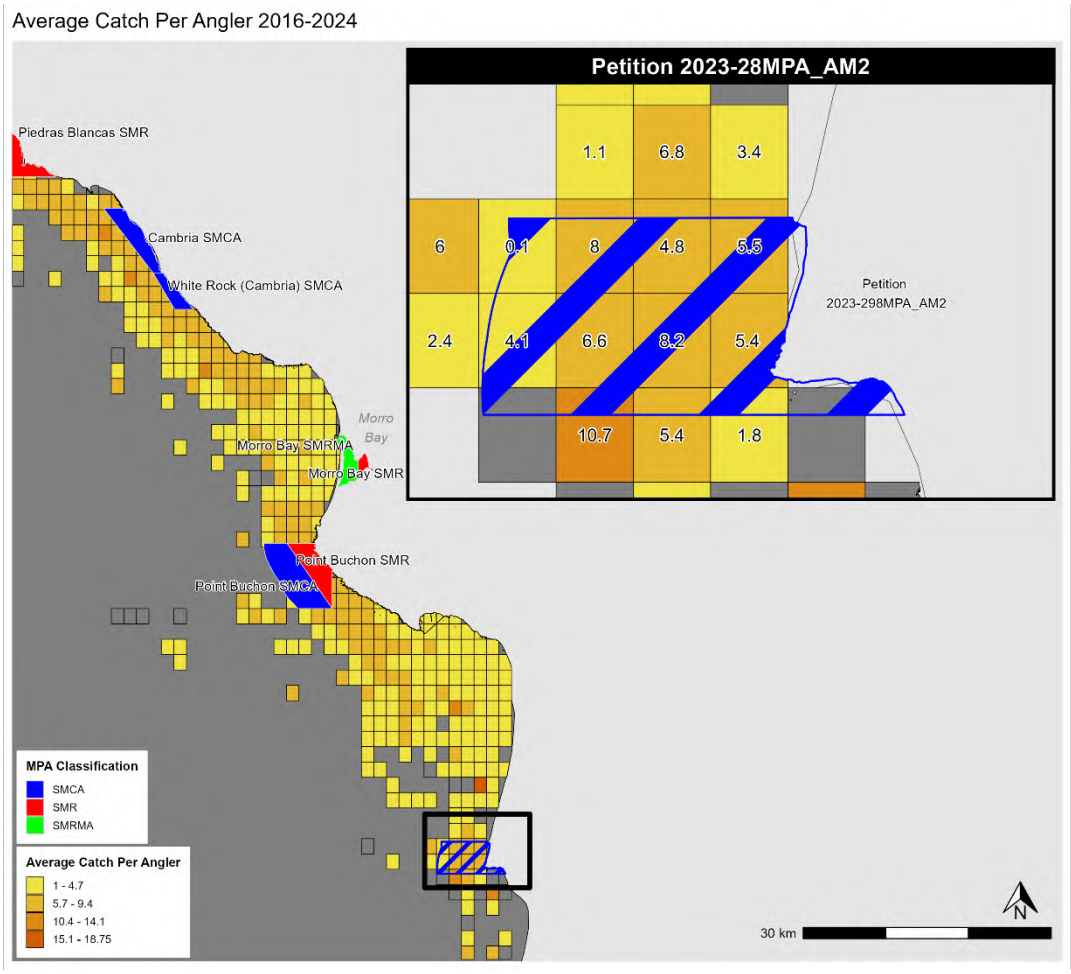


Figure 3. Average catch per angler (includes fish kept and released) for recreational anglers on private or rental boats from 2016 to 2024 by California Recreational Fisheries Survey (CRFS) microblock (1 minute of longitude x 1 minute of latitude, or roughly 1 mile square). The proposed new Point Sal SMCA is shown in blue hatching. CRFS conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) are intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Thus, spatial CRFS catch per angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

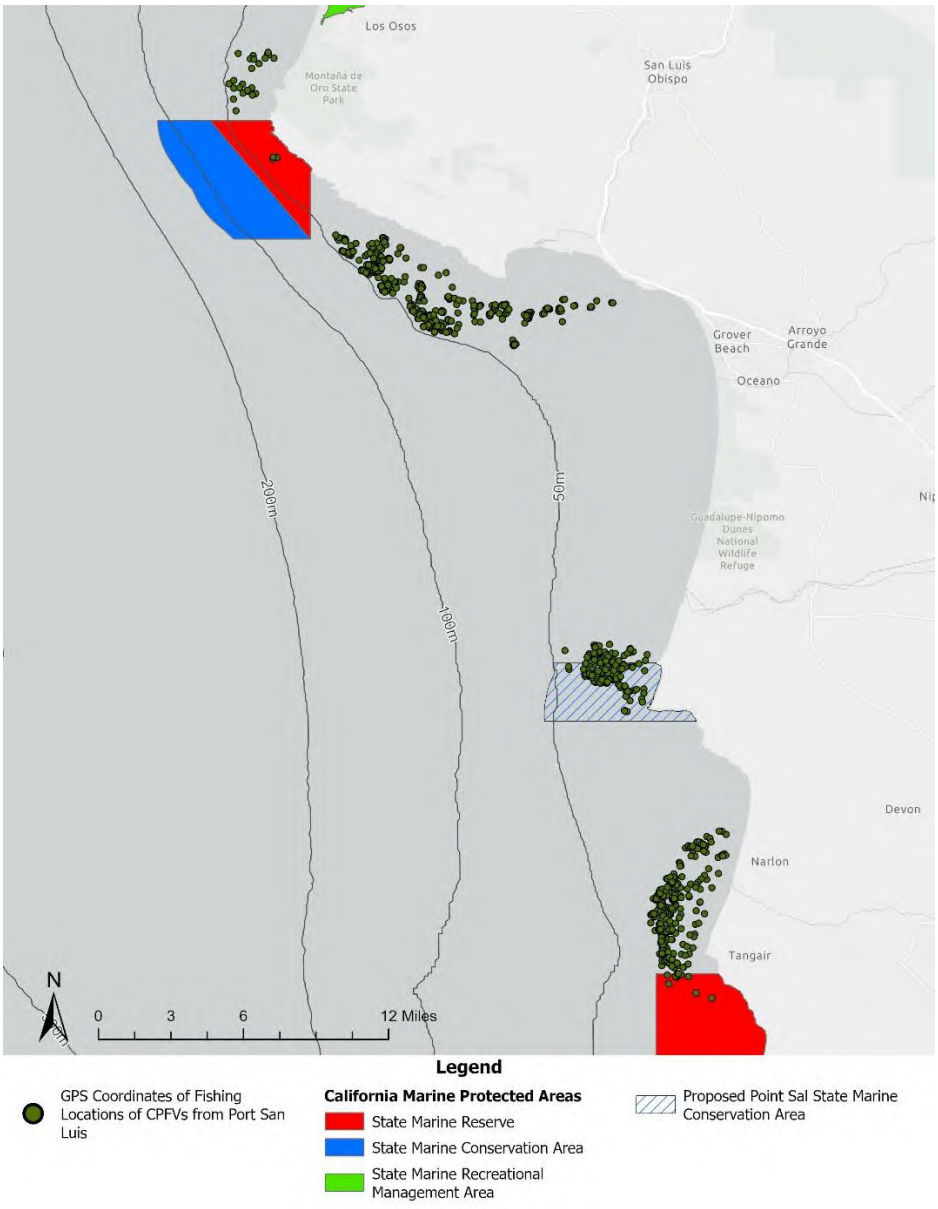


Figure 4. GPS points from California Passenger Fishing Vessel (CPFV) trips out of Port San Luis taken by California Polytechnic State University, San Luis Obispo fisheries observer program observers between 2004 and 2018 (data from Dodgen et al. 2025). The CPFV fleet brings paying passengers to recreationally fish at offshore coastal locations. GPS points are taken multiple times per trip, so one point does not represent one trip, it represents locations where fishing occurred throughout any given trip. Note that some points overlap with State Marine Reserves (SMRs), which do not allow take; this is because the dataset spans the period before, during, and after implementation of the MPA Network and those areas were not SMRs when the data was collected before implementation. Existing MPAs are shown in solid colors, and the proposed Point Sal SMCA is shown as blue hatching.

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California Department of Fish and Wildlife's Evaluation of 2023 Decadal Management Review Marine Protected Area Petition:

Designate a New SMCA Near Mishopshno/Carpinteria with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore and a Tribal Take Exemption for Santa Ynez Band of Chumash Indians (2023-29MPA_AM2)



I. PETITION SUMMARY

CFGC Tracking Number	2023-29MPA_AM2
Petition Contact/Affiliation	Lisa Suatoni, Natural Resources Defense Council; co-submitted by Santa Ynez Band of Chumash Indians (SYBCI) and Environmental Defense Center
Number of Proposed Actions	1
Affected MPAs	Mishopshno State Marine Conservation Area (SMCA, proposed new MPA)
Petition Summary	Designate a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians. Develop a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people.
Link to StoryMap page	2023-29MPA_AM2

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA MARINE PROTECTED AREAS

July 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the marine protected area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions
2023-29MPA_AM2 Establish a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians. Develop a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people.	The petitioners' intent for the proposed new Mishopshno SMCA "is to 1) help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the network and representation of habitat types, 2) protect habitat attractive to marine life, such as juvenile white sharks, and 3) honor the nearby historical Mishopshno village and cultural heritage of the Chumash in the area and restore management to the SYBCI of this portion of coastal waters." The proposed allowance of shore fishing was included "to ensure non-federally recognized Tribes retain shore fishing access."

CDFW Recommendation and Brief Justification

Support with an Alternative Pathway the non-regulatory request to advance co-management with SYBCI.

At the April 2026 California Fish and Game Commission (CFGC) Tribal Committee meeting, SYBCI confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking.

The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, CDFW is committed to exploring opportunities for co-management and co-stewardship with SYBCI and other interested tribes. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process, with a focus on the existing MPA Network, such as the four existing MPAs where SYBCI has a tribal exemption, and/or areas outside the MPA Network, including the proposed Mishopshno area, without establishing a new MPA.

Regarding the regulatory request in 2023-29MPA_AM2 to establish a new SMCA that allows recreational take of finfish by hook-and-line from shore and a tribal take exemption for SYBCI, CDFW recommends, CFGC Support with an Alternative Pathway and request CDFW engage with the SYCBI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area to acknowledge the cultural significance of the area, rather than CFGC establishing a new SMCA.

An SMCPA designation is intended to "protect and preserve cultural objects or sites of historical, archaeological, or scientific interest in marine areas." SMCPAs are designated by the California State Park and Recreation Commission and managed by California State Parks (or jointly managed with CDFW if there is overlap with an MPA). The justification for the recommendation to explore designation of a SMCPA rather than an SMCA is based on the following information from the evaluation framework:

One of the stated purposes of the petition is to improve MPA Network design, specifically by reducing spacing between MPAs and increasing replication of several key habitats. Based on the Science Advisory Team (SAT) Science Guidelines established during the Marine Life Protection Act (MLPA) Initiative planning process, contributing to these components of MPA Network design requires that an MPA has an area of at least 9 square miles, meets one of the three highest Levels of Protection (LOP), and contains a

minimum amount of a given key habitat, as determined for each habitat from biological surveys. Although the proposed SMCA exceeds the minimum size requirement at 9.05 square miles, the proposed allowance for recreational hook-and-line fishing from shore corresponds to a Moderate-low LOP. As such, the proposed SMCA would not improve MPA Network design or meet the scientific criteria necessary to expect a meaningful enhancement of biodiversity protection or connectivity. Even if the proposed MPA met the SAT Science Guideline criteria to count as a habitat replicate, the proposed new MPA would add three habitats that are well replicated in the South Coast region. The South Coast region MPAs currently include 11 Sandy Beach replicates, 13 Kelp Forest replicates, and 13 shallow soft bottom replicates across all depths (0->100 m), which exceeds the SAT recommended minimum of 3-5 replicates per bioregion. Therefore, the addition of this MPA does not represent an improvement in alignment with SAT Science Guidelines.

Regarding spacing between MPAs, backbone MPAs are strategically spaced within the established guidelines in this portion of coast. The proposed new Mishopshno MPA would be 14.6 miles from Campus Point No-take SMCA and 44.1 miles from the Point Dume SMR/SMCA cluster. The edge-to-edge distance between these backbone MPAs is approximately 60 miles, which falls within the recommendation in the SAT Science Guidelines for distance between MPAs (31 – 62 miles). There are additional place-based MPAs nearby, including Naples SMCA, Kashtayit SMCA, and the network of highly protected MPAs around the Northern Channel Islands. The DMR results did not indicate a current design deficiency in this region of the MPA Network, and it is not likely that adding a new MPA in this region would provide additional ecological benefits to the MPA Network beyond what the existing nearby MPAs provide when assessed against the SAT Science Guidelines.

The petitioners indicated the proposed new Mishopshno SMCA is intended to protect Carpinteria Reef where persistent kelp beds support abundant populations of diverse species and the area will benefit juvenile white shark (*Carcharodon carcharias*) through protection of their habitat. A petition with similar rationale proposing a protected area in a nearby location to protect juvenile white sharks was submitted to CFGC in 2020 and denied (Appendix G of CDFW 2022). Circumstances have not changed and no new information has been provided to warrant revisiting this decision. The proposed new Mishopshno SMCA is not expected to provide a benefit to white shark (MLPAI 2009a). The geographic range of juvenile white shark spans the Southern California Bight with substantial variability in preferred locations from year to year. White shark in general are protected by federal (Code of Federal Regs. Tit. 50, § 660.702) and California state laws (Cal. Code of Regs. Tit. 14, § 28.06, Fish & G. Code §§ 5517, 8599, 8610.3, and 2021) that aim to prohibit nearly all take or possession of white shark. The petition does not present a compelling rationale for localized protection of this area or evidence that the area

encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network.

Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code §§ 2853 and 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. The petition included general statements related to socioeconomic impacts, including that there would be limited impacts to commercial fishing and fishing by Commercial Passenger Fishing Vessels (CPFVs) but did recognize that there may be an impact on individual anglers and businesses. Given the scope and timeline of CDFW's evaluations, and data availability, CDFW conducted a preliminary assessment and did not find evidence to support the assertion of limited impacts to commercial fishing and CPFVs. Additional socioeconomic analyses are needed to fully characterize socioeconomic impacts, including to commercial and recreational anglers. The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

During the MLPA Initiative planning process, siting an MPA at the proposed location was the subject of significant negotiation due to its high value for both commercial and recreational fisheries, and the local community of Carpinteria. These considerations remain relevant today. The area continues to be a popular location for recreational consumptive uses, such as kayak angling and spearfishing. It is also a high value area for CPFV operators and several commercial fisheries, such as California spiny lobster (*Panulirus interruptus*) and California halibut (*Paralichthys californicus*). The proposed SMCA also overlaps with the California Halibut Trawl Grounds, a localized fishing area off Santa Barbara and Ventura defined in California statue (Fish & G. Code § 8495).

An MPA was considered at Mishopshno/Carpinteria during the MLPA Initiative planning process but was not selected, in part due to socioeconomic considerations. As proposed, the Mishopshno SMCA would not enhance MPA Network design beyond what the current MPA Network offers, in part because of the Moderate-low LOP. CDFW does not recommend establishing the proposed SMCA because it does not address a

demonstrated performance gap or current or emerging MPA management challenge, and therefore, would result in unnecessary socioeconomic impacts.

CDFW recognizes the cultural significance of the area to the Chumash people and is committed to advancing co-stewardship and continued engagement with SYBCI and tribes interested in co-management within the existing MPA Network and/or in this area. Given the considerations from the evaluation framework summarized above and in detail below, rather than establishing a new MPA at Mishopshno/Carpinteria, CFGC could Support with Alternative Pathway and request CDFW engage with the SYBCI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area to acknowledge the cultural significance of the area, which would "protect and preserve cultural objects or sites of historical, archaeological, or scientific interest in marine areas." This alternative designation would emphasize cultural significance of the waters around Mishopshno while maintaining access for all Chumash people, regardless of federal recognition status.

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes[1] *(tribes) throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with CDFW 2023 MPA Bin 2 Petition Evaluation Framework.*

WAS THE PETITION SUBMITTED BY A CALIFORNIA NATIVE AMERICAN TRIBE, REPRESENTATIVE DESIGNATED BY A TRIBE OR TRIBAL ORGANIZATION, OR HAVE A TRIBAL CO-SPONSOR?

Yes, this petition was submitted by Natural Resources Defense Council and co-sponsored by a representative of the Santa Ynez Band of Chumash Indians (hereafter referred to as SYBCI or tribe) and Environmental Defense Center (hereafter collectively referred to as the petitioners).

IF YES, (a)DOES THE PROPOSED CHANGE EXPLICITLY AIM TO ADVANCE TRIBAL CO-MANAGEMENT, SUBSISTENCE HARVESTING, STEWARDSHIP, AND/OR PROVIDE A TRIBAL BENEFIT THROUGH RECOGNIZING THE CULTURAL SIGNIFICANCE OF AN AREA?

[1] California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

Yes, the proposed change aims to advance tribal co-management and stewardship through the creation of a new MPA, Mishopshno SMCA. The proposed MPA would have a tribal take exemption for the SYBCI. The petition recommends the development of a co-management agreement between the state of California and SYBCI.

The proposed change also aims to provide a tribal benefit by recognizing the cultural significance of the area. Mishopshno is the name of a Chumash village that existed near the boundaries of the proposed MPA. The petition states, "Mishopshno village was an important coastal site in the ancestral lands of the diverse Chumash people because of its use for boatbuilding and its close proximity to the ocean."

(b)IS THE PROPOSED REGULATORY CHANGE EXPLICITLY LINKED TO A TRIBE OR TRIBES? (I.E. TRIBAL EXEMPTION, TRIBAL TAKE ONLY MPA, OR NEW MPA FOR CO-MANAGEMENT)?

Yes, the petitioners propose a regulatory change to create a new SMCA that would "Allow for the recreational take of finfish from shore using hook-and-line, promoting access to certain important marine and cultural resources for all Chumash people – including non-federally recognized Tribes" and includes a tribal take exemption for the SYBCI.

IV. PETITION EVALUATION

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-29MPA_AM2

The petition includes a proposal to establish a new 9.05 square mile co-managed MPA, Mishopshno SMCA, near Carpinteria, CA, that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians (SYBCI). The petition also includes a non-regulatory request to develop "a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people." The petition is intended to:

> *"1) help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the [MPA] network and representation of habitat types,*
> *2) protect habitat attractive to marine wildlife, such as juvenile white sharks, and*
> *3) honor the nearby historical Mishopshno village and cultural heritage of the Chumash in the area and restore management to the SYBCI of this portion of coastal waters."*

The petition, as amended March 26, 2025 (2023-29MPA_AM1), added an allowance for recreational take of finfish from shore using hook-and-line and modified the boundaries to encompass a smaller area than initially proposed. At the April 2026 California Fish and Game Commission (CFGC) Tribal Committee meeting, the petitioners:

- Confirmed their intent for pursuing tribal co-management with California Department of Fish and Wildlife (CDFW) would be through non-regulatory pathways,
- Requested consideration of a second boundary amendment that was originally submitted to CFGC in October 2025, which modifies the eastern and western boundaries, and
- Clarified that the request in the petition for the exception of tribal take "using hand-based equipment by the SYBCI" was intended to represent a tribal take exemption for SYBCI using methods and gear types that are currently allowed.

The second amendment was accepted by CFGC (2023-29MPA_AM2) and referred to CDFW for evaluation in April 2026. This is an evaluation of the petition as amended in April 2026, including:

- The non-regulatory request to develop a tribal co-management agreement with SYBCI, and
- The regulatory request to establish a new 9.05 square mile SMCA near Carpinteria named Mishopshno SMCA that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians with the following boundaries:
    - 34.366106˚ N lat. 119.53689˚ W long. (southeast corner)
    - 34.395977˚ N lat. 119.53689˚ W long. (northeast corner)
    - 34.416944˚ N lat. 119.58868˚ W long. (northwest corner)
    - 34.366106˚ N lat. 119.58868˚ W long. (southwest corner)

Tribal Co-management and Cultural Considerations

The petition states, *"We propose a new SMCA named Mishopshno for a prominent Chumash coastal village that was proximate to the marine area to be protected. Mishopshno village was an important coastal site in the ancestral lands of the diverse Chumash people because of its use for boatbuilding and its close proximity to the ocean."*

The area is also culturally significant as it is located near the mainland entry point for the first Chumash people arriving from Limuw (Santa Cruz Island), and this area later became the site of an important coastal village with vital access to marine, freshwater, and terrestrial resources (Santa Barbara Museum of Natural History 1991). The petition also requests the development of a co-management agreement between the State of California and SYBCI.

CFGC defines co-management as a collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area, or set of natural resources. Successful co-management typically comprises several components, such as clear governance authority and institutional structure, shared and long-term trust building, and integration of multiple worldviews and knowledge systems (Armitage et al. 2009, Berkes 2009, Ban et al. 2018, Warrior et al. 2022). In practice, this involves shared responsibility for management activities, such as monitoring, enforcement, and outreach, established through agreements developed collaboratively with tribes on a direct government-to-government basis (Berkes 2009, Ban et al. 2018, Artelle et al. 2019, Murray 2023).

Depending on the nature of the activities, co-management frameworks may be established through informal partnerships, formal agreements that do not require regulatory changes (e.g., Memorandum of Understanding), or regulatory or legislative changes. During the April 2026 CFGC Tribal Committee meeting, SYBCI clarified that the request for co-management in petition 2023-29MPA_AM2 was not a request for a regulatory change and confirmed their desire to continue to work with the state towards co-management in the proposed new Mishopshno SMCA.

As stated in the petition, the regulatory request for a new MPA co-managed by SYBCI is intended to "honor the nearby historical Mishopshno village and cultural heritage of the Chumash in the area and restore management to the SYBCI of this portion of coastal waters." The "petition calls for a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for…all Chumash people." In December 2025, a document entailing tribal testimonies relevant to the Mishopshno region was submitted by the Natural Resources Defense Council to CFGC stating,

> *"Despite the impacts of colonization and displacement [from the Mishopshno village and surrounding areas], Chumash people continue to maintain and revitalize ocean practices and traditions,"* and that *"these coastal and ocean ecosystems are central to Chumash identity and culture…[for] harvesting fish and*

> *other ocean animals for their traditional foods to feed their families and communities*."

The petition highlights the primary aims of co-management are a recognition of the cultural significance of the area and a tribal take exemption. While cultural significance may be a contributing factor in establishing an MPA in a particular location, it does not necessarily lead to co-management, and there are other designations to acknowledge the cultural significance of the area (e.g., State Marine Park, State Marine Cultural Preservation Area). Similarly, tribal take exemptions alone do not typically constitute the governance partnerships that co-management entails. Co-management typically concerns how resources are managed, whereas a tribal take exemption simply affects who may access or harvest those resources.

These objectives can be advanced through approaches that do not depend on the creation of a new MPA. While MPA designation may provide a geographic context within which co-management partnerships can be built, the establishment of a new MPA does not by itself establish the shared governance structure that underpins effective co-management. Developing co-management agreements in advance of new spatial designations or within existing ones is more likely to support durable and effective partnerships. Prioritizing a focus on the existing MPA Network provides a more immediate pathway for strengthening tribal stewardship in MPAs and will help lay the groundwork for future efforts. An opportune starting point could be Kashtayit SMCA, Naples SMCA, Anacapa Island SMCA, and Point Dume SMCA, each of which already contain a tribal take exemption for the SYBCI.

Since receiving the petition, CDFW has initiated conversations with SYBCI regarding co-management and values the opportunity to learn more about tribal interests in co-management directly from SYBCI through continued collaboration. Co-management agreements necessitate robust collaboration and partnership-building between the tribe and state and "establishing successful co-management is seldom immediate. Like most participatory processes it takes time and careful attention to partnership building and strategic planning" (see attachment in petition 2023-19MPA)[2]. By prioritizing an initial focus on implementation of the recommendations to advance co-management within the existing MPAs, the state and SYBCI can work government-to-government to advance tribal stewardship more immediately.

The effort to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government-to-government relationships

[2] Co-management of California-Chumash Marine Conservation Areas A White Paper Produced for The Santa Ynez Band of Chumash Indians with Funding Provided by the 7th Generation Advisors

between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

The establishment of a new MPA is not a prerequisite for, and does not by itself establish, the shared governance structure that underpins effective co-management. CDFW is committed to continuing to work with the SYBCI towards collaborative, sovereign-to-government co-management agreements within the existing MPA Network and elsewhere along the coast. This recommendation is intended to acknowledge and honor cultural needs by providing adequate time for tribal engagement, building partnerships, and incorporating Traditional Ecological Knowledge into the coordination and mutual understanding of the co-management over ancestral lands and waters.

State Marine Cultural Preservation Areas

Given the petition's emphasis on cultural recognition and preservation, an alternative designation that may warrant consideration for co-management of the waters in this area could be a State Marine Cultural Preservation Area (SMCPA). An SMCPA is one of 6 Marine Managed Areas defined and established in the Marine Managed Areas Improvement Act (MMAIA, Pub. Resources Code, §§ 36600-36900). In contrast to an MPA, an SMCPA is specifically intended to preserve "cultural objects or sites of historical, archaeological, or scientific interest in marine areas," which could serve as a complement to the existing landside BLM protection. SMCPAs are designated by the California State Park and Recreation Commission and either managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA[3].

This designation may provide an effective mechanism for recognizing and preserving the cultural significance of the area while continuing to explore opportunities for tribal co-management and co-stewardship. As noted above, the petitioners provided invaluable testimony from Chumash community members describing the cultural, ecological, and historical importance of the waters near the Mishopshno village site. The importance of incorporating marine cultural heritage into MPA Network design and

[3] Per the MMAIA (Pub. Resources Code, § 36700), an area can be designated under more than one classification. Therefore, a defined geographic area could be designated as a standalone SMCPA or may be co-designated with an MPA classification (e.g., SMR, SMP, or SMCA).

management was highlighted in DMR Recommendation 24, reflecting the recognition that the cultural significance of coastal areas could be better represented in the MPA Network. Similarly, California State Parks seeks to preserve examples of the state's diverse cultural heritage, particularly along underrepresented themes such as settlement and subsistence patterns associated with coastal prehistoric villages and tribal maritime exploration[4].

SMCPAs prohibit the damage, take, or possession of cultural resources, and these protections apply to the cultural resources of any tribe, regardless of federal recognition status. SMCPA designation does not restrict consumptive uses, so it could be a more inclusive approach to highlight the cultural importance of this area while maintaining existing fishing access and recreational opportunities.

In contrast, implementation of the proposed Mishopshno SMCA would restrict access to the area for cultural take practices beyond the take of finfish from shore by hook-and-line for tribes other than the SYBCI. The petitioners state that the "regulations would allow use of shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for the SYBCI and for non-federally recognized Chumash people," however, shore-based resources other than finfish by hook-and-line (i.e., shore-based resources such as seaweed, crab and mussels), as well as all offshore boat-based resources would no longer be accessible to members of tribes other than the SYBCI. Current legislative and regulatory frameworks provide pathways for tribal take exemptions for federally recognized tribes (25 C.F.R. § 83, Cal. Code Regs., tit. 14 § 632, subd. (a)(11)). No such pathway exists for non-federally recognized tribes. Consequently, the proposed new Mishopshno SMCA could create differential access among tribal communities. Designation of an SMCPA, on the other hand, could recognize and protect the cultural significance of the area, support continued exploration of co-management opportunities, maintain fishing access for existing users, and contribute to MPA Network achievement of Marine Life Protection Act (MLPA) Goals 3-6.

Habitat Replication and MPA Network Design

The petition states that proposed new Mishopshno SMCA is intended to enhance MPA Network design by increasing replication and representation of key habitats and promoting MPA Network connectivity and to "help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the network and representation of habitat types," in part, by placing a new MPA between two existing MPAs and thus, reducing the distance between them. However, to the extent

[4] Significant Cultural Resource Properties

feasible[5], the existing MPA Network meets the Science Advisory Team (SAT) Science Guidelines, established during the MLPA Initiative planning process, in this portion of the coast.

MPAs that meet the minimum SAT Science Guidelines for size and one of the three highest Levels of Protection (LOPs; i.e., Very High, High, or Moderate-high) are referred to as backbone MPAs because they are considered to provide substantial ecological benefit to the connected MPA Network. Although the proposed Mishopshno SMCA exceeds the minimum size threshold at 9.05 square miles, the proposed take allowance (recreational finfish by hook-and-line from shore) corresponds to a Moderate-low LOP (see response to Questions 9 and 13 for more information on this LOP assignment). Consequently, the proposed MPA would not qualify as a backbone MPA and thus would not improve alignment with the SAT Science Guidelines overall.

The petitioners state that (1) the proposed MPA would contribute to habitat replication for kelp forest, beach, and nearshore soft bottom substrate, (2) the proposed MPA would increase the representation of hard bottom substrate in the 0-30 and 30-100 m depth zones and soft bottom substrate in the 30-100 m depth zone, and (3) "the South Coast MLPA Planning region protects a lower proportion of nearshore hard-bottomed habitat than other regions."

For an MPA to contribute to habitat replication, it must meet the minimum size threshold and LOP (be a backbone MPA) *and* contain enough of a specific habitat to capture 90% of the biodiversity associated with that habitat. The proposed Mishopshno SMCA would not enhance habitat replication of kelp forest, beach, or nearshore soft bottom substrate, despite containing the minimum quantity of each (Table 1), because it does not meet the criteria to be a backbone MPA due to the Moderate-low LOP. Even if it was modified to meet the criteria, these three key habitats are well represented and spaced in the MPA Network, and the petition does not demonstrate that additional protection at this location would address a specific deficiency in current MPA Network design.

Habitat representation, on the other hand, considers the amount of a given habitat contained in all MPAs, regardless of LOP, compared to the total amount of that habitat available in state waters. Therefore, despite the Moderate-low LOP, the proposed new SMCA would increase representation of the noted habitats within the South bioregion; representation of hard bottom habitat in the 0-30 m depth zone would increase by 0.09%, hard bottom habitat in the 30-100 m depth zone by 0.04%, and soft bottom habitat

[5] Spacing between replicates of hard bottom habitat in all depth ranges exceeds the SAT Science Guideline-recommended range of 31-62 miles. This is due not to a deficiency in design, but rather to the sparse and heterogeneous nature of this habitat in the South Coast study region.

in the 30-100 m depth zone by 0.4%. With more than 15% of the available area of each of these habitats currently encompassed in existing South bioregion MPAs, these contributions are marginal.

Regarding the statement in the petition that a lower proportion of nearshore (i.e., 0-30 m depth) hard bottom habitat is protected in MPAs in the South Coast study region compared to other regions, California's marine environment is not homogeneous, and some habitats are limited, fragmented, or altogether not present in certain areas which was factored into MPA Network design during the MLPA Planning Process. With respect to nearshore hard bottom habitat in particular, this habitat is more fragmented and sparser in the South bioregion than in other regions. Campus Point No-take SMCA and Point Dume SMCA are separated by approximately 60 miles as a straight-line distance, with a substantially longer shoreline distance. Only about 1.2 miles of nearshore hard bottom habitat occurs between these two MPAs, which leaves little opportunity to exceed the 1.1-mile replication threshold identified by the SAT. It is for this reason of limited habitat availability, rather than a design deficiency, that the South bioregion protects a lower proportion of nearshore hard bottom habitat compared to other bioregions.

With respect to spacing between backbone MPAs, the SAT recommended a maximum over-water distance of 62 miles, based on known scales of larval dispersal. Spatial analyses using the best available data indicate that all backbone MPAs continue to meet this guideline. In the region relevant to the proposed Mishopshno SMCA, the nearest mainland backbone MPAs are Campus Point SMCA (No-take), which is 14.6 miles to the northwest of the proposed new SMCA, and the Point Dume MPA cluster, which is 44.1 miles to the southeast. The edge-to-edge over-water distance between these two existing MPAs is approximately 60 miles, which falls within the SAT Science Guideline range for maximum distance (31 - 62 miles). Although this spacing represents the highest spacing interval between backbone MPAs in the MPA Network, it remains within the science-based guideline, which was derived from larval dispersal estimates. In addition, this assessment does not include the MPAs around the Northern Channel Islands which are likely to have connectivity with the mainland coast (Chambers et al. 2006, Becker et al. 2007, Selkoe et al. 2006, Watson et al. 2010). Accordingly, this bioregion of the MPA Network meets the SAT Science Guidelines to support MPA Network connectivity.

The petition also suggests that adding the proposed MPA to the MPA Network could enhance larval production and connectivity of the MPA Network. However, one of the studies cited by the petitioners notes that, for an MPA to function as a significant source of larval production, it must include high quality, productive adult habitat and provide full protection (i.e., SMR designation) to the species within (Carr et al. 2017). Because the proposed SMCA would allow activities resulting in a Moderate-low LOP, it would not provide this level of protection.

Analyses of the MPA Network have found, and the petitioners acknowledge, that the existing MPA Network as designed is functioning effectively, with existing MPAs shown to be both demographically and environmentally connected (CDFW 2022, Yeager et al. 2023). Indeed, Yeager et al. (2023) state their results suggest "there is high sub-network connectivity in the different habitats in the system (i.e., high MPA-to-MPA environmental connectivity) and that [California] MPAs were generally placed in locations favored to receive high levels of propagule replenishment based on environmental transport alone." This provides evidence that the SAT Science Guidelines developed during the MLPA Initiative planning process, which incorporated connectivity principles into MPA Network design, resulted in a strong foundation for MPA Network connectivity. A reevaluation of MPA Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and MPA Network performance.

As stated above, as designed, the proposed Mishopshno SMCA does not meet the criteria to function as a backbone MPA because of the Moderate-low LOP, and spatial analyses confirm that a spacing gap does not exist in this portion of the MPA Network. The proposed Mishopshno SMCA would not meet the petitioners' stated ecological objectives or add habitat replicates. Even if the MPA met backbone criteria, it is unclear if the proposed new Mishopshno SMCA would provide measurable connectivity benefits to the MPA Network or improved alignment with the SAT Science Guidelines beyond what is currently achieved by existing MPA Network design.

Local Ecological Significance and Establishing an SMCA to Protect Habitat for White Shark

Consistent with the MLPA, California's existing system of MPAs was redesigned to increase its coherence and effectiveness for protecting the state's marine life, habitats, and ecosystems. Although the core MPA Network is designed as an interconnected series of backbone MPAs, there are also some MPAs that were established to address place-based needs, such as local "ecologically important areas and areas of key human interest" that may still contribute to the overall MPA Network (CDFG 2008). For example, Gerstle Cove SMR (0.01 sq. mi.) and Natural Bridges SMR (0.25 sq. mi.) were established to protect locally significant rocky intertidal habitats without serving as MPA backbones. Similarly, Matlahuayl SMR (1.04 sq. mi.) was retained in the MPA Network to encompass an ecologically important area that has been protected since 1929. Given that "individual MPAs may serve varied primary purposes while collectively achieving the overall goals and guidelines" of the MLPA Fish & G. Code, § 2857, subd. (c)), establishment of a new MPA could be appropriate where there is compelling rationale for localized protection or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network (Goal 4).

The petition highlights the ecological significance of the area including that the proposed new Mishopshno SMCA would overlap Carpinteria Reef "that supports one of the more abundant marine life communities and persistent kelp beds in Santa Barbara County," and serve as protection for juvenile white sharks (*Carcharodon carcharias*) and their habitat. Persistent kelp forests are frequently prioritized as candidate sites for new MPAs because they may act as essential climate refugia (Arafeh-Dalmau et al., 2023). However, Carpinteria Reef challenges the assumption that these areas require regulatory interventions to thrive and persist. Carpinteria Reef is a prime example of a highly persistent, healthy kelp forest that has successfully sustained itself for decades alongside actively managed coastal uses. Decades of continuous monitoring by the Santa Barbara Coastal Long-Term Ecological Research program demonstrate that Carpinteria Reef consistently maintains a highly persistent and stable giant kelp canopy (Michaud et al. 2026). Because this habitat is thriving under current conditions, siting a new MPA here for the purpose of protecting the kelp bed is likely unnecessary and would provide redundant protection and habitat representation within the MPA Network. The petition did not include compelling rationale for localized ecological protection of this area or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network.

The petition indicates part of the rationale for establishing the proposed new Mishopshno SMCA is to protect habitat attractive to numerous species, especially juvenile white shark. However, the petition does not provide sound rational to support the assertion that the habitat protections achieved by the proposed SMCA would benefit juvenile white shark. Broadly, (1) ecological conservation goals, such as habitat protection, are not aligned with the proposed MPA's Moderate-low LOP, (2) MPAs are intended to protect ecosystems rather than individual species, and (3) white shark have state and federal protections that would not be improved by MPA designation.

Juveniles of the Northeast Pacific population of white shark utilize nearshore waters associated with sandy beach habitats throughout the Southern California Bight as nursery habitat (Heupel et al. 2007). Coastal nursery locations vary from year to year, likely in response to external conditions such as prey availability and water temperature (Domeier et al. 2012, Tanaka et al. 2021, Weng et al. 2007). An aggregation of juvenile white sharks was reported near Carpinteria in 2020 (Spurgeon et al. 2022), prompting some to suggest the establishment of an SMCA in this area could seasonally offer local benefits to juvenile white shark. However, juvenile white shark studies suggest residency (Anderson et al. 2021) and density (Parsons 2022) are highly variable both within and across years, indicating that a hotspot in one year is not a reliable predictor of consistent habitat use in subsequent years. Furthermore, research indicates that the most consistent patterns of juvenile white shark activity (85% of detections in one nine-year acoustic monitoring study) occur much further south, between Long Beach and

Huntington Beach (Anderson et al. 2021). The mechanisms driving this interannual variability are not well understood and may differ from year to year.

In 2020, petition 2020-012_AM1 was submitted to CFGC proposing to establish a protected area for the Padaro Beach white shark nursery near Carpinteria. In response, CDFW evaluated the petition and concluded that an MPA would not be an effective tool for protecting juvenile white shark in the area due to the variability of juvenile white shark habitat use and uncertainty of environmental conditions and their impact (CFGC 2020). Consequently, CFGC denied the petition to create a protected area for a white shark nursery at Padaro Beach.

Moreover, white shark are protected by California state law, through regulations including a fishing ban (Cal. Code of Regs. Tit. 14, § 28.06), "chumming" and proximity ban, nearshore gillnet ban, and shark fin ban (Fish & G. Code §§ 2021, 5517, 8599, and 8610.3). These state protections are aimed at prohibiting nearly all take or possession of white shark and reducing bycatch by regulating various net types or baits. Take of white shark is also federally prohibited (Code of Federal Regs. Tit. 50, § 660.702). At the June 17-18, 2026, CFGC meeting, CFGC adopted emergency regulations that require the immediate release of any white shark incidentally caught (amended Cal. Code of Regs. Tit. 14, § 28.06) and further restrict allowed gear types when hook-and-line fishing from shore in certain regions of the state (amended Cal. Code of Regs. Tit. 14, § 28.65). The new regulations aim to curtail illegal targeted fishing of white shark, help ensure sharks hooked accidentally are released alive, and prevent interactions between hooked sharks, heavy fishing gear, and humans recreating in the nearshore environment (CFGC 2026). Due to a forecasted strong El Niño oceanic event this year, it is expected that the presence of white sharks in the state's coastal waters will increase (CFGC 2026). There is no indication that these state and federal regulations are insufficient in protecting this species and there is limited evidence to support beneficial outcomes for white shark resulting from an MPA designation.

Climate Resilience

The petitioners cite climate change as additional rationale to warrant establishment of a new MPA. While there are promising results in the scientific literature that MPAs may act as climate refugia for certain species and ecosystems and/or promote recovery following a climate-driven disturbance (Micheli et al. 2012, Carr et al. 2017, Roberts et al. 2017, Bates et al. 2019, CDFW 2022, Jacquemont et al. 2022, Raimondi and Smith 2022, Ziegler et al. 2023, Benedetti-Cecchi et al. 2024, Kumagai et al. 2024, Olguín-Jacobson et al. 2025, Ortiz-Villa et al. 2025), the current state of knowledge indicates that MPAs do not consistently or predictably confer resilience to climate change (Coleman et al. 2017, Bruno et al. 2018, Freedman et al. 2020, Kyprioti et al. 2021, Smith et al. 2023, Filbee-Dexter et al. 2024, Ortiz-Villa et al. 2025). The DMR results showed that habitats and species both

inside and outside MPAs experienced dramatic changes following the 2014-2016 marine heatwave. However, some habitats, such as rocky intertidal and kelp forests, were more stable and showed some resiliency to the effects of the heatwave, and that some of this stability could be attributed to higher connectivity (CDFW 2022, Carr et al. 2022, Raimondi and Smith 2022). Yet these results were variable, and highly dependent on bioregion and shifts in oceanographic conditions pre- and post-heatwave (CDFW 2022, Carr et al. 2022, Caselle et al. 2023, Hamilton et al. 2023).

Therefore, while MPAs may indirectly support climate resilience under certain conditions, an MPA explicitly intended to serve this function should be supported by evidence demonstrating how it would contribute to resilience at the site and MPA Network scale. Without this information, it is difficult to evaluate whether the proposed action would serve as an 'insurance factor' the petitioners envision. Although climate change was not explicitly considered during the MLPA Initiative planning process, California's MPA Network was designed with resilience-oriented principles in mind (Hofmann et al. 2021). Adding an additional MPA in this area is not likely to further promote climate resiliency beyond what the current MPA Network is currently providing (See Attachment 1 [Companion Document] for more information on Climate Resiliency and MPAs). Further exploration of climate change resiliency and the role of MPA design will be guided by the DMR Recommendations focused on MPA Network performance (CDFW 2022) and the recommendations put forth in the "Climate Resilience and California's Marine Protected Area Network" report (Hofmann et al. 2021).

Lastly, an MPA that does not meet the minimum SAT Science Guidelines for backbone MPA status has a lower probability of contributing meaningful ecological resilience to the MPA Network. Therefore, without climate-specific and site-specific scientific justification, and given the proposed MPA's lack of alignment with minimum design thresholds, the petition has not demonstrated how the proposed MPA will provide additional climate resilience beyond those provided by the existing MPA Network.

Impacts to Fisheries and Socioeconomic Impacts

Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code, §§ 2853 & 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, and data availability, CDFW was able to conduct a preliminary assessment but did not have the ability to conduct an in-depth analysis of the economic or fiscal impacts for the proposed new MPA (see Question 5 in Attachment 1).

The proposed new Mishopshno SMCA has the potential to impact several commercial fisheries, the Commercial Passenger Fishing Vessel (CPFV)[6] fleet, private boat anglers operating out of Santa Barbara and Ventura area ports, and shore-based spear fishers and kayak anglers. The proposed MPA is within an area that was the subject of significant debate during the planning process due to potential impacts to commercial and recreational fisheries. Establishing an MPA in this location is expected to introduce socioeconomic impacts and implementation costs.

The proposed Mishopshno MPA is within Commercial Fishing Block 652. Block 652 is an economically valuable and productive block for commercial fisheries in the region. Since complete implementation of the MPA Network, between 2013 and 2025, there was $2 million worth of commercial lobster (*Panulirus interruptus*) caught in fishing block 652 (Figure 1), representing approximately 2.1% of all commercial lobster landings for all Santa Barbara area ports (Oxnard, Santa Barbara Harbor, and Ventura). The proposed MPA overlaps with the California Halibut Trawl Grounds (CHTG), which extend one nautical mile from shore out to three nautical miles offshore of Santa Barbara and Ventura. This fishery, which uses light touch trawl gear, is the only fishery permitted to take halibut (California halibut, *Paralichthys californicus*) by trawl within state waters (Fish & G. Code § 8495). Based on the most recent CDFW evaluation of the CHTG, areas of high activity in the CHTG between 2018 and 2022 show an area of overlap with the western boundary of the proposed Mishopshno SMCA (Tanaka et al. 2025, Figure 2). California halibut may also be commercially taken by hook-and-line and by trawl in federal waters. Between 2013 and 2025, block 652 was the source of 3.5% of commercial halibut caught by all gear types for all Santa Barbara area ports, with a total value of approximately $370,000 (Figure 3, for more details on all commercial fishery value data, see the CDFW Marine Fisheries Data Explorer).

Furthermore, the proposed MPA overlaps an expansive reef that is easily accessible from shore and is thus a popular site for recreational fishing. The area is frequented by the CPFV fleet and private boaters based out of Santa Barbara and Ventura area ports (for CPFVs, these include Gaviota Beach, Port Hueneme, Oxnard, Santa Barbara Harbor, Ventura, Goleta Beach, and Guadalupe Beach). Since complete implementation of the MPA Network, between 2013 and 2025, there were a total of 3,800 CPFV trips to block 652, with an average of 70.8 (± 24.6 SD) trips each year (Figure 4). The CPFV fleet, particularly those operators in the fleet conducting half-day trips, is likely to be negatively impacted by the proposed Mishopshno SMCA, which would restrict boat-based fishing access.

[6] The Commercial Passenger Fishing Vessel (CPFV) fleet takes paying passengers to recreationally fish at offshore coastal locations.

Spatial trends in average catch per angler between 2016 and 2024 from the California Recreational Fisheries Survey (CRFS)[7] also indicate the area is heavily used by private boaters (Figure 5). Kayak angling, spearfishing, and lobster fishing by hoop net are also popular methods of fishing in the area that would not be allowed in the proposed new MPA. Shore-based recreational take of resources (except finfish by hook-and-line) such as seaweed, crab, and mussels would also be affected.

The petitioners state that "previous designations of local MPAs have resulted in benefits for the commercial CA spiny lobster fishery," and suggest that designation of the proposed MPA could yield similar long-term benefits through spillover of legal-sized lobsters into unfished areas. Although the data in the supporting study (Lenihan et al. 2021) provide valuable evidence of localized biomass spillover in a single commercial fishing block, the findings may not uniformly apply to other MPA locations, nor do they address other relevant fisheries in the area.

The petitioners also state that,

> *"Considering the relatively low proportion of landings and value coming from this fishing block, the small size of the proposed SMCA within the fishing block, and the amended boundaries that allow continued access to a locally important fishing areas, we anticipate that establishing this SMCA would have limited impact on commercial fishing vessels and CPFVs in the area."*

However, based on CDFW's preliminary assessment results above, this statement is unfounded, and additional analyses are needed to characterize socioeconomic impacts, including to commercial and recreational fishers and non-consumptive users.

Historical Context: MLPA Planning Process

During the MLPA Initiative planning process, the South Coast Regional Stakeholder Group (RSG) considered and rejected siting an SMCA in this portion of coast. In the final round of MPA array development, two of the three MPA arrays included an MPA near Carpinteria. One included a small nearshore SMR adjacent to the Carpinteria Salt Marsh focused primarily on estuarine protection, while another proposed a large High LOP

[7] The California Recreational Fisheries Survey (CRFS) conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (approximately 1 x 1 square miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

SMCA (to be called 'Mishopshno SMCA') east of the footprint of the proposed MPA currently under evaluation in 2023-29MPA_AM2 (MLPAI 2009c). To minimize socioeconomic impacts, the latter SMCA was designed to meet spacing and LOP guidelines while intentionally avoiding Carpinteria Reef. Ultimately, the Blue Ribbon Task Force recommended a preferred alternative package that included Kashtayit SMCA, Naples SMCA, and Campus Point No-take SMCA, but excluded an MPA at Carpinteria Reef. This exclusion was largely driven by concerns over disproportionate economic impacts on local stakeholders, and the package was subsequently adopted by CFGC. Many of the considerations that led to that decision, including the potential socioeconomic impacts, remain relevant today.

Conclusion

Regarding the non-regulatory request, CDFW is committed to advancing co-stewardship and is interested in continuing to engage with SYBCI on co-management within the existing MPA Network or in this area. However, there are faster and less burdensome pathways to achieve co-management which in turn will help to advance DMR Recommendations related to improving tribal coordination and relationships and working with tribes and other partners to better incorporate marine cultural heritage into the design of the MPA Network.

Regarding the regulatory request, based on the evaluation framework, the proposal to establish a new Mishopshno SMCA that allows recreational take of finfish by hook-and-line from shore and a tribal take exemption for SYBCI:

- As proposed and when assessed against the SAT Science Guidelines, would not meaningfully improve the structure or function of the MPA Network beyond existing conditions as follows:
    - Would have a Moderate-low LOP and would not serve as a backbone MPA or add habitat replicates to the MPA Network,
    - Even if the MPA was designed to meet the SAT Science Guidelines LOP criteria and could serve as a backbone MPA:
        - This region of the MPA Network is currently not deficient in habitat representation, replication, or spacing,
        - The proposed new MPA would only marginally increase representation of nearshore hard bottom habitat and both hard and soft bottom habitat in the 30-100 m depth zone; less than half a percent would be added to each habitat for the Southern bioregion, and even less to the MPA Network as a whole,

  - The proposed new MPA would contribute replicates of beach, kelp forest, and nearshore soft substrate habitats. However, there are 11 sandy beach replicates, 13 kelp replicates, and 13 soft substrate replicates within the existing MPA Network in the South Coast planning region. These numbers exceed the SAT Science Guideline of a minimum 3-5 habitat replicates in each bioregion,
  - It would not improve alignment with the spacing guideline recommended by the SAT beyond what is achieved by the existing MPA Network. The proposed Mishopshno SMCA would be surrounded by several well-designed MPAs, including:
    - Campus Point SMCA, which is 14.6 miles to the northwest,
    - The Point Dume SMR/SMCA cluster, which is 44.1 miles to the southeast,
    - Naples SMCA and Kashtayit SMCA, which are place-based MPAs, and
    - The network of highly protected MPAs around the Northern Channel Islands.
- Does not address a current or emerging MPA management challenge that has emerged since the DMR,
- Would be contrary to past deliberations and decisions made during the MLPA Planning Process and prior CFGC decisions (Petition 2020-012_AM1) without providing new information,
- Does not align with the original intent of the MLPA Initiative planning process for significant changes to the MPA Network,
- Would not provide measurable ecological benefits to the MPA Network beyond what the neighboring MPAs currently offer,
- Does not provide compelling evidence to support the need for a place-based MPA at this location.

Furthermore, there are concerns related to the unnecessary impacts to recreational and commercial fisheries, given the lack of a meaningful ecological benefit to the MPA Network. Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code, §§ 2853 & 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, and data availability, CDFW did not have the ability to provide an in-depth supplemental analysis of the economic or fiscal impacts for the proposed new MPA (see Question 5 in Attachment 1). Based on the preliminary assessment above there will be socioeconomic impacts to commercial and

recreational fishers. However, additional analyses would be needed to characterize socioeconomic impacts, including impacts to consumptive and non-consumptive users, associated with the proposed new Mishopshno SMCA.

CDFW recognizes the cultural significance of the area to the Chumash people and is committed to advancing co-stewardship and continuing to engage with SYBCI and other interested tribes who have stewarded the area since time immemorial on co-management within the existing MPA Network and/or in this area. A new MPA is not necessary for co-management to occur or to acknowledge the cultural significance of an area. In conjunction with continuing to pursue co-management with SYBCI, exploring designation of a SMCPA (MMAIA, Pub. Resources Code, §§ 36600-36900) is an alternative pathway to recognize the cultural significance of the location and to better incorporate marine cultural heritage into the design of the MPA Network (DMR Recommendation 24). Designating this area as an SMCPA would prohibit the damage, take, or possession of any cultural resources, acknowledge the cultural significance of the area, while also preserving any historic objects in the area, for example, artifacts from submerged village sites. SMCPAs are designated by the California State Park and Recreation Commission and managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA. This designation would recognize the cultural importance of the area and would avoid eliminating fishing access or take associated with ceremonial and cultural practices for tribes other than SYBCI.

RECOMMENDATION FOR 2023-29MPA_AM2

Given these considerations, and the information in the evaluation below:

CDFW recommends that CFGC Support with an Alternative Pathway the non-regulatory request to advance co-management with SYBCI.

At the April 2026 CFGC Tribal Committee meeting, SYBCI confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking. The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead

to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, CDFW is committed to exploring opportunities for co-management and co-stewardship with SYBCI and other interested tribes. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process, with a focus on the existing MPA Network, such as the four existing MPAs where SYBCI has a tribal exemption, and/or areas outside the MPA Network, including the proposed Mishopshno area, without establishing a new MPA.

Regarding the regulatory request in 2023-29MPA_AM2 to establish a new SMCA that allows recreational take of finfish by hook-and-line from shore and a tribal take exemption for SYBCI, CDFW recommends that CFGC Support with an Alternative Pathway and request CDFW engage with the SYCBI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area to acknowledge the cultural significance of the area, rather than CFGC establishing a new SMCA.

EVALUATION QUESTIONS

2023-29MPA_AM2: Designate a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians.

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

No. The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the MPA Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning MPA Network that was designed to holistically address the MLPA Goals as a whole. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan objectives.

The petitioners have proposed Mishopshno SMCA, a new MPA near Carpinteria, with an allowance for recreational take of finfish by hook-and-line from shore and a tribal take exemption for members of the SYBCI. The proposed allowed uses correspond to a Moderate-low LOP. The petitioners describe objectives for the proposed MPA that would align with MLPA Goals 1, 4, and 6, related to preserving marine ecosystems, protecting representative habitats, and promoting MPA Network connectivity. However, as proposed, the Mishopshno SMCA is unlikely to benefit the MPA Network or address a current or emerging MPA management challenge that has emerged since the DMR.

Broadly, the minimal LOP (Moderate-low) is incompatible with the achievement of ecological goals, such as the protection of biodiversity and ecosystem function (Goal 1) or the conservation of marine life populations (Goal 2). It would also preclude contribution to MPA Network design goals, such as habitat representation and replication (Goal 4) or MPA Network connectivity (Goal 6). Therefore, the proposed design does not align with the stated objectives in the petition nor with the SAT Science Guidelines established during the MLPA Initiative planning process that inform MPA Network design (Goal 5).

The petition states an additional goal of the proposed MPA is to protect habitat attractive to marine wildlife (Goal 1), particularly juvenile white sharks. However, current research does not provide evidence that this area is consistently preferred by juvenile white sharks and there is no scientific basis to conclude that establishing an MPA at this location would provide effective protection for white shark. This conclusion is informed by the broad geographic distribution of the species. Suitable white shark nursery habitat spans much of the coastal waters from Baja California Mexico to Point Conception, though juveniles were detected as far north as Monterey Bay following the 2014-2015 marine heatwave. Juvenile white shark spatial use varies widely both within and across years, likely in response to changing oceanographic conditions. Although recent studies have documented increased numbers of juvenile white sharks in Carpinteria's nearshore waters, these observations do not necessarily demonstrate consistent or unique habitat use, nor do they establish a mechanism by which MPA designation would improve outcomes for this species. Indeed, during the MLPA Initiative planning process, the SAT did not identify white shark as a species likely to benefit from MPAs (MLPAI 2009a). Given the large geographic distribution of white shark, high interannual variation in juvenile white shark nursery locations, and the degree of existing state and federal protections for white shark (Cal. Code of Regs. Tit. 14, §§ 28.06 and 28.65, Fish & G. Code §§ 5517, 8599, 2021, Code of Federal Regs. Tit. 50, § 660.702), it is unlikely a new MPA in this area would confer a benefit to the juvenile white shark population in southern California.

The petitioners also aim to enhance MPA Network design and connectivity (Goals 4 and 6). As noted in the petition, the proposed SMCA would indeed encompass multiple

unique and representative marine habitats (Goal 4), including kelp forest, beach, and nearshore soft bottom habitats. However, given the Moderate-low LOP, the proposed MPA would not qualify to serve as a habitat replicate for these habitats. Even if the proposed MPA met the SAT Science Guidelines criteria to count as a habitat replicate, the proposed new MPA would add three habitats that are well replicated in the Southern bioregion.

The petition also indicated part of the rationale for establishing the new Mishopshno SMCA is to increase the representation of rocky reef habitat in the 0-30 and 30-100 m depth zones and soft bottom habitat in the 30-100 m depth zone in the south bioregion. While a lower proportion of nearshore hard bottom habitat is currently protected in MPAs in this region relative to the rest of the state, the MPA as proposed would add less than half of a percent of these habitats for the Southern bioregion, and even less to the MPA Network as a whole, so the proposed MPA's contribution to habitat representation would be marginal (see response to Question 9).

Another expected outcome stated in the petition is that establishing the proposed SMCA would enhance the design of the MPA Network (Goal 6) by closing a large spacing interval between existing MPAs. There is an approximate 60-mile distance between Campus Point No-take SMCA to the northwest and the MPA cluster at Point Dume to the southeast. This distance is within the 31 to 62-mile maximum spacing range recommended by the SAT during the MLPA Initiative planning process. This spacing guideline incorporates connectivity principles, and the DMR results show that the existing MPA Network is well connected (CDFW 2022, Yeager et al. 2023). Naples SMCA and Kashtayit SMCA also serve as nearby place-based MPAs and the network of highly protected MPAs around the Northern Channel Islands also likely contribute to connectivity. Therefore, there is not a demonstrated deficiency in MPA Network design. Though identifying MPA Network design deficiencies was not a specific objective of the DMR, results of the assessment of MPA Network performance relative to MPA design attributes did not indicate the MPA Network was failing to meet ecological objectives (e.g., MPA placement and spacing appears to be promoting ecosystem connectivity). The DMR indicated that with continued long-term monitoring over the next 10-year period, we anticipate being able to conduct additional analyses related to performance and influencing factors, including MPA design attributes.

Furthermore, any potential ecological gains must be weighed against other MLPA Goals. The MPA Network was intentionally designed to balance conservation benefits with the needs of coastal communities and diverse ocean users, including fisheries (Goal 3). While it is suggested in the petition that designation of this MPA is likely to result in a spillover effect (aligned with Goal 2) similar to those observed in previous studies with California spiny lobster in the Santa Barbara Channel (Lenihan et al. 2021, Lenihan et al. 2022), the petitioners did not provide evidence to support this statement. Although the

data in the supporting study (Lenihan et al. 2021) provide valuable evidence of localized biomass spillover in a single commercial fishing block, the findings may not uniformly apply to other MPA locations, nor do they address other relevant fisheries in the area.

The petitioners also suggest that protecting this area could boost recreation levels and thus yield economic benefits. However, there are data gaps around benefits or impacts to non-consumptive users and this claim is unverified (see response to Question 5 for more details).

During the MLPA Initiative planning process, MPAs were proposed for the Carpinteria area and ultimately rejected due to compromises made to reach consensus, including an alternative to establish an SMCA to be named "Mishopshno." (See response to Question 7a for more information). Such tradeoffs were a core component of the robust science-based, stakeholder-driven process that established California's MPA Network and continues to guide its management (Goal 6).

Therefore, while the petitioners assert alignment with MLPA Goals, the proposed MPA is not expected to meaningfully advance MPA management or performance objectives from an ecological perspective. The petition lacks compelling rationale for localized protection of this area or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network.

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

Yes. The establishment of the MPA alone does not advance DMR Recommendations. However, the additional request to co-manage the area with SYBCI is a pathway to advance prioritized adaptive management Recommendations from the DMR (CDFW 2022): (1) Improve state agencies tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements for Recommendation (3) Building tribal capacity to participate in MPA management activities.

The petition highlights the value of the area as a cultural heritage site and the importance of the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people. However, the Mishopshno SMCA as proposed would limit other tribes' ability to continue subsistence practices and potentially cultural harvest, other than hook-and line fishing for finfish from shore, including shore-based recreational take of other species (e.g., seaweed and invertebrates such as crabs and mussels), and all offshore and boat-based fishing. Designating the area as a SMCPA is an alternative pathway that could be explored to

acknowledge the cultural significance of the area without limiting subsistence practices. Additionally, CDFW could work with SYBCI and other tribes to advance these DMR Recommendations, including developing a co-management agreement for this area, outside of the regulatory process. See Tribal Co-Management of MPAs section in the narrative and see Question 2a of Attachment 1 for the DMR and DMR Recommendations.

QUESTION 2B: IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?

Not applicable, as the proposed change advances adaptive management recommendations.

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

Yes. The proposed SMCA overlaps with Administrative Kelp Beds 20 and 21, which are both leasable. Kelp can be commercially harvested within leasable kelp beds until a lease is obtained for the bed, at which time the bed can only be harvested by the lease holder. There is a CFGC-approved kelp harvest plan for mechanical harvesting of giant kelp in both beds. Establishment of the MPA would reduce the harvestable area within these two kelp beds.

The proposed SMCA also overlaps with open waters of California Halibut Trawl Grounds, which extend from one to three nautical miles offshore of Santa Barbara and Ventura counties. Establishment of the proposed MPA would reduce the fishable area within legislatively enacted California Halibut Trawl Grounds

Additionally, the proposed change bears similarity to a petition previously considered and denied by CFGC. In 2020, petition 2020-012_AM1 was submitted for the establishment of an MPA with boating and fishing restrictions at Padaro Beach, Carpinteria, to protect white shark nursery grounds. The petition was denied at CFGC's April 2021 meeting following review of CDFW's evaluation, which concluded that protecting nursery habitat specific to a single location along the coastline would not enhance protections for white shark over those protections that currently exist[8]. While CFGC validated the petitioner's concerns for the safety of both humans and wildlife, they

[5] White sharks are protected by California state law, through regulations including a recreational fishing ban (Cal. Code of Regs. Tit. 14, § 28.06), "chumming" and proximity ban, nearshore gillnet ban, and shark fin ban (Fish & G. Code §§ 5517, 8599,2021, respectively). White shark is also a federally prohibited species (Code of Federal Regs. Tit. 14, § 660.702). More recently, CFGC adopted emergency regulations to amend Cal. Code of Regulations Title 14, sections 28.06 and 28.65 to restrict certain types of fishing gear and require release of any juvenile white shark caught incidentally in certain regions of the state.

agreed with CDFW that establishing a new MPA was not the appropriate tool to protect white shark (CFGC 2020).

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. The Mishopshno SMCA, as proposed, would limit other tribes' ability to continue boat-based subsistence practices and other shore-based fishing or cultural harvest of invertebrates and algae. It is unclear how the proposed change may affect other tribal management and monitoring activities.

The proposed MPA overlaps pipelines that are from offshore oil platforms in federal waters in the Santa Barbara Channel, which may require coordination with the Bureau of Ocean Energy Management.

The proposed MPA overlaps granted lands held by the City of Carpinteria. The title to these lands was confirmed by the state in 1968 and provided they be used for statewide purposes, such as public recreation and protection of wildlife habitat and open space. It is unclear whether the proposed change would affect the City's management activities. Implementation of the proposed changes could require CDFW coordinate with the City of Carpinteria on enforcement, updates to signage, and outreach efforts.

There is one offshore mineral resource lease and several general leases at the land-sea interface authorized by the State Lands Commission that may be affected by the proposed change. It is unclear whether the proposed change would have direct effects on the State Lands Commission's management activities.

Fish and Game Code section 2855(c)(1) requires consideration of "practical information on the marine environment and the relevant history of fishing and other resources use, areas where fishing is currently prohibited, and water pollution in the state's coastal waters" when making decisions regarding the siting of new MPAs and major modifications of existing MPAs. In general, MPAs should be sited considering information related to water pollution in the state's coastal waters (Fish & G. Code § 2855(c)(1)), and "to the extent practicable, to ensure that activities that upset the natural ecological functions of the area are avoided (Fish & G. Code § 2857(c)(4))," this includes avoiding overlap with point source discharges such as wastewater treatment plant, water reclamation facility, and brackish or seawater desalination discharges. The proposed new Mishopshno SMCA would not directly overlap with any existing outfalls, but there are two wastewater discharge outfalls within a mile of the proposed location.

The two facilities that discharge in proximity to the proposed SMCA are the Summerland Sanitary District (SD) Waste Water Treatment Plant (WWTP) and the Carpinteria SD WWPT. The Summerland facility is permitted to discharge an average monthly effluent flow of up to 0.3 million gallons per day (MGD) of treated domestic wastewater from the facility's outfall at 34°25'00" N 119°35'48" W (California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2022-0014 NPDES NO. CA0048054), approximately one half mile west of the proposed MPA. The Carpinteria facility is permitted to discharge an average monthly effluent flow of up to 2.5MGD of secondary treated municipal wastewater at the facility's outfall at 34.388333°N 119.521667°W (California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2017-0032 NPDES NO. CA0047364), approximately 0.8 miles east of the proposed MPA. These are both relatively small facilities and would not discharge directly into the proposed new SMCA, but they are mentioned because of their proximity to the proposed new MPA. Given these existing discharges/activities, the proposed new MPA has the potential to interact with the regulations and permitting activities of the State and Regional Water Boards related to point source (e.g., wastewater treatment facilities) and non-point source discharges (e.g., stormwater runoff).

The State Water Resources Control Board in collaboration with Regional Water Quality Control Boards can designate State Water Quality Protection Areas (SWQPAs) to prevent the undesirable alteration of natural water quality within MPAs. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (California Ocean Plan) was amended in 2012 to include the process for designating SWQPAs and Implementation Provisions for Marine Managed Areas (Chapter III.E., State Water Board 2019). This was done with the intention to align these SWQPAs with the MPA Network. The provisions are implemented by the Regional Water Quality Control Boards, including through Waste Discharge Requirements, National Pollutant Discharge Elimination System permits, and municipal separate storm sewer system permits. If the State Water Resources Control Board designates the new MPA as part of the existing SWQPAs, this would have implications for the Water Boards' workload and for permittees that would need to come into compliance with new permit requirements. The scope and magnitude of the State Water Resources Control Boards' workload and the cost of compliance for permittees is unknown.

These interagency considerations are in alignment with the Marine Managed Areas Improvement Act (Pub. Resources Code §§ 36601, 36800). This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. When evaluating this petition, CDFW reviewed the information in the petition, as well as information including, but not limited to:

- MLPA planning documents and related information (e.g., MLPA Goals and MPA Master Plan adaptive management objectives),
- Current research on MPA connectivity and climate resilience,
- State efforts to improve relationships with California Native American tribes,
- Literature and agency documents on local ecological significance,
- Scientific publications pertaining to white shark populations and habitat use,
- Previous CFGC decision on petition 2020-012_AM1,
- Habitat data in a Geographic Information System,
- CDFW commercial and recreational fishing data, such as that available through the Marine Fisheries Data Explorer tool, and
- California State Water Resources Contral Board's California Ocean Plan and Central Coast Regional Water Quality Control Board's permitting information.

CDFW has identified information gaps that limit the ability to fully evaluate the proposed change, primarily:

- Confirmation from CFGC that the original Factual Record(s) of Current and Historical Uses previously submitted by SYBCI to CFGC for Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA include(s) the area contained within the proposed Mishopshno SMCA, consistent with historic practices for tribal take exemptions,
- Tribal concerns and interests of all potentially affected tribes related to the establishment of a new MPA at this location,
- A comprehensive analysis of socioeconomic impacts, including commercial and recreational fisheries and the nearby Santa Barbara Harbor, as required by Fish and Game Code section 2855 when making decisions regarding the siting of new MPAs,
- A comprehensive analysis of how MPAs affect the benefits that non-consumptive users may derive from the ocean.

Additionally, there are information gaps related to assessing issues regarding equity and access for traditionally underserved communities with the existing MPA Network as well as the proposed changes in the 2023 MPA petitions. See the response to Question 14 below and Question 5 in Attachment 1 for more information.

Other information gaps relate primarily to the strength of the evidence presented to justify the proposed action, including site-specific evidence linking the proposed area to the stated objectives of protecting juvenile white shark habitat and enhancing climate resilience. Although additional research on these topics could inform long-term adaptive management of the MPA Network, the recommendation to support this request with an alternative pathway does not depend on resolving these uncertainties and would not be changed by the availability of such information.

Overall, while the petitioner provided information intended to justify the establishment of Mishopshno SMCA, this information was not sufficient to warrant a recommendation to grant the proposed change.

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. DMR Recommendation 4 states that CDFW and CFGC should "apply what is learned from the first DMR to support proposed changes to the MPA Network," and that "current and future proposed changes to MPA Network design, individual MPAs, and current MPA Management Program priorities and policies [should be] consistent with the findings of this Review."

When the DMR results were released in 2022, they did not indicate that large scale changes, such as the addition of new MPAs, were necessary to improve MPA Network performance. While MPA performance analyses show benefits of MPAs such as larval connectivity as well as species size and abundance, the overall recommendation at that time was that more time is needed for the benefits of the MPA Network to be fully realized. Several of the DMR Prioritized Recommendations aim to fill critical knowledge gaps in our understanding of the MPA Network functioning as a social-ecological system. Prior to implementing large-scale changes, critical knowledge gaps, including better integration of fisheries and MPA management, need to be filled, along with continued climate change monitoring, and human dimensions considerations. Furthermore, the directives in Fish & G. Code, section 2853(c)(5) require a process for the establishment, modification, or abolishment of existing or new MPAs that should involve interested parties and be consistent with the Master Plan objectives that align with Fish & G. Code, section 2853(c)(5). These objectives require CDFW to consider factors such as socioeconomic impacts, results of monitoring and evaluation, and methods for robust public participation in the design of the MPA Network. CFGC's petition process does not offer the level of robust engagement and in-depth analysis required by the MLPA and Master Plan for siting new MPAs.

With respect to tribal co-management of California's MPAs, several of the DMR Prioritized Recommendations (CDFW 2022) are directly related to advancing tribal coordination,

including recommendations 1, 2, and 24: (1) Improve state agencies tribal engagement and relationship building efforts; (2) Create a clear pathway to tribal MPA management; and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in Recommendation (3) Building tribal capacity to participate in MPA management activities.

CDFW has been unable to make substantial progress on other DMR Recommendations due to the time and resources dedicated to the MPA petition process. As a result, CDFW still needs to work with tribes to develop a pathway to tribal MPA management and to improve tribal capacity to engage in MPA management activities and co-stewardship agreements. Tribes and the State already use a variety of approaches to establish such frameworks, including formal co-stewardship agreements, co-management agreements, and memoranda of understanding. Accordingly, CDFW is committed to continuing to work collaboratively with tribes through these and other such partnerships. See 'Tribal Co-Management' in the Evaluation Narrative and Overview for more information.

DMR Recommendation 24 (MPA Network Design) focuses specifically on working with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network. It includes two sub-recommendations:

> (a) Develop a process to incorporate SMCPAs (MMAIA § 36700(6)(d)) into existing MPAs and new locations across the Network, and
>
> (b) Define metrics for identifying culturally important objects and sites to recommend for potential protection.

One potential pathway for implementation at this location is designation of a State Marine Cultural Preservation Area (SMCPA) by California State Parks, as identified in MMAIA § 36700(6)(d). This could help advance DMR Recommendation 24. However, it represents a current management gap, as no SMCPAs exist in the MPA Network, and their designation would require coordination with California State Parks and action by the Parks and Recreation Commission.

DMR Recommendation 8 related to Justice, Equity, Diversity, and Inclusion, would "Evaluate the accessibility of MPAs to various community groups," This work has not yet been completed, but could help assess how the proposed new MPA might affect communities of concern.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Yes. An MPA in this area was considered during the MLPA Initiative planning process, but not with the same take allowances proposed in the petition (MLPAI 2009b, c). In Round 3 of MPA array development in the South Coast Planning Region,

- Package 1 proposed a No-take MPA, Carpinteria Salt Marsh SMR, to protect the estuary habitat along with the offshore persistent kelp forest and reef. The estuarine area was part of the University of California Natural Reserve system, and Reserve managers were concerned about the limitations an SMR designation might introduce to their work. This MPA was not retained in the integrated preferred alternative recommended to CFGC by the Blue Ribbon Task Force.
- Package 2 did not include an MPA in the area.
- Package 3 proposed a High LOP SMCA, 'Mishopshno SMCA', with an allowance for commercial take of pelagic finfish by pelagic round haul nets. This MPA was included in the package to fulfill SAT Science Guideline habitat spacing guidelines while minimizing socioeconomic impacts by avoiding Carpinteria Reef and the nearby Carpinteria State Beach. These considerations led to the South Coast RSG to site this proposed MPA to the east of the currently proposed Mishopshno SMCA, which overlaps the reef. This package also included a recommendation for CDFW to consider a Memorandum of Understanding with California State Parks and local tribal communities to create an MPA specifically aimed at enhancing cultural and historical knowledge and creating educational opportunities. This MPA was also not retained in the integrated preferred alternative recommended to CFGC by the Blue Ribbon Task Force. The socioeconomic considerations that shaped Package 3's design ultimately led to the exclusion of an MPA at Mishopshno/Carpinteria Reef from the preferred alternative; these considerations remain relevant to the current proposal.

Ultimately, within this portion of coastline, only Kashtayit SMCA, Naples SMCA, and Campus Point No-take SMCA were the only MPAs included in the preferred alternative package that was recommended by the Blue Ribbon Task Force and adopted by CFGC. This was due in large part to concerns over disproportionate socioeconomic impacts within the area of the original proposed Mishopshno SMCA. Many of the considerations that led to that decision, including the potential socioeconomic impacts, remain relevant today.

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

No. The petitioner identifies several factors as new information warranting reconsideration of the proposed MPA, including changing ocean conditions associated with climate change, the lack of government-to-government consultation with tribes during the original MLPA Initiative planning process, and new scientific literature suggesting the importance of the area as a juvenile white shark nursery. While these issues are important, none provides a sufficient basis for reevaluating the proposed change.

Though climate change was not explicitly discussed during the MLPA planning process, the MPA Network was designed as an interconnected system using core ecological principles that support ecological and climate resilience. The establishment of a single new MPA, especially one that does not meet the minimum LOP SAT guideline to contribute to MPA Network ecological objectives and that was not explicitly designed to address climate resilience, is unlikely to meaningfully influence the overall resilience or functionality of the broader MPA Network.

Tribal partnerships and engagement since the MLPA Initiative planning process have evolved through mechanisms such as Executive Orders and specific regulatory changes. For example, Executive Order B-10-11 (2011) and the CDFW Tribal Communication and Consultation Policy (2014) helped to bridge the gap in the MLPA. More recently, Executive Order N-15-19 (2019), the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy have continued to shape state policy by prioritizing cultural access and preservation and further incorporating sovereign recognition, among many other objectives. An alternative path to fulfill tribal engagement and the non-regulatory request for co-management is to explore opportunities for co-management in existing MPAs and/or outside the MPA Network, including in the area of the proposed Mishopshno SMCA, without establishing a new MPA. The existing MPA Network provides an immediate and effective framework for advancing durable tribal co-management within an MPA, and CDFW is committed to pursuing that path in collaboration with interested tribal partners. Additionally, an alternative to designating a new MPA would be for CDFW to work with the California Native American tribes that have cultural ties to the area, and the California State Parks to explore designating a State Marine Cultural Preservation Area (SMCPA) to acknowledge the cultural significance of the area without limiting fishing access to the public and other tribes that have a historical connection to the area, which

would better align with Goal 3. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

Finally, while recently published studies provide additional observations of juvenile white sharks in the Carpinteria area, the occurrence of sharks in the area appears to be highly variable across years. An equally important consideration is that white shark are strongly protected by both state and federal regulations (Cal. Code of Regs. Tit. 14, § 28.06, Fish & G. Code §§ 5517, 8599, 2021, and Code of Federal Regs. Tit. 50, § 660.702) and are not identified as species likely to benefit from MPAs (MLPAI 2009a). Without a clear mechanism linking MPA protection to improved ecological outcomes for juvenile white sharks or their habitat, the information provided in the petition does not establish a compelling scientific basis for this location over others, nor does it link MPA designation to improved outcomes for the species.

In summary, although the petitioner raises relevant points regarding changing conditions since implementation (e.g., climate change, tribal engagement, and emerging research), they do not constitute a sufficient basis for reevaluating the MPA Network at this time, nor do they necessitate the designation of a new MPA to achieve the stated goals.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Not applicable. The proposed change does not affect an existing MPA.

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

No. The MLPA requires that the design of individual MPAs and the statewide MPA Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The SAT Science Guidelines, as outlined in the Master Plan, were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with these guidelines depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least 9 sq. mi. and meet one of the three highest LOPs (i.e., Very High, High, or Moderate-high) to contribute to ecological goals such as habitat replication and representation.

The proposed new MPA would be 9.05 sq. mi. with a Moderate-low LOP (Table 1). Because it does not meet the LOP criterion, the MPA as proposed would not serve as a backbone MPA. Therefore, implementation of the proposed change would not improve the design of the MPA Network or enhance alignment with the SAT Science Guidelines.

The petitioners state that (1) the proposed MPA would contribute to habitat replication for kelp forest, beach, and nearshore soft bottom substrate, (2) the proposed MPA would increase the representation of hard bottom substrate in the 0-30 and 30-100 m depth zones and soft bottom substrate in the 30-100 m depth zone, and (3) "the South Coast MLPA Planning region protects a lower proportion of nearshore hard-bottomed habitat than other regions."

For an MPA to contribute to habitat replication, it must meet the SAT guideline minimum threshold for size and LOP (be a backbone MPA) *and* contain enough of a specific habitat to capture 90% of the biodiversity associated with that habitat. The proposed Mishopshno SMCA would not enhance habitat replication of kelp forest, beach, or nearshore soft bottom substrate, despite containing the minimum quantity of each (Table 1), because it does not meet the criteria to be a backbone MPA due to the Moderate-low LOP. Even if it did meet the criteria, these three key habitats are well represented and spaced in the MPA Network, and the need for an additional replicate in this region has not been identified.

Habitat representation, on the other hand, considers the amount of a given habitat contained in all MPAs, regardless of LOP, compared to the total amount of that habitat available in state waters. Therefore, despite the Moderate-low LOP, the proposed new SMCA would increase representation of the noted habitats within the South Bioregion; representation of hard bottom habitat in the 0-30 m depth zone would increase by 0.09%, hard bottom habitat in the 30-100 m depth zone by 0.04%, and soft bottom habitat in the 30-100 m depth zone by 0.4%. With more than 15% of the available area of each of these habitats encompassed in existing South bioregion MPAs, these contributions are marginal.

Another stated outcome in the petition is that the proposed new MPA would "help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the [MPA Network] and representation of habitat types." The SAT recommended a maximum spacing interval of 62 miles between backbone MPAs, which is based on known scales of larval dispersal. CDFW spatial analyses using the best available data indicate that all backbone MPAs in the MPA Network continue to meet this guideline. In the region relevant to the proposed Mishopshno SMCA, the nearest mainland backbone MPAs are Campus Point SMCA (No-take), which is 14.6 miles to the northwest of the proposed SMCA, and the Point Dume MPA cluster, which is 44.1 miles to the southeast. The edge-to-edge distance between these two existing MPAs is

approximately 60 miles, which falls within the SAT guideline range for maximum distance between MPAs (31 - 62 miles). Although this spacing represents the highest spacing interval between backbone MPAs in the MPA Network, it remains within the SAT guideline for spacing. Accordingly, the existing spacing is considered adequate to support MPA Network connectivity and does not indicate a structural deficiency. Indeed, existing MPAs have been shown to be both demographically and environmentally connected (CDFW 2022, Yeager et al. 2023). For example, Yeager et al. (2023) state their results suggest "there is high sub-network connectivity in the different habitats in the system (i.e., high MPA-to-MPA environmental connectivity) and that [California] MPAs were generally placed in locations favored to receive high levels of propagule replenishment based on environmental transport alone." Furthermore, the proposed MPA would not function as a backbone MPA and is therefore not expected to meaningfully enhance connectivity within the MPA Network, even if a spacing deficiency existed. See Question 9 of Attachment 1 for the SAT Science Guidelines and additional context.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

No. The proposed change would not align with the following Feasibility Guidelines: boundaries are not all described using readily determined lines of latitude and longitude or easily recognizable permanent landmarks, the offshore boundary does not extend to the 3-nm limit of state waters, and regional objectives and site-specific rationales should reflect the design of the MPA. CDFW acknowledges the offshore boundary originally extended to the 3 nm line (original petition 2023-29MPA), but that the boundaries were revised to avoid Armpit Reef and other areas "to allow for continued recreational and commercial fishing access to certain important local fishing grounds" (as stated in 2023-29MPA_AM1). However, subsequent revisions to the proposed eastern and western boundaries (included within 2023-29MPA_AM2 and evaluated here) do not align with easily recognizable permanent landmarks or readily determined lines of latitude and longitude. The petition states the proposed western boundary would be located just west of a prominent point, but the boundary would not be aligned with the tip of the point nor is it on a readily determined line of longitude. The proposed eastern boundary is also not on a readily determined line of longitude and would be located at the eastern shore of Santa Monica Creek which, according to the petition, "would also provide a known, easily recognizable landmark and shoreline feature as the starting point for this MPA." However, without recognizable, prominent landmarks as boundary markers (ideally for onshore and offshore users), and boundaries described using readily determined lines of latitude and longitude, there will likely be confusion around exactly where the boundary falls, which leads to compliance and enforcement issues.

Finally, the site-specific objectives described for the proposed MPA do not align with the proposed take regulations, as ecological goals should not be attributed to an MPA with an LOP below Moderate-high. See Question 10a of Attachment 1 for CDFW Feasibility Guidelines.

QUESTION 10B: IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES?

Yes. An alternative path to improve tribal engagement and the non-regulatory request for co-management is to explore opportunities for co-management in existing MPAs and/or outside the MPA Network, including in the Mishopshno area, without establishing a new MPA. The existing MPA Network provides an immediate and effective framework for advancing durable tribal co-management within an MPA, and CDFW is committed to pursuing that path in collaboration with interested tribal partners.

Additionally, an alternative to designating a new MPA would be for CDFW to work with the California Native American tribes that have cultural ties to the area and the California State Parks to explore designating a SMCPA to acknowledge the cultural significance of the area without limiting fishing access to the public and other tribes that have a historical connection to the area. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

If a new SMCA is designated, the boundaries should be modified to use readily determined lines of latitude and longitude and easily recognizable permanent landmarks to better align with the Feasibility Guidelines.

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

No. The proposed new MPA would result in enforcement challenges because the boundaries are not aligned with readily determinable lines of latitude and longitude or easily recognizable permanent landmarks, and the offshore boundary does not extend to the 3-nm state water boundary, all which compromises enforceability (see response to Question 10).

The proposed tribal take exemption is supported in concept, and Title 14 section 632 (a)(11) provides a definition of tribal take for certain existing MPAs. If all the requirements in the subsection are met, then enforcement of the MPA tribal exemption is possible.

The proposed change would introduce a new section of MPA regulations which would require enforcement. Partial-take MPAs are generally more difficult to enforce than No-take MPAs because of:

- Difficulty in discerning if an activity is allowed when surveilling the MPA from afar,
- Increased potential for non-compliance by members of the public who observe activity taking place in an MPA but are unfamiliar with the specific regulations, and
- Increased potential for the illegal take of other species, as the presence of permitted fishing activity can obscure or provide cover for non-permitted take.

Additionally, because this is a proposed new MPA, there is an anticipated period of non-compliance following regulatory changes, particularly when additional restrictions are implemented. This would require additional resource investments in outreach, education, and enforcement to support compliance.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

No. The proposed new Mishopshno SMCA would not simplify existing language or enhance public understanding. It would add a new section of regulations, and the request for a partial-take SMCA is generally more complex than for No-take MPAs.

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. The proposed change would prohibit commercial and recreational boat-based fishing, which could provide localized protection to marine resources, particularly to fish and invertebrates in the offshore portion of the proposed SMCA. The proposed change would also prohibit other shore-based, recreational take (e.g., seaweed and invertebrates such as crab and mussels). However, the petitioners propose an allowance for recreational take of finfish by shore using hook-and-line. Despite shore-based hook-and-line fishing being characterized in the petition as a "low-impact gear type," this allowance results in a Moderate-low LOP for the MPA, which limits the ecological benefit that could be expected.

During the MLPA Initiative planning process, the SAT based LOP assignments on the assumption of maximum plausible intensity for any given proposed activity within MPAs. Thus, activities assigned a Moderate-low LOP were deemed likely by the SAT to alter species abundance relative to an SMR, as well as to significantly alter community structure by changing the abundance of a species that plays an important ecological role. In determining those species likely to benefit from an SMR, the SAT considered

species home range sizes and movement patterns, including site fidelity to those home ranges. Many of the species that may be caught using hook-and-line from shore have small home ranges, exhibit vulnerable life history traits (e.g., late to mature, slow-growing, bear live young), or form spawning aggregations in the surf zone. These characteristics make them particularly vulnerable to the direct impacts of fishing from shore. As such, many surf zone fishes, including surfperches (Embiotocids), rockfishes (*Sebastes* spp.), and sharks, skates, and rays (elasmobranchs), were identified as species likely to benefit from MPA protection (MLPAI 2009a). Several surf zone fishes that are frequently targeted[9] are members of these more vulnerable species groups. Overall, surf zone fishes play an important role in the food web dynamics of nearshore communities. Harvest of these species not only directly alters the abundance of these species, but also likely affects community structure, both in the surf zone and in adjacent habitats and depth zones. As a result, the impacts of fishing from shore may extend far from the zone of actual fishing. In addition to direct impacts, the SAT also considered indirect impacts, including bycatch, incidental take, and habitat/gear interactions. The SAT Science Guidelines state the following with respect to shore fishing,

> *"Many of the species removed through shore fishing play important roles in the nearshore community. For example, surfperches and croakers are important invertebrate predators, sea chubs (opaleye and halfmoon) are important omnivorous grazers, silversides are micro-omnivores and all groups provide important prey for a variety of larger fishes, marine birds and mammals. By altering the abundance of multiple species, shore fishing is likely to have impacts on community structure within an MPA both within the range of the actual fishing gear as well as in adjacent depth zones and habitats."* (MLPAI 2009a).

In addition to direct impacts, the SAT also considered indirect impacts, including bycatch, incidental take, and habitat/gear interactions.

Additionally, although local habitat protection would likely be afforded by the proposed MPA, the Moderate-low LOP does not meet the criteria for a backbone MPA, and thus, it would not serve to improve habitat protection for the MPA Network, as suggested in the petition. CDFW habitat analyses indicate the proposed MPA does not encompass enough minimum habitat area to enhance representation of the specific habitats noted in the petition (e.g., hard substrate habitats in the 0-30 and 30-100 m depth zones and soft substrate habitat in the 30-100 m depth zone). With respect to nearshore hard bottom

[9] Barred surfperch, *Amphistichus argenteus*, and calico surfperch, *A. koelzi* (both from sandy beaches); cabezon, *Scorpaenichthys marmoratus*; lingcod, *Ophiodon elongatus*; and several rockfishes, *Sebastes* spp. (all from rocky shorelines); California halibut, *Paralichthys californicus*; leopard shark, *Triakis semifasciata*; shovelnose guitarfish; *Pseudobatos productus.*

habitat in particular, this habitat is more fragmented and sparser in the South bioregion than in other regions. For example, Campus Point No-take SMCA and Point Dume SMCA are separated by approximately 60 miles as a straight-line distance, with a substantially longer shoreline distance. Only about 1.2 miles of nearshore hard bottom habitat occurs between these two MPAs, which leaves little opportunity to exceed the 1.1-mile replication threshold identified by the SAT. It is for this reason, rather than a design deficiency, that the South bioregion protects a lower proportion of nearshore hard substrate compared to other planning regions.

Persistent kelp forests are frequently prioritized as candidate sites for new MPAs because they may act as essential climate refugia (Arafeh-Dalmau et al., 2023). However, Carpinteria Reef challenges the assumption that these areas require regulatory interventions to thrive and persist. Carpinteria Reef is a prime example of a highly persistent, healthy kelp forest that has successfully sustained itself for decades alongside managed coastal uses. Decades of continuous monitoring by the Santa Barbara Coastal Long-Term Ecological Research program demonstrate that Carpinteria Reef consistently maintains a highly persistent and stable giant kelp canopy (Michaud et al. 2026). Because this habitat is thriving under current conditions, siting a new MPA here for the purpose of protecting the kelp bed is likely unnecessary and would provide redundant protection and habitat representation within the MPA Network.

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. The proposed change has the potential to affect both consumptive and non-consumptive activities.

Consumptive activities would be primarily impacted, as the proposed change restricts all harvest but the recreational take of finfish by hook-and-line from shore. The proposed change would prohibit the recreational take of shore-based resources (except hook-and-line fishing for finfish), including shore-based recreational take (e.g., seaweed and invertebrates such as crab and mussels) and recreational and commercial boat fishing, including those related to subsistence practices and cultural harvest by tribes.

The data described here represents a single analysis of potential impacts to fisheries in the proposed area. The full extent of socioeconomic and fiscal impacts in this area, including to fisheries, is unknown (see Question 5 in Attachment 1).

The proposed MPA is within an area that was the subject of significant debate during the planning process due to its high fishery value and potential impacts on major commercial and recreational fisheries. As the only expansive reef in the region, this location was, and continues to be, particularly popular for both commercial and recreational consumptive uses.

The proposed MPA is located entirely within CDFW Commercial Fishing Block 652. Fishing block 652 is an economically valuable and productive block for commercial fisheries in the region. Since complete implementation of the MPA Network, between 2013 and 2025, fishing block 652 provided over $2 million worth of commercial lobster landings (Figure 1), approximately 2.1% of all commercial lobster landings for all Santa Barbara area ports (Oxnard, Santa Barbara Harbor, Ventura). Of the nearby mainland fishing blocks in the area, this block had the second highest total value for commercial lobster (Figure 1).

The proposed MPA overlaps with the California Halibut Trawl Grounds (CHTG), which extend one nautical mile from shore out to three nautical miles offshore of Santa Barbara and Ventura. This fishery, which uses light touch trawl gear, is the only fishery permitted to take halibut by trawl within state waters (Fish & G. Code § 8495). Based on the most recent CDFW evaluation of the CHTG, areas of high activity in the CHTG between 2018 and 2022 show overlap with the western boundary of the proposed Mishopshno SMCA (Tanaka et al. 2025, Figure 2). California halibut may also be commercially taken in federal waters by hook-and-line and by trawl. Between 2013 and 2025, block 652 was the source of 3.5% of commercial halibut caught by all gear types for all Santa Barbara area ports, with a total value of approximately $370,000 (Figure 3, for more details on all commercial fishery value data, see the CDFW Marine Fisheries Data Explorer).

The area is frequented by the CPFV fleet and private boaters based out of Santa Barbara and Ventura area ports (for CPFVs, these include Gaviota Beach, Port Hueneme, Oxnard, Santa Barbara Harbor, Ventura, Goleta Beach, and Guadalupe Beach). Since complete implementation of the MPA Network, between 2013 and 2025, block 652 was the site of 3,800 CPFV[10] trips, representing an average of 70.8 (± 24.6 SD) trips per year (Figure 4). The CPFV fleet, particularly those operators conducting half-day trips, are likely to be negatively impacted by the proposed Mishopshno SMCA, which proposes restricting all boat-based fishing.

[10] The Commercial Passenger Fishing Vessel (CPFV) fleet takes paying passengers to recreationally fish at offshore coastal locations.

Spatial trends in average catch per angler between 2016 and 2024 from the California Recreational Fisheries Survey (CRFS)[11] also indicate the area is heavily fished by private boaters (Figure 5). Kayak angling, spearfishing, and lobster fishing by hoop net and free diving are also popular methods of fishing in the area that would not be allowed in the proposed new MPA.

Carpinteria Reef's popularity is further bolstered by the fact that this area is easily accessible from shore. There are numerous coastal access points within two miles of the proposed MPA, including one within the proposed boundaries. Carpinteria State Beach is less than one mile east, and the proposed MPA is adjacent to the Carpinteria Salt Marsh Reserve, part of the University of California Natural Reserve System. The closest boat launch is approximately 5.3 miles west in Santa Barbara Harbor.

As noted above (Question 7), this region of the coast was considered for inclusion in the MPA Network during the planning process but was ultimately excluded due to its high importance to commercial and recreational fisheries. Those same considerations remain relevant, indicating that the proposed change would have substantial effects on existing consumptive uses in the area.

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

One known non-consumptive use in the area is research and monitoring, and there is a kelp forest long-term monitoring site surveyed by the Vantuna Research Group that acts as an important reference site within the boundaries of the proposed MPA. Designating the area as an MPA is likely to negatively impact on this study's experimental design and

[11] The California Recreational Fisheries Survey (CRFS) conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to capture information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (1 x 1 nautical miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of caught and kept fish per angler on this surveyed subset of trips.

the integrity of the data due to shifts in the ecological baseline (i.e., a break in the time series).

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response.

The proposed change would reduce fishing access, particularly for fishery participants associated with the coastal fishing communities of:

- Santa Barbara, and
- Channel Islands Harbor (Oxnard)

However, the proposed change does retain shore-based hook-and-line fishing access and includes a tribal take exemption that would retain access for the Santa Ynez Band of Chumash Indians tribal community.

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

No. There are no potential interactions or effects on any of the other 2023 MPA petitions.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

Table 1. MPA attributes (area, LOP, depth range, and habitat extent) of Mishopshno SMCA as proposed in petition 2023-29MPA_AM2. Habitat extent may be reported in linear miles or square miles, depending on data availability and Science Advisory Team guidance. A dash (—) indicates that the proposed MPA does not contain the habitat type. An MPA contributes to habitat replication only if it first meets the minimum size (>9 sq. mi.) and LOP (Very High, High, or Moderate-high) criteria (i.e., first two rows must be bold). As proposed, the Mishopshno SMCA has an LOP of Moderate-low and does not meet the threshold for LOP[a].

	Proposed
MPA Area (sq mi)	**9.05**
Level of Protection	Moderate-low
Min Depth (m)	0
Max Depth (m)	43.2
Eelgrass (sq mi)	—
Kelp (mi)[a]	2.23
Beach (mi) [a]	3.34
Rocky Intertidal (mi)	—
Estuaries (sq mi)	—
Hard Substrate	
0-30 m (mi)	0.18
30-100 m (sq mi)	0.02
100-200 m (sq mi)	—
>200 m (sq mi)	—
Soft Substrate	
0-30 m (mi) [a]	3.16
30-100 m (sq mi)	2.98
100-200 m (sq mi)	—
>200 m (sq mi)	—

[a] If the proposed Mishopshno MPA were to meet the SAT Science Guidelines for LOP of Moderate-high, High, or Very High, the proposed MPA would contain sufficient habitat of each of the following habitat types to qualify as a replicate for beach, kelp forest, and nearshore soft substrate (0-30 m), according to the SAT Science Guidelines established during MLPA Initiative planning. process.

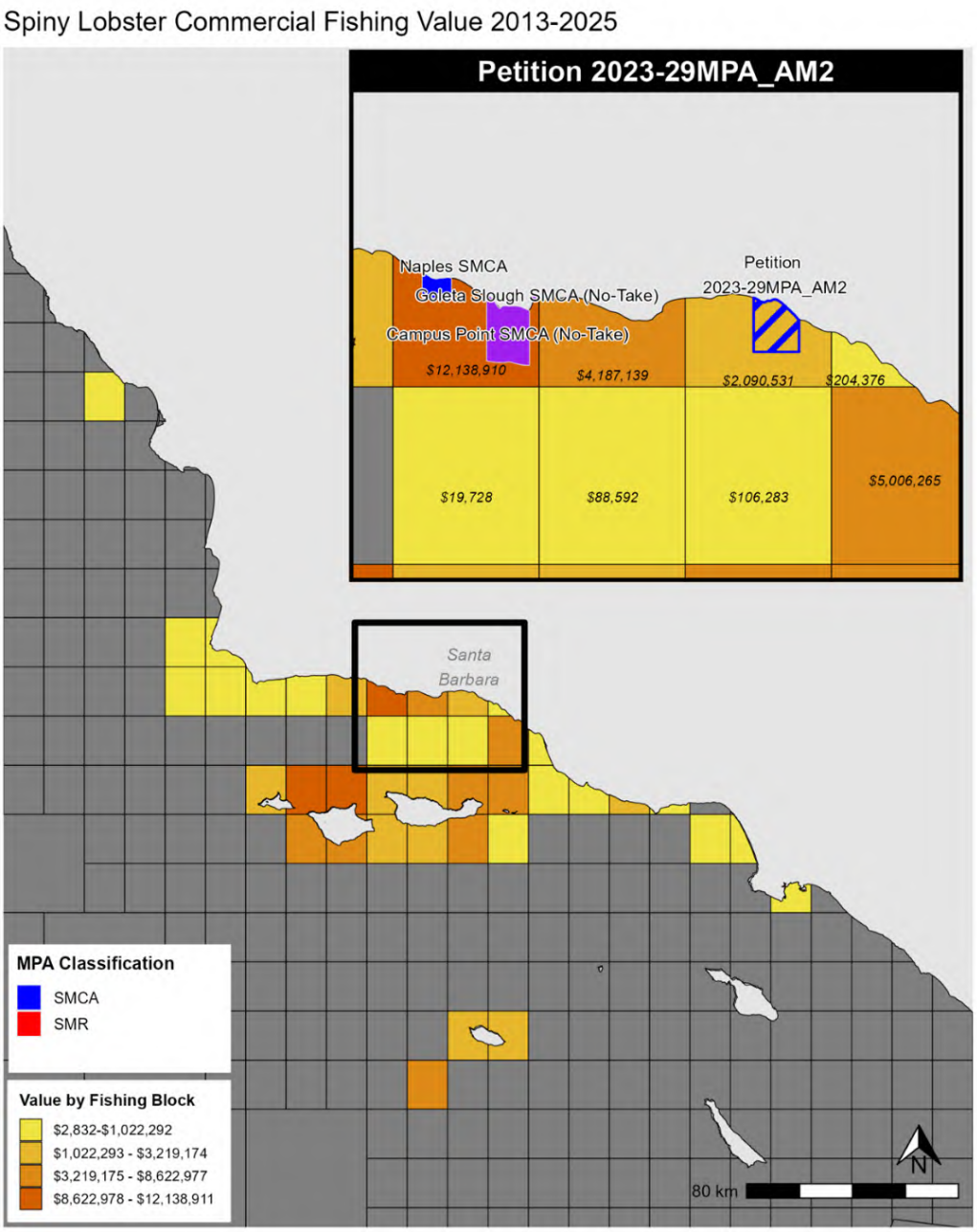


Figure 1. Commercial California spiny lobster (*Panulirus interruptus*) fishery landings value (in USD) for all Santa Barbara area ports by CDFW Commercial Fishing Block (fishing block) for the area surrounding the proposed Mishopshno SMCA, from 2013 to 2025. Proposed new Mishopshno MPA shown on inset as blue hatching. Existing Naples SMCA and Campus Point No-take SMCA shown as solid shapes. Proposed MPA overlaps with fishing block 652. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

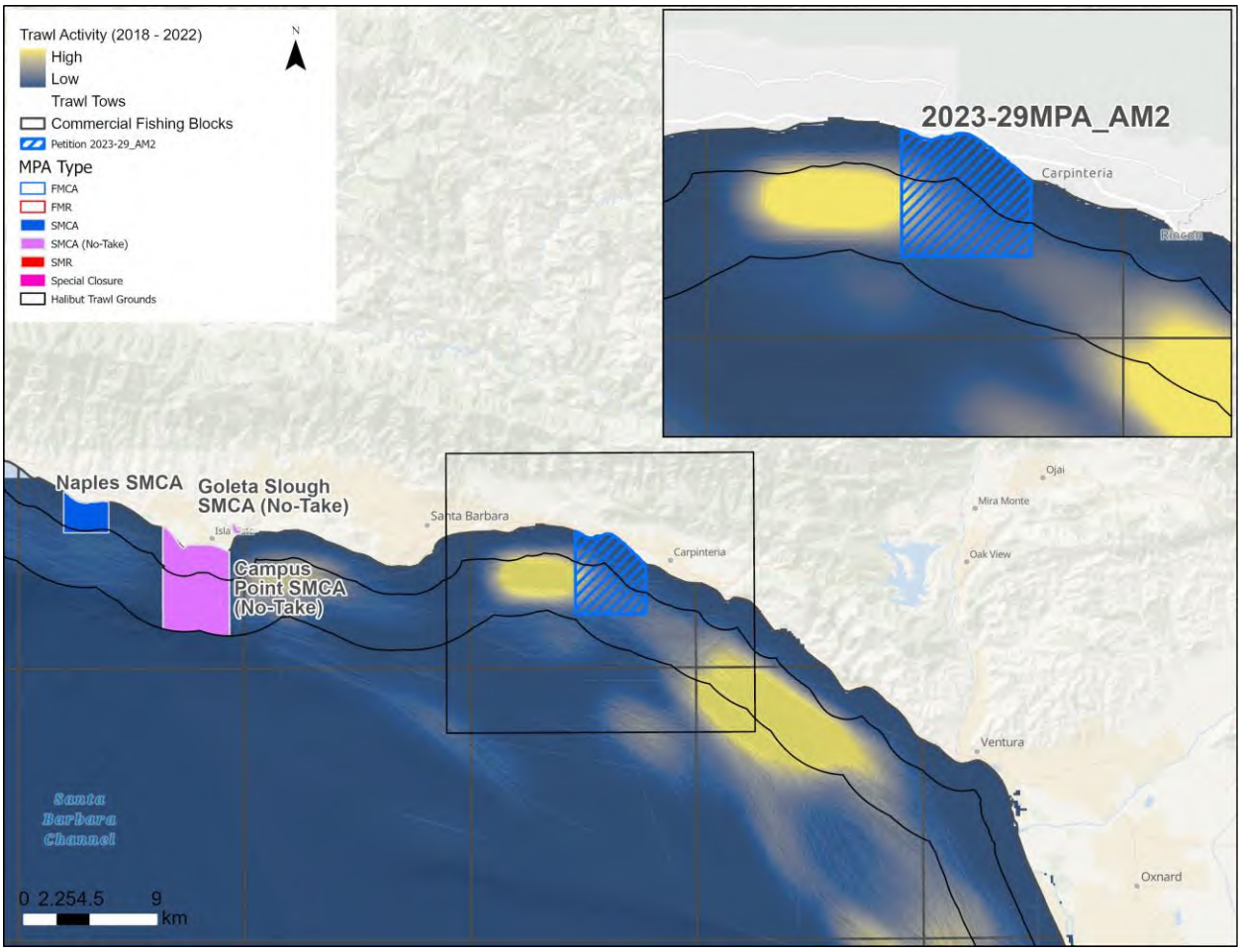


Figure 2. California halibut (*Paralichthys californicus*) trawl locations and frequency, inside and outside, the California Halibut Trawl Grounds (Fish & G. Code § 8495), based on logbook data, 2018–2022. Figure adapted from Tanaka et al. 2025, with reference to existing MPAs and the proposed new Mishopshno SMCA (hatched blue). Larger boxes in dark gray depict CDFW Commercial Fishing Blocks.

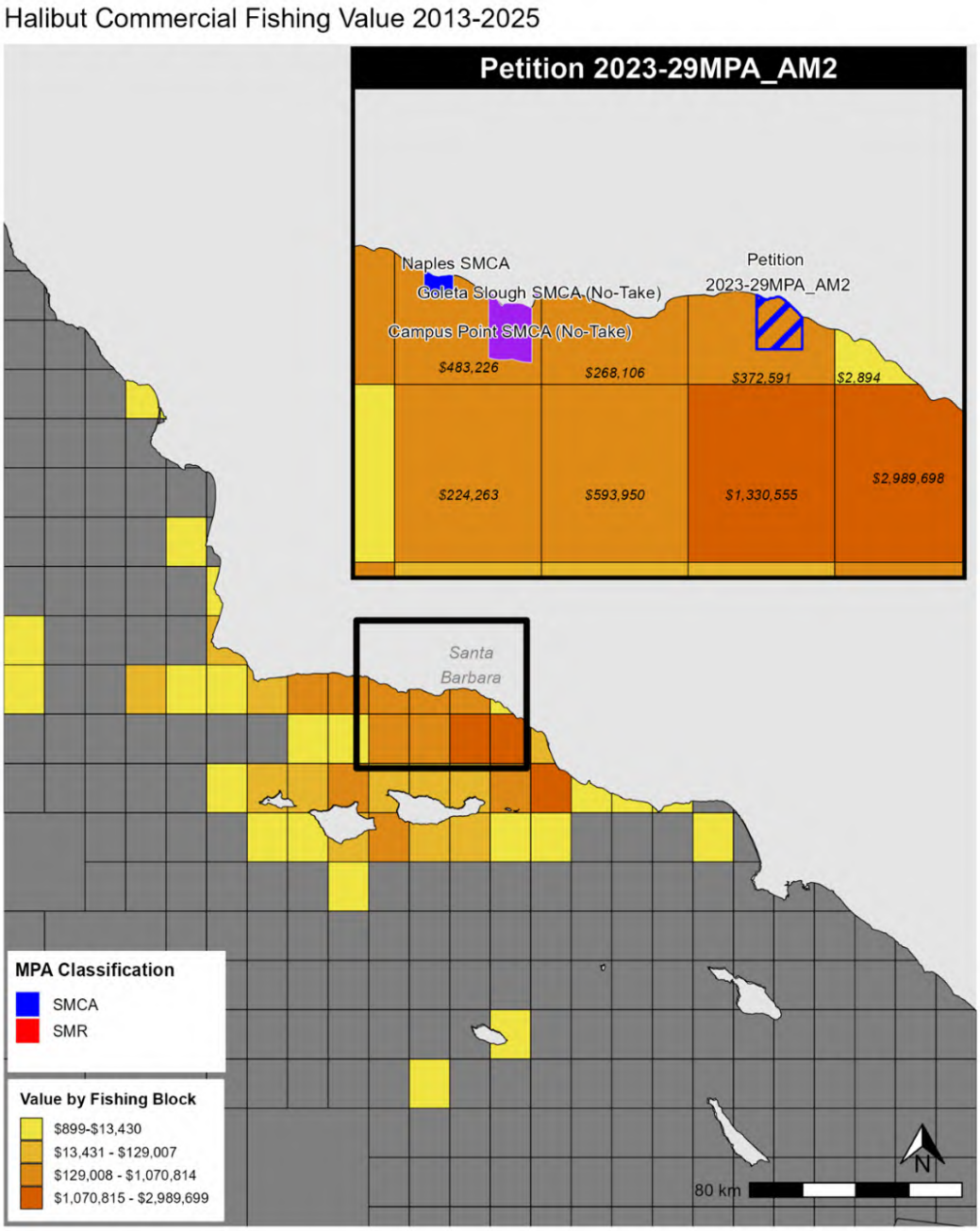


Figure 3. Commercial halibut, (*Paralichthys californicus*) fishery landings value (in USD) for all Santa Barbara area ports via a variety of gear types including hook and line, gillnet, and trawl from 2013 to 2025 by CDFW Commercial Fishing Block (fishing block) for the area surrounding the proposed Mishopshno SMCA. Proposed MPA shown on inset as blue hatching. Existing Naples SMCA and Campus Point No-take SMCA shown as solid shapes. Proposed MPA overlaps with fishing block 652. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

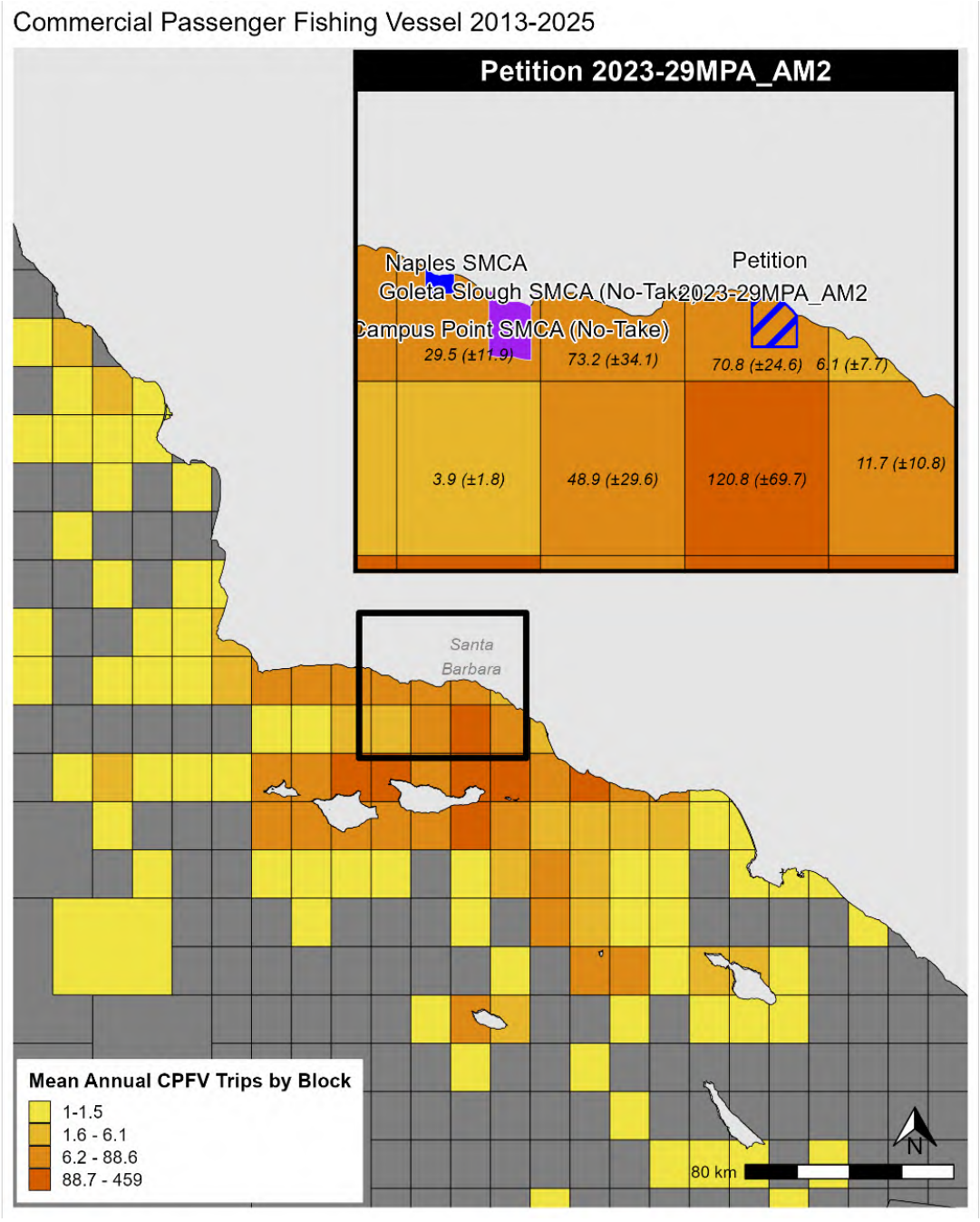


Figure 4. Mean annual Commercial Passenger Fishing Vessel (CPFV) trips out of all Santa Barbara area ports by CDFW Commercial Fishing Block (fishing block) for the area surrounding the proposed Mishopshno SMCA, 2013-2025. Proposed MPA shown on inset as blue hatching. Existing Naples SMCA and Campus Point No-take SMCA shown as solid shapes. Proposed MPA overlaps with fishing block 652. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square). The CPFV fleet takes paying passengers to recreationally fish at offshore coastal locations.

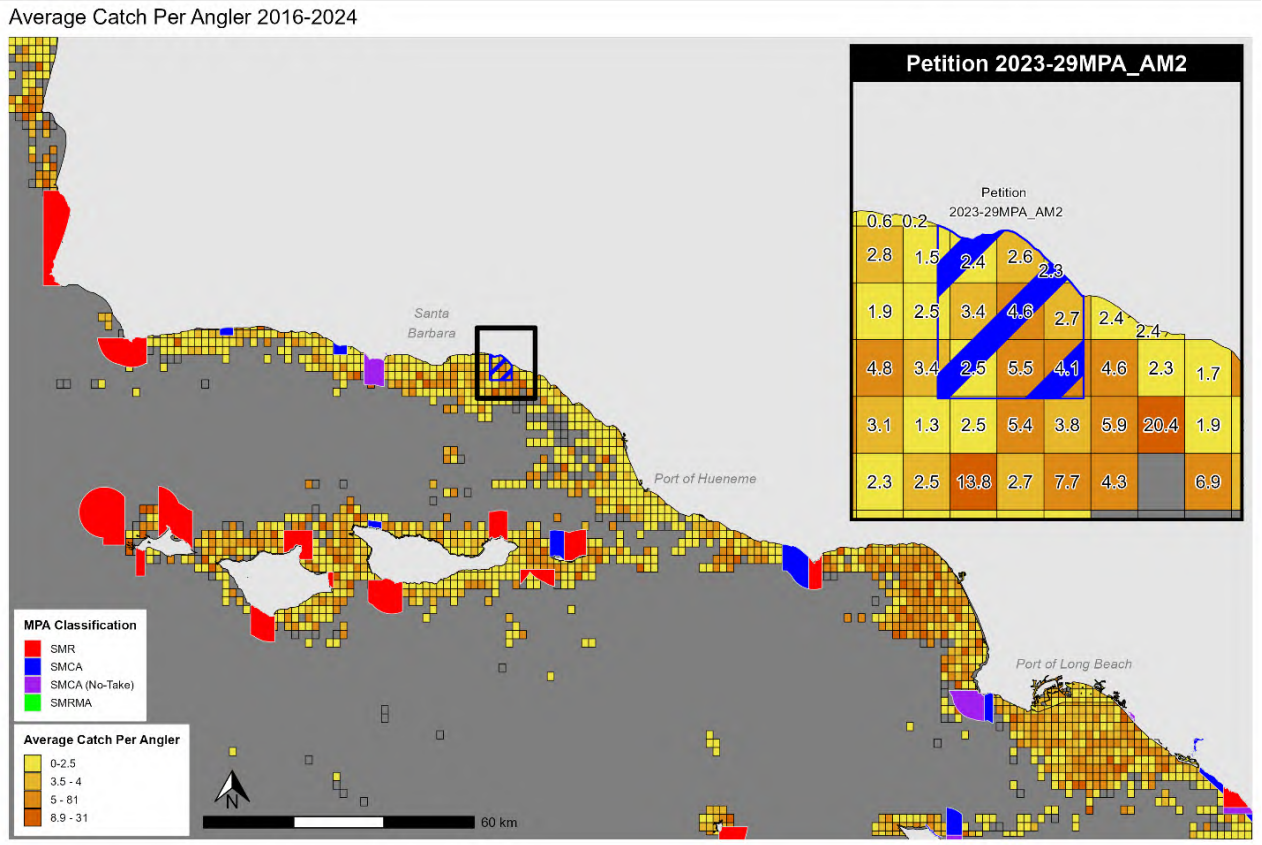


Figure 5. Average catch per angler (includes fish kept and released) for recreational anglers on private boats from 2016-2024 from California Recreational Fisheries Survey (CRFS) data, by CRFS micro block. Proposed Mishopshno SMCA blue hatching. Each block is one minute of longitude by one minute of latitude (roughly one square mile). The California Recreational Fisheries Survey (CRFS) conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (approximately 1 x 1 square miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

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Attachment 1

California Department of Fish and Wildlife's 2023 Decadal Management Review Marine Protected Area Petition Evaluation

COMPANION DOCUMENT



CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA MARINE PROTECTED AREAS

July 2026

This document is the 2023 Decadal Management Review Marine Protected Area Petition Evaluation Companion Document (Companion Document). The Companion Document and the California Department of Fish and Wildlife (CDFW) Transmittal Memo should be read in advance of the 2023 Bin 2 Petition Evaluations as it includes supplemental information and additional context for the evaluations.

The Companion Document was originally released March 20, 2026 along with CDFW's evaluations and recommendations for the ten Non-tribally-led Petitions. This July 2026 version of the Companion Document includes the following additions: a detailed timeline of the 2023 MPA Petition milestones, updates related to tribal outreach and engagement, a new section on Climate Resilience and MPAs, and additional supplemental information for Question 5 (information gaps) and Question 9 (MPA Network design and Levels of Protection (LOP)) of the evaluation.

INTRODUCTION

At its February 14-15, 2024, meeting, the California Fish and Game Commission (CFGC) referred 20 Marine Protected Area (MPA) petitions to CDFW for review, evaluation, and recommendation. These petitions were sorted into Bin 1 and Bin 2 Petitions. The Marine Resources Committee (MRC) considered CDFW's recommendations on 5 Bin 1 Petitions at the November 6-7, 2024 MRC meeting and CFGC adopted the MRC's recommendations at the December 11-12, 2024 CFGC meeting. See Table 1 for a comprehensive overview of process milestones for the 2023 MPA Petitions.

On August 14, 2025, CFGC approved an evaluation framework (Framework) for the 15 Bin 2 Petitions referred to CDFW proposing changes to the MPA Network. CDFW developed the Framework, with support from staff at CFGC and Ocean Protection Council, based on the adaptive management process outlined in chapter 4 of the 2016 Master Plan for MPAs. The 2016 Master Plan directs CDFW and CFGC to use the Marine Life Protection Act (MLPA) Goals and mandates, Master Plan objectives, and Science Advisory Team (SAT) Science Guidelines established during the MLPA Initiative planning process as the primary basis for evaluating any action taken to make changes to the MPA Network. The 2016 Master Plan adaptive management process also includes consideration of emerging issues, such as changes to the MPA Network that would enhance climate resilience and/or help mitigate climate impacts. CDFW considered climate change effects throughout the evaluation, recognizing that the effects of climate change are overarching and climate resilience is an implicit goal of adaptive management of the MPA Network as a whole. The Framework also draws from the Decadal Management Review (DMR) and Recommendations, and the MPA Regulation Change Petition Framework approved by CFGC at their August 2023 meeting, which is rooted in the DMR Recommendation cornerstones of MPA Governance, MPA Management Program Activities, and MPA Network Performance.

The Framework includes the following sections:

I. Petition Summary
II. CDFW Recommendations with Brief Justifications
III. Bin 2 Petition Grouping: Identify Tribally-led Petitions
IV. CDFW 2023 MPA Bin 2 Petition Narrative and Evaluation
V. Supplemental Analyses, Data and Information, and Citations

CDFW used the Framework to transparently evaluate petitions and develop recommendations to CFGC for the 2023 MPA Bin 2 Petitions. The evaluations were based on materials submitted in December 2023 and amendments received through March 2025. Subsequent changes, improvements, or stakeholder engagement undertaken by petitioners after March 2025 were not considered. CDFW recognizes that new information on these petitions may be available for CFGC consideration.

The Bin 2 Petitions and petition actions vary in complexity, and the Framework is designed to address this spectrum of complexity. In some cases, it was more appropriate to evaluate Bin 2 Petitions as a whole and in other cases, it was more appropriate to evaluate the individual proposed actions or grouped proposed actions that were similar within a petition. Not all evaluation components in Section IV applied to every proposed action or petition as they were not all relevant to each proposed action or petition. CDFW applied the evaluation components as appropriate, and the level of detail varied based on factors such as applicability of the question or information available. Non-regulatory requests were not evaluated through the Framework. For some petitions, CDFW recommended an alternative pathway to achieving the desired outcome of the proposed change.

The DMR indicated the MPA Network is meeting expectations and functioning effectively towards achieving the Goals of the MLPA. Therefore, significant regulatory changes to the MPA Network should meet a high threshold of demonstrated conservation value and need, as well as clear, science-supported benefit.

This evaluation is not the only process by which regulatory changes have been considered as part of the adaptive management of the MPA Network. Since implementation of California's MPA Network, targeted legislative and regulatory refinements have been identified to align MPAs with their original intent, clarify or correct provisions, or address priority management and enforcement issues. Since 2013, four legislative amendments and seven regulatory packages have been enacted to strengthen and support the adaptive management of the MPA Network and Management Program. The regulatory amendments:

- 2014 – Clarified and corrected provisions, including general provisions, definitions, take, and boundaries
- 2015 – Clarified and corrected provisions, including general provisions, definitions, take, and boundaries. This includes refining and correcting boundary coordinates for 106 MPAs
- 2016 – Added provisions for tribal take in north coast MPAs
- 2018 – Repealed a special closure due to conflict with private property
- 2018 – Added provisions for tribal take in south coast MPAs and amended boundaries to better align with historical subsistence and cultural use
- 2022 – Cleaned up State Marine Recreational Management Area language
- 2023 – Provided a mechanism for operation and maintenance of pre-existing artificial structures in MPAs

The legislative amendments include Senate Bill 96 (2013), Assembly Bill 298 (2015), Assembly Bill 2369 (2018), and Assembly Bill 63 (2021). See Appendix G of the Decadal Management Review for more information about regulatory packages and legislative amendments that apply to MPA Network management implemented since 2012. All amendments were deliberately and carefully constructed, consistent with directives in the Fish and Game Code (§§2853 and 2855), MLPA, and the Master Plan for MPAs, to preserve the integrity of the MPA Network.

CDFW remains committed to adaptive management through regulatory and non-regulatory pathways and will continue to work with tribes and partners to advance the Recommendations of the DMR through a science-based, inclusive statewide process consistent with the requirements of the MLPA and Master Plan for MPAs.

Table 1. Summary of 2023 MPA Petition Process Milestones.

Date	Milestone
Aug 2023	California Fish and Game Commission (CFGC) approves DMR adaptive management recommendation prioritization framework and supported the Marine Resources Committee preference to consider changes to the MPA Network using the existing CFGC petition process
Oct 2023	CFGC releases "Overview of Process to Consider Potential Changes to California's MPA Network"
Dec 2023	CFGC receives 20 MPA-related petitions with 80+ actions
Feb 2024	CFGC refers all 20 petitions to CDFW for evaluation
Apr 2024	CFGC adopts 3-phased approach to petition evaluation

Date	Milestone
Aug 2024	CFGC approves binning petitions, requests CDFW evaluate the five Bin 1 Petitions and develop a proposed framework to evaluate 15 Bin 2 Petitions
Nov 2024	CDFW releases recommendations for five Bin 1 Petitions
Dec 2024	CFGC makes decisions on Bin 1 Petitions and establishes March 14, 2025 deadline for amendments to Bin 2 Petitions
Mar 14, 2025	Deadline for amendments to Bin 2 Petitions
Apr 2025	CFGC refers amended Bin 2 Petitions to CDFW for evaluation
Apr-May 2025	CDFW develops Draft Bin 2 Petition Evaluation Framework with Ocean Protection Council and CFGC staff
May 2025	Update and discussion at CFGC Tribal Committee (TC) meeting on Bin 2 MPA Petitions and proposed approach for evaluations
Aug 2025	Update and discussion on 2023 MPA Petitions and Draft Evaluation Framework at CFGC TC and CFGC. Four Tribally-led petitions identified and CFGC approves framework for evaluating Bin 2 MPA Petitions
Dec 2025	Update and discussion at CFGC TC on Bin 2 MPA Petitions; identifies one more Tribally-led petition; directs CDFW to return to April 2026 CFGC TC to discuss MPA Petitions prior to releasing evaluations for the Tribally-led petitions
Mar 20, 2026	CDFW releases evaluations and recommendations for the 64 proposed actions in the ten non-Tribally-led Bin 2 MPA Petitions and the Companion Document
Apr 2026	Update and discussion at CFGC TC on five Tribally-led petitions. CFGC accepts amendments to four of the Tribally-led petitions and refers them to CDFW for evaluation
Apr-May 2026	Regional CFGC meetings discussing Bin 2 MPA Petitions • April 21, 2026 in San Mateo, Del Norte through Monterey counties petitions • May 5-6, 2026 in Goleta, alongshore San Luis Obispo through Santa Barbara counties petitions (day 1) and Northern Channel Islands (day 2) • May 19, 2026 in San Clemente, Los Angeles through San Diego counties petitions, including Santa Catalina Island
July 2026	CDFW releases evaluations and recommendations for the 9 proposed actions in the five Tribally-led Bin 2 MPA Petitions and the revised Companion Document

SUPPLEMENTAL EVALUATION INFORMATION

CDFW compiled supplemental information and additional context for the Tribally-led etitions, the topic of climate resilience and MPAs, and the responses to Evaluation Questions 1, 2a, 5, 9, 10a, and 14, and Section V. Supplemental Analyses, Data and Information, and Citations. CFGC staff conducted the analysis and prepared the responses for Questions 16 and 17 and provided additional context for their evaluations below. The information provided here was common across the evaluations and is included here to prevent having to repeat it in each evaluation.

TRIBALLY-LED PETITIONS

This Companion Document includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners (Attachment A below). As directed by CFGC, CDFW evaluated the Tribally-led petitions with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework. Tribally-led petitions, per CFGC direction, were discussed at the April 14, 2026, CFGC Tribal Committee meeting. *Note: California Native American tribe is the preferred term to use per the Governor's Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.*

The following petitions were identified by CFGC as Tribally-led petitions:

- Santa Ynez Band of Chumash Indians: Designate a New Chitqawi SMCA Near Morro Bay with a Tribal Take Exemption for Santa Ynez Band of Chumash Indians (2023-19MPA_AM1)
- Santa Ynez Band of Chumash Indians: Establish Co-Management at Point Buchon SMCA, Change the Name, and Add a Tribal Exemption for Santa Ynez Band of Chumash Indians at Point Buchon SMCA, and Change the Boundary at Point Buchon SMR (2023-20MPA_AM1)
- Tolowa Dee-ni' Nation: Remove Recreational Take of True Smelt and Change the Boundary at Pyramid Point SMCA (2023-21MPA_AM1)
- Northern Chumash Tribal Council: Designate a New SMCA Near Point Sal with an Allowance for Recreational Take of Finfish by Hook-and-Line from Shore (2023-28MPA_AM2)
- Santa Ynez Band of Chumash Indians: Designate a New SMCA Near Mishopshno/ Carpinteria with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore and a Tribal Take Exemption for Santa Ynez Band of Chumash Indians (2023-29MPA_AM2)

Summary of Tribal Outreach and Engagement with California Native American Tribes for the 2023 MPA Petitions

In late 2023, CFGC received 20 petitions from California Native American tribes (tribes) and the public requesting changes to California's MPA Network. CFGC referred the 2023 MPA Petitions to CDFW to evaluate in early 2024. This document provides a summary of tribal outreach and engagement with California Native American tribes for the 20 2023 MPA Petitions, including five Tribally-led petitions, proposing approximately 70 changes to the MPA regulations for MPAs from southern California to the Oregon border (2023 MPA Petitions).

Summary of CDFW tribal outreach for all 2023 MPA petitions

Since receiving the petitions, CDFW has provided regular updates on the status of the 2023 MPA Petitions and petition evaluation process through email communications and mailed letters to the CDFW tribal contact list. The CDFW tribal contact list includes over 400 individuals across the state who represent and/or work for a California Native American tribe. The statewide list is maintained by CDFW's Tribal Liaison and includes people on the Native American Heritage Commission (NAHC) contact list and others who have elected to receive updates from CDFW related to tribes. These updates included offers for consultation and meetings between tribes and CDFW. In October 2025, CFGC and CDFW sent letters via email and postal mail to the CDFW tribal contact list to specifically offer formal consultation or informal meetings on the 2023 MPA Petitions. CDFW also presented written and verbal updates at meetings of CFGC's Tribal Committee. These outreach efforts to tribes are summarized in Table 2.

Summary of additional outreach and engagement with tribes for Tribally-led petitions

At the August 12, 2025, CFGC's Tribal Committee meeting, the Tribal Committee identified four of the 2023 MPA Petitions as Tribally-led petitions, which are petitions that were submitted by a tribe, representative designated by a tribe, or tribal organization, or have a tribal co-sponsor. These included:

- 2023-19MPA submitted by Santa Ynez Band of Chumash Indians
- 2023-20MPA submitted by Santa Ynez Band of Chumash Indians
- 2023-21MPA submitted by Tolowa Dee-ni' Nation
- 2023-29MPA submitted by Natural Resource Defense Council (NRDC), Santa Ynez Band of Chumash Indians (SYBCI), and Environmental Defense Center

At the May 7, 2025, meeting, CFGC's Tribal Committee requested CDFW send additional offers to all tribes for consultation on the remaining 2023 MPA Petitions and to reach out to offer to meet with tribes associated with the Tribally-led petitions. On October 16,

2025, CDFW distributed to the CDFW statewide tribal contact list a letter offering joint tribal consultation with CDFW and CFGC on any 2023 MPA Petition. This letter was also included in the fall quarterly CDFW Tribal Updates email. As of July 2026, no tribes have requested consultation.

On November 24, 2025, CFGC received a letter from Northern Chumash Tribal Council and NRDC indicating that Northern Chumash Tribal Council was a formal co-sponsor for petition 2023-28MPA, and requested CFGC consider the petition a Tribally-led petition.

At the December 9, 2025, CFGC Tribal Committee meeting, the CFGC Tribal Committee reconsidered the designation of petition 2023-28MPA and recommended CFGC designate it as a Tribally-led petition in light of the November 2025 co-sponsorship from Northern Chumash Tribal Council. At the December 11, 2025, CFGC meeting, CFGC designated petition 2023-28MPA as a Tribally-led petition. CFGC's Tribal Committee requested that before releasing the Tribally-led petition evaluations, CDFW engage with the tribes leading or co-leading petitions, including to better understand the intent of the petitions, and then share an update on the engagement and any clarifications on the petitions at the April 14, 2026 CFGC Tribal Committee meeting. CFGC's Tribal Committee and CFGC reaffirmed that CDFW should use the Evaluation Framework approved by CFGC in August to evaluate the Tribally-led petitions.

At the February 11, 2026, CFGC meeting, CFGC approved the addition of an agenda item for CDFW to provide an update and to have a discussion on the Tribally-led petitions at the April 14, 2026, Tribal Committee meeting.

Between September 2025 and June 2026, CDFW participated in discussions with representatives of tribes regarding the Tribally-led petitions.

At the April 14, 2026, CFGC Tribal Committee meeting, tribal representatives provided an overview and clarifications for the five Tribally-led petitions. SYBCI proposed amendments to 2023-19MPA, 2023-20MPA, and SYBCI and NRDC proposed amendments to 2023-29MPA_AM1. Northern Chumash Tribal Council and NRDC proposed amendments to 2023-28MPA_AM1. No amendments were proposed for 2023-21MPA. CDFW presented an update on tribal outreach and engagement since December and summarized the clarifications and proposed amendments for the Tribally-led petitions. At the meeting on April 15, 2026, the CFGC Tribal Committee recommended to CFGC that CDFW evaluate the Tribally-led petitions according to the proposed amendments and clarifications discussed during the meeting. CFGC subsequently referred the amended petitions (2023-19MPA_AM1, 2023-20MPA_AM1, 2023-21MPA_AM1, 2023-29MPA_AM2, and 2023-29MPA_AM2) to CDFW for evaluation using the Evaluation Framework approved by CFGC in August 2025.

Table 2. Summary of CDFW tribal outreach and engagement to date related to the 2023 MPA Petitions and petition process, including communication method and type of content. Unless otherwise specified, all tribal outreach communications included tribes listed on the CDFW tribal contact list maintained by CDFW's Department Tribal Liaison, which includes 400 people from the NAHC Contact List and additional tribal representatives.

Date	Method	Content
5/31/2024	Email	Released Blog Post: Seeking Your Feedback to Help Manage California's Marine Protected Area Network
10/4/2024	Email	CDFW Informational MPA DMR Petition Process Update: Background, DMR petition process, next steps, upcoming meetings
10/25/2024	Email	Released Blog Post: MPA Day
11/22/2024	Email	CDFW Informational MPA DMR Petition Process Update: Background, DMR petition process, next steps, upcoming meetings
4/11/2025	Email	CDFW Tribal Liaison provided Department update email, including CDFW Informational MPA DMR Petition Process Update
5/7/2025	Tribal Committee: Meeting Materials	Written Informational Update: California's Marine Protected Area Network Decadal Management Review and Subsequent Marine Protected Area Regulation Amendment Petition Process (pg. 99 of 129) Verbal update on the 2023 MPA Petitions and draft evaluation framework by Susan Ashcraft, CFGC Marine Advisor
8/14/2025	Tribal Committee: Meeting Presentation	Presentation by Craig Shuman, CDFW Marine Region Manager, on 2023 MPA Petitions and draft evaluation framework. Tribal Committee identified four Tribally-led petitions
9/2025	Email	CDFW invitation to meet to discuss petitions sent to petitioners for the four Tribally-led petitions
10/16/2025	Mail	Invitation Letter for joint tribal consultation with CDFW and CFGC on any 2023 MPA Petition
10/17/2025	Email	CDFW Tribal Liaison - Department update email, including CDFW Informational MPA DMR Petition Process Update and Invitation Letter for Joint Tribal Consultation
10/20/2025 – 6/24/2026	Meetings	Discuss Tribally-led petitions with tribal petitioners

Date	Method	Content
12/9/2025	Tribal Committee	CDFW update on the 2023 MPA Petitions and upcoming release of CDFW petition evaluations and outlining three regional meetings to be held to discuss petitions and evaluations
4/14/2026	Tribal Committee	CDFW presentation to provide an update on tribal outreach and engagement, and summarize clarifications and proposed amendments for Tribally-led petitions
6/26/2026	Email	CDFW Tribal Liaison provided Department update email, including CDFW Informational MPA DMR Petition Process Update and upcoming meetings to discuss the 2023 MPA Petitions

CLIMATE RESILIENCE AND MPAS

Since implementation of California's MPA Network, the state's coastal ecosystems have experienced increasingly significant climate-driven changes, including marine heatwaves, ocean acidification, and shifting species distributions. Although climate change was not explicitly incorporated into the MLPA Initiative planning process, the MPA Network was designed using resilience-oriented principles. Foundational design elements such as habitat replication, larval connectivity, and varying levels of protection were incorporated conservatively to support biodiversity, ecological function, and ecosystem resilience under uncertain and changing environmental conditions, including natural disturbances, decadal oceanographic variability, and unanticipated increases in fishing pressure.

MPAs are most effective at reducing extractive pressures, and their contribution to climate resilience depends in part on whether they measurably enhance key network attributes, such as connectivity, habitat replication, and protection of climate refugia. CDFW evaluated whether proposed changes were likely to meaningfully contribute to MPA Network performance through improvements to connectivity, habitat redundancy, or related ecological functions or provide measurable ecological benefits relative to the current performance of the MPA Network. Where existing MPAs already meet the SAT Science Guidelines established during the MLPA Initiative planning process, and proposals do not provide evidence the proposed change would demonstrably improve connectivity, redundancy, or resilience under changing environmental conditions and as specifically defined in the SAT Science Guidelines, the addition or expansion of a protected area alone is insufficient to conclude that climate resilience would be enhanced. Although there is broad evidence of increasing environmental stressors, restricting fishing alone will not address their cumulative impact. The existence of multiple stressors does not justify specific boundary modifications or new MPAs in the

absence of strong evidence that the proposal would likely result in site-specific ecological benefits.

MPAs may confer some resiliency to climate change by providing a buffer from some of these stressors, especially MPAs that limit or completely exclude fishing. Management of California's fisheries is mandated by the Marine Life Management Act, which includes objectives such as ecosystem protection, sustainability, and rebuilding populations, among others (Fish & G. Code § 7050). While the primary function of MPAs in California is to protect and enhance marine habitats and populations, understanding how effective fisheries management measures interact with a functioning MPA Network to bolster resiliency to climate change in California is still a critical knowledge gap identified in the DMR to be addressed through implementation of Recommendations 26-28 that focus on influencing factors and fisheries integration.

The absence of demonstrable ecological gains is particularly relevant where proposed changes could result in substantial socioeconomic impacts to ocean users. This underscores the importance of grounding management decisions in clear, place-based specific evidence of functional ecological improvement and considering socioeconomic impacts so that anticipated conservation benefits are considered relative to potential trade-offs in those areas.

CDFW 2023 MPA BIN 2 PETITION EVALUATION

EVALUATION QUESTIONS

Question 1: Does the proposed change support the MPA Network in meeting one or more of the MLPA Goals and align with MPA Master Plan adaptive management objectives?

The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the MPA Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning MPA Network that was designed to holistically address the MLPA Goals. As such, CDFW has evaluated the proposed actions within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management.

MLPA Goals

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 management measures and adequate enforcement and are based in sound science guidelines.
6. Ensure the State's MPAs are designed and managed, to the extent possible, as a network.

Master Plan Adaptive Management Objectives

- Protect the structure and function of marine ecosystems
- Improve native marine life populations, including those of economic value
- Ensure minimal disturbance while allowing for sustainable opportunities for recreation, education and research
- Ensure comprehensive representation of all key habitats, including unique habitats
- Use learning acquired through administration of the MPA Management Program to adaptively manage the objectives, management measures, enforcement efforts, and scientific guidelines to inform management decisions
- MPAs function as a cohesive statewide network

Question 2a: Does the proposed change advance adaptive management recommendations in the Decadal Management Review?

California's Marine Protected Area Network Decadal Management Review
DMR Adaptive Management Recommendations

Question 5: Are there significant information gaps that need to be filled to inform the evaluation of the proposed change?

Justice, Equity, Diversity, and Inclusion

There are information gaps related to assessing issues around equity and access for traditionally underserved or marginalized communities within the existing MPA Network, as well as the proposed changes in the Bin 2 petitions. The DMR includes recommendations to advance work in this area that the MPA Management Program intends to work on in the near future. Also, see response for Questions 14 and below.

Economic and Fiscal Impacts

The CFGC petition form, Petition to the California Fish and Game Commission for Regulation Change, requires the petitioner to complete the section, "Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing." Responses provided in the Bin 2 Petitions often had limited data related to potential economic and fiscal impacts, particularly those related to individuals or businesses, including individuals from the sport and commercial fishing industries. This may be due to limited time provided to petitioners to prepare petitions or to the limited existence of this data. However, given the scope and timeline of this analysis, CDFW did not have the ability to provide a supplemental analysis of the economic or fiscal impacts for the 73 changes proposed across the 15 Bin 2 Petitions.

Fish and Game Code section 2853 highlights that the Marine Life Protection Program (now the MPA Management Program) must include a process for the establishment, modification, or abolishment of existing MPAs or new MPAs, that involves all interested parties, including, but not limited to, individuals from the sport and commercial fishing industries, aquaculture industries, coastal and ocean tourism and recreation industries, marine conservation organizations, local governments, marine scientists, and the public (Fish & G. Code § 7050 (b)(7)), and that facilitates the designation of MPAs consistent with the Master Plan adopted pursuant to Fish and Game Code section 2855. Fish and Game Code section 2855 states that when making decisions regarding the siting of new MPAs and major modifications of existing MPAs, CDFW shall take into account relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives.

CDFW's Bin 2 MPA Petition evaluations include preliminary assessments of socioeconomic impacts to commercial and recreational fisheries, but these assessments are not a substitute for the relevant information required by Fish and Game Code section 2855. The evaluations do not include an assessment of any socioeconomic benefits or impacts beyond impacts to commercial and recreational fisheries. Implementation of the regulatory changes proposed in the Bin 2 MPA Petitions are anticipated to have socioeconomic impacts, some of which may be significant to individuals or businesses; and additional data and information are needed to meet the level of analyses required by Fish and Game Code section 2855.

Question 9: Does the proposed change improve individual MPA or MPA Network design so that it better aligns with or meets the MPA science guidelines?

To ensure consistency across petition evaluations, CDFW developed a decision tree to evaluate if a proposed action would improve individual MPA or MPA Network design and/or improve alignment with the SAT Science Guidelines (Figure 1). The decision tree includes considerations such as whether the proposed change has the potential to affect the MPA's size or Level of Protection (LOP) and includes a framework to respond to the question. The science-based design criteria were developed by the SAT during the MLPA Initiative planning process to provide quantitative guidance for achieving network-scale ecological objectives (e.g., North Coast Study Region guidance Executive Summary from the North Coast SAT Methods Used to Evaluate MPA Proposals). While there were slight deviations between planning regions in the amount of individual habitat types necessary to meet habitat representation and replication targets, key design elements were consistent statewide. MPAs intended to contribute to ecological goals were required to be at least 9 square miles in size and meet one of the three highest LOPs (Very High, High, or Moderate-High). Importantly, the analysis focused not only on whether proposals meet SAT Science Guidelines, but on whether they would likely provide a net ecological benefit to the MPA Network in addition to meeting SAT Science Guidelines—that is, likely to have measurable improvements beyond existing conditions.

Levels of Protection

California's SAT developed the LOP framework during the MLPA Initiative planning process. California's SAT LOP framework is specifically designed to evaluate fishing-related impacts within the state's MPAs and considers the species that may be taken, the gear used, the geographic region, and the potential direct and indirect ecological effects of those activities on species and habitats. As a result, the SAT LOP framework is the most appropriate framework to use when considering proposed changes or additions to the MPA Network as it was tailor-made for evaluating and comparing California's MPAs.

The SAT LOP framework differs substantially in scope, structure, and application from the protection categories defined in Grorud-Colvert et al.'s (2021) MPA Guide[1]. Although the MPA Guide provides a valuable global framework for making standardized comparisons of MPA outcomes worldwide, it is not an appropriate framework for evaluating California's 2023 MPA Petitions. The two frameworks were developed for different purposes, applied different criteria, and the frameworks differ in scale and structure. Given the two frameworks have different scales and approaches, protection categories

[1] Grorud-Colvert *et al.* (2021). *T*he MPA Guide: A framework to achieve global goals for the ocean. *Science* **373**, eabf0861(2021). DOI:10.1126/science.abf0861; see also https://mpa-guide.protectedplanet.net/resources

that appear similar in name may represent substantially different regulatory conditions and ecological outcomes under the two systems.

The MPA Guide was designed to compare MPAs globally as MPAs around the world vary from fully protected with strong implementation measures (such as those in California's MPA Network), to MPAs on paper only or those that allow activities such as intensive fishing and/or large impact infrastructure and aquaculture. The MPA Guide uses broad activity-based classifications that consider multiple categories of human use. Fishing is treated as one of several activity categories evaluated. Others include dredging and dumping, anchoring, infrastructure, aquaculture, non-extractive activities, and mining. The MPA Guide includes protection levels based on the number and types of activities allowed, without differentiating by species, fine-scale gear type(s), or geographic context. The MPA Guide captures the global scale of allowed activities in MPAs worldwide and categorizes these into four LOPs. The approach enables comparisons across global habitats and activities, which vary greatly. In contrast, California's SAT LOP framework has six levels of protection and is specifically tailored to the fisheries, gear types, species, and habitats in the MLPA planning regions, which enable precise assessments of potential contribution to ecological goals as well as comparisons within California's MPA Network.

In addition to being more relevant to California, the SAT LOP framework applies a more precautionary approach than the MPA Guide framework. During the MLPA Initiative planning process, the SAT evaluated allowed activities under the assumption that they could occur at maximum plausible intensity over time. This reflected the expectation that MPA access would remain open to all users and that fishing pressure could increase unpredictably in the future. For example, during the COVID-19 pandemic, California experienced an unanticipated surge in the harvest of intertidal organisms for sale and subsistence. By comparison, under the MPA Guide LOP framework, potential future increases or sudden changes in fishing intensity, such as the example described above, are not explicitly incorporated into protection level assignments. Instead, the 2021 MPA Guide evaluates activities based on their current intensity, scale, duration, frequency, and overall present-day impact. Its framework is therefore intended to categorize MPAs according to contemporary cumulative impact levels rather than to distinguish in detail among specific fishing practices or ecological interactions. Consequently, the LOPs between the two frameworks are not comparable, and the SAT LOP framework is the most appropriate framework to use for evaluating the 2023 MPA Petitions.

Please see the CDFW Science Guide to California's MPA Network for more specific information on science evaluation of MPA proposals during the MLPA Initiative planning process, including LOPs, as well as a current assessment of how the MPA Network conforms to the SAT Science Guidelines.

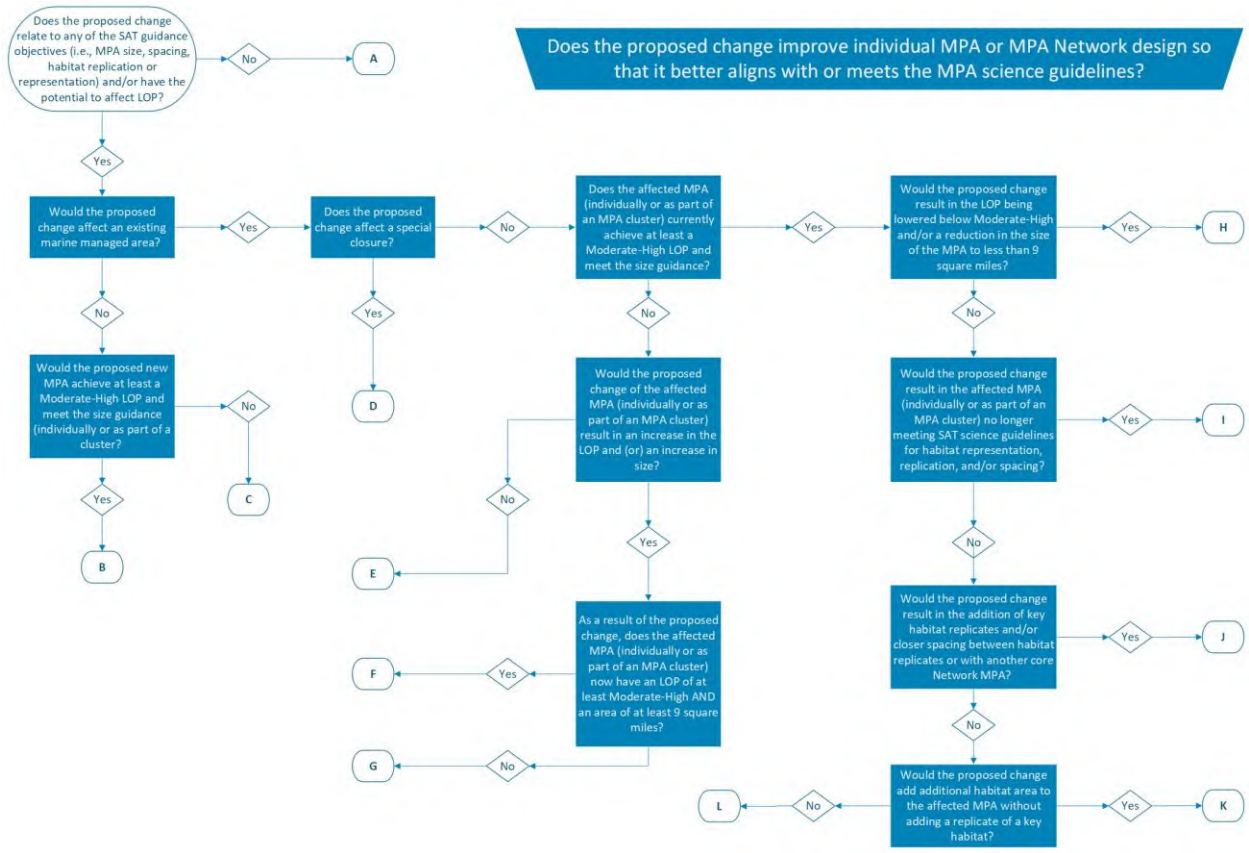


Figure 1. Decision tree framework used to formulate responses for Question 9 for each proposed action. The starting point, at the upper left corner, is based on whether the proposed change has the potential to affect the MPA's size or Level of Protection (LOP). The rest of the questions help to identify the effects such a change may have on the design of the individual MPA and the MPA Network. Based on this decision tree, the effects of a proposed action were determined to belong to one of the following groups:

A. Not applicable because the proposed action does not affect MPA size or LOP. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
B. New MPA meets minimum size and LOP requirements. Proposed action would improve MPA Network design and enhance alignment with the SAT Science Guidelines.
C. New MPA does not meet minimum size and/or LOP requirement. Proposed action does not improve MPA Network design, nor does it enhance alignment with the SAT Science Guidelines.
D. Not applicable because the SAT Science Guidelines do not apply to special closures. Proposed action does not improve MPA Network design, nor does it enhance alignment with the SAT Science Guidelines.

E. Neither existing MPA nor as proposed meets minimum size and/or LOP requirement. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
F. Existing MPA does not meet minimum size and/or LOP requirement, but would meet both as proposed. Proposed action improves the design of the individual MPA and the MPA Network, and enhances alignment with the SAT Science Guidelines.
G. Existing MPA does not meet minimum size and/or LOP requirement. Proposed change improves individual MPA design, but does not improve MPA Network design or enhance alignment with the SAT Science Guidelines.
H. Existing MPA meets minimum size and LOP requirements, but no longer would as proposed. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
I. Existing MPA meets minimum size and LOP requirements. MPA as proposed meets both criteria but no longer meets one or more SAT Science Guidelines. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
J. Existing MPA meets minimum size and LOP requirements. Proposed action results in meeting additional SAT Science Guideline(s). Proposed action improves design of individual MPA and MPA Network, and enhances alignment with the SAT Science Guidelines.
K. Existing MPA meets minimum size and LOP requirements. Proposed action increases the amount of habitat(s) protected but additional SAT Science Guidelines are not met. Proposed action improves the design of the individual MPA but not of the MPA Network, and does not enhance alignment with the SAT Science Guidelines.
L. Both existing MPA and as proposed meet minimum size and LOP requirements. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.

Question 10a: Does the proposed change align with CDFW Feasibility Guidelines?

CDFW Feasibility Guidelines

Question 14: Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?

CDFW is committed to improving access to marine resources in California for traditionally underserved and marginalized communities. This question was included in

the evaluation framework because of that commitment, as well as input from partners to prioritize improvement of accessibility and recommendations from the DMR to integrate justice, equity, diversity, and inclusion principles into MPA Network management. However, after exploration of the available information and methods that could be used to address this question for each proposed action, CDFW originally determined that providing the level of evaluation this question and the relevant communities deserve would not be possible within the scope and timeline of the petition evaluations. Most of the petitions did not include sufficient information to accurately assess benefits and/or impacts to historically marginalized and underserved communities. Additional details and outreach were needed by petitioners to support this portion of the analysis.

At the time, CDFW reviewed multiple information sources, and found there are many different approaches to defining and identifying "traditionally underserved or marginalized communities." CDFW reviewed the definition of disadvantaged communities (DACs) in Senate Bill 535, which is based on pollution burden and federally recognized tribal status (a map of DACs per this definition is available here, data used to determine community status is available through the CalEnviroScreen tool).

CDFW also considered the definition of DACs utilized by the California Department of Water Resources, where DACs are areas where median annual household income is 80% or less of the statewide median annual household income (a map of those communities is available here).

CDFW found the data and information in the California Governor's Office of Land Use and Climate Innovation's Vulnerable Communities Platform to be valuable in understanding access issues related to the MPA Network. The Vulnerable Communities Platform provides information on more specific and potentially applicable metrics, such as food insecurity and linguistic isolation, which could be used to better understand access issues (e.g., subsistence fishing, language access for outreach materials, individual indicators data is available here).

In the March 2026 Companion Document, CDFW's primary findings for Question 14 were that additional information and time were needed, including completion of some DMR Recommendations, to sufficiently address the question.

Following CDFW's submission of the petition evaluations, CFGC, CDFW, and Ocean Protection Council received substantive feedback identifying two areas of concern. First, the response to Question 14 was unsatisfactory and that people, including Commissioners, wanted to see additional analysis for Questions 14 and 16. Second, people identified a broader need for more robust engagement with, and meaningful

incorporation of the perspectives of, traditionally underserved and marginalized communities throughout the process.

At the Regional 2023 MPA Petitions meeting on May 19, 2026, CFGC directed CDFW to convene experts in Justice, Equity, Diversity and Inclusion within the agency and at partner agencies to provide additional analyses. CDFW's Deputy Director of Strategic Engagement, Equity, and Partnerships led this work in collaboration with California Natural Resources Agency, CFGC staff, and Ocean Protection Council and released a separate document with supplemental information for Question 14 and 16.

Question 16: Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy?

CFGC staff conducted this analysis and prepared the response to Question 16, which was supplemented by a July 2026 document prepared as described in the paragraph above.

Justice, Equity, Diversity and Inclusion Policy Overview

The CFGC Justice, Equity, Diversity and Inclusion Policy (JEDI Policy) reflects CFGC's deep commitment and responsibility to support safe and equitable access to California's thriving native wildlife and natural habitats, supported by inclusive decision-making that reflects the needs and values of the state's diverse communities. The policy acknowledges the significant past injustices experienced by historically marginalized and underserved communities and seeks to correct the burdens these communities have faced in accessing nature, participating in regulatory decision-making, and the privilege often associated with outdoor access. The JEDI Policy also considers and seeks to correct the disproportionate burdens on California Native American tribes and recognizes their interwoven stewardship relationships with the environment.

The JEDI Policy identifies 13 individual commitments referred to as "actions" that guide how CFGC advances its JEDI commitments. Implementation of the policy has been an ongoing priority of CFGC since its adoption in February 2022 and CFGC staff are continuing to explore meaningful ways to meet its commitments. Inclusion of the JEDI Policy in the Framework was intended to highlight this commitment.

Evaluation of MPA Petitions

Evaluating MPA petitions for their consistency with CFGC's JEDI Policy marked the first time CFGC staff attempted to systematically apply the policy's principles to inform CFGC decision-making. Through the process of evaluating MPA petitions against the JEDI Policy, CFGC staff found it was unable to make determinations about whether, or to

what extent, any specific petition advances or conflicts with the JEDI Policy. The findings are described in detail here, along with next steps to resolve these limitations moving forward.

CFGC staff reviewed the pending MPA petitions to identify conceptual intersections with JEDI principles. Of the 13 commitments in the policy, 7 are not relevant to the evaluation because they focus on internal operations, partnerships, and governance processes. The remaining six are directly applicable to the MPA petitions:

- Considering and correcting for disproportionate burdens on historically marginalized communities,
- Improving responsiveness to the needs of marginalized fish and wildlife users,
- Amplifying tribal voices and issues,
- Considering the implications of decisions on subsistence activities,
- Improving and championing safe and equitable access to abundant and healthy fish and wildlife populations, and
- Promoting cultural, community, and economic opportunities related to fish and wildlife that CFGC regulates.

In seeking to apply the six applicable commitments, staff identified several knowledge gaps that limited its ability to provide consistent or objective petition-level JEDI determinations. Ultimately, CFGC staff concluded that there is insufficient information available to meaningfully assess potential JEDI-related implications of petitions in a manner that reflects the intent of the policy.

Key concepts such as subsistence activities, equitable access to abundant fish and wildlife populations, and cultural, community and economic opportunities do not have CFGC-adopted definitions, metrics, or measurable criteria. Without clearly articulated definitions, datasets, or rubrics, petition-specific JEDI assessments would be inherently speculative. Staff have, however, gained a clearer understanding of these gaps, which will be important to address in future policy implementation.

Tribally-Led Petitions

One area that CFGC has already recognized is the distinct role of petitions that amplify tribal voices, which is reflected in how CFGC has grouped these petitions for discussion. Five petitions were submitted either by a tribe or with tribal participation as co-sponsors for petitions submitted by non-tribal proponents. CFGC has grouped these as “Tribally-led,” which includes tribally co-sponsored petitions. Some of these petitions advance tribally identified MPA names and, in some cases, include recommendations related to pursuing co-management or co-stewardship. Collectively, they reflect the

interests of federally recognized tribes as well as non-federally recognized tribal communities with enduring relationships to California's coast. Many of these proposals have the potential to foster long-term partnerships or shared leadership with California Native American tribes, which are considered marginalized and/or underserved communities, supporting the broader intent of CFGC's JEDI Policy.

Petitioner Intent

CFGC staff acknowledges that several petitions explicitly reference, within their petition rationale(s), goals related to equitable access, subsistence activities, long-term abundance of fish and wildlife, or other JEDI-related intentions. While the stated intentions are important context, the previously described evaluation limitations prevented staff from assessing the degree to which these intentions may achieve the goals. CFGC staff acknowledges that changes to harvest or non-consumptive access may relate to subsistence or equity considerations, but cannot reliably characterize the nature or extent of those relationships without risking over-generalization or speculation.

Current and Future Focus

In the absence of the tools needed for petition-level JEDI analysis, and because many JEDI commitments were intended primarily to guide CFGC processes, CFGC staff began to focus on the overall petition process, including the planning for the regional MPA petition meetings. CFGC staff efforts have included: consulting with partners to inform development of approaches to support safe and inclusive participation, selecting meeting locations near affected communities to reduce travel barriers, elevating tribal voices, increasing transparency about meeting format and expectations, and exploring additional ways to provide accessible engagement opportunities. The regional meetings an opportunity for CFGC to engage with local communities regarding MPA petitions. Proposals that reflect community knowledge, lived experience, and local needs align more closely with the inclusive decision-making envisioned by the JEDI Policy. Public comments emphasizing the level of community engagement, or lack thereof, were not considered when conducting the petition evaluations.

Evaluation of the MPA petitions has highlighted critical next steps needed to strengthen CFGC's ability to apply the JEDI Policy in future evaluations. Consistent with the intent of Recommendation 8 in CDFW's Marine Protected Area Network Decadal Management Review — a mid-term priority focused on evaluating the accessibility of MPAs to various community groups — staff recognizes that broader collaborative efforts with various partners will be needed to establish the foundational elements for integrating JEDI considerations across the MPA Network. Advancing this work will support both the

CFGC's JEDI Policy goals and more meaningful future evaluations, beyond what is possible within the limited scope of this petition process.

Links

JEDI Policy: California Fish and Game Commission Justice, Equity, Diversity, and Inclusion Policy, approved February 16, 2022

JEDI Policy Definitions: California Fish and Game Commission JEDI Definitions

Question 17: Is the proposed change consistent with the CFGC Coastal Fishing Communities Policy?

CFGC staff conducted this analysis and prepared the responses to Question 17 for the proposed actions in the evaluations. CFGC staff provided this additional context for their evaluations of Question 17.

Coastal Fishing Communities Policy Overview

The CFGC Coastal Fishing Communities (CFC) Policy guides CFGC, in partnership with CDFW, in supporting the long-term needs, social well-being, and economic health of California's coastal fishing communities while upholding the conservation and management goals central to both agencies' missions and mandates. The CFC Policy defines coastal fishing communities broadly as: (a) social, cultural, economic, and/or place-based groups whose members are dependent upon, engaged in, or benefit from local, wild-capture, commercial, recreational, or subsistence marine harvest or processing to meet the social and economic needs of the community, (b) include, but are not limited to, the businesses and organizations that depend upon or support those activities, and (c) may be a subset or member of larger or associated coastal communities. Adopted in February 2024, the CFC Policy formalizes a vision for how CFGC engages with fishing communities, incorporates their needs into decision-making, and contributes to their resilience.

Evaluation of MPA Petitions

Evaluating MPA petitions for their consistency with CFGC's CFC Policy marked the first time CFGC staff have attempted to apply the policy's principles to inform CFGC decision-making. Through the process of evaluating MPA petitions against the policy, CFGC staff found they were unable to make determinations about whether, or to what extent, any specific petition advances or conflicts with the goals of the CFC Policy. The findings are described in detail here, along with next steps to resolve these limitations moving forward.

The goal of Question 17 is to identify where petitioned actions may conceptually intersect with the CFC Policy—not to evaluate biological outcomes addressed elsewhere in the petition evaluation framework or provide a full socioeconomic analysis.

As CFGC staff applied the CFC Policy to each petition and its proposed actions, it became clear that only limited information is currently available to assess potential implications for coastal fishing communities. The policy encompasses broad aims, such as maintaining or enhancing fishing opportunities, supporting community resilience and adaptive capacity, and ensuring coastal fishing community interests are meaningfully factored into CFGC decision-making.

However, CFGC does not yet have detailed economic, demographic, or cultural data to determine how proposed regulatory changes may affect specific coastal fishing communities. Existing statewide information—primarily the Ocean Sport Fishing web application and community profiles from FishingCommunities.net, last updated in 2023 using 2021 data—provides useful general context on ports, landings, and community characteristics. CFGC staff expertise and experience also contributed to the understanding of impacts of petitioned actions on nearby coastal fishing communities. These sources of information do not provide the level of resolution necessary to draw conclusions about individual community dependence, vulnerability, or long-term resilience.

Given the limitations, CFGC staff focused the evaluation on three elements that could be consistently and objectively applied across all petitions:

- Describes the nature of the proposed regulatory change,
- Identifies whether a petition action would increase, decrease, or have no direct effect on commercial or recreational fishing opportunity within or near the affected MPA, and
- Identifies the coastal fishing communities most geographically-proximate to the affected area, by identifying the nearest ports or harbors and travel distance between them, although these do not necessarily reflect smaller coastal fishing communities that may be affected.

Some petition actions were given “not applicable” responses, reflecting that those actions are not subject to evaluation as they are either not regulatory change requests or they are proposals outside of the regulatory framework for MPA management.

Some petitions propose increasing fishing opportunities, which could conceptually support short- or long-term community resilience within the context of California’s existing fishing regulations and the broader fisheries management goals, and other petitions propose strengthening or expanding MPAs, which may confer long-term

ecological benefits that indirectly support fishing communities. However, CFGC staff cannot evaluate the proposed changes on biological, stock-related, or long-term effects relative to supporting fishing opportunities under this question.

A full understanding of potential benefits or impacts to coastal fishing communities requires meaningful input from the community members themselves—commercial, recreational, and subsistence harvesters, as well as the businesses and organizations that support local fishing economies. CFGC staff view this evaluation as an initial step based on the information currently available, and not as a comprehensive assessment of the lived experience, priorities, or needs of individual communities. Public comments that provide such feedback have not been directly considered in the evaluation. While CFGC has received a wealth of public comments to inform its understanding of the range of views thus far, CFGC's upcoming regional MPA petition review meetings will provide an important opportunity for commenters to further supplement CFGC staff's analysis with direct feedback from those most connected to the affected areas. Continued dialogue with coastal fishing communities will help strengthen the foundation for applying the CFC Policy in future decision-making and improve CFGC's ability to better understand and support the adaptive capacity and long-term resilience of California's fishing communities over time.

Possible next steps in policy implementation and pathways to begin filling data gaps are anticipated for discussion at a future CFGC Marine Resources Committee meeting. This discussion ideally would lead to developing options and needs to enable integrating consideration of the CFC Policy into CFGC's decision-making.

Links

CFC Policy: California Fish and Game Commission Coastal Fishing Communities Policy, adopted February 14, 2024 (also included on the following page)

Current Regulations Map: Ocean Sport Fishing Web App

Partner website, California Fishing Communities, providing profiles of the history, economics, and culture of California's fishing communities (last updated in 2023 with 2021 data): FishingCommunities.net

SUMMARY OF OTHER CONSIDERATIONS

After completing the evaluations, none of the petition evaluations had information to include in this section beyond what was provided in the other five sections of the evaluation. Consequently, this section was removed from the evaluations.



2023 BIN 2 MPA PETITIONS

Evaluations and Recommendations for Tribally-led Petitions

Dr. Craig Shuman

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

August 11, 2026 CFGC Tribal Committee Meeting
August 12, 2026 CFGC Meeting

CALIFORNIA MARINE PROTECTED AREAS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

MPA Network Management

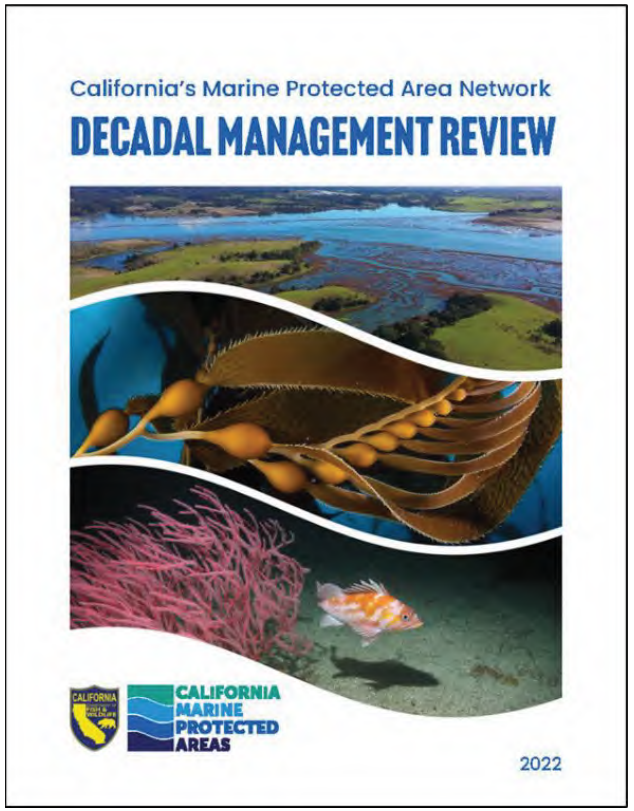
Adaptive Process

- Long-term scientific monitoring
- Periodic Review: data expertly evaluated
- Ongoing, across all Management Pillars
  - Regulatory
  - Non-regulatory



Decadal Management Review Key Findings

- For some species and habitats, MPAs support populations of larger and/or more abundant fish and invertebrates
  - Results vary across bioregions, habitats, and other factors
- Evidence of enhanced connectivity, ecosystem integrity, and resilience
  - MPA Network is still young, more to learn
- Did not identify performance gaps that warrant significant structural modification
- Informed 28 priority adaptive management recommendations, ~80 specific actions



2023 MPA Petition Process Milestones

Date	Milestone
Aug 2023	California Fish and Game Commission (CFGC) approves prioritization framework and to consider changes to the MPA Network using the existing CFGC petition process
Oct 2023	CFGC releases "Overview of Process to Consider Potential Changes to California's MPA Network"
Dec 2023	CFGC receives 20 MPA-related petitions with 80+ actions
Feb 2024	CFGC refers all 20 petitions to CDFW for evaluation
Apr 2024	CFGC adopts 3-phased approach to petition evaluation
Aug 2024	CFGC approves binning petitions, requests CDFW evaluate Bin 1 petitions and develop a proposed framework to evaluate Bin 2 petitions
Nov 2024	CDFW releases recommendations for five Bin 1 petitions

2023 MPA Petition Process Milestones (2/3)

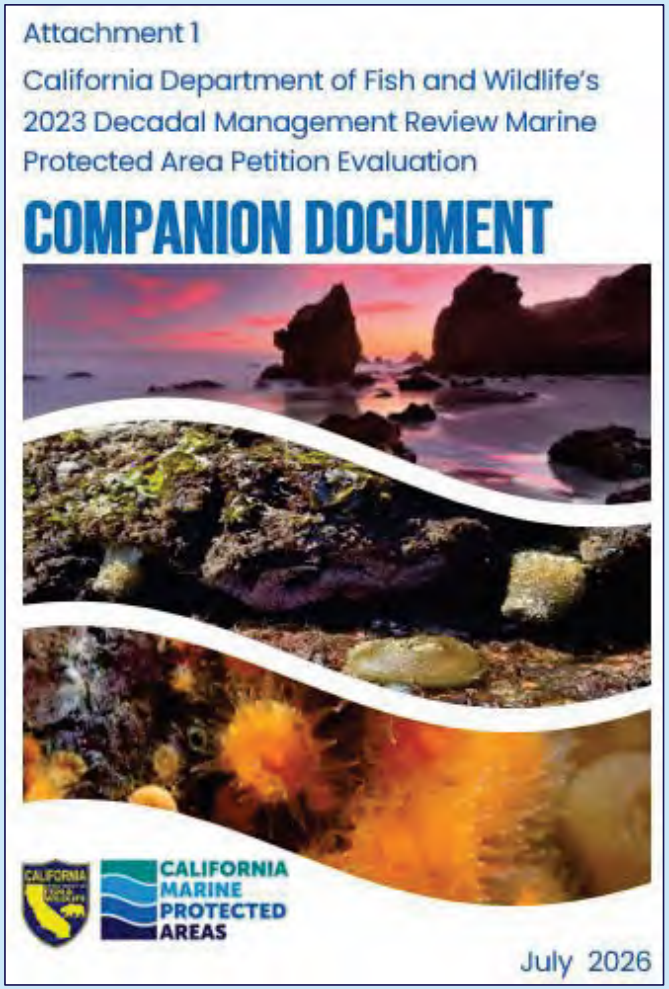
Date	Milestone
Dec 2024	CFGC makes decisions on Bin 1 petitions and establishes March 14, 2025 deadline for amendments to Bin 2 petitions
Mar 2025	Deadline for amendments to Bin 2 petitions
Apr 2025	CFGC refers amended Bin 2 petitions to CDFW for evaluation
Apr-May 2025	CDFW develops Draft Bin 2 Petition Evaluation Framework with Ocean Protection Council and CFGC staff
May 2025	Update and discussion at CFGC TC on Bin 2 MPA petitions and proposed approach for evaluations
Aug 2025	• Update and discussion on MPA petitions and Draft Eval Framework at CFGC TC • CFGC TC identifies four Tribally-led petitions
Aug 2025	CFGC approves framework for evaluating Bin 2 petitions

2023 MPA Petition Process Milestones (3/3)

Date	Milestone
Dec 2025	Update and discussion at CFGC TC on Bin 2 MPA petitions; identifies one more Tribally-led petition; directs CDFW to come back to April 2026 CFGC TC to discuss MPA Petitions
Mar 2026	CDFW releases evaluations and Companion Document for the ten non-Tribally-led Bin 2 MPA Petitions for the 64 proposed actions
Apr 2026	Update and discussion at CFGC TC on Bin 2 MPA petitions Tribally-led petitions amended and referred to CDFW
Apr – May 2026	Regional CFGC Petition Discussion Meetings • April 21, San Mateo: Del Norte through Monterey counties, • May 5-6, Goleta: San Luis Obispo through Santa Barbara counties, including the Northern Channel Islands • May 19, San Clemente: Los Angeles through San Diego counties, and Santa Catalina Island
July 2026	CDFW releases evaluations for the five Tribally-led Bin 2 MPA Petitions

2023 MPA Bin 2 Petition Evaluation Companion Document

- History of MPA Network Adaptive Management
- Supplemental information, reference materials, and additional context for evaluations
- July Updates:
  - 2023 MPA Petition milestones
  - Tribal outreach and engagement
  - Climate Resilience and MPAs
  - Additional information for Question 5 (information gaps) and Question 9 (MPA Network design and Levels of Protection)



CDFW Tribal Outreach – 2023 MPA Bin 2 Petitions

- Initiated in May 2024
- Regularly provided email and mailed updates
- Distributed to CDFW Tribal Contact List (NAHC contact list and additional interested tribal contacts)
- All updates included offers for formal consultation
- Summary of outreach in Companion Document



Updates at CFGC Tribal Committee

- May 7, 2025
- August 12, 2025
- December 9, 2025
- April 14, 2026
- August 11, 2026

CALIFORNIA MARINE PROTECTED AREAS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CDFW Engagement with Tribes on Tribally-led Petitions

- September 2025 – July 2026
- CDFW met with representatives from tribes
- Purpose:
  - Better understand tribes' perspective and requests
  - Initiate discussions regarding requests for co-management
  - Clarify petition process and next steps


Photo Credit: M. Baird, CC BY 2.0

CALIFORNIA MARINE PROTECTED AREAS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

Tribally-led 2023 Bin 2 MPA Petitions

Tribally-led Petition: A petition that was submitted by a California Native American tribe, representative designated by a tribe or tribal organization, or has a tribal co-sponsor

- **Tolowa Dee-ni' Nation:**
  - **2023-21MPA_AM1:** Remove Recreational Take of True Smelt and Change the Boundary at Pyramid Point SMCA
- **Northern Chumash Tribal Council:**
  - **2023-28MPA_AM2:** Designate a new SMCA at Point Sal
- **Santa Ynez Band of Chumash Indians:**
  - **2023-19MPA_AM1:** Designate a new Chitqawi SMCA near Morro Bay with a Tribal Take Exemption for SYBCI
  - **2023-20MPA_AM1:** Change the Name and Add a Tribal Exemption for SYBCI at Point Buchon SMCA, and Change the Boundary at Point Buchon SMR
  - **2023-29MPA_AM2:** Designate a new SMCA near Mishopshno/Carpinteria with a Tribal Take Exemption for SYBCI

CALIFORNIA MARINE PROTECTED AREAS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

2023 MPA Bin 2 Petition Evaluation Framework

CGFC Approved in August 2025, includes:

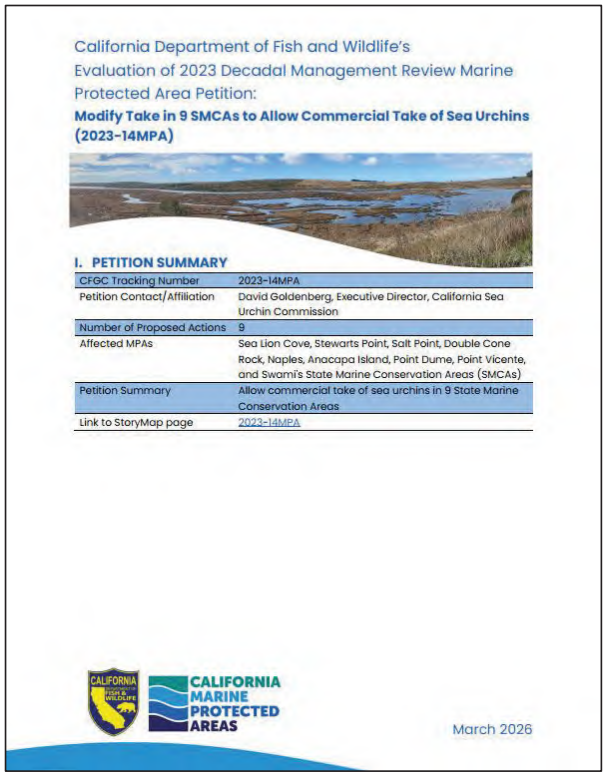
I. Petition Summary

II. CDFW Recommendations with Brief Justifications

III. Bin 2 Petition Grouping: Identify Tribally-led Petitions

IV. CDFW 2023 MPA Bin 2 Petition Narrative and Evaluation

V. Supplemental Analyses, Data and Information, and Citations



California Department of Fish and Wildlife's Evaluation of 2023 Decadal Management Review Marine Protected Area Petition:

Modify Take in 9 SMCAs to Allow Commercial Take of Sea Urchins (2023-14MPA)

I. PETITION SUMMARY

CFGC Tracking Number	2023-14MPA
Petition Contact/Affiliation	David Goldenberg, Executive Director, California Sea Urchin Commission
Number of Proposed Actions	9
Affected MPAs	Sea Lion Cove, Stewarts Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's State Marine Conservation Areas (SMCAs)
Petition Summary	Allow commercial take of sea urchins in 9 State Marine Conservation Areas
Link to StoryMap page	2023-14MPA

CALIFORNIA MARINE PROTECTED AREAS

March 2026

CALIFORNIA MARINE PROTECTED AREAS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

Non-regulatory Request: Co-management

Request included in Petitions

- Santa Ynez Band of Chumash Indians
  - 19 Chitqawi SMCA
  - 20 Point Buchon SMCA
  - 29 Mishopshno SMCA
- Northern Chumash Tribal Council
  - 28 Point Sal SMCA


Courtesy of California State Parks, 2026.

CDFW Recommendation: Support with an Alternative Pathway
the non-regulatory requests to advance co-management

2023-21MPA_AM1 Pyramid Point SMCA

Remove Recreational Take of True Smelt and Change the Boundary at Pyramid Point SMCA



Submitted by: Tolowa Dee-ni' Nation

Proposed Action 2023-21MPA_1_AM1: Remove recreational take allowance for true smelt in Pyramid Point SMCA and retain the existing tribal exemption for Tolowa Dee-ni' Nation

Existing Regulations:

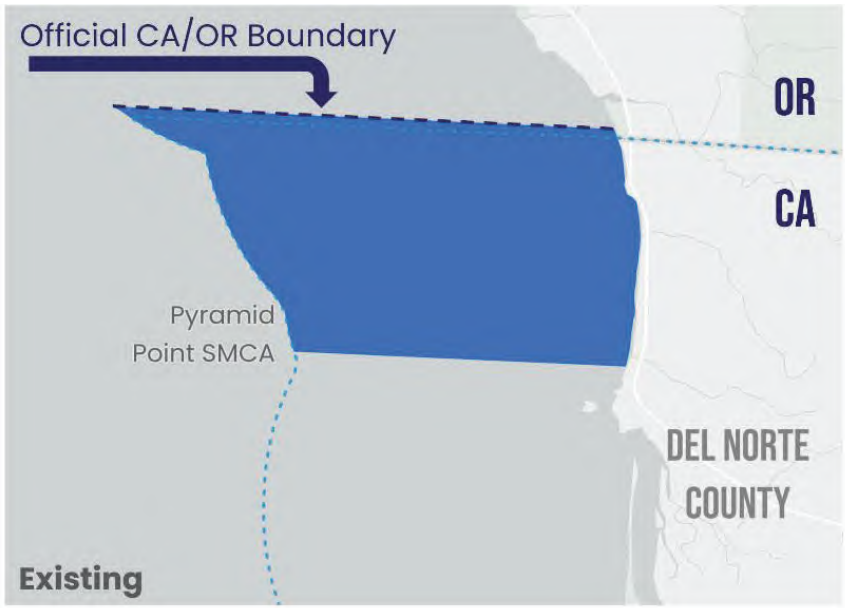
1. The recreational take of true smelt by dip net or Hawaiian type throw net is allowed
2. Tribal take exemption for Tolowa Dee-ni' Nation

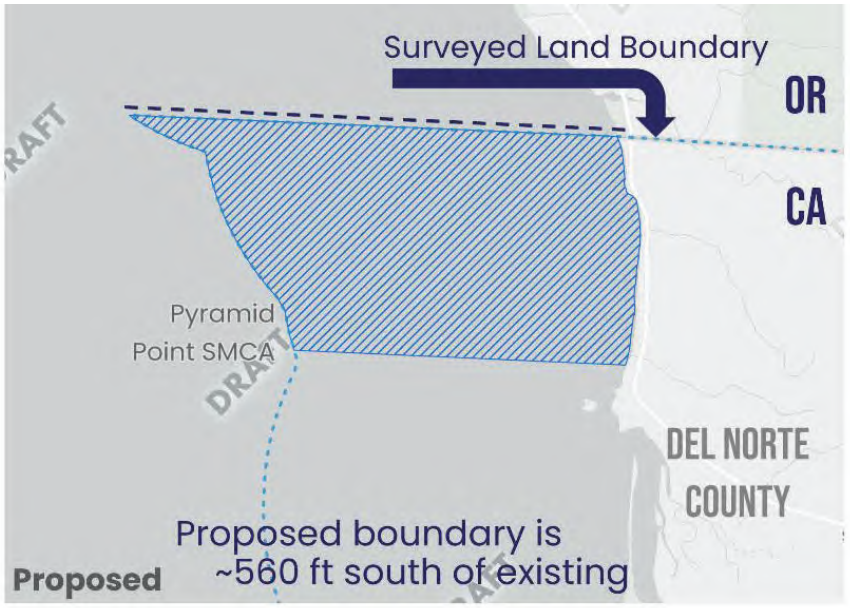
CDFW Recommendation: GRANT

Remove recreational take allowance for true smelt in Pyramid Point SMCA, retain SMCA designation and existing tribal take exemption


Ken Oda, CDFW

Proposed Action 2023-21MPA_2_AM1: Change northern boundary of Pyramid Point SMCA from the official California/Oregon state line (42°N) to align with the landside surveyed border (41°59’55”N)





CDFW Recommendation: DENY

Retain the current boundary at 42°N

2023-19MPA_AM1 New Chitqawi SMCA

Designate a new SMCA in Estero Bay named Chitqawi SMCA with no take other than a tribal take exemption for the Santa Ynez Band of Chumash Indians

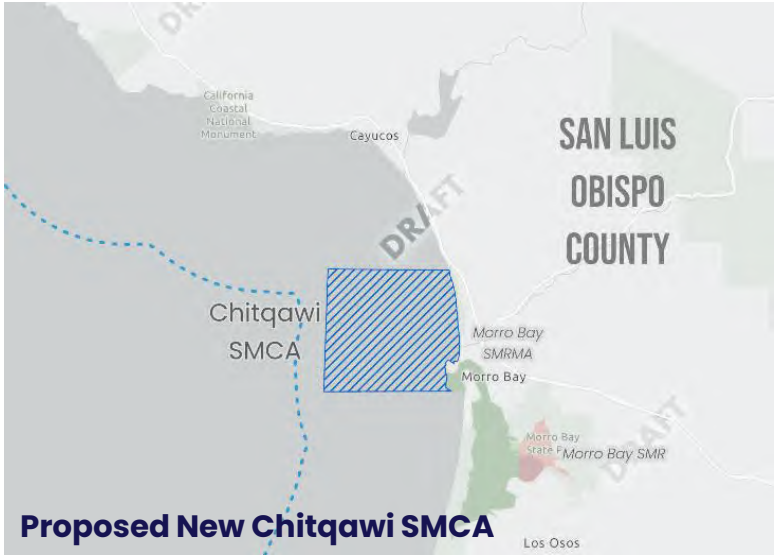


Proposed New Chitqawi SMCA

Submitted by: Santa Ynez Band of Chumash Indians

Proposed Action 2023-19MPA_1_AM1: Designate a new SMCA in Estero Bay named Chitqawi SMCA with no take other than a tribal take exemption for the Santa Ynez Band of Chumash Indians

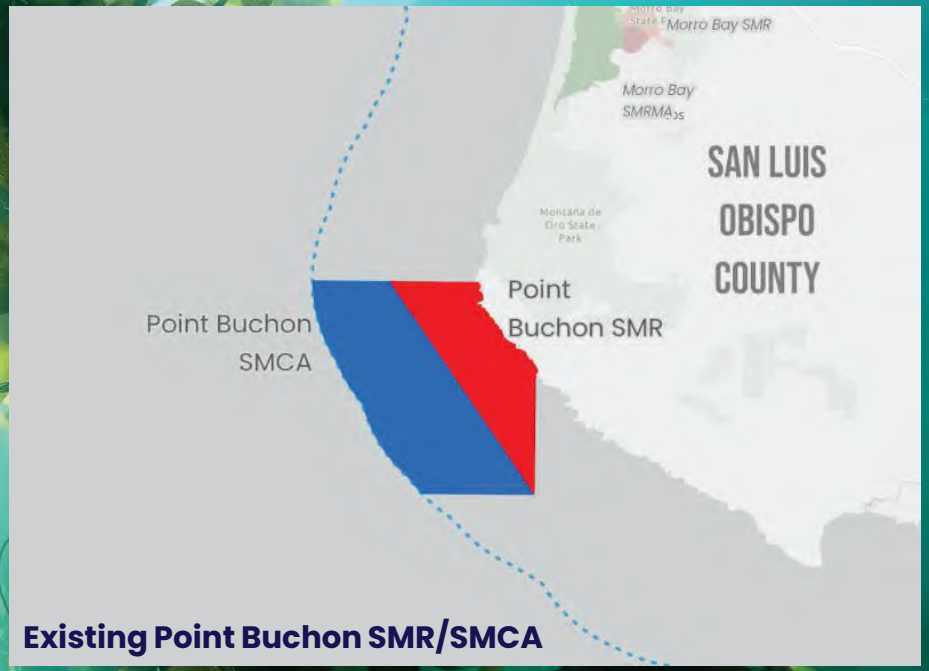




CDFW Recommendation: Support with an Alternative Pathway and request CDFW engage with the SYBCI, other interested tribes, and California State Parks to **explore designating the area as a State Marine Cultural Preservation Area** to acknowledge the cultural significance of the area, rather than establishing a new SMCA.

2023-20MPA_AM1 Point Buchon

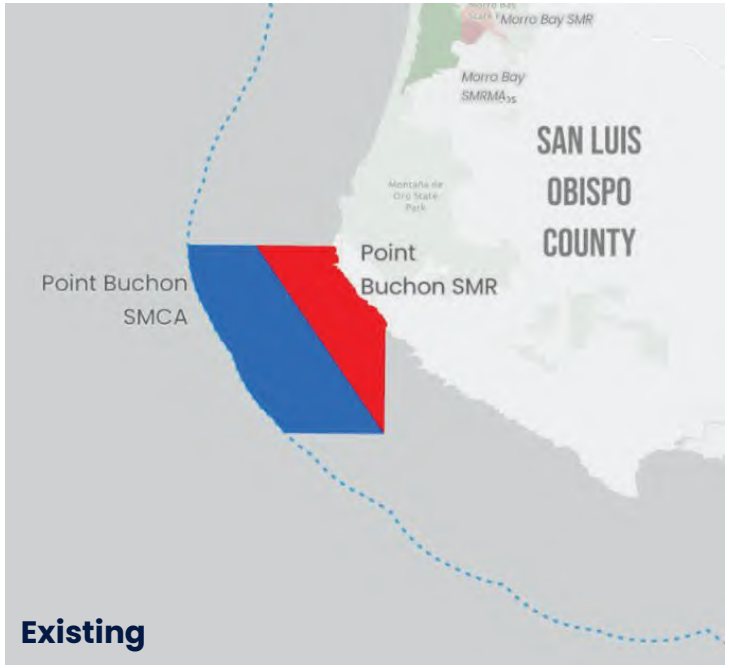
Change the Name and Add a Tribal Exemption for SYBCI at Point Buchon SMCA, and Change the Boundary at Point Buchon SMR



Existing Point Buchon SMR/SMCA

Submitted by: Santa Ynez Band of Chumash Indians

Proposed Action 2023-20MPA_2_AM1: Adjust the northern boundary of Point Buchon State Marine Reserve to align with Point Buchon





CDFW Recommendation: DENY

Retain the current northern boundary

2023-20MPA_3_AM1: Rename Point Buchon SMCA


Photo Credit: M. Baird, CC BY 2.0

CDFW Recommendation: GRANT in Concept

Work with SYBCI and other tribes to identify a new name that aligns with CFGC's Naming Protected Area Policy

Proposed Action 2023-20MPA_4_AM1: Add tribal take exemption to Point Buchon SMCA for SYBCI

Existing Regulations:

The commercial and recreational take of salmon and albacore is allowed.

Tit. 14 Cal. Code Regs. 632(94)(B)

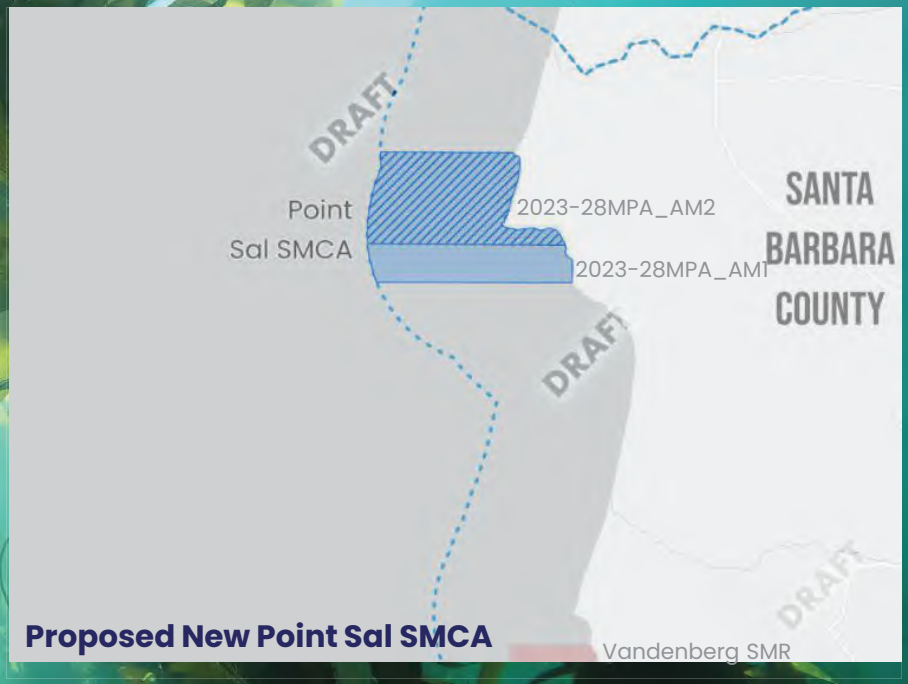


The area around Point Buchon SMR from the landward side. Photo Credit: Rose Dodgen, CDFW

CDFW Recommendation: GRANT

2023-28MPA_AM2 New Point Sal SMCA

Designate a New SMCA Near Point Sal with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore



Submitted by: Natural Resources Defense Council and co-sponsored by Northern Chumash Tribal Council

Proposed Action 2023-28MPA_1_AM2:

- Designate a new SMCA around Point Sal with an allowance for recreational take of finfish by hook-and-line from shore

- Include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base

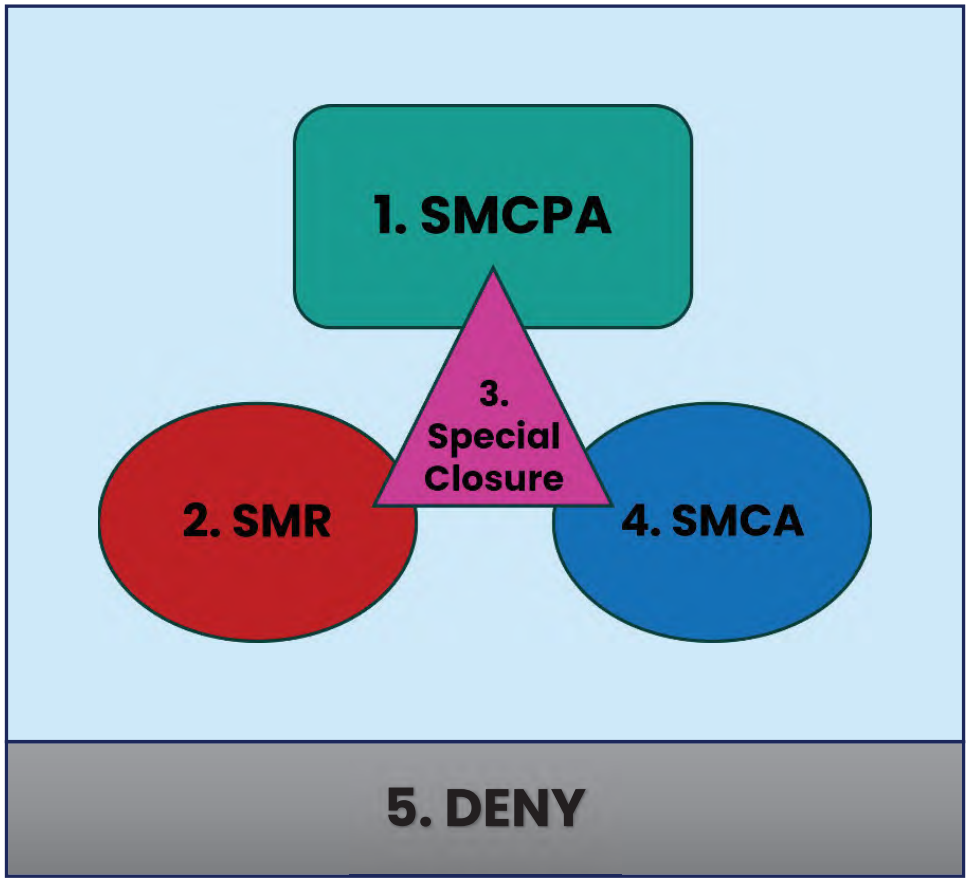
- Consult with tribes to identify a traditional tribal name for the new MPA



Courtesy of California State Parks, 2026.

CDFW Recommendation: Consider the options…

CDFW Recommendation 2023-28MPA_AM2 New Point Sal SMCA, **Consider the Following Options:**



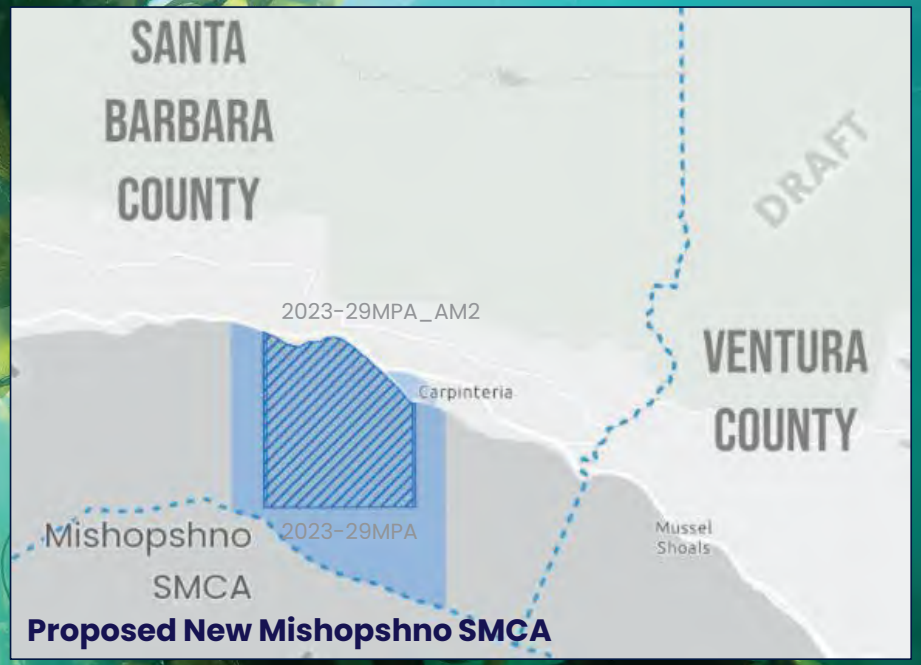
1. **Support with an Alternative Pathway** Explore designating the area as a **SMCPA**
2. **Grant with Alternative Pathway** designate a **new SMR** with modified boundaries
3. **Grant with Alternative Pathway** Designate a **new Special Closure** around Lion Rock for birds and pinnipeds
4. **Grant in Concept** Designate a **new SMCA** with recreational take of finfish by hook-and-line from shore, with modified boundaries

5. **Deny**-do not designate an MPA, Special Closure, or explore a SMCPA

SMCPA- State Marine Cultural Preservation Area; SMR-State Marine Reserve; SMCA- State Marine Conservation Area

2023-29MPA_AM2 New Mishopshno SMCA

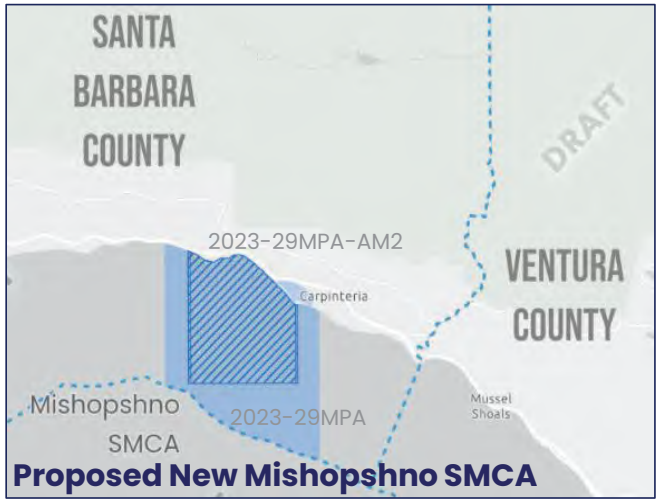
Designate a New SMCA Near Mishopshno/Carpinteria with an Allowance for Recreational Take of Finfish by Hook-and-Line From Shore and a Tribal Take Exemption for SYBCI



Submitted by: Natural Resources Defense Council, Santa Ynez Band of Chumash Indians, Environmental Defense Center

Proposed Action 2023-29MPA_1_AM2: Establish a new California-Chumash co-management MPA near Santa Barbara to be named Mishopshno that allows tribal take by members of the SYBCI, and allows recreational take of finfish from shore by hook-and-line.





CDFW Recommendation: Support with an Alternative Pathway and request CDFW engage with the SYBCI, other tribes, California State Parks, and other interested parties, to **explore designating a State Marine Cultural Preservation Area at Mishopshno** to acknowledge the cultural significance of the area without limiting fishing access to other tribes that have a historical connection to the area, or to the public.

Recap: DMR Adaptive Management Recommendations

Near-Term (ongoing – 2 years)

- Rec 1: Improve state agencies tribal engagement
- Rec 4: Apply Review knowledge to Network/Management changes
- Rec 7: Expand outreach and education materials
- Rec 9: Continue OPC coordination
- Rec 10: Improve coordination across Management Program pillars
- Rec 11: Update Action Plan
- Rec 16: More targeted outreach to specific audiences
- Rec 17: Improve SCP process
- Rec 18: Use policy to review MPA restoration/mitigation efforts
- Rec 20: Increase enforcement capacity
- Rec 21: Enhance citation record keeping and management
- Rec 25: Implement MPA climate change research
- Rec 27: Improve understanding of MPA effects on fisheries

Mid-Term (2 – 5 years)

- Rec 2: Create pathway to tribal MPA management
- Rec 3: Build tribal capacity to participate in MPA management
- Rec 6: Include and fund more diverse researchers and stakeholders
- Rec 8: Evaluate MPA accessibility
- Rec 12: Improve understanding of human dimensions
- Rec 13: Explore innovative technologies
- Rec 14: Develop MPA community science strategy
- Rec 15: Evaluate Outreach needs and resource effectiveness
- Rec 22: Increase knowledge on MPA judicial outcomes
- Rec 23: Examine MPA Network design attribute more effectively
- Rec 26: Consider climate change in human dimensions monitoring
- Rec 28: Integrate influencing factors into MPA performance evaluations

Long-Term (5- 10 years)

- Rec 5: Establish targets to meet MLPA goals
- Rec 19: Create MPA Enforcement Plan
- Rec 24: Better incorporate marine cultural heritage into MPA Network

Questions

All CDFW Petition Evaluations available through the MPA Management Program Petition StoryMap, which can also be accessed via this QR code

CALIFORNIA MARINE PROTECTED AREAS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Received July 31, 2026;
Original signed copy on file

MEMORANDUM

Date: July 30, 2026

To: Melissa Miller-Henson Executive Director
California Fish and Game Commission

From: Jaimie Huynh
Deputy Director for Strategic Engagement, Equity, and Partnerships
California Department of Fish and Wildlife

Subject: Initial Assessment of Question 14 (Equitable Access) and Question 16 (CFGC JEDI Policy) of the 2025 MPA Petition Evaluation Framework

At its February 14-15, 2024 meeting, the California Fish and Game Commission (CFGC) referred 20 Marine Protected Area (MPA) petitions to the California Department of Fish and Wildlife (CDFW) for review, evaluation, and recommendation. CDFW completed the Evaluations and Recommendations for the ten non-Tribally-led petitions and the Companion Document in March of 2026, which were received by CFGC at their April 15-16, 2026 meeting. The Evaluations and Recommendations and the Companion Document did not include answers to Questions 14 and 16 of the 2025 MPA Petition Evaluation Framework.

- Question 14: Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?

- Question 16: Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion (JEDI) Policy?

At the May 2026 Regional Petition Meeting, CFGC requested that Question 14 and Question 16 be answered to inform CFGC decisions on the Bin 2 petitions.

CDFW, the Ocean Protection Council, and the California Natural Resources Agency jointly completed and is transmitting the initial assessment of Question 14 and Question 16 (see attached) to CFGC. The assessment acknowledges the history of exclusion from the coast and MPA Initiative planning process experienced by California Native American tribes and disadvantaged communities; includes an inventory to provide CFGC with an improved understanding of how petitions may impact equitable access to the coast and MPAs; presents an evaluation of petitions for the CFGC JEDI Policy actions; and provides future opportunities to improve tribal and community engagement, invest in social, cultural, and access-related research, and adopt policies to guide environmental justice and equity work.

Addressing imbalances in representation and incorporation of equity considerations into management and decision-making ensures the benefits of conservation are shared fairly for all Californians. Diverse perspectives strengthens public support, improves stewardship, and contributes to more resilient ecosystems. There are meaningful opportunities to repair past harms, ensure appropriate avenues for formal tribal engagement, and build a process that is inclusive of and welcoming for communities of color.

If you have any questions or need more information, please contact me at Jaimie.huynh@wildlife.ca.gov.

ec: Meghan Hertel, Director
California Department of Fish and Wildlife

Chad Dibble, Deputy Director
Wildlife and Fisheries Division

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Coastal Policy Natural Resources Agency

Noaki Schwartz, Senior Deputy Director Coastal
Commission

Geneva E.B. Thompson, Deputy Secretary for
Tribal Affairs Natural Resources Agency



CALIFORNIA MARINE PROTECTED AREAS

Initial Assessment of Q14 & Q16 of the **2025 MPA Petition Evaluation Framework**

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INTRODUCTION

California's iconic 1,100-mile coastline provides immeasurable ecological, cultural, social, and economic value to residents and visitors. It provides a place for recreation, connection to nature, spiritual and traditional practices, and drives a thriving $51 billion coastal economy that supports local jobs and businesses.

Acknowledging Historic Exclusion from the Coast

Tribes

All the lands, waters, and natural resources within the boundaries of what is now known as California, have been – and still are – stewarded by California Native American tribes and tribal people since time immemorial. Tribal expertise, Traditional Ecological Knowledge, tribal science, ceremonies, customs, and practices are tied to these places and are critical components of best available science used to steward the lands and waters.

The early decades of California's statehood were marked by widespread violence, exploitation, dispossession, and the attempted destruction of tribal communities. Today, many of the persistent inequitable conditions that tribal communities continue to experience are a direct result of the historical wrongs committed against California Native American tribes by the State of California.

Disadvantaged Communities

Although California has many policies and programs designed to increase access to the coast, history shows that access has not always been equitable. Throughout the twentieth century, discriminatory laws, policies, and practices also restricted coastal access for many minority communities. Both tribal communities and communities of color faced exclusionary zoning, racially restrictive covenants, intimidation, and violence that barred them from beaches, coastal resorts, and waterfront neighborhoods. Some beaches were designated explicitly as "whites only," while others used targeted law enforcement to discourage minority families from gathering. These injustices were not isolated incidents but part of broader systems of segregation that shaped who could participate in coastal life and who was pushed away from it.

Historic inequalities, as well as California's growing population, changing demographics, socio-economic forces, judicial decisions, and policy choices have and continue to shape development patterns and population shifts that widen the disparity gap. The passage of the California Coastal Act and decades of advocacy have expanded coastal access but many low-income and minority communities continue to face significant barriers. This includes lack of transportation, lack of affordable accommodations, and illegal barriers to access such as fake no parking signs.

Understanding the history of exclusion along the coast is important as proposed changes to the marine protected areas (MPA) network are being considered.

History of MPA Planning Process

The creation of the MPA network we see today was initially not appropriately inclusive of California Native American tribes, despite their long history of use, protection, and stewardship of marine resources and interest in caring for coastal ecosystems. The Marine Life Protection Act (MLPA) Initiative was silent on tribes and the implementation process did not include a formal mechanism for tribal consultation and participation; it instead invited tribes to participate as stakeholders rather than as representatives of tribes. (Berkey & Williams, 2019) While the history of exclusion is not fully discussed in this analysis, it is important to acknowledge this history and attempt to include California Native American tribes throughout the current and future MPA process.

The MLPA Initiative planning process was not appropriately inclusive or welcoming of people of color. Although participation was open to all, the structure of the process did not include intentional outreach to marginalized coastal users, relied on stakeholder nominations without dedicated representation for underrepresented communities or communities of color in the process, and lacked outreach and engagement staffing, which made engagement inconsistent across the State. (Sayce et. al., 2013) As a result, early engagement with communities of color and other underrepresented communities was inconsistent across the State.

Addressing these historic imbalances in representation — and incorporation of equity considerations into management and decision-making — helps ensure the benefits of conservation are shared fairly for all Californians. Incorporating diverse perspectives strengthens public support, improves stewardship, and contributes to more resilient ecosystems. There are meaningful opportunities to

repair past harms, ensure appropriate avenues for formal tribal engagement, and build a process that is inclusive of and welcoming for communities of color. This document is meant to inform the Commission's decision making and does not make any conclusions on the petitions themselves.

BACKGROUND

Released in December 2022, the first Decadal Management Review (DMR) assessed the progress of the MPA network in meeting the goals of the MLPA and included 28 recommendations to guide the next ten years of MPA management. In July 2023, in response to public interest, the California Fish and Game Commission (CFGC) agreed to accept public proposals submitted through its established regulatory change petition process, for potential adaptive management modifications to the MPA network. Twenty petitions were received in December 2023, including over 80 individual proposed actions. Ultimately, these petitions were sorted into Bin 1 and Bin 2 petitions. There were a total of five Bin 1 petitions that could be evaluated in the near term and met certain criteria. Decisions on the five Bin 1 petitions were made by CFGC in December 2024. The 15 petitions not meeting those criteria were placed into Bin 2 to be evaluated in the longer term. Additionally, the California Department of Fish and Wildlife (CDFW) sorted the Bin 2 petitions into two groups: "Tribally-Led or Co-led Petitions," which were submitted by a California Native American tribe, representative designated by a tribe or tribal organization, or have a tribal co-sponsor, and "Other Petitions."

In August 2025, the CFGC approved an "evaluation framework" for the remaining 15 Bin 2 Petitions, including the Tribally-led or co-led petitions. The evaluation framework included 18 questions, two of which relate to equity or an existing CFGC equity policy. These questions were added to reflect the commitments of CDFW and CFGC to improving access to marine resources for all Californians, increasing access for traditionally underserved and marginalized communities, and implementing and advancing the CFGC Justice, Equity, Diversity, and Inclusion (JEDI) Policy.

- Question 14: Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?
- Question 16: Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy?

CDFW completed and publicly released its evaluation and recommendation for the ten non-tribally led or co-led Bin 2 petitions. The evaluations were based on petition materials submitted in December 2023 and amendments received through March 14, 2025. Subsequent changes, improvements, or stakeholder engagement undertaken by petitioners after March 14, 2025 did not inform CDFW's evaluation. As outlined in the Companion Document for CDFW's Bin 2 evaluations and recommendations, CDFW originally determined that providing the level of evaluation Questions 14 and 16 and the relevant communities deserve would not be possible within the scope and timeline of the petition evaluations. However, per the request of the CFGC at a regional MPA petitions meeting in May 2026, this document is an initial assessment of Questions 14 and 16 to help inform Commission decisions on the Bin 2 petitions. CDFW staff, California Ocean Protection Council (OPC) staff, and California Natural Resources Agency (CNRA) staff (hereby referred to collectively as, "staff") collaborated to conduct this assessment.

Evaluating the proposed actions in the petitions in context of whether they address equitable access (Question 14) and are consistent with the CFGC's JEDI Policy (Question 16) is only a first step to incorporating equity considerations into the adaptive management of the MPA networks. The State of California is committed to supporting the ongoing and future investments and initiatives to ensure equity is at the forefront of engagement, management, and decision-making processes.

Equity Analysis Considerations for Tribes

The state's current approach to defining environmental justice communities conflates California Native American tribes with disadvantaged communities. In these definitions, tribes are often considered disadvantaged communities, but some tribal representatives have expressed that this term "erodes the self-governing nature of [tribes]" (Haaland & Ortiz, 2022). Additionally, many existing mapping tools "do not provide data from tribal lands and various other local reporting metrics which are not included in census data. Tribes may not fully participate in census and environmental quality data gathering because of historical mistrust of governmental reporting methods, leading to the inability to provide clear metrics for third-party review" (Haaland & Ortiz, 2022). Evaluating tribes under the context of racial equity does not provide the level of engagement tribes deserve nor acknowledges their status as the original

stewards of the land and ocean. For these reasons, tribal lands and ancestral territories are not explicitly included in the analyses presented here. However, consultation with tribes will continue to provide an important venue for assessing how petitions may impact tribal access to the coast and ocean.

Pursuant to the CNRA's Tribal Consultation Policy, California state agencies are directed to engage in early, often, and meaningful tribal consultations with tribes throughout the MPA process. CDFW's Tribal Communication and Consultation Policy reaffirms this process by working collaboratively, communicating effectively, and consulting with California Native American tribes. CDFW plans to update the Tribal Communication and Consultation Policy to align with CNRA's Tribal Consultation Policy in 2027.

Tribal Outreach and Consultation

From May 2024 to June 2026, CDFW provided regular updates on the status of the 2023 MPA petitions and petition evaluation process, offering opportunities to request consultations through email communications and mailed tribal notification letters, to the CDFW statewide tribal contact list. The CDFW tribal contact list includes over 400 individuals across the state who represent and/or work for a California Native American tribe that has been identified by the California Native American Heritage Commission for the purposes of cultural resource protection. Many inland tribes have cultural and historical ties to the coast, so inland tribes are also included in the outreach. A summary of outreach and engagement with tribes is included in the Companion Document. To date, no tribes have requested formal consultation.

At its October 2026 meeting, the CFGC is scheduled to consider action on which petitions to grant and move forward for potential regulatory change. After the vote, there will be additional tribal outreach and consultation opportunities as part of the regulatory change process for any actions/petitions granted by the Commission.

APPROACH TO QUESTION 14 EQUITABLE ACCESS

Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?

Equitable access to the coast and MPAs means something different for every community. For some, meaningful access is rooted in recreational opportunities, such as surfing, swimming, gathering with community, or simply experiencing the outdoor space. For others, the coast can provide for subsistence fishing or traditional food practices.

Defining Terms

Equitable Access

Under the California Natural Resources Agency's Outdoors for All Strategy, "equitable access" is defined as "All people can experience and enjoy California's outdoors regardless of who they are or where they live. It also means that everyone can experience the outdoors in a way that is safe, welcoming, convenient, affordable, and culturally relevant." Equity can be defined in the context of social and racial equity, and means achieving fair outcomes for all groups, while fully acknowledging and addressing unequal starting points. When equity is achieved, no one factor, like race or zip code, can predict individual or community access to quality outdoor spaces (Government Alliance on Race and Equity).

Traditionally Underserved or Marginalized Communities

For purposes of this assessment, "traditionally underserved or marginalized communities" are defined as "disadvantaged or highly impacted communities" (DACs) as identified using CalEnviroScreen 4.0 and Senate Bill 535 (SB535). CalEnviroScreen 4.0 and the SB 535 platform use a variety of environmental justice indicators to identify populations across the state that experience disproportionate environmental and socioeconomic burdens.

CalEnviroScreen 4.0 is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. CalEnviroScreen 5.0 was released on July 1, 2026 and was not used in this assessment due to the release occurring after the assessment had commenced.

SB 535 established initial requirements for minimum funding levels to "Disadvantaged Communities." The California Environmental Protection Agency formally designated four categories of geographic areas as disadvantaged:

1. Census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0 (1,984 tracts).

2. Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps, but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores (19 tracts).
3. Census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0 (307 tracts).
4. Lands under the control of federally recognized Tribes. For purposes of this designation, a tribe may establish that a particular area of land is under its control even if not represented as such on CalEPA's DAC map and therefore should be considered a DAC by requesting a consultation with the CalEPA Deputy Secretary for Intergovernmental Relations at TribalAffairs@calepa.ca.gov.

Methods and Metrics Used

To assess how each petition may affect equitable access, staff compiled an inventory of relevant demographic information, geographical socioeconomic indicators, and coastal access data. Petitioners were encouraged, but not required, to engage with local communities prior to submitting their petitions, so localized needs for access are not captured in this assessment. Staff used existing statewide datasets to develop a snapshot of the current demographic, socioeconomic, and access landscape. The Future Opportunities section includes more discussion about data gaps and approaches for improving future analyses.

Petitions were reviewed using the following components:

1. **Identification of nearby disadvantaged communities**

   The first step in determining which petitions would be included in the equitable access inventory was identifying whether proposed MPA changes were located within 10 miles of a disadvantaged or highly impacted community. "Disadvantaged or highly impacted communities" are defined above.

   The proximity band chosen was a 10-mile radius around the proposed MPA change and only communities within census tracts identified with CalEnviroScreen 4.0 (>75 percentile or higher) or designated as disadvantaged under SB 535 are included.

While Californians travel across the state to access coastal resources, proximity remains one of the strongest predictors of the frequency and regularity of coastal use. A 10-mile radius serves as a practical benchmark for identifying communities most likely to regularly access particular coastal areas for recreation, subsistence activities, exercise, cultural practices, or stewardship activities. In contrast, individuals living farther away may still visit coastal areas, but their use is generally less frequent and more destination-oriented. Therefore, while statewide access is an important consideration, we assessed populations within 10-miles of the coast since those communities are more likely to rely on and regularly engage with a particular coastal area.

After applying the 10-mile DAC filter, seven petitions qualified for further assessment. Appendix A provides the inventory for these seven petitions and presents the demographic and socioeconomic profile of the nearby DACs alongside indicators describing coastal access conditions for the beaches adjacent to the proposed MPA changes.

2. **Demographic and socioeconomic profile of affected communities**
After census tracts were identified through CalEnviroScreen 4.0, staff pulled demographics data from the census tracts within the 10-mile radius. CalEnviroScreen 4.0 demographic and socioeconomic census tract data originate from the U.S. Census Bureau. The demographic context helps clarify whether the petition may influence access opportunities for traditionally underserved groups.

Socioeconomic data, including educational attainment, linguistic isolation, and poverty, are also included in the profile of affected communities. These factors can influence a community's ability to understand regulatory processes, participate in MPA planning, and access the coast.

Educational attainment measures the highest level of education a person has completed. California has a high percentage of people without high school degrees compared to the rest of the United States, which makes education important to consider. Lower educational attainment can limit awareness of regulations governing activities like fishing.

Linguistic isolation is a term used by the U.S. Census Bureau for limited English-speaking households. More than 40% of Californians speak a language other than English at home. Linguistic isolation can make it difficult for residents to understand signage or opportunities for community input on MPA management.

Poverty is determined by the U.S. Census Bureau each year. It is based on the size of the household and the age of family members. If a person or family's total income before taxes is less than the poverty level, the person or family are considered in poverty. Poverty adds an additional barrier to accessing the coast or MPAs and can signify a potential need for subsistence fishing.

3. **Coastal access points and amenities**
   Existing public coastal access points and associated amenities located within half a mile of the proposed MPA changes were identified, using the California Coastal Access, Facilities, Amenities, and Parking Dashboard. This dashboard compiles statewide geospatial information on public coastal access locations and associated amenities and infrastructure, including parking facilities, restrooms, showers, recreational amenities, and other features that facilitate public access and use of coastal resources. The dataset offers a standardized approach for evaluating and comparing access opportunities across different regions of California. The underlying data include more than 1,500 public beach access locations spanning all 15 coastal counties, making it one of the most comprehensive statewide inventories available. This dataset is particularly valuable because it captures both access points and the amenities that influence the quality and practicality of coastal access. Public access is not determined solely by the presence of a beach or shoreline; it is also shaped by supporting infrastructure such as parking, restrooms, accessible pathways, and recreational facilities. By incorporating these attributes, the dataset provides a more complete representation of the opportunities and constraints that coastal users may experience. See Appendix B for coastal access point maps for the eight MPA petitions.

This dataset is intended to provide CFGC commissioners with an improved understanding of how petitions may impact equitable access to the coast and

ocean by identifying disadvantaged communities located within 10 miles of proposed actions, the demographic and socioeconomic composition of those communities, and nearby coastal access points and amenities.

APPROACH TO QUESTION 16 JEDI POLICY

Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy?

The JEDI Policy adopted by CFGC reflects CFGC's deep commitment to supporting safe and equitable access to California's native wildlife and natural habitats. It emphasizes inclusive decision-making that reflects the needs and values of the state's diverse communities. The policy acknowledges the significant past injustices experienced by underserved communities and seeks to correct the burdens these communities have faced in accessing nature, participating in regulatory decision-making, and the privilege often associated with outdoor access. The JEDI Policy also considers and seeks to correct the disproportionate burdens on California Native American tribes and affirms their interwoven stewardship relationships with the environment.

Identifying Applicable JEDI Policy Actions

The JEDI Policy identifies 13 individual commitments referred to as "actions" that guide how CFGC advances JEDI within both internal and outward-facing practices and procedures. In assessing whether the petitions are consistent with the policy, six actions were deemed to be most applicable for evaluation of petitions, whereas the other seven actions focus on CFGC's internal operations, partnerships, and governance processes. This does not downplay the importance of those seven actions in guiding the CFGC toward its JEDI vision, but rather acknowledges that individual petitions do not influence the CFGC's internal operations, partnerships, and governance. To assess whether each petition is consistent with the JEDI Policy, staff evaluated petitions for the following six remaining actions in the JEDI Policy:

- Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes
- Expand understanding of and improve response to the needs of marginalized fish and wildlife users
- Amplify tribal voices and issues

- Consider the implications of CFGC decisions on subsistence activities
- Improve and champion safe and equitable access to nature and abundant and healthy fish and wildlife populations
- Promote cultural, community, and economic opportunities related to fish and wildlife

Data Sources

The following sources were used when evaluating the petitions for each JEDI Policy action:

- **Information in the petitions and CDFW evaluations and recommendations** Staff considered the action proposed by the petition, information provided in the petitions as well as CDFW evaluations and recommendations for the petitions, if available. As noted under Question 14, petitioners were encouraged, but not required, to engage with local communities prior to submitting their petitions, so localized needs were not captured. Therefore, most of the petitions did not include sufficient information to thoroughly assess benefits and/or impacts to disadvantaged communities. The Future Opportunities section includes more discussion about data gaps and approaches to resolve them.
- **Equitable access considerations from Question 14**

  While equitable access is the main focus of Question 14, Question 16 touches on it as well, with several of these actions in the JEDI Policy relating to equitable access. Therefore, the considerations for equitable access described under Question 14 are relevant to Question 16 as well, including the framing for what equity and equitable access mean and the definition and identification of disadvantaged communities.

Considerations

In addition to overlap between Question 14 and Question 16, there is overlap between the actions themselves on the topics of take, equitable access, and disadvantaged communities.

The following are the primary considerations that were factored into the evaluation of petitions for the six JEDI Policy actions:

- **California Native American tribes**

Since many tribal communities often face similar challenges as communities entitled to environmental justice (e.g. low-income communities or disadvantaged communities) and since the JEDI Policy seeks to correct the disproportionate burdens on California Native American tribes, it was relevant to consider whether petitions were proposed or co-sponsored by California Native American tribes and whether the proposed change would impact tribal cultural practices.

- **Disadvantaged communities**
  Since the JEDI Policy seeks to correct the burdens that disadvantaged communities have faced in accessing nature, participating in regulatory decision-making, and the privilege often associated with outdoor access, it was relevant to consider whether the petition change would impact disadvantaged communities. For the purposes of this evaluation, "marginalized fish and wildlife users" and "historically marginalized communities" are defined as "disadvantaged communities or highly impacted communities" as identified using CalEnviroScreen 4.0 and SB 535."

Staff started evaluating the petition for each JEDI Policy action considering the action proposed by the petition and whether the petition action is being proposed or co-sponsored by a California Native American tribe or a disadvantaged community. None of the petition actions were proposed by disadvantaged communities, so the 10-mile radius proximity band described in Question 14 served as a proxy for evaluating whether a disadvantaged community potentially might be affected by the petition action. Only 19 petitions were proposed or co-sponsored by a California Native American tribe or had a disadvantaged community within a 10-mile radius, so this subset of petitions was evaluated further for considerations related to access, take, and subsistence activities.

Relevant information from the petitions and CDFW evaluations and recommendations, if available, factored into considerations related to access, take, and subsistence activities. For JEDI Policy actions that relate to access or take, staff also considered whether the petition action potentially would expand or restrict access to the area in question and whether the petition action potentially would expand or restrict take. For JEDI Policy actions related to subsistence activities, staff included the added consideration of the U.S. Census

Bureau data on poverty in disadvantaged communities that was included in Q14. Poverty adds an additional barrier to accessing the coast or MPAs and can signify a need for subsistence fishing. If a petition action potentially could affect subsistence activities, staff considered whether there was a disadvantaged community within a 10-mile radius with a poverty level of 75% or higher to evaluate the petition action for JEDI Policy actions related to subsistence activities.

Appendix C is a flowchart that visually walks through the considerations that went into evaluating the petitions for each JEDI Policy action.

Appendix D presents the evaluation of 18 petitions for the six JEDI Policy actions and includes the Question 14 data on the CES 4.0 Indicators for disadvantaged communities. Appendix D only includes petitions that were:

- Proposed or co-sponsored by a California Native American tribe or had a disadvantaged community within a 10-mile radius
- And may advance at least one of the six JEDI Policy actions.

Although there is a disadvantaged community within a 10-mile radius of petition action 2023-18MPA_4, the evaluation concluded that this petition action may not advance any of the six JEDI Policy actions since it would only change the color of the Campus Point SMCA on maps, and therefore this petition action is not included in Appendix D.

FUTURE OPPORTUNITIES

Addressing Meaningful Access

This analysis was done with the best available information. There are still gaps to understanding what meaningful and equitable access to the California coast and MPAs means to communities across California. Some communities may prioritize MPAs, while others rely on the ocean for subsistence fishing, and others for their livelihoods. Similarly, barriers to accessing the coast, ocean, and MPAs will vary among communities as will the solutions to those barriers. Understanding community needs is an important step towards incorporating equity into managing the MPA network and addressing broader equity issues related to coastal and ocean access.

The DMR includes a suite of recommendations to prioritize for the next decade of the adaptive management cycle. These recommendations are the culmination of priority needs to advance and improve MPA governance and partnership coordination. Recommendations to improve tribal coordination include, but are not limited to, improving tribal engagement and relationship building efforts (DMR Recommendation 1), create a clear pathway to tribal MPA management (DMR Recommendation 2), build tribal capacity to participate in MPA management activities (DMR Recommendation 3), and developing a process to incorporate state marine cultural preservation areas into existing MPAs and new locations across the network (DMR Recommendation 24). Recommendations under the justice, equity, diversity, and inclusion pillar include recommendations such as including and funding more diverse researchers and stakeholders in research and monitoring projects that directly contribute to the MPA Monitoring Program (DMR Recommendation 6), expanding targeted outreach and education materials and events to under-represented user groups (DMR Recommendation 7), and evaluating the accessibility of MPAs to various community groups (DMR Recommendation 8).

CDFW, OPC, and CFGC are committed to working collaboratively with tribes, community-based organizations, and non-governmental organizations to conduct community outreach and engagement, including roundtables. This provides a better understanding of community needs, as it is crucial to including tribes and underserved communities as part of the MPA governance process.

Research Opportunities and Investments

The State of California is actively investing in research and monitoring to have a more comprehensive understanding of the social, cultural, and social-ecological dimensions of the MPA network. One ongoing project focuses on who benefits from the MPA network, who faces barriers to access, and how those patterns vary across communities. Through community-engaged surveys, interviews, focus groups, tribal engagement, and geospatial analyses, it will document how different communities access and use coastal and marine resources, the cultural, recreational, and subsistence values they derive from the ocean, and how environmental change and management actions influence those benefits. Anticipated to be complete by Fall 2027, this project will generate critical social baseline information on ocean-dependent activities, values, and experiences that has been identified as a major information gap in

assessing the effectiveness and equity outcomes of California's MPA network. More information on this project and its results can be found here.

In addition, this specific project will evaluate patterns of proximity and accessibility to MPAs, identify disparities affecting disadvantaged, vulnerable, underserved, and tribal communities, and develop standardized profiles that characterize access opportunities and barriers across the MPA network. A key component of this work will be the evaluation and comparison of multiple environmental justice screening tools and indicators, including CalEnviroScreen, EPA EJScreen, the Vulnerable Communities Platform, and the California Climate Investments Priority Populations Mapping Tool, to better understand how different frameworks identify disadvantaged, vulnerable, and underserved communities. By examining the strengths, limitations, geographic patterns, and areas of agreement among these tools, the project will elucidate strategies to select and interpret environmental justice metrics for use in MPA planning and evaluation. The research will provide actionable information that can help advance DMR recommendations and recommendations on ways to enhance equitable access and participation in MPA management and decision-making processes, and to advance environmental justice, climate resilience, and inclusive stewardship of California's coastal and marine resources.

Defining Subsistence

The CFGC's Tribal Committee is pursuing defining 'subsistence' to clarify how the word should be applied to management in relation to tribes. The outcome can help inform development of a potential definition for broader use with public subsistence fishing/harvesting.

Adopting Environmental Justice Policies

The California Natural Resources Agency recently published "Helping Californians Thrive - Environmental Justice and Equity Policy." The Policy calls for broad public input to inform government decisions amongst other actionable items to achieve equitable outcomes for all Californians. CDFW and CFGC will formally consider adopting the Policy at an upcoming meeting and incorporate a public process to ensure both entities capture and incorporate the specific needs of the communities we serve. The Policy can address gaps, like definitions and metrics we need to incorporate environmental justice principles into all we do. Similarly, OPC's 2022 Equity Plan commits to embedding equity across ocean and coastal policies by strengthening environmental justice policies,

expanding meaningful community engagement, providing targeted funding and technical assistance, and integrating community science and tribal expertise into decision-making. Together, these statewide policies provide a strong framework for ensuring that California's marine resource management is inclusive, transparent, and responsive to the needs of historically underserved communities.

CONCLUSION

Integrating equity considerations into the adaptive management of California's MPA network is essential to ensuring that the benefits of conservation are shared fairly across all communities. The history of exclusion from the coast experienced by California Native American tribes and disadvantaged communities underscores the need for representation in decision-making processes and meaningful participation in the stewardship of coastal and marine resources. This initial assessment of Questions 14 and 16 of the 2025 MPA Petition Evaluation Framework provides an initial foundation for how proposed petition actions may influence equitable access and alignment with the CFGC's JEDI Policy, while also highlighting data gaps and the opportunities available to address them.

Moving forward, expanding tribal and community engagement, investing in social, cultural, and access-related research will be critical to deepening the understanding of how different communities experience MPAs and the coast. By centering tribal stewardship and equity, California can continue building more inclusive and resilient ecosystems and ensure all Californians are able to access them in the future.

Appendix A

2023 Bin 2 MPA Petitions Proposed Actions

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
2023-**14**MPA	2023-14MPA_1-9	Sea Lion Cove, Stewart's Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs	Modify take in 9 SMCAs to allow commercial urchin take at Sea Lion Cove, Stewarts Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs.	Point Vicente - CES median 91% SB535 median 68% Overall median 85%	• African American (15,576) • Asian American (40,479) • Hispanic (129,192) • Native American (308) • Other (5,306) • White (21,995)	77%	76%	71%	3	2			1								2				
				Naples - CES 76.8%	• African American (373) • Asian American (658) • Hispanic (2,916) • Native American (0) • Other (103) • White (1,716)	60%	64%	67%																
2023-**18**MPA	2023-18MPA_1	Vandenberg SMR	Redesignate a portion of Vandenberg State Marine Reserve (SMR) to create a narrow State Marine Conservation Area (SMCA) alongshore for the entire length of Vandenberg SMR that allows recreational shore fishing for finfish by hook-and-line.	Campus Point - CES 76.8%	• African American (373) • Asian American (658) • Hispanic (2,916) • Native American (0) • Other (103) • White (1,716)	60%	64%	67%	11	7				2					1		22	4	4		22	

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
2022-004	2022-004	Vandenberg SMR	Redesignate a portion of Vandenberg SMR to create a small SMCA that allows shore fishing on the one half mile stretch of beach known as Surf Beach	Vandenberg - CES 80.81%	• African American (41) • Asian American (231) • Hispanic (6,845) • Native American (0) • Other (18) • White (438)	92%	84%	78%	3	2	1		2	1					1		2	2			
2023-**18**MPA	2023-18MPA_4	Campus Point SMCA	Change color of No-take Campus Point SMCA from purple to red on maps.	Campus Point - CES 76.8%	• African American (373) • Asian American (658) • Hispanic (2,916) • Native American (0) • Other (103) • White (1,716)	92%	84%	78%	11	7				2				1		22	4	4		22	
2023-**23**MPA_AM1	2023-23MPA_1_AM1, 2023-23MPA_6_AM1, 2023-23MPA_11_AM1	Edward F. Ricketts, Pacific Grove Marine Gardens, and Carmel Bay SMCAs	For diver safety, prohibit recreational and commercial take of finfish when a petitioner-proposed "kelp restoration management permit" is active within: Edward F. Ricketts State Marine Conservation Area [SMCA, (2023-23MPA_1_AM1)], Pacific Grove Marine Gardens SMCA (2023-23MPA_6_AM1) and Carmel Bay	Edward Ricketts - SB535 68%	• African American (391) • Asian American (505) • Hispanic (1,108) • Native American (0) • Other (271) • White (1,044)	50%	No data	72%	14	5			2	12		17	6			10	1	6	5		

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
			SMCA (2023-23MPA_11_AM1).																						
2023-**24**MPA_AM1	2023-24MPA_1_AM1	Laguna Beach No-Take SMCA	Extend the Laguna Beach No-take SMCA southern boundary to the southern border of the City of Laguna Beach, which will require modification of the northern boundary of Dana Point SMCA (modified boundaries as amended).	Laguna Beach - CES median 81% SB535 31.58% Overall median 80%	• African American (2,036) • Asian American (3,596) • Hispanic (5,639) • Native American (0) • Other (578) • White (5,084)	25%	64%	44%	19	25			2	2	1				1	39	24	10	21	32	
2023-**33**MPA_AM1	2023-33MPA_1_AM1	Cabrillo SMR	Expand Cabrillo SMR westward (to 3-mile state line) and northward (to New Hope Rock) by ~9.99 sq mi.	Cabrillo - CES median 84% SB535 median 70% Overall median 83%	• African American (13,970) • Asian American (17,119) • Hispanic (114,397) • Native American (309) • Other (3,453) • White (29,430)	80%	82%	83%	1	1			1							1	1	2			

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
Tribally-led Petitions																									
2023-**28**MPA_AM2	2023-28MPA_1_AM2	N/A (New - Point Sal SMCA)	Designate a new SMCA that is just over 9 sq mi around Point Sal in central California with allowance for recreational take of finfish by hook-and-line from shore; consult with tribes to identify a traditional tribal name for the new MPA; include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base, discretionally restrict public entry, and require the CDFW to develop a Memorandum of Understanding (MOU) with the Commander of Vandenberg Space Force Base for the mutually beneficial management and administration of the Point Sal SMCA and then work to formalize an	Point Sal - CES Score 81%	• African American (41) • Asian American (231) • Hispanic (6,845) • Native American (0) • Other (18) • White (438)	92%	84%	77%	1																

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
			official collaborative co-stewardship agreement among CDFW, the Northern Chumash Tribal Council and other interested tribes.																						

Appendix B

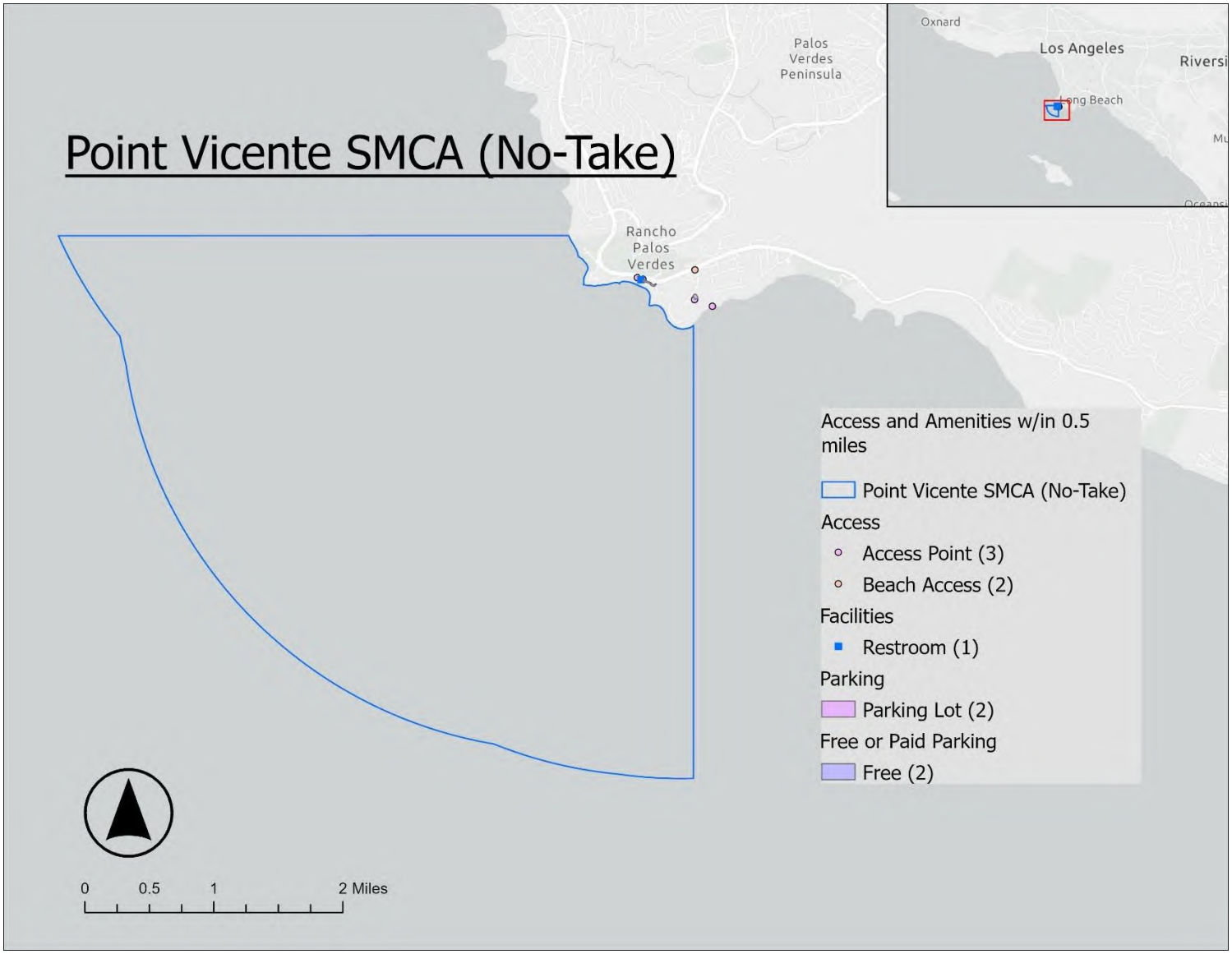


Figure 1 Point Vicente Coastal Access Map

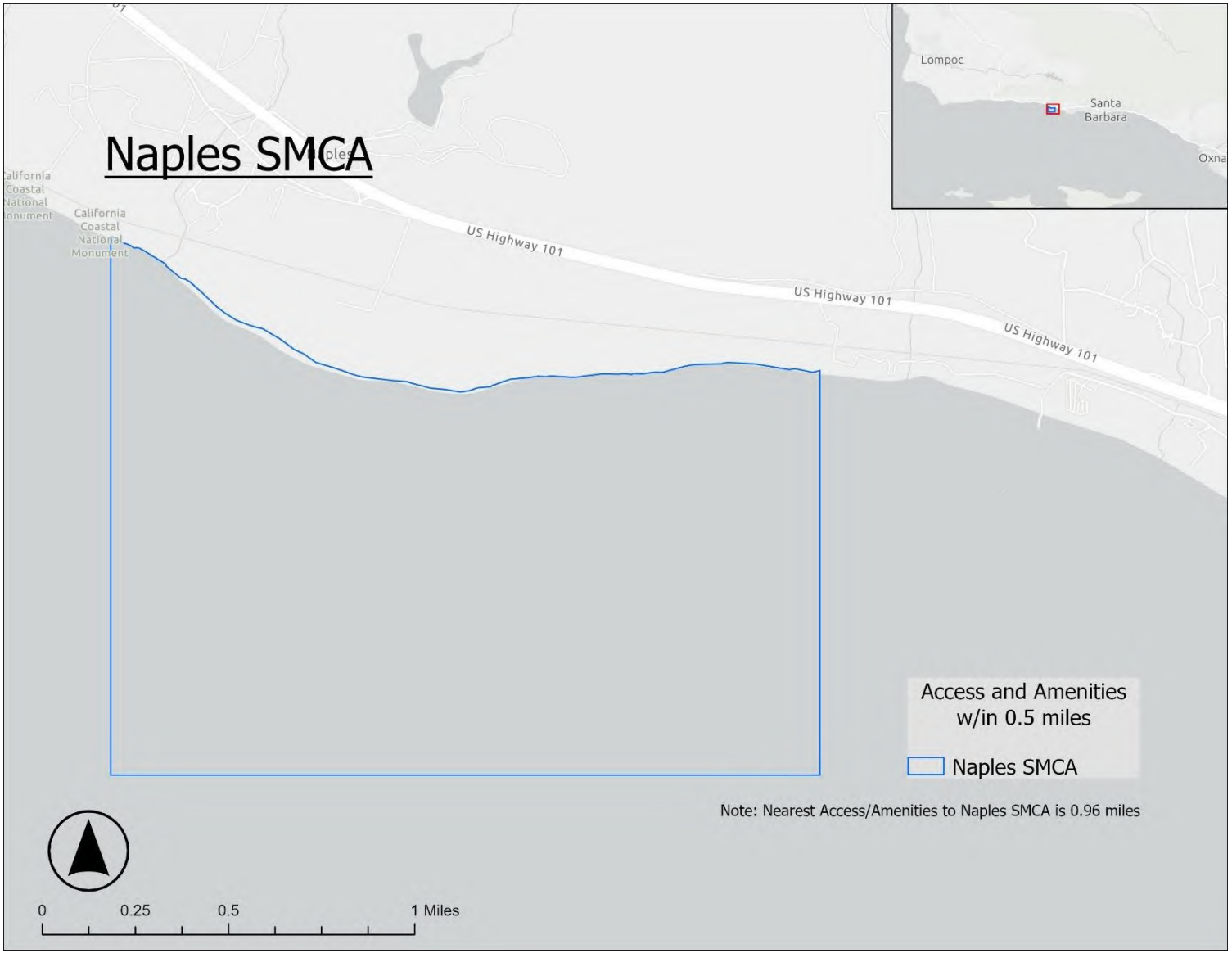


Figure 2 Naples SMCA Coastal Access Map

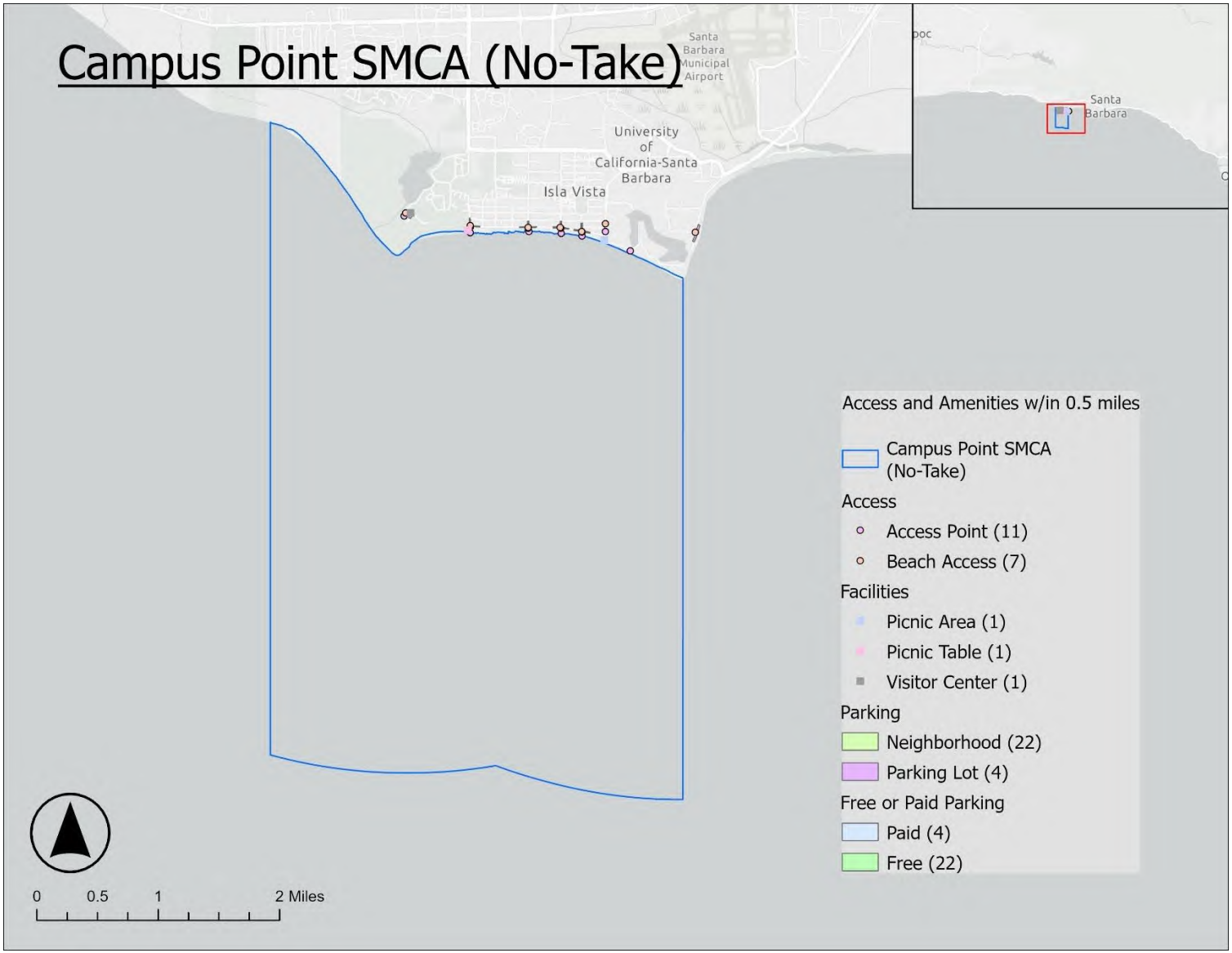


Figure 3 Campus Point SMCA (No-Take) Coastal Access Map

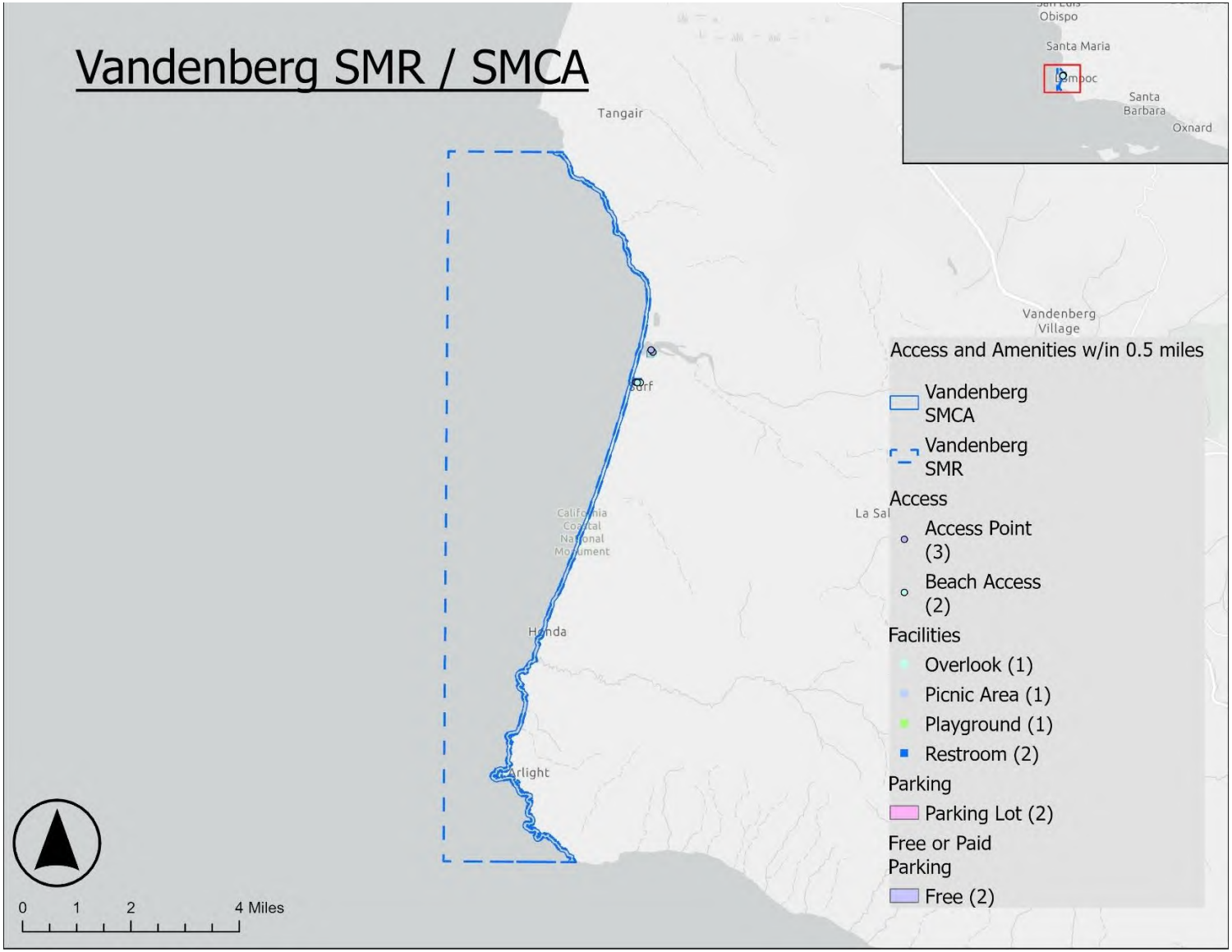


Figure 4 Vandenberg SMR/SMCA Coastal Access Map

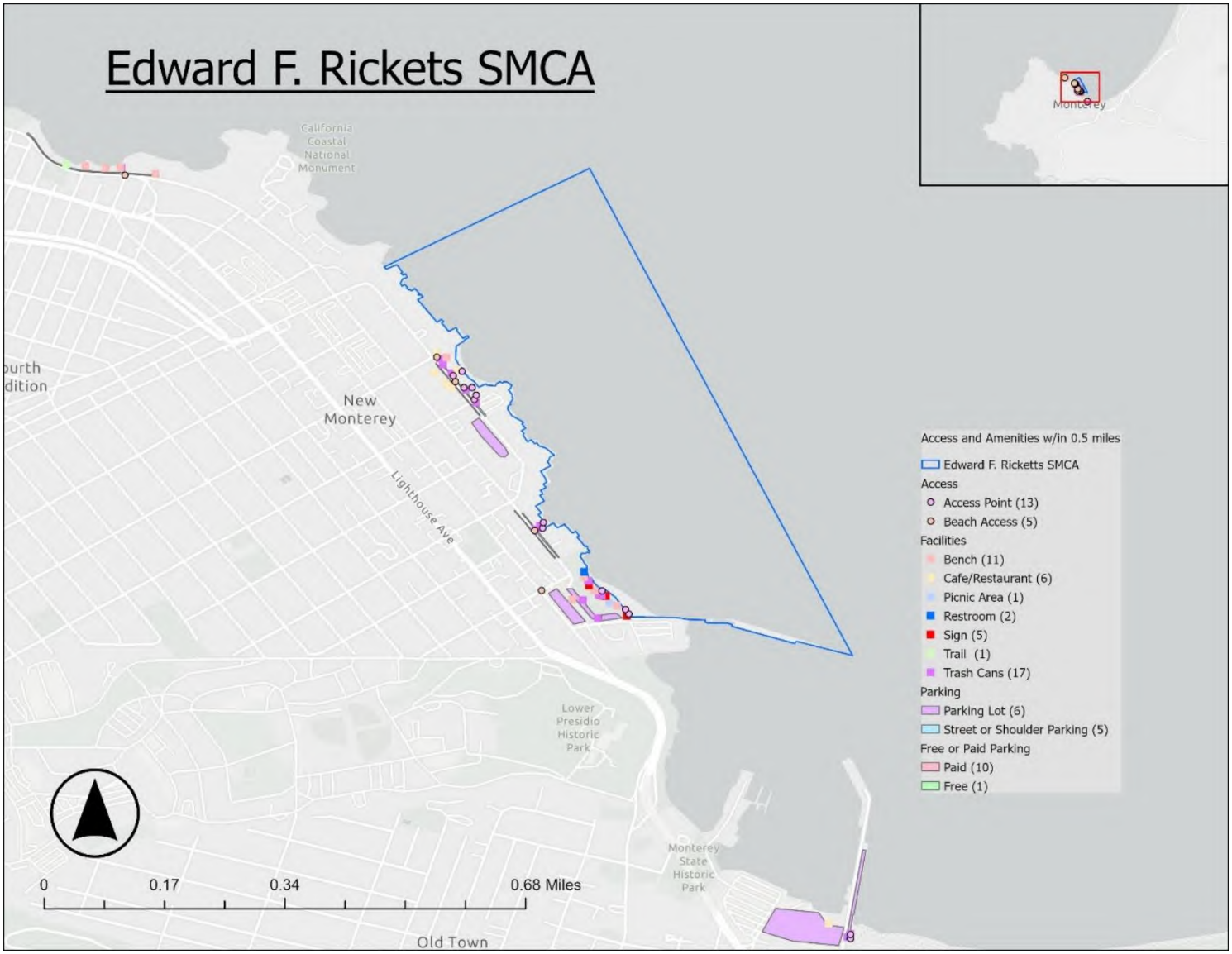


Figure 5 Edward F. Rickets SMCA Coastal Access Map

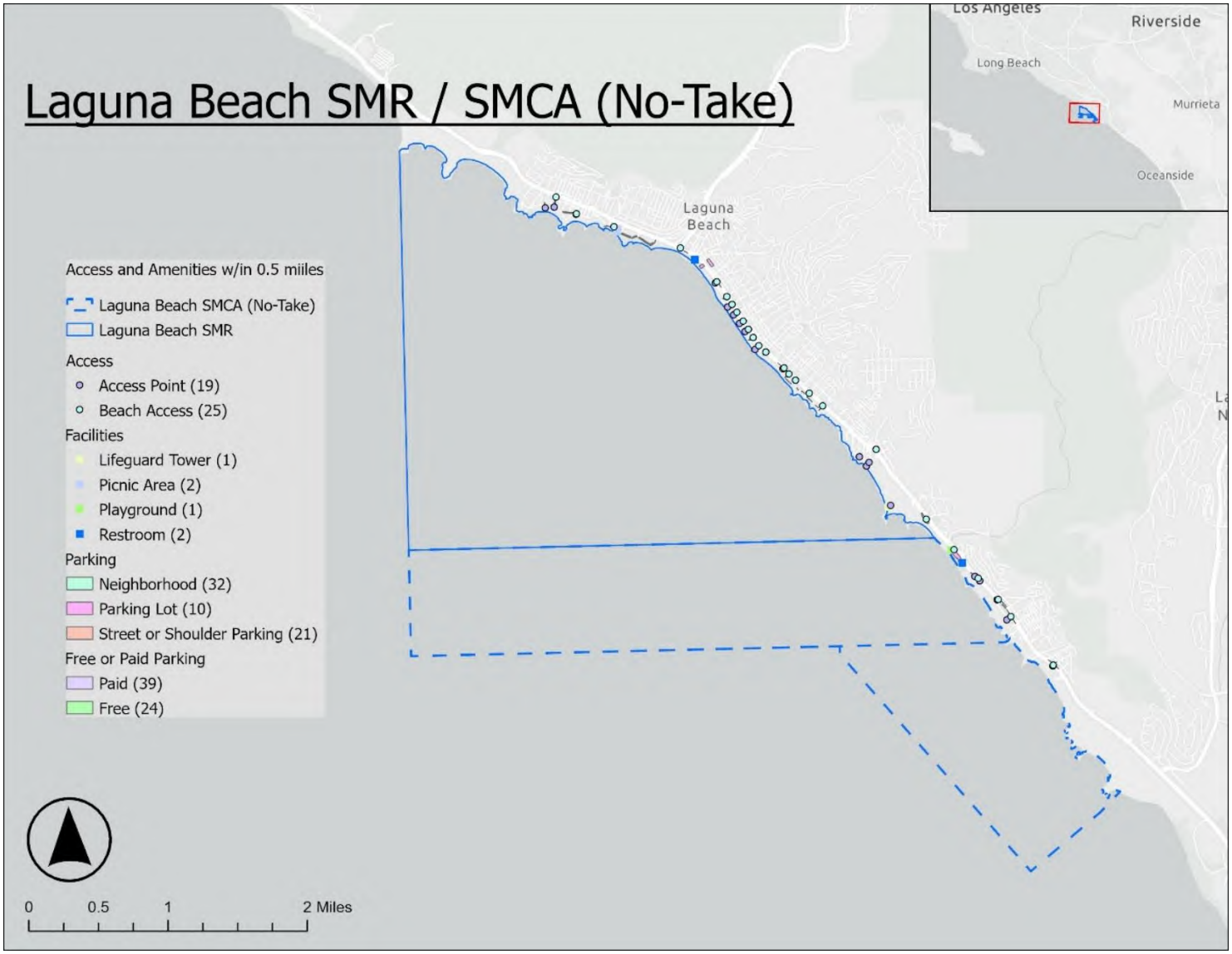


Figure 6 Laguna Beach SMR/SMCA (No-Take) Coastal Access Map



Figure 7 Cabrillo SMR Coastal Access Map

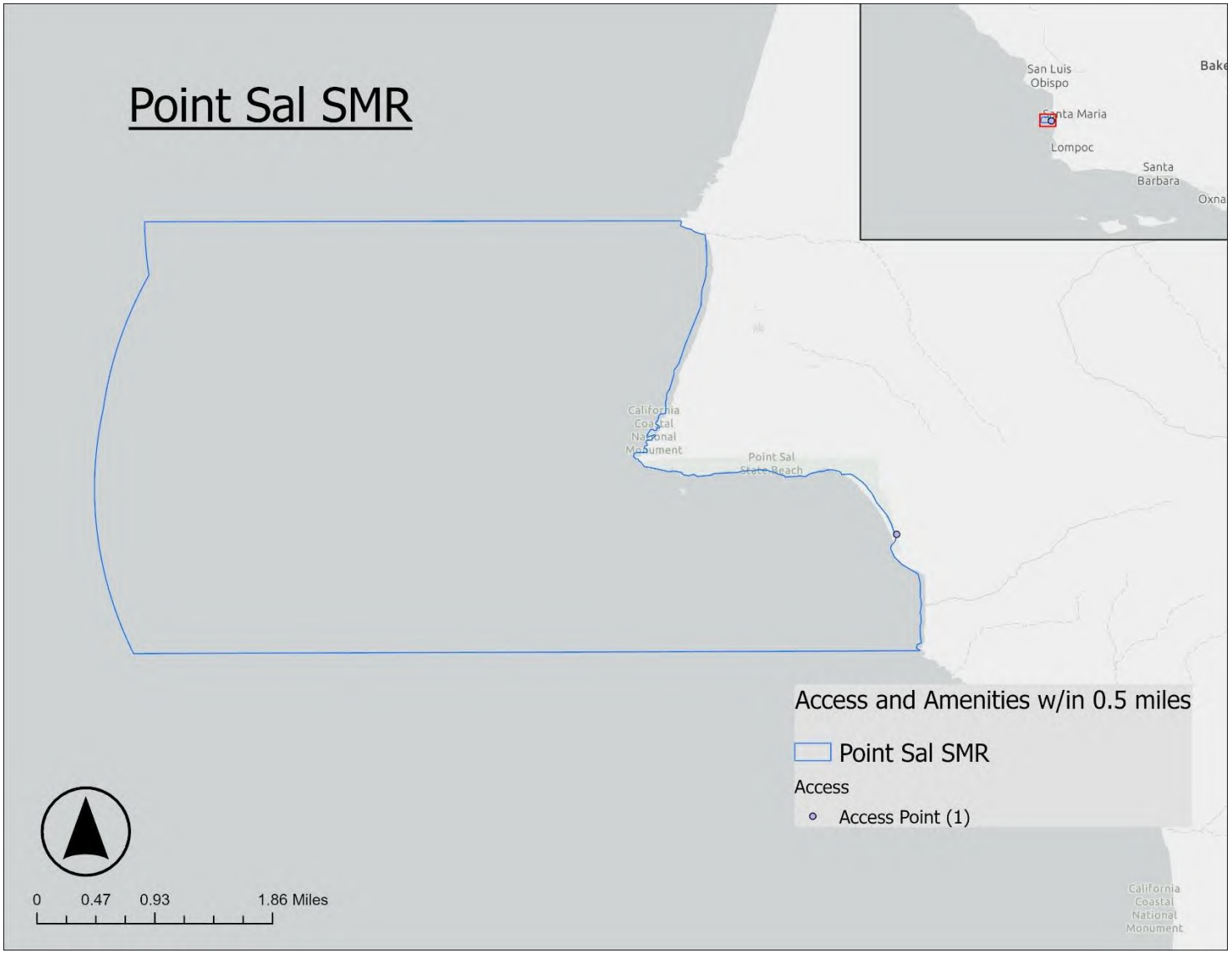


Figure 8 Point Sal SMR Coastal Access Map

Appendix C

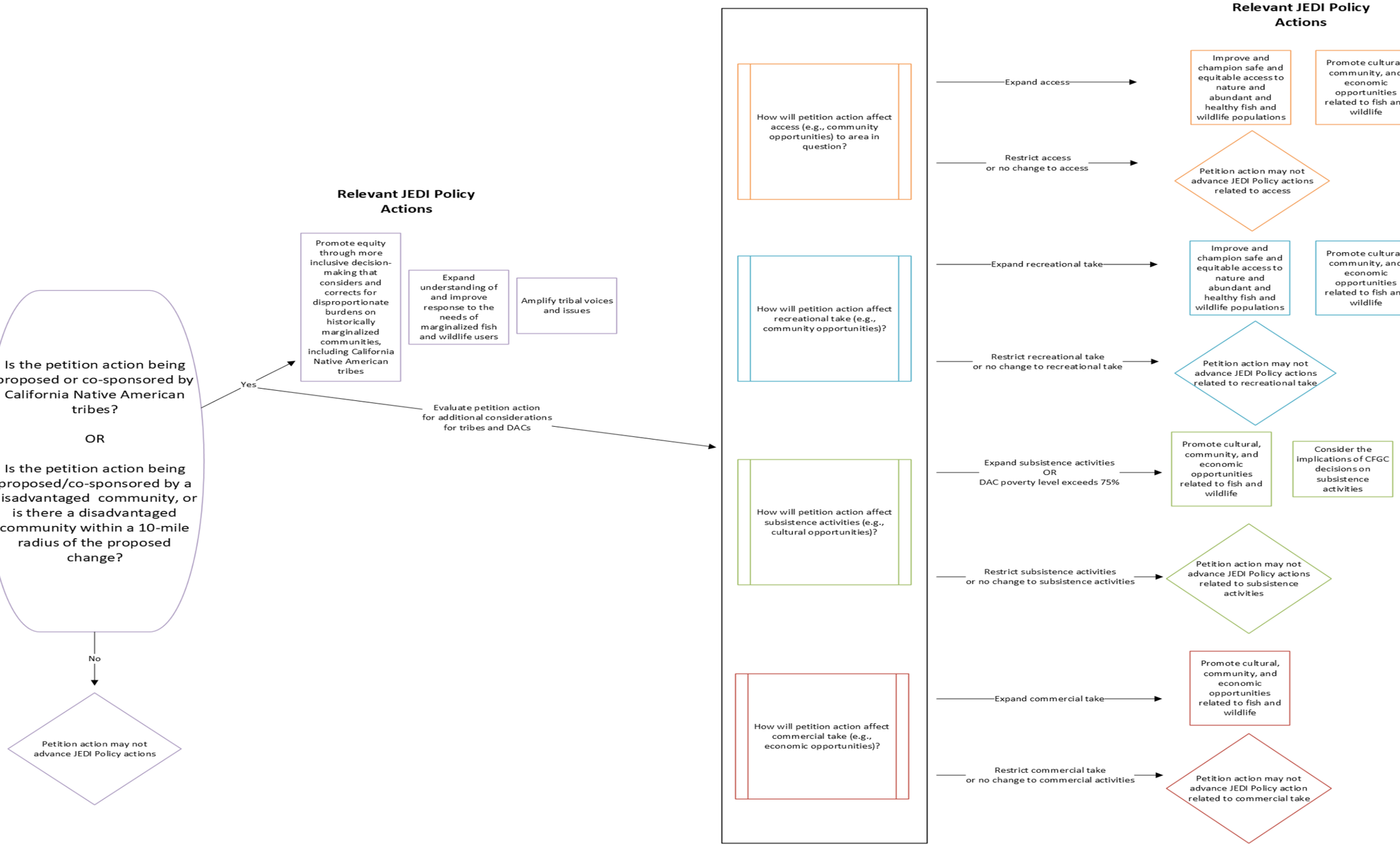


Figure 9 Considerations Flow Chart for JEDI Policy Actions

Appendix D

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**14**MPA	2023-14MPA_5	**Naples SMCA**	Modify	Take	Modify take in 9 SMCAs to allow commercial urchin take at Sea Lion Cove, Stewarts Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs.	Naples - CES 76.8%	60%	64%	67%	Yes	Yes	No	No	Yes	No
2023-**14**MPA	2023-14MPA_8	**Point Vicente SMCA**	Modify	Take	Modify take in 9 SMCAs to allow commercial urchin take at Sea Lion Cove, Stewarts Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs.	Point Vicente - CES median 91% SB535 median 68% Overall median 85%	77%	76%	71%	Yes	Yes	No	No	Yes	No
2023-**18**MPA	2023-18MPA_1	**Vandenberg SMR**	Modify	Classification, Take	Redesignate a portion of Vandenberg State Marine Reserve (SMR) to create a narrow State Marine Conservation Area (SMCA) alongshore for the entire length of Vandenberg SMR that allows recreational shore fishing for finfish by hook-and-line.	Campus Point - CES 76.8%	60%	64%	67%	Yes	Yes	No	No	No	No

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2022-004	2022-004	**Vandenberg SMR**	Modify	Classification, Take	Redesignate a portion of Vandenberg SMR to create a small SMCA that allows shore fishing on the one half mile stretch of beach known as Surf Beach	Vandenberg - CES 80.81%	92%	84%	78%	Yes	Yes	Yes	Yes	Yes	No
2023-**23**MPA_AM1	2023-23MPA_1_AM1	**Edward F. Ricketts**, SMCA	Modify	Classification, Take	For diver safety, prohibit recreational and commercial take of finfish when a petitioner-proposed "kelp restoration management permit" is active within: Edward F. Ricketts State Marine Conservation Area [SMCA, (2023-23MPA_1_AM1)], Pacific Grove Marine Gardens SMCA (2023-23MPA_6_AM1) and Carmel Bay SMCA (2023-23MPA_11_AM1).	Edward Ricketts - SB535 68%	50%	No data	72%	Yes	Yes	No	No	No	No
2023-**23**MPA_AM1	2023-23MPA_2	**Edward F. Ricketts** SMCA	Modify	Take	Allow unlimited recreational urchin removal in Edward F. Ricketts SMCA (2023-23MPA_2), Pacific Grove Marine Gardens SMCA (2023-23MPA_7), Carmel Bay SMCA (2023-23MPA_12), and Point Lobos State Marine Reserve [SMR, (2023-23MPA_16)].	Edward Ricketts - SB535 68%	50%	No data	72%	Yes	Yes	No	No	No	No

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**23**MPA_AM 1	2023-23MPA_3, 4, 5	**Edward F. Ricketts SMCAs**	Modify	Regchange	In Edward F. Ricketts SMCA, Pacific Grove Marine Gardens SMCA, Carmel Bay SMCA, and Point Lobos SMR, allow the following activities to occur without an SCP: • Out-planting kelp on the reef, • Spore dispersal by sporophyte bags, and • Pruning kelp canopy to promote growth and resilience to storms.	Edward Ricketts - SB535 68%	50%	No data	72%	Yes	Yes	No	No	No	No
2023-**24**MPA_AM 1	2023-24MPA_1_AM1	**Laguna Beach No-Take SMCA**	Modify	Boundaries	Extend the Laguna Beach No-take SMCA southern boundary to the southern border of the City of Laguna Beach, which will require modification of the northern boundary of Dana Point SMCA (modified boundaries as amended).	Laguna Beach - CES median 81% SB535 31.58% Overall median 80%	25%	64%	44%	Yes	Yes	No	No	No	No

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**33**MPA_AM1	2023-33MPA_1_AM1	**Cabrillo SMR**	Modify	Boundaries	Expand Cabrillo SMR westward (to 3-mile state line) and northward (to New Hope Rock) by ~9.99 sq mi.	Cabrillo - CES median 84% SB535 median 70% Overall median 83%	80%	82%	83%	Yes	Yes	Yes	No	No	No
Tribally-led Petitions															
2023-**19**MPA-AM1	2023-19MPA_1_AM1	N/A (New - Chitqawi SMCA)	Establish	Establish new MPA	Designate new SMCA in Morro Bay with a tribal take exemption for SYBCI					Yes	Yes	Yes	No	Yes	Yes
2023-20MPA_AM1	2023-20MPA_1	Point Buchon SMCA (maybe SMR too)	N/A	Non-regulatory - tribal	Establish co-management with Santa Ynez Band of Chumash Indians at Point Buchon SMCA.					Yes	Yes	Yes	Yes	Yes	Yes
2023-20MPA_AM1	2023-20MPA_2	Point Buchon SMR	Modify	Boundaries	Adjust the northern boundary of Point Buchon SMR to align with Point Buchon.					Yes	Yes	No	No	No	Yes
2023-20MPA_AM1	2023-20MPA_3	Point Buchon SMCA	Modify	Name	Rename the SMCA					Yes	Yes	No	No	No	Yes
2023-**20**MPA_AM1	2023-20MPA_4_AM1	Point Buchon SMCA	Modify	Take	Add tribal take exemption for Santa Ynez Band of Chumash Indians					Yes	Yes	Yes	Yes	Yes	Yes

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**21**MPA_AM1	2023-21MPA_1	Pyramid Point SMCA	Modify	Take	Remove recreational take allowance for surf smelt by dip net or Hawaiian type throw net in Pyramid Point SMCA so the MPA would become a No-take SMCA and retain the existing tribal exemption for Tolowa Dee-ni' Nation					Yes	Yes	Yes	Yes	Yes	Yes
2023-**21**MPA_AM1	2023-21MPA_2	Pyramid Point SMCA	Modify	Boundaries	Change northern boundary from the official California/Oregon state line (42°N) to align with the landside surveyed border (41°59'55"N)					Yes	Yes	No	No	No	Yes

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**28**MPA_AM2	2023-28MPA_1_AM2	N/A (New - **Point Sal** SMCA)	Establish	Establish new MPA	Designate a new SMCA that is just over 9 sq mi around Point Sal in central California with allowance for recreational take of finfish by hook-and-line from shore; consult with tribes to identify a traditional tribal name for the new MPA; include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base, discretionally restrict public entry, and require the CDFW to develop a Memorandum of Understanding (MOU) with the Commander of Vandenberg Space Force Base for the mutually beneficial management and administration of the Point Sal SMCA and then work to formalize an official collaborative co-stewardship agreement among CDFW, the Northern Chumash Tribal Council and other interested tribes.	Point Sal - CES Score 81%	92%	84%	77%	Yes	Yes	Yes	Yes	Yes	Yes

						CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	MLPA Action Category	Action Type	Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**29**MPA_AM2	2023-29MPA_1_AM2	N/A (New - Mishopshno SMCA)	Establish	Establish new MPA	Designate a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians. Develop a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people.					Yes	Yes	Yes	Yes	Yes	Yes



INITIAL ASSESSMENT OF Q14/Q16

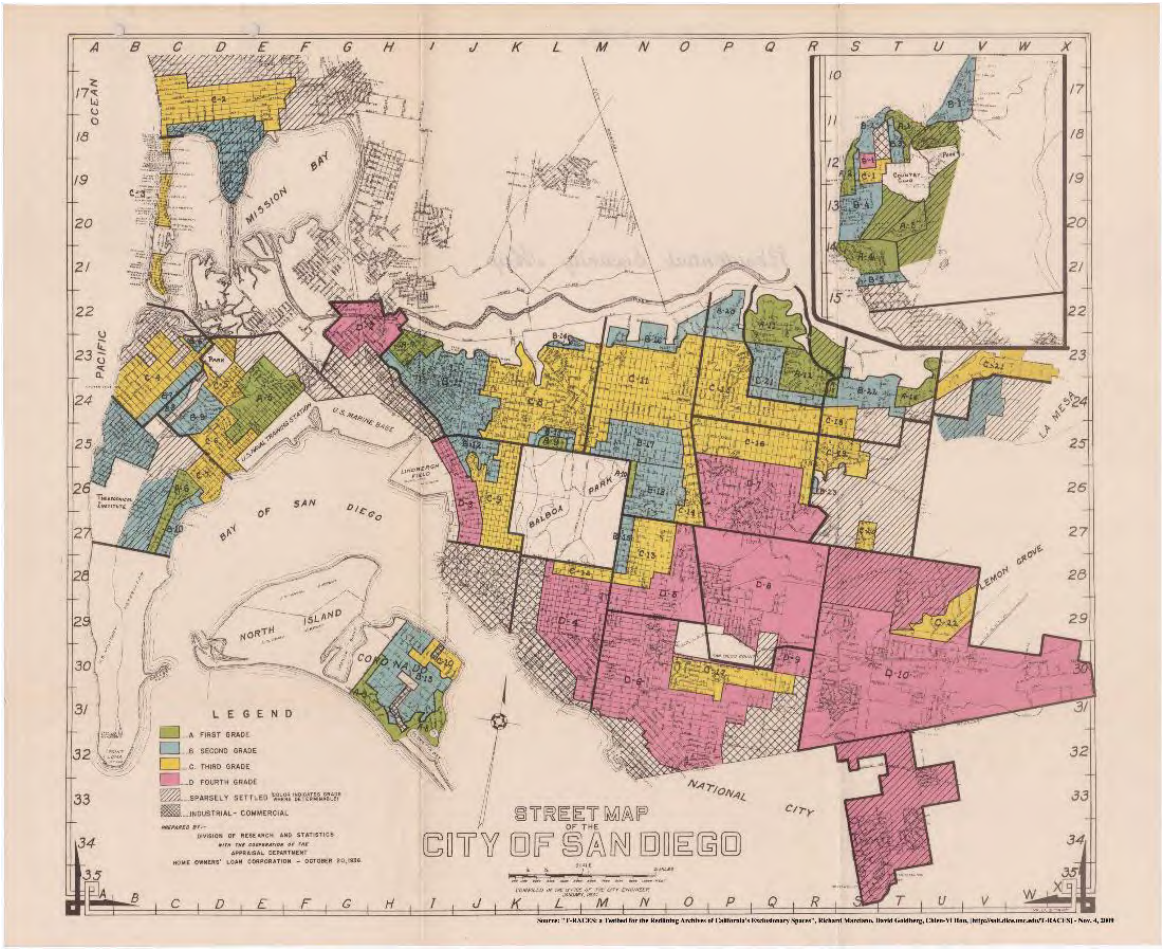
2025 MPA Petition Evaluation Framework

Presented to the California Fish and Game Commission

August 12, 2026

Historic Exclusion from the Coast

- Historic wrongs committed against California Native American tribes by the State of California
- Discriminatory laws, policies, and practices



Approach to Q14 Equitable Access

Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?



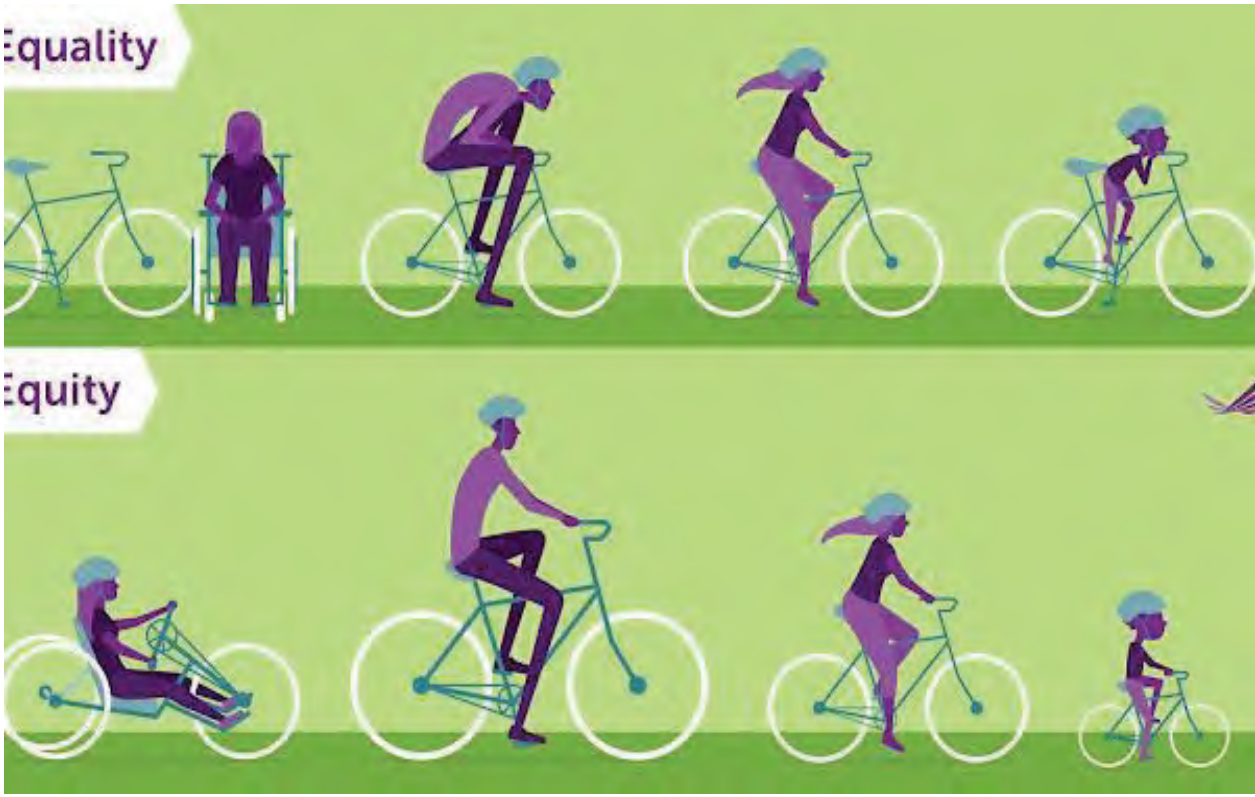
Equity Analysis Considerations for Tribes



Evaluating tribes under the context of racial equity does not provide the level of engagement tribes deserve nor acknowledges their status as the original stewards of the land and ocean.

Defining Terms

- **“Equitable Access”** is defined using the CNRA Outdoors for All Strategy with a racial equity lens
- **“Underserved or marginalized communities”** will use the same definition as “disadvantaged communities” as defined by SB 535



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Equitable Access Inventory

1. Identify disadvantaged communities (>75 percentile) within a 10-mile radius of a proposed change
2. Demographics and socioeconomic information of communities
3. Coastal access points and amenities

CalEnviroScreen 4.0



- Evaluates cumulative environmental and socioeconomic disadvantage at the census tract scale

Mapping Coastal Access and Amenities





Question 14 Inventory

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot

Question 14 Inventory

			CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
2023-14MPA_1-9	Sea Lion Cove, Stewart's Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs	Modify take in 9 SMCAs to allow commercial urchin take at Sea Lion Cove, Stewarts Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs.	Point Vicente - CES median 91% SB535 median 68% Overall median 85%	• African American (15,576) • Asian American (40,479) • Hispanic (129,192) • Native American (308) • Other (5,306) • White (21,995)	77%	76%	71%	3	2			1								2				
			Naples - CES 76.8%	• African American (373) • Asian American (658) • Hispanic (2,916) • Native American (0) • Other (103) • White (1,716)	60%	64%	67%																
2023-18MPA_1	Vandenberg SMR	Redesignate a portion of Vandenberg State Marine Reserve (SMR) to create a narrow State Marine Conservation Area (SMCA) alongshore for the entire length of Vandenberg SMR that allows recreational shore fishing for finfish by hook-and-line.	Campus Point - CES 76.8%	• African American (373) • Asian American (658) • Hispanic (2,916) • Native American (0) • Other (103) • White (1,716)	60%	64%	67%	11	7				2				1		22	4	4		22	

Question 14 Inventory (Tribally-Led/Co-led)

				CES 4.0 DACs (10 mi)					Access Points				Amenities							Parking + Fees					
CFGC Tracking No.	Action ID	Affected MPA	Proposed Action	DAC within 10 miles	Demographics	Educational Attainment	Linguistic Isolation	Poverty	Access Points (trails, paths, stairs, etc.)	Beach	Visual (including overlooks)	Pier	Restroom (showers, portable)	Picnic Area (Benches, Tables, BBQ)	Lifeguard Tower	Trash Cans	Stores (Gift shop, Cafe/Restaurants)	Visitor Center	Other Recreational Amenities (playground, ball park, etc.)	Paid Parking (Lots,Street, etc)	Free Parking (Lots,Street, etc)	Parking Lots	Street Parking	Neighborhood Parking	Unmarked Parking Lot
Tribally-led Petitions																									
2023-**28**MPA_AM2	2023-28MPA_1_AM2	N/A (New - Point Sal SMCA)	Designate a new SMCA that is just over 9 sq mi around Point Sal in central California with allowance for recreational take of finfish by hook-and-line from shore; consult with tribes to identify a traditional tribal name for the new MPA; include language to allow for take incidental to mission-critical operations at Vandenberg Space Force Base, discretionally restrict public entry, and require the CDFW to develop a Memorandum of Understanding (MOU) with the Commander of Vandenberg Space Force Base for the mutually beneficial management and administration of the Point Sal SMCA and then work to formalize an	Point Sal - CES Score 81%	• African American (41) • Asian American (231) • Hispanic (6,845) • Native American (0) • Other (18) • White (438)	92%	84%	77%	1																

Approach to Q16 CFGC's JEDI Policy

Is the proposed change consistent with the CFGC Justice, Equity, Diversity, and Inclusion Policy?



Six Most Relevant Actions within the JEDI Policy

1. Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes
2. Expand understanding of and improve response to the needs of marginalized fish and wildlife users
3. Amplify tribal voices and issues
4. Consider the implications of CFGC decisions on subsistence activities
5. Improve and champion safe and equitable access to nature and abundant and healthy fish and wildlife populations
6. Promote cultural, community, and economic opportunities related to fish and wildlife

Question 16 Inventory

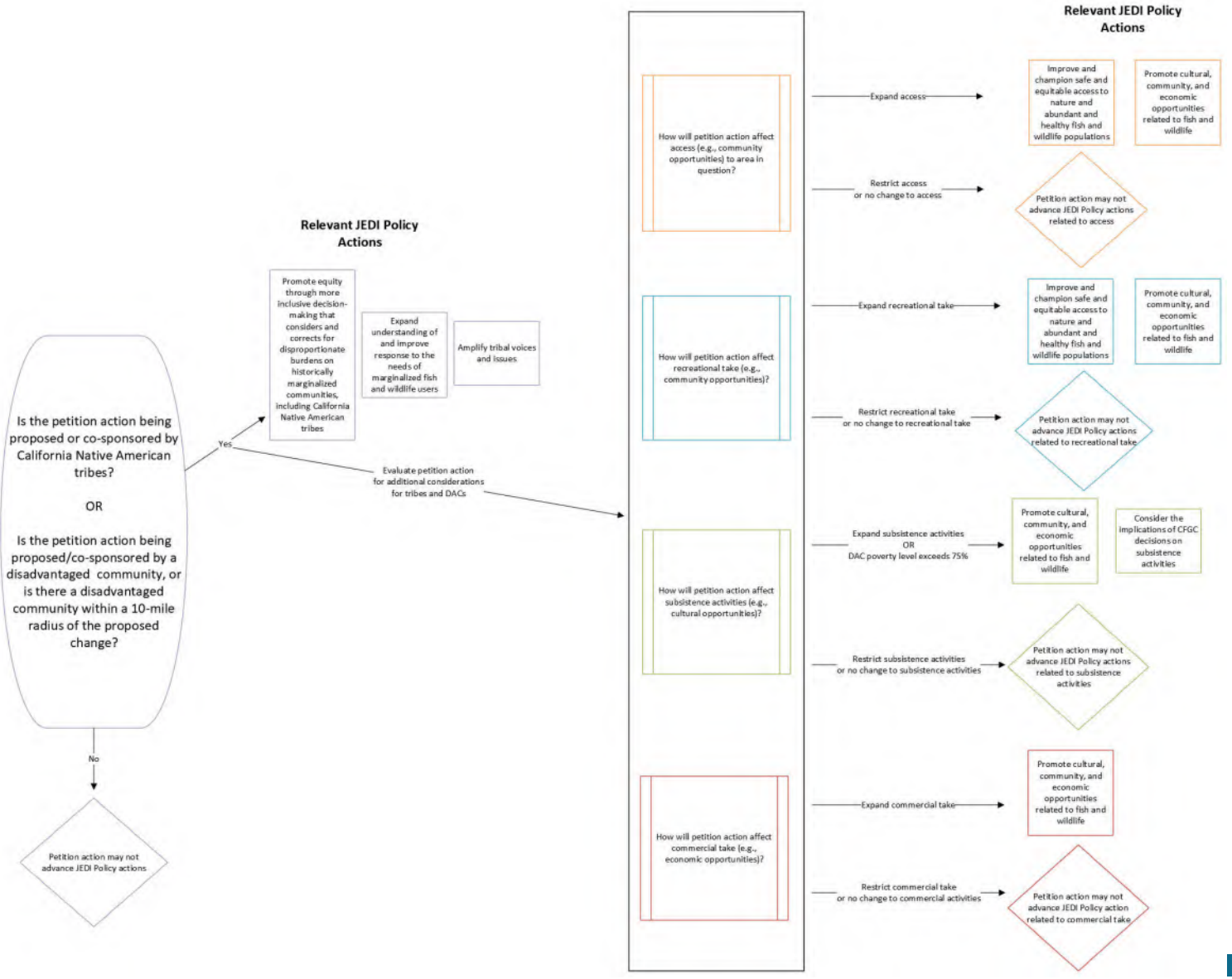
	CES 4.0 Indicators									
Proposed Action	DAC within 10 miles	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues

Question 16 Inventory

					CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	Action Type	Proposed Action	Is there a DAC within 10 miles of the proposed change?	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
2023-**14**MPA	2023-14MPA_5	**Naples SMCA**	Take	Modify take in 9 SMCAs to allow commercial urchin take at Sea Lion Cove, Stewarts Point, Salt Point, Double Cone Rock, Naples, Anacapa Island, Point Dume, Point Vicente, and Swami's SMCAs.	Naples – CES 76.8%	60%	64%	67%	*yes*	*yes*	no	no	*yes*	no
2023-**14**MPA	2023-14MPA_8	**Point Vicente SMCA**	Take	Modify take in 9 SMCAs to allow commercial urchin take at Sea Lion Cove, Stewarts Point, Salt	Point Vicente –	77%	76%	71%	*yes*	*yes*	no	no	*yes*	no
2023-**18**MPA	2023-18MPA_1	**Vandenberg SMR**	Classification, Take	Redesignate a portion of Vandenberg State Marine Reserve (SMR) to create a narrow State	Campus Point – CES 76.8%	60%	64%	67%	*yes*	*yes*	no	no	no	no
2022-004	2022-004	**Vandenberg SMR**	Classification, Take	Redesignate a portion of Vandenberg SMR to create a small SMCA that allows shore fishing on the one half mile stretch of beach known as Surf	Vandenberg – CES 80.81%	92%	84%	78%	*yes*	*yes*	*yes*	*yes*	*yes*	no
2023-**23**MPA_AM1	2023-23MPA_1_AM1	**Edward F. Ricketts**, SMCA	Classification, Take	For diver safety, prohibit recreational and commercial take of finfish when a petitioner-proposed "kelp restoration management permit"	Edward Ricketts – SB535 68%	50%	No data	72%	*yes*	*yes*	no	no	no	no
2023-**23**MPA_AM1	2023-23MPA_2	**Edward F. Ricketts** SMCA	Take	Allow unlimited recreational urchin removal in Edward F. Ricketts SMCA (2023-23MPA_2),	Edward Ricketts – SB535 68%	50%	No data	72%	*yes*	*yes*	no	no	no	no
2023-**23**MPA_AM1	2023-23MPA_3, 4, 5	**Edward F. Ricketts** SMCAs	Reg change	In Edward F. Ricketts SMCA, Pacific Grove Marine Gardens SMCA, Carmel Bay SMCA, and Point Lobos SMR, allow the following activities to occur	Edward Ricketts – SB535 68%	50%	No data	72%	*yes*	*yes*	no	no	no	no
2023-**24**MPA_AM1	2023-24MPA_1_AM1	**Laguna Beach No-Take SMCA**	Boundaries	Extend the Laguna Beach No-take SMCA southern boundary to the southern border of the City of Laguna Beach, which will require	Laguna Beach – CES median	25%	64%	44%	*yes*	*yes*	no	no	no	no
2023-**33**MPA_AM1	2023-33MPA_1_AM1	**Cabrillo SMR**	Boundaries	Expand Cabrillo SMR westward (to 3-mile state line) and northward (to New Hope Rock) by ~3.99 sq mi.	Cabrillo – CES average 84%	80%	82%	83%	*yes*	*yes*	*yes*	no	no	no

Question 16 Inventory (Tribally-led/co-led)

					CES 4.0 Indicators									
CFGC Tracking No.	Action ID	Affected MPA	Action Type	Proposed Action	Is there a DAC within 10 miles of the proposed change?	Educational Attainment	Linguistic Isolation	Poverty	Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes	Expand understanding of and improve response to the needs of marginalized fish and wildlife users	Consider implications of our decisions on subsistence activities	Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations	Promote cultural, community, and economic opportunities related to fish and wildlife	Amplify tribal voices and issues
Tribally-led Petitions														
2023-**19**MPA-AM1	2023-19MPA_1_AM1	N/A (New - Chitqawi SMCA)	Establish new MPA	Designate new SMCA in Morro Bay with a tribal take exemption for SYBCI					yes	yes	yes	no	yes	yes
2023-20MPA_AM1	2023-20MPA_1	Point Buchon SMCA (maybe SMR too)	Non-regulatory - tribal	Establish co-management with Santa Ynez Band of Chumash Indians at Point Buchon SMCA.					yes	yes	yes	yes	yes	yes
2023-20MPA_AM1	2023-20MPA_2	Point Buchon SMR	Boundaries	Adjust the northern boundary of Point Buchon SMR to align with Point Buchon.					yes	yes	no	no	no	yes
2023-20MPA_AM1	2023-20MPA_3	Point Buchon SMCA	Name	Rename the SMCA					yes	yes	no	no	no	yes
2023-**20**MPA_AM1	2023-20MPA_4_AM1	Point Buchon SMCA	Take	Add tribal take exemption for Santa Ynez Band of Chumash Indians					yes	yes	yes	yes	yes	yes
2023-**21**MPA_AM1	2023-21MPA_1	Pyramid Point SMCA	Take	Remove recreational take allowance for surf smelt by dip net or Hawaiian type throw net in Pyramid					yes	yes	yes	yes	yes	yes
2023-**21**MPA_AM1	2023-21MPA_2	Pyramid Point SMCA	Boundaries	Change northern boundary from the official California/Oregon state line (42˚N) to align with					yes	yes	no	no	no	yes
2023-**28**MPA_AM2	2023-28MPA_1_AM2	N/A (New - **Point Sal** SMCA)	Establish new MPA	Designate a new SMCA that is just over 3 sq mi around Point Sal in central California with allowance for recreational take of finfish by hook-and-line from shore; consult with tribes to identify	Point Sal - CES Score 81%	92%	84%	77%	yes	yes	yes	yes	yes	yes
2023-**29**MPA_AM2	2023-29MPA_1_AM2	N/A (New - Mishopshno SMCA)	Establish new MPA	Designate a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take					yes	yes	yes	yes	yes	yes


Is the petition action being proposed or co-sponsored by California Native American tribes?
OR
Is the petition action being proposed/co-sponsored by a disadvantaged community, or is there a disadvantaged community within a 10-mile radius of the proposed change?
Yes
No
Petition action may not advance JEDI Policy actions
Relevant JEDI Policy Actions
Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes
Expand understanding of and improve response to the needs of marginalized fish and wildlife users
Amplify tribal voices and issues
Evaluate petition action for additional considerations for tribes and DACs
How will petition action affect access (e.g., community opportunities) to area in question?
How will petition action affect recreational take (e.g., community opportunities)?
How will petition action affect subsistence activities (e.g., cultural opportunities)?
How will petition action affect commercial take (e.g., economic opportunities)?
Expand access
Restrict access or no change to access
Expand recreational take
Restrict recreational take or no change to recreational take
Expand subsistence activities OR DAC poverty level exceeds 75%
Restrict subsistence activities or no change to subsistence activities
Expand commercial take
Restrict commercial take or no change to commercial activities
Relevant JEDI Policy Actions
Improve and champion safe and equitable access to nature and abundant and healthy fish and wildlife populations
Promote cultural, community, and economic opportunities related to fish and wildlife
Petition action may not advance JEDI Policy actions related to access
Improve and champion safe and equitable access to nature and abundant and healthy fish and wildlife populations
Promote cultural, community, and economic opportunities related to fish and wildlife
Petition action may not advance JEDI Policy actions related to recreational take
Promote cultural, community, and economic opportunities related to fish and wildlife
Consider the implications of CFGC decisions on subsistence activities
Petition action may not advance JEDI Policy actions related to subsistence activities
Promote cultural, community, and economic opportunities related to fish and wildlife
Petition action may not advance JEDI Policy action related to commercial take

Future Opportunities

- Community outreach and engagement
- Current research projects funded by OPC
  - Ocean access and equity project
  - Evaluation of multiple environmental justice screening tools and indicators
- Adopting CNRA's Environmental Justice and Equity Policy



CALIFORNIA
OCEAN
PROTECTION
COUNCIL

July 31, 2026

California Fish and Game Commission
715 P Street, 16th Floor
Sacramento, CA 95814
Transmitted via email: fgc@fgc.ca.gov

Re: OPC Staff Recommendations - Petitions to Adaptively Manage California's Marine Protected Area Network

Dear President Sklar, Vice President Anderson, and Members of the California Fish and Game Commission,

Thank you for your leadership in managing California's Marine Protected Area (MPA) Network – the global gold standard for marine conservation. Building on our public letter transmitted to the California Fish and Game Commission (CFGC) on March 20[1], which outlined the role of the California Ocean Protection Council (OPC) in MPA management and highlighted major OPC policy priorities for MPAs, we are pleased to provide specific input and OPC staff's recommendations on submitted petitions for changes to the MPA Network currently under consideration by CFGC. As noted in our March 20 letter, this input is intended to complement the comprehensive evaluations of MPA petitions conducted by the California Department of Fish and Wildlife (CDFW) under a separate set of questions and criteria established by CFGC.

The first-ever Decadal Management Review of the MPA Network, released in 2023, clearly demonstrated that MPAs are working to improve California's ocean health. However, the Decadal Management Review did not specifically explore opportunities to strengthen the existing MPA Network. As noted in our March 20 letter, OPC believes that evaluating MPA petitions with this question in mind is essential for ensuring the continued success of California's MPAs, especially as a changing climate increasingly threatens coastal and marine

1 https://opc.ca.gov/wp-content/uploads/2026/03/OPC-letter-on-MPA-petitions_3.20.26-508.pdf

ecosystems and ecosystem services. Therefore, this input provided by OPC staff is explicitly focused on whether proposed actions hold promise to strengthen the performance and durability of the MPA Network. This is consistent with OPC's Strategic Plan[2] and key recommendations from the Decadal Management Review[3].

Overall, **OPC's petition recommendations are rooted in a precautionary approach.** The 2026 California Coast and Ocean Report[4], released earlier this year, indicates that climate change is increasingly threatening coastal and marine ecosystems, as well as benefits provided by those ecosystems to coastal communities and California Native American tribes. In the face of warming oceans, sea level rise, the devastation of our state's kelp forests, severe shocks to fishing communities, and other climate-driven impacts, California's MPA Network is one of our most effective conservation tools for safeguarding biodiversity, building climate resilience, and ensuring the continued delivery of important ecosystem services that drive our state's multi-billion dollar ocean economy.

It is through this lens that we assessed petitions. Specifically, we looked for opportunities to bolster the types of MPA benefits anticipated to serve as an "insurance policy" against changing ocean conditions, such as increased population sizes, higher genetic diversity, strengthened ecological connectivity, and intact food webs. In doing so, we acknowledge that the effects of climate change are uncertain and that MPAs are not a panacea for the threats facing our ocean. We strongly support continued research and monitoring to assess the impacts of climate change on coastal and marine ecosystems and how MPAs may mitigate these impacts. In particular, California's robust MPA monitoring program, which is actively tracking the effects of MPAs across key ecosystems and coastal communities statewide, will continue to be a crucial tool in evaluating the overall success of the Network and any adaptive management changes made through the petition process. OPC is committed to continuing our support for the development and application of best available science to adaptively manage the Network into the future.

Given this precautionary approach, **we do not recommend that CFGC approve any petition that would weaken the existing MPA Network** (Petitions 2023-14MPA, 2023-15MPA_AM, 2023-

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2 OPC 2026-2030 Strategic Plan Objective 3.1: Strengthen the performance and durability of California's Marine Protected Area Network.

3 Decadal Management Review recommendations #4 (Apply what is learned from the first Decadal Management Review to support proposed changes to the MPA Network and Management Program); #23 (Expand and target monitoring and research efforts to examine the design attributes of the MPA Network more effectively); #28 (Further integrate influencing factors into ecological and human study designs and interpretations of MPA performance).

4 https://opc.ca.gov/wp-content/uploads/2026/03/California-Coast-and-Ocean-Report-2026.pdf

16MPA, 2023-18MPA[5], and 2023-23MPA_AM[6]**.** These petitions include several proposed actions that would open no-take State Marine Reserves or limited-take State Marine Conservation Areas to certain new types of fishing. OPC appreciates the thoughtfulness of petitioners in developing these proposals; however, we find that any actions that would roll back existing protections pose an unacceptable risk to the integrity of the existing Network. Such actions, while well-intentioned, have the potential to compromise existing conservation benefits and degrade the ability of the Network to meet the goals of the Marine Life Protection Act.

As a first step in assessing petitions with potential to strengthen the MPA Network (i.e. proposals for new MPAs, expanded MPAs, or stricter regulations), OPC staff first considered **whether petitions would improve MPA Network design**. Importantly, neither the Decadal Management Review nor CDFW's recently released Science Guide to California's MPA Network[7] identify significant design deficiencies in the MPA Network. Indeed, the Network is largely compliant with science guidance from the MPA planning process, with most MPAs meeting minimum size guidelines and all MPAs meeting minimum spacing guidelines. However, from a precautionary standpoint, some petitions have clear potential to improve MPA Network design, for example by reducing large distances between MPAs or increasing the representation of vulnerable habitats within the Network. OPC finds clear Network design benefits for three petitions: Petition 2023-29MPA_AM2, Petition 2023-32MPA, and two actions within Petition 2023-33MPA_AM1.

As a next step, OPC considered **whether petitions would result in meaningful additional biodiversity protection beyond what the current MPA Network already provides**. This could include actions such as: bolstering protections for important geological or biological features; protecting additional sensitive habitat, such as eelgrass, kelp forests, or rocky shores; protecting ecosystems that are important larval sources, sinks, or retention zones; strengthening ecological

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5 Petition 2023-18MPA includes an action that would open Vandenberg State Marine Reserve to certain types of shore fishing. A petition submitted in 2022 by the City of Lompoc (Petition 2022-04) proposes a similar action and will be considered by CFGC alongside the other petitions discussed here. While we recognize that Petition 2022-04 is intended to improve equitable coastal access for local residents, it would weaken protections provided by Vandenberg State Marine Reserve, which serves as a critical backbone MPA in the region. We recommend that CFGC deny Petition 2022-04.

6 One action in 2023-23MPA_AM (Action 20) has potential to strengthen the MPA Network: designation of a new MPA at Tanker's Reef. However, as proposed, this new MPA falls far below the minimum area required to function as a replicate in the MPA Network and is unlikely to provide meaningful additional conservation benefits beyond those already achieved by the existing Network, especially in the highly protected Monterey Bay region.

7 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=246940&inline

connectivity; reducing fishing pressure on populations in decline; promoting improved ecosystem structure and function; or enhancing the resilience of the MPA Network to current or predicted climate impacts. Importantly, in exploring this consideration, OPC gave equal weight to petitions that would address current specific threats to biodiversity, such as the impacts of fishing gear on sensitive habitats, and petitions that would improve the Network's ability to withstand larger-scale and more diffuse impacts, such as marine heat waves. OPC finds compelling biodiversity benefits for several petitions: Petition 2023-21MPA_AM1, Petition 2023-27MPA_AM1, Petition 2023-28MPA_AM1, Petition 2023-29MPA_AM2, Petition 2023-32MPA, and two actions within Petition 2023-33MPA_AM1.

Finally, OPC considered **whether petitions would help support and revitalize tribally-led stewardship**. OPC is highly supportive of MPA adaptive management actions that advance co-governance, co-management, and collaborative stewardship with tribes. Such actions, which include protecting places with high biocultural significance, are essential not only for righting historical wrongs, but also for reconnecting tribes to traditional stewardship practices that can directly benefit biodiversity. Increased support for tribal stewardship is a top priority in both OPC's 2026-2030 Strategic Plan[8] and the California Natural Resources Agency's recently released Tribal Stewardship Policy[9], which aims to expand tribal stewardship of at least 7.5 million acres of California's lands and coastal waters. OPC finds that the following petitions have strong potential to advance tribally-led stewardship: Petition 2023-20MPA_AM1, Petition 2023-21MPA_AM1, Petition 2023-28MPA_AM2, and Petition 2023-29MPA_AM2.

Based on these considerations, OPC recommends approval of the following petitions, with some modifications. In developing these recommendations, OPC staff evaluated the most recent versions of petitions, including any amendments or clarifications received from petitioners after CFGC's March 2025 deadline for petition amendments.

8 OPC 2026-2030 Strategic Plan Objective 2.1: Strengthen partnerships with California Native American tribes.

9 https://resources.ca.gov/Initiatives/Tribalaffairs/TribalStewardshipPolicyAndToolkit

Table 1. OPC's recommended petitions.

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-20MPA_AM 1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Buchon SMCA and Point Buchon SMR (existing)	Santa Ynez Band of Chumash Indians	Add a tribal take exemption at Point Buchon SMCA, rename Point Buchon SMCA, and adjust northern boundary of Point Buchon SMR	Approve tribal take exemption and renaming; deny proposed boundary change
2023-21MPA_AM1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Pyramid Point SMCA (existing)	Tolowa Dee-ni' Nation	Remove recreational take of true smelt in Pyramid Point SMCA and adjust northern boundary of Pyramid Point SMCA	Approve proposed removal of recreational take of true smelt; deny proposed boundary change
2023-27MPA_AM1 (as clarified at the May 6, 2026 CFGC regional meeting)	Anacapa Island SMCA (existing)	Environmental Defense Center	Modify regulations at Anacapa Island SMCA to protect sensitive eelgrass habitats (with several options proposed)	Modify SMCA regulations to prohibit the deployment of lobster traps shallower than 50 feet
2023-28MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Sal SMCA (new)	Northern Chumash Tribal Council and Natural Resources Defense Council	Add a new MPA near Point Sal	Approve the proposed new Point Sal SMCA

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-29MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Mishopshno SMCA (new)	Santa Ynez Band of Chumash Indians and Natural Resources Defense Council	Add a new MPA near Carpinteria	Approve the proposed new Mishopshno SMCA
2023-32MPA (as clarified at the April 21, 2026 CFGC regional meeting)	Duxbury Reef SMCA (existing)	Environmental Action Committee of West Marin	Expand Duxbury Reef SMCA and modify regulations to strengthen protections for intertidal species	Designate two new SMCAs to protect the northern and southern portions of Duxbury Reef, each with take regulations that protect intertidal seaweed and invertebrates while allowing for continuation of other existing shore- and boat-based fishing
2023-33MPA_AM1	Various existing MPAs and one proposed new MPA	Environment California and Azul	Expand six existing MPAs statewide and add a new MPA in Santa Cruz	Approve proposed expansion of Point Dume SMCA, but deny proposed additional take allowance in Point Dume SMCA. Approve a smaller expansion of Point Conception SMR. Deny proposed expansion of Natural Bridges SMR, Cabrillo SMR, South Point SMR, or Gull Island SMR. Deny proposed designation of a new SMCA at Pleasure Point.

Detailed narratives providing justification for these recommendations are provided in the "Recommendation Narratives" section below, starting on page 10.

We recognize that our recommendations do not include three petitions intended to strengthen the MPA Network: Petition 2023-19MPA, Petition 2023-24MPA and Petition 2023-34MPA.

- Petition 2023-19MPA, submitted by the Santa Ynez Band of Chumash Indians, would designate a new SMCA, to be named Chitqawi in honor of a nearby Chumash coastal

village, offshore and to the north of Morro Bay in San Luis Obispo County. The proposed Chitqawi SMCA would protect waters adjacent to Morro Rock. However, the proposed SMCA would be located immediately adjacent to Morro Bay Harbor, a critical regional port, potentially presenting significant challenges. OPC also recognizes that many California Native American tribes, including non-federally recognized tribes, have significant cultural ties to Morro Rock. Given that the original petition focused on co-management of the area as its main goal, OPC recommends that CFGC work with the Santa Ynez Band of Chumash Indians to identify alternative pathways for strengthening protection of Morro Rock and establishing meaningful co-management agreements here and in the broader region. The petition process may have been an irregular fit for the Tribe's goals with this petition and OPC is committed to working with the Tribe going forward to protect this area through meaningful co-management.

- Petition 2023-24MPA, submitted by the Laguna Bluebelt Coalition, would extend the southern boundary of the Laguna Beach No-Take SMCA into the northern portion of Dana Point SMCA, expanding the No-Take SMCA and aligning its southern boundary with the southern border of the City of Laguna Beach. While this would increase overall protection in the area and potentially benefit fished species (e.g. finfish, lobster, and urchin) within the Dana Point SMCA, OPC notes that the existing boundary of the Laguna Beach No-Take SMCA currently aligns with both a clear latitude line as well as prominent rocky outcroppings, which serve as a helpful landmark for both boat-based and shore-based anglers. Changing this well-established and clear boundary has the potential to result in increased confusion and potential enforcement challenges.

- Petition 2023-34MPA, submitted by Environment California and Azul, would reclassify Point Buchon SMCA to an SMR and strengthen protections in Farnsworth Onshore and Offshore SMCAs by removing all take except for recreational spearfishing. Petitioners argue that these changes are necessary to address issues regarding compliance with MPA regulations; however, neither Point Buchon SMCA nor Farnsworth Onshore or Offshore SMCAs appear to have an unusually high number of MPA-related citations and, in fact, citation data demonstrate an overall trend of improved compliance with MPA regulations at Point Buchon SMCA.

For reference, our recommendations on each of the fifteen MPA petitions currently under consideration by CFGC are summarized in the "Recommendations At-a-Glance" table below, starting on page 28.

In closing, OPC appreciates the robust conversation around MPA petitions to date and recognizes that the many Californians who have engaged in this process hold a diversity of

perspectives, interests, and viewpoints related to these petitions. OPC staff attended all three in-person regional meetings of CFGC held earlier this year, which were intended to provide a venue for public feedback on petitions. At those meetings, we heard tribal members, conservation advocates, and students voice strong and passionate support for a strengthened MPA Network that can help protect our vulnerable coast and ocean in a time of rapid environmental change. However, we were also compelled by the serious concerns of many members of local communities, including commercial and recreational fishermen, whose lives and livelihoods have the potential to be significantly impacted by new or expanded MPAs. We deeply value California's commercial and recreational fishing communities and recognize their critical role in supporting a thriving blue economy. To that end, where possible, we have endeavored to provide creative recommendations on petitions that add conservation value to the existing MPA Network while limiting impacts to commercial and recreational fishing. More broadly, as highlighted in Goal 4 of our 2026-2023 Strategic Plan, OPC is committed to advancing a sustainable blue economy by investing in healthy marine ecosystems and resilient coastal communities that can continue to support fishing livelihoods for generations to come.

Additionally, the regional meetings made it abundantly clear that many communities, especially communities entitled to environmental justice, can face significant systemic barriers to accessing the coast and ocean and to participating in MPA management and decision-making processes. Millions of Californians visit the coast each year to access the ocean in different ways, including to engage in both consumptive and non-consumptive uses. Because of this, assessing benefits related to equitable access for individual petitions is a complex undertaking. Impacts of individual petitions on equitable access[10] and on advancing CFGC's Justice, Equity, Diversity, and Inclusion Policy[11] have been initially assessed via a joint effort between OPC and CDFW [12]; OPC is committed to expanding equitable access to the coast and ocean and supporting improved inclusion in coastal and ocean management, consistent with the goal of OPC's 2026-2030 Strategic Plan to maximize community benefits and stewardship, as well as OPC's Equity Plan[13].

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10 Specifically Question 14 in CDFW's Evaluation Framework: Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?

11 Specifically Question 16 in CDFW's Evaluation Framework: Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy (https://fgc.ca.gov/About/JEDI)?

12 Available here: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=246997&inline

13 https://www.opc.ca.gov/webmaster/_media_library/2022/11/OPC-Equity-Plan-508.pdf

Thank you for considering our recommendations. We look forward to the work ahead and to continued meaningful engagement with California's diverse coastal communities as the petition process unfolds.

Sincerely,



Jenn Eckerle
Deputy Secretary for Oceans and Coastal Policy, California Natural Resources Agency
Executive Director, Ocean Protection Council

Recommendation Narratives

Petition 2023-20MPA_AM1: Add a tribal take exemption at Point Buchon SMCA, rename Point Buchon SMCA, and change northern boundary of Point Buchon SMR

The Santa Ynez Band of Chumash Indians (SYBCI) has proposed several changes to Point Buchon SMCA[14] and Point Buchon SMR[15]. As amended by the tribe at the April 14, 2026 meeting of CFGC's Tribal Committee[16], these proposed changes are: add a tribal take exemption at Point Buchon SMCA for the Santa Ynez Band of Chumash Indians, rename Point Buchon SMCA, and change the northern boundary of Point Buchon SMR. Located approximately eight miles south of Morro Bay in San Luis Obispo County, Point Buchon SMCA and Point Buchon SMR together protect nearly 19 square miles of rocky reefs, sandy seafloor, beaches, kelp forests, rocky intertidal habitat, offshore pinnacles, and some of the shallowest cold-water corals in California (SeaSketch California 2026). Point Buchon SMR spans approximately 2.5 miles of coastline between Coon Creek and Diablo Canyon and protects 6.7 square miles of coastal waters between shore and approximately 200 feet deep (SeaSketch California 2026). Point Buchon SMCA protects more than 12 square miles of coastal waters offshore of the SMR, ranging from approximately 200 to 400 feet deep (SeaSketch California 2026).

Adding a tribal take exemption to Point Buchon SMCA and renaming Point Buchon SMCA to better reflect Chumash cultural heritage both represent significant opportunities to advance tribal sovereignty, collaborative governance, and tribal stewardship within the Central Coast[17] bioregion of the MPA Network. Similar to other tribal take exemptions currently granted to SYBCI for MPAs in the South Coast bioregion of the MPA Network, such as Kashtayit SMCA, the proposed tribal take exemption for Point Buchon SMCA would exempt SYBCI members from MPA-specific take restrictions and thus allow SYBCI members to harvest living marine resources

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14 SMCA = State Marine Conservation Area. In this type of MPA, certain recreational or commercial fishing activities may be allowed, while other types of take are prohibited. https://wildlife.ca.gov/Conservation/Marine/MPAs/Definitions#mpa

15 SMR = State Marine Reserve. In this type of MPA, all take is prohibited. https://wildlife.ca.gov/Conservation/Marine/MPAs/Definitions#mpa

16 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

17 As defined in the 2018 MPA Monitoring Action Plan (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161748&inline), the bioregions of the MPA Network are: North Coast (California/Oregon border to San Francisco Bay, including the Farallon Islands), Central Coast (San Francisco Bay to Point Conception), and South Coast (Point Conception to U.S./Mexico border, including the Channel Islands).

for cultural, subsistence, and stewardship purposes. Regulations in the adjacent Point Buchon SMR would remain unchanged.

Point Buchon is also culturally significant. The petition identifies Buchon as a historical Chumash village site and describes the area as having special spiritual significance to Chumash maritime peoples. Establishing a tribal take exemption at Point Buchon SMCA and renaming the SMCA would recognize this significance and advance progress toward tribal co-management of this MPA, which the tribe has requested to pursue through a non-regulatory pathway. **OPC recommends that CFGC approve the proposed tribal take exemption and name change for Point Buchon SMCA.**

Petitioners have also requested to adjust Point Buchon SMR's northern boundary further to the north, arguing that doing so would better capture the full marine area offshore of Point Buchon. However, OPC notes that the existing northern boundary aligns with a readily determinable line of latitude (35° 15.250' N) and prominent onshore landmarks; changing the boundary could cause confusion and enforcement challenges and would also result in a misalignment of the northern boundaries of Point Buchon SMR and SMCA. **OPC recommends that CFGC deny the requested boundary adjustment for Point Buchon SMR.**

Petition 2023-21MPA_AM1: Remove recreational take of true smelt in Pyramid Point SMCA and adjust northern boundary of Pyramid Point SMCA

The Tolowa Dee-ni' Nation has proposed two changes to Pyramid Point SMCA, located at Pyramid Point in Del Norte County near the California-Oregon border: removal of the current recreational take allowance for true smelt, and adjustment of the SMCA's northern boundary. Pyramid Point SMCA is the northernmost MPA in California's MPA Network and covers approximately 14 square miles of sandy beaches, offshore rocks, and soft seafloor; currently the only type of take allowed in this MPA is recreational take of surf smelt (*Hypomesus pretiosus*, known as *lhvmsr* in the Tolowa language)[18] by dip net or Hawaiian-type throw net, as well as tribal take of all species, consistent with applicable state fishing regulations, by the Tolowa Dee-ni' Nation through a tribal take exemption. The proposal is intended to protect a culturally and ecologically important forage fish species while maintaining tribal take of that species,

18 Technically, Pyramid Point SMCA allows take of a three-species "true smelt" group: surf smelt, night smelt, and whitebait smelt. To achieve the requested removal of the recreational take allowance for surf smelt, it is necessary to remove the recreational take allowance for the species group. At the April 14, 2026 meeting of CFGC's Tribal Committee, the Tolowa Dee-ni' Nation amended this petition to change its request from removal of the take allowance for surf smelt to removal of the take allowance for true smelt.
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

particularly take associated with traditional Tolowa Dee-ni' Nation "fish camps" – annual events where members of the Nation travel to the coast to fish, camp, and traditionally process surf smelt during its spawning months from July to October.

Petitioners argue that removal of the existing recreational take allowance is needed because, according to the Tolowa Dee-ni' Nation's Traditional Knowledges – particularly the observations of traditional surf smelt fishermen – surf smelt populations have declined substantially since the late 1990s. OPC respects and affirms the importance of tribal science and Traditional Knowledges and also notes that this trend has been documented through non-indigenous science. Though no formal stock assessments have been completed for surf smelt, CDFW's 2020 Enhanced Status Report for the species shows that commercial landings statewide (95% of which occur in Humboldt and Del Norte County ports) regularly exceeded 500,000 pounds per year in the mid-1990s but dropped precipitously in 1998-1999 and have not exceeded 250,000 pounds per year in the last twenty years (CDFW 2020). Commercial surf smelt landings declined to record lows of approximately 700-1,000 pounds annually between 2017 and 2019 before showing a modest rebound beginning in 2020, although catches remained well below historical levels (CDFW 2025). California Recreational Fisheries Surveys (CRFS) data summarized in CDFW's Enhanced Status Report that recreational surf smelt landings were negligible from 2005 through 2017, apart from an anomalous spike to approximately 110,000 pounds in 2011; the CRFS program that produced these estimates was discontinued in 2018 (CDFW 2020, CDFW 2025).

The decline of surf smelt populations concerns OPC for several reasons. First, forage fishes such as surf smelt play critical roles in nearshore food webs because they transfer energy from plankton-rich coastal waters to higher trophic levels, supporting fish, seabird, and marine mammal populations (Pikitch et al. 2014, Essington et al. 2015). Surf smelt in particular play a foundational role in Northern California coastal ecosystems by serving as prey for species such as salmon, seabirds, marine mammals, and other predators. As an important forage fish, their abundance can reflect broader ecosystem condition and food web dynamics (Santora et al. 2021, NOAA Fisheries 2022). Second, Native American tribes on California's North Coast have relied on surf smelt since time immemorial for subsistence and cultural heritage. As described in the petition, Tolowa families return to the coast each year for "fish camps" that involve the harvest of surf smelt using traditional A-frame nets, with associated prayers, protocols, and ceremonies. Maintaining access to a healthy surf smelt population is essential to the continuation of tribes' cultural practice, food sovereignty, spiritual relationships, and community well-being (Turner et al. 2008, Charles & Wilson 2009).

Surf smelt are a sensitive species and their population trends can be heavily influenced by a number of factors. This includes not only fishing pressure – heavy fishing can cause surf smelt populations to decline quickly given their short life cycles and the fact that most fishing occurs

during spawning – but also environmental stressors, including warming waters, pollution, and physical impacts to beaches where they spawn (Russell et al. 2022, Tomlin et al. 2021). OPC recognizes that MPAs have limited ability to mitigate these larger-scale threats. However, given the population declines noted above and the ecological and cultural importance of surf smelt, OPC supports stricter MPA regulations to strengthen protections for this vulnerable species. OPC notes that approval of this petition would allow continued tribal harvest of surf smelt, but this traditional take is unlikely to have population-level impacts.

To support the recovery of surf smelt, the integrity of nearshore food webs, and the continuation of tribal stewardship and cultural use of this species into the future, **OPC recommends that CFGC approve removal of the allowance for recreational take of true smelt in Pyramid Point SMCA**. The Tolowa Dee-ni' Nation would retain its existing tribal take exemption for this SMCA.

Petitioners have also requested a boundary adjustment to align the northern boundary of Pyramid Point SMCA with the terrestrial California-Oregon border. California's terrestrial northern boundary was intended to run along the 42° N latitude line, but initial surveys with primitive equipment in 1868 resulted in a zigzag border that deviates up to a half mile north or south of that latitude line. In contrast, the offshore northern boundary is an arc that projects seaward from the 42° N latitude line and connects the outermost headlands of the mainland coast to offshore rocks. For this reason, California's offshore and terrestrial borders are slightly misaligned; the offshore boundary is consistent with California's legally recognized northern border at 42° N latitude and is used in all ocean-based regulations. Changing the northern boundary of Pyramid Point SMCA so that it no longer aligns with this recognized offshore boundary would likely result in regulatory confusion and enforcement challenges. **OPC recommends that CFGC deny the request to modify Pyramid Point SMCA's northern boundary.**

Petition 2023-27MPA_AM1: Modify regulations at Anacapa Island SMCA to protect sensitive eelgrass habitats

Environmental Defense Center has submitted a petition with three options intended to better protect sensitive eelgrass meadows inside the Anacapa Island SMCA from the impacts of lobster traps and other hard-bottomed fishing gear. As clarified by the petitioner at the May 6, 2026 CFGC regional meeting[19], the proposed options are 1) Change regulations to disallow commercial lobster fishing year-round within the Anacapa Island SMCA; 2) Change regulations

19 Video available at https://cal-span.org/meeting/cfg_20260506/. Discussion of Petition 2023-27MPA_AM1 begins at 01:05:13.

to disallow hard bottomed fishing gear (including anchoring if applicable) near eelgrass meadows within the Anacapa Island SMCA, or 3) Change the border of the Anacapa Island Special Closure to prohibit the deployment of lobster traps from 0-50 feet deep, instead of the existing 0-20 feet deep.

Pacific eelgrass (*Zostera pacifica*) is a foundational species that is found along California's open coast and provides vital habitat, food, and shelter for a variety of marine fishes and invertebrates. Eelgrass also supports sediment stabilization and erosion protection, plays an important role in nutrient cycling, and helps mitigate climate change by sequestering carbon (Waycott et al. 2009, Fourqurean et al. 2012, Duarte et al. 2013). Eelgrass beds are inherently dynamic and naturally fluctuate from year to year; eelgrass persistence is influenced by a variety of environmental factors including temperature, currents, sediment dynamics, water quality, and availability of suitable substrate (Grech et al. 2012, Rock & Daru 2021, Zabarte-Maeztu et al. 2021, Herrera et al. 2022). At the same time, numerous studies have demonstrated that hard-bottomed fishing gear, including traps and pots, can negatively impact eelgrass (Stevens 2021, Rees et al. 2021). Traps can crush eelgrass shoots and rhizomes upon impact, and they may smother eelgrass if left in place. The setting and retrieval of traps, dragging of trap lines, and movement of traps while in the water often leaves bare scouring marks or "haloes" of damage in eelgrass meadows (Abadie et al. 2016, Stevens 2021, Rees et al. 2021).

Eelgrass meadows were once abundant along the north sides of all three islets that make up Anacapa Island, generally found from approximately 0-20 feet deep but sometimes extending to 45 feet deep (Altstatt 2021). Although eelgrass virtually disappeared around Anacapa Island during the late 1980s following the 1982-1983 El Niño and subsequent overgrazing by white sea urchins, it has recovered in many places thanks in part to a successful eelgrass restoration effort initiated in 2002 at Frenchy's Cove on the north side of West Anacapa Island (Altstatt et al. 2014).

Frenchy's Cove is situated within both the island-wide nearshore Anacapa Island Special Closure, which prohibits the use of nets and traps from 0-20 feet deep, as well as the much larger Anacapa Island SMCA, which extends to the three nautical mile state water boundary and prohibits most forms of take except for recreational take of lobster and pelagic finfish, as well as commercial take of lobster. Offshore of Frenchy's Cove, a Brown Pelican Fledgling Area – an extension of the Special Closure across approximately 4,000 feet of coastline – prohibits all boating activity and access from 0-120 feet deep from January 1 - October 31. Together, these regulations protect eelgrass meadows located in 0-20 feet of depth year-round, and meadows located deeper than 20 feet for 10 months out of the year.

These existing regulations already provide eelgrass meadows at Frenchy's Cove with substantial protection from fishing gear impacts. However, eelgrass meadows deeper than 20 feet at Frenchy's Cove are still vulnerable to fishing gear impacts for two months out of the year. Subtidal surveys conducted by the Channel Islands monitoring program show that these deeper meadows represent a substantial proportion of the eelgrass inside the Anacapa Island SMCA (SeaSketch California 2026) and, because eelgrass is a delicate ecosystem that can take years to recover from fragmentation or scarring (Altstatt et al., 2014; Reed & Hovel, 2006), damage accrued during the two months that the Brown Pelican Fledgling Area is open is likely to have lasting and outsized impacts on the integrity and function of these eelgrass meadows.

OPC recognizes that some data gaps exist regarding the distribution of eelgrass at Frenchy's Cove and Anacapa Island more broadly, as well as the drivers contributing to its persistence and loss. However, in the context of substantial declines of eelgrass statewide since the 1950s (Waycott et al. 2009, Harris et al. 2026), and the critical importance of eelgrass meadows for marine biodiversity (Kindeberg et al. 2022), OPC finds that regulatory action to protect the full extent of eelgrass meadows inside Anacapa Island SMCA, i.e. providing new protections for meadows that occur from 20-45 feet, is warranted. In assessing the petitioner's proposed options, OPC finds that Option 1 (prohibiting lobster fishing within the entire Anacapa Island SMCA, which extends three nautical miles offshore to a depth of nearly 500 feet) is unnecessary to protect eelgrass meadows, which are a nearshore ecosystem. Further, OPC notes that Option 2 (prohibiting lobster fishing "near eelgrass meadows") would be difficult to enforce given the inherently dynamic nature of these ecosystems. Finally, OPC is concerned that Option 3 (extending the boundary of the Anacapa Island Special Closure from 20 feet deep to 50 feet deep) could be problematic for multiple reasons: first, the specific intent of the Special Closure is to decrease entanglement risk for birds feeding near roosting grounds on the island; second, changing the boundary could add to existing significant regulatory confusion between the Anacapa Island SMCA, SMR, and Special Closure/Brown Pelican Fledgling Area; and third, this option would unnecessarily restrict lobster fishing opportunities outside of the Anacapa Island SMCA. Therefore, **OPC recommends that CFGC modify the regulations at Anacapa Island SMCA to prohibit the deployment of lobster traps shallower than 50 feet**. This simplified alternative pathway would strengthen protections for eelgrass meadows within their full depth range inside the SMCA, while maintaining lobster fishing opportunities outside the SMCA.

OPC also recognizes that non-consumptive activities, such as anchoring, may have similar impacts on eelgrass meadows as lobster trapping. OPC recommends exploration of non-regulatory management solutions, potentially including installation of moorings within the SMCA, to mitigate other activities that can damage the seafloor.

Petition 2023-28MPA_AM2: Add a new MPA near Point Sal (Point Sal SMCA)

The Northern Chumash Tribal Council and the Natural Resources Defense Council have proposed the designation of a new State Marine Conservation Area at Point Sal, California, situated at the northern end of Vandenberg Space Force Base near the City of Guadalupe in northern Santa Barbara County. As amended by petitioners at the April 14, 2026 meeting of CFGC's Tribal Committee[20], the proposed new Point Sal SMCA, which would eventually be given a name in a Chumash language to honor the importance of the area to local Chumash peoples, would span close to 7 miles of coastline and encompass nearly 15 square miles, from shore to a maximum depth of 187 feet (SeaSketch California 2026). It would prohibit all forms of take except for recreational take of finfish from shore using hook and line.

The proposed new Point Sal SMCA is located roughly 50 miles to the north of Point Conception, at the northern end of a major biogeographic transition zone within the California Current Large Marine Ecosystem, where warmer waters from the south meet colder, nutrient-rich waters from the north, supporting exceptionally high biodiversity (Hamilton et al. 2010, Blanchette et al. 2008, Arafeh-Dalmau et al. 2023). The waters offshore of Point Sal in particular are highly productive and nutrient-rich due to seasonal coastal upwelling in the area. This area supports abundant fish and invertebrate populations and serve as critical foraging grounds for seabirds and marine mammals – including multiple iconic California species such as brown pelicans, southern sea otters, and humpback whales (Checkley & Barth 2009).

The proposed new SMCA would protect a large portion of Point Sal's coastline and offshore waters, including sandy beach, rocky shoreline, shallow hard bottom, shallow soft bottom, and deep soft bottom habitats (SeaSketch California 2026). The new SMCA would also include a known krill hotspot that supports feeding blue whales from late spring to early fall (Santora et al. 2011, Savoca et al. 2021). Importantly, as noted by the petitioner, the area inside the proposed SMCA leeward of Point Sal may also function as a larval retention zone. Headlands and coastal promontories like Point Sal can slow or recirculate ocean currents, allowing fish and invertebrate larvae to remain near suitable settlement habitats rather than being transported offshore during upwelling events (Mace & Morgan 2006, Morgan et al. 2011, Harvey et al. 2021, Robinette et al. 2019). Robinette et al. (2019) found that seabird foraging rates, which can be used as an indicator of juvenile fish abundance, are generally higher in the lee of headlands and along south-facing coasts such as Point Sal. This suggests that the proposed new MPA has the

20 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

potential to protect an area of high juvenile fish recruitment, which could potentially add a rich new larval source "node" to the MPA Network.

The proposed Point Sal SMCA would also protect an area of substantial cultural importance to the Chumash people. There are long-standing Chumash connections to Point Sal, including archaeological evidence of occupation near the area dating back nearly 5,000 years. The Northern Chumash Tribal Council has stated that Point Sal is an especially sacred area within the broader Chumash Heritage National Marine Sanctuary, and designation of the proposed new Point Sal SMCA represents a unique opportunity to strengthen biodiversity protections within the Sanctuary.

Importantly, Point Sal is extremely remote. The public access road to Point Sal State Beach was washed out during severe storms during the 1998 El Niño event and was never repaired. Currently, access to Point Sal State Beach requires a round-trip hike of approximately 10 miles. Therefore, although the petitioners' proposed take allowance for hook-and-line fishing from shore would technically result in a moderate-low level of protection for Point Sal based on the science guidelines from the MPA planning process, OPC finds that the proposed new SMCA would likely still provide meaningful and significant biodiversity benefit given the difficulty associated with accessing Point Sal State Beach for shore-based fishing. Should existing conditions change in the future, we would support revisiting the take allowance for shore-based fishing.

Overall, OPC finds that the proposed new Point Sal SMCA represents an important opportunity to protect a pristine and relatively undisturbed biodiversity hotspot, while recognizing the biocultural significance of the area to local Chumash tribes. **OPC recommends that CFGC approve the proposed new Point Sal SMCA.**

Petition 2023-29MPA_AM2: Add a new MPA near Carpinteria (Mishopshno SMCA)

The Santa Ynez Band of Chumash Indians, Natural Resources Defense Council, and Environmental Defense Center have proposed the designation of a new SMCA near Carpinteria, California, located approximately twelve miles southeast of Santa Barbara. The proposed new MPA, to be named Mishopshno in honor of a nearby Chumash coastal village, would protect key nearshore ecosystems in the Santa Barbara Channel, including a large portion of Carpinteria Reef. As amended by petitioners at the April 14, 2026 meeting of CFGC's Tribal Committee[21], the proposed new Mishopshno SMCA would span nearly 4 miles of shoreline and encompass

21 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

approximately 9 square miles, from shore to a maximum depth of 141 feet (SeaSketch California 2026). It would prohibit all forms of take except for recreational take of finfish from shore using hook and line, with a tribal take exemption for the Santa Ynez Band of Chumash Indians.

The Santa Barbara Channel is part of a major biogeographic transition zone near Point Conception, separating cold waters to the north of Point Conception from warmer waters to the south (Dever et al. 2004, Johnson & Hartwell 2018). The proposed new Mishopshno SMCA would protect a number of important coastal and marine habitats within the Santa Barbara Channel, including sandy beach, coastal marsh, estuary, and kelp forest habitats (SeaSketch California 2026). Importantly, a new Mishopshno SMCA would provide new protection for Carpinteria Reef, a shallow kelp forest and rocky reef ecosystem that is home to a diversity of marine fishes and invertebrates such as Lingcod, California Sheephead, Kelp Bass, and both red and purple sea urchins (Levenbach 2008, Carr et al. 2017). This reef supports a large kelp patch that, according to Landsat data from 1984-2023 (Bell et al. 2024), has continued to persist despite the recent 2014-2016 marine heat wave and overall declines in the region, making it one of the most stable kelp forests in the Santa Barbara Channel (Fig. 2). The petitioners also note that Carpinteria Reef may serve as an aggregation site for juvenile Great White Sharks, though such aggregations are often highly dynamic and may shift locations from year to year.

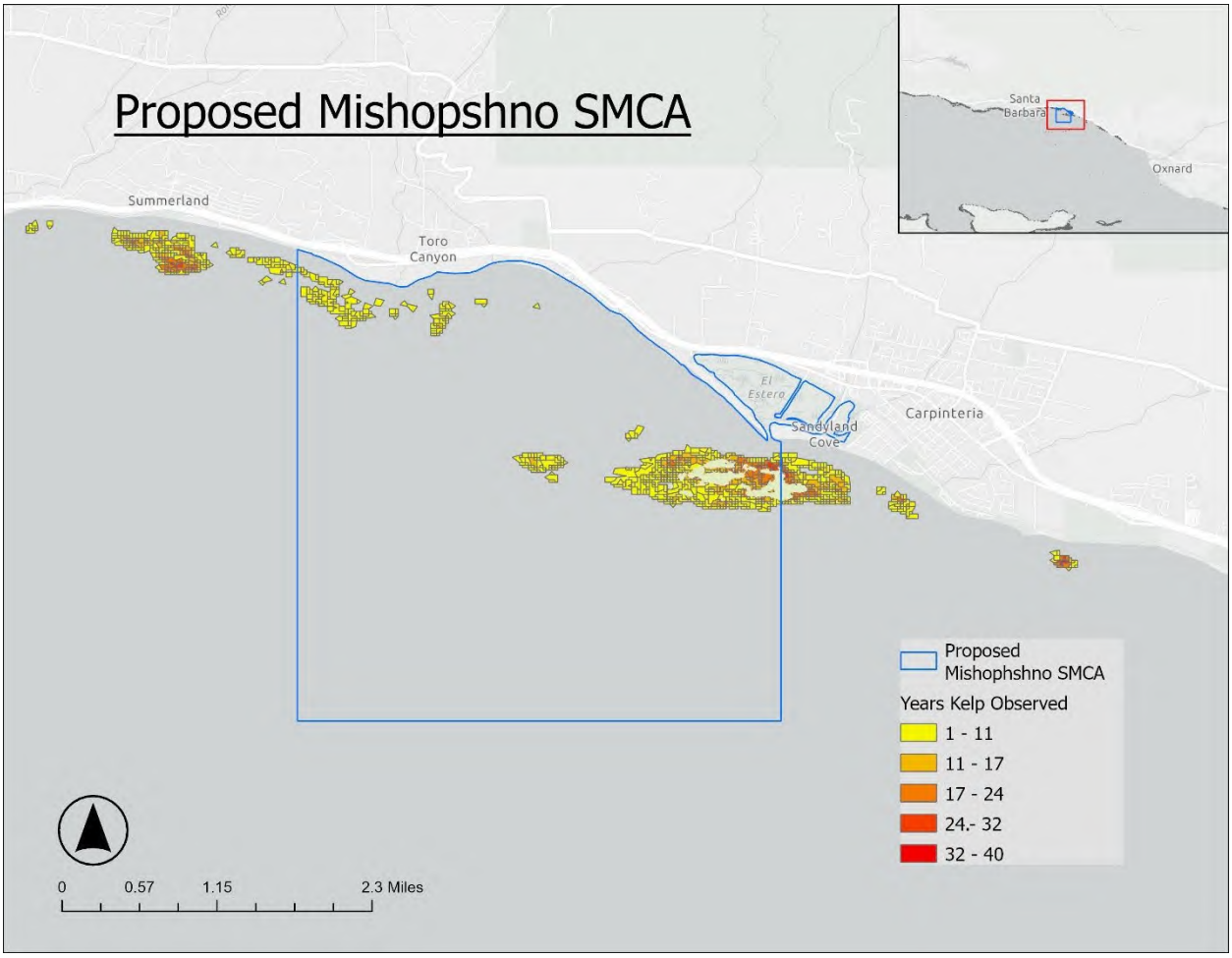


Figure 1. The proposed new Mishopshno SMCA. Satellite monitoring of kelp canopy cover via Landsat from 1984-2023 shows a persistent kelp forest at Carpinteria Reef near the proposed eastern boundary of the SMCA.

In addition to protecting an area of high biodiversity in an ecologically important region of the state, the most significant way in which the proposed Mishopshno SMCA could improve the ecological performance of California's MPA Network is by strengthening connectivity between Campus Point No-Take SMCA to the west and Point Dume SMCA to the southeast. Ensuring that larvae, eggs, spores, or juveniles of marine species are able to move into, out of, or between MPAs is fundamental to the success of California's MPAs as an ecologically connected network. For this reason, science guidance from the MPA planning process included explicit spacing guidelines for MPAs. According to this guidance, in order for MPAs to be within dispersal range for most ecologically and economically important groundfish and invertebrate species, they should be spaced 31-62 miles apart. Currently, the distance between the eastern boundary of Campus Point SMCA and the western boundary of Point Dume SMCA is approximately 60 miles (SeaSketch California 2026). This is very near the upper limit of the spacing guidelines and the largest distance between MPAs in the entire Network.

This distance concerns OPC for multiple reasons. First, while there are several MPAs nearby at the Northern Channel Islands, recent studies suggest the islands may not be as reliably or consistently ecologically connected to the mainland as previously thought due to the presence of small-scale eddies and coastal currents that can impact cross-channel exchange during some oceanographic conditions, while enhancing local retention and alongshore connectivity under others (Dauhajre et al. 2019, Robinette et al. 2012, Harvey et al. 2021). Second, both Campus Point No-Take SMCA and Point Dume SMCA contain kelp forests. Potentially weak connectivity between these habitats could pose risks to kelp resilience in the broader region. Finally, ecological connectivity has the potential to be highly disrupted by the impacts of climate change, which have already been well documented in the Southern California Bight (Magris et al. 2014, Schiff et al. 2019, Wilson et al. 2020, Kekuewa et al. 2022, Frieder et al. 2024). Climate-driven changes in temperature, ocean circulation, and upwelling can dramatically affect larval development, settlement, and survival, with important implications for connectivity (O'Connor et al. 2007, Kendall et al. 2016, Pecl et al. 2017, Pinsky et al. 2019, Wilson et al. 2020). Additionally, in some cases, climate impacts can eliminate important larval source populations entirely, such as when kelp forests are converted to urchin barrens (Rogers-Bennett & Catton 2019, Starko et al. 2024) – potentially making the effective ecological distance between intact protected habitats much greater than the geographic distance between MPA boundaries (Wilson et al. 2020).

The proposed Mishopshno SMCA, which would be located 14.6 miles from Campus Point No-Take SMCA and 44.1 miles from the Point Dume SMR/SMCA cluster (SeaSketch California 2026), would fill the existing large distance between these two MPAs and potentially act as a key "stepping stone" in the Santa Barbara Channel. This has the potential to improve ecological connectivity between Campus Point No-Take SMCA and Point Dume SMCA, especially between the kelp habitats protected by these MPAs, buffer against future climate impacts on connectivity, and strengthen overall resilience in the Santa Barbara Channel. OPC recognizes that the petitioners' proposed allowance for hook-and-line fishing from shore would result in a moderate-low level of protection per science guidance from the MPA planning process, with potential impacts on connectivity; however, continued shore-based fishing access to this area has significant potential to benefit local communities and non-federally recognized tribes.

OPC also recognizes the cultural significance of this area to local Chumash peoples. Members of the Santa Ynez Band of Chumash Indians have described ecosystems within the proposed Mishopshno SMCA as "living homelands and cultural landscapes" where gathering, teaching, ceremony, and other cultural practices have occurred for millennia. The area is also central to Chumash peoples' creation stories and canoe-building traditions. Designation of the proposed Mishopshno SMCA would represent a significant opportunity to protect the biocultural significance of the area and advance co-management with the Santa Ynez Band of Chumash

Indians, supporting the continued stewardship and care of this area's unique coastal and marine biodiversity by its original guardians.

Overall, OPC finds that the proposed new Mishopshno SMCA represents an important opportunity to improve MPA Network design, strengthen ecological connectivity, and recognize the biocultural significance of the area to local Chumash tribes. **OPC recommends that CFGC approve the proposed new Mishopshno SMCA.**

Petition 2023-32MPA: Expand Duxbury Reef SMCA and modify regulations to strengthen protections for intertidal species

The Environmental Action Committee of West Marin has proposed several actions intended to strengthen protections at Duxbury Reef SMCA. As clarified by the petitioner at the April 21, 2026 CFGC regional meeting[22], those actions are: expand the northern and southern boundaries of Duxbury Reef SMCA to protect the majority of Duxbury Reef's contiguous rocky intertidal habitat and modify regulations in Duxbury Reef SMCA to remove the current allowance for shore-based take of finfish by methods other than hook-and-line.

Duxbury Reef SMCA, located at the southern tip of the Point Reyes Peninsula in Marin County approximately one mile west of Bolinas, was designed specifically to protect Duxbury Reef, one of the largest shale reefs in North America and a unique geological feature found nowhere else in California (U.S. Geological Survey 2005). Duxbury Reef is very large and shallow; its broad, low-relief, gently sloping shale platform hosts an extensive network of cracks and crevices that are exposed at low tide and support exceptionally high biodiversity, including iconic intertidal species such as anemones, sea stars, and nudibranchs. It is one of the most accessible and frequently visited coastal sites in the region for tidepooling, and the reef serves as one of California's premier locations for environmental education and tidepool interpretation. Duxbury Reef SMCA was intentionally designed as a narrow, nearshore MPA that extends from the mean high tide line out to 1,000 feet seaward of mean lower low water, protecting intertidal habitat while allowing for commercial and recreational fishing further offshore, as well as recreational take of abalone (when allowed) and finfish from shore.

Currently, Duxbury Reef SMCA does not encompass the full extent of the reef's rocky intertidal habitat. This means that the northernmost and southernmost portions of Duxbury Reef currently receive no MPA protection, despite functioning as part of the same unique and biodiverse ecosystem as the portion of the reef within the existing SMCA. Expanding protections

22 Video available at https://cal-span.org/meeting/cfg_20260421/. Discussion of Petition 2023-32MPA begins at 03:11:24.

northward to Double Point/Stormy Stack Rock Special Closure and southward to the southernmost fringe of the reef, as proposed by petitioners, would capture the vast majority of Duxbury Reef, nearly doubling the amount of rocky shoreline protected by this MPA from 3.26 linear miles to 6.83 linear miles (SeaSketch California 2026) and improving representation of intertidal habitats, one of the rarest and most vulnerable coastal habitats in California, in the North Coast bioregion of the MPA Network (U.S. Geological Survey 2005).

OPC finds that these additional protections have the potential to increase biomass of currently harvested intertidal species, such as seaweed and shellfish, in the expansion areas, bolster overall species richness and diversity at Duxbury Reef, and improve ecological connectivity across the full reef ecosystem. Additional protection could also strengthen the reef's resilience to future climate change impacts, as protected rocky intertidal ecosystems have been found to exhibit greater resistance to, and recovery from, climate-driven disturbances such as marine heat waves compared to unprotected areas, helping to maintain community structure and ecological function during periods of extreme heating (CDFW 2023, Smith et al. 2023). However, OPC also notes that simply expanding the northern and southern boundaries of the existing SMCA could unnecessarily restrict existing boat-based commercial and recreational fishing activities in the proposed expansion areas, such as an important local commercial hook-and-line halibut fishery, that are not currently impacting intertidal biodiversity.

OPC recommends adding new protections for the intertidal in a way that does not change the existing Duxbury Reef SMCA and does not restrict existing commercial or recreational take, beyond new protections for intertidal seaweed and invertebrates, in the expansion areas. To accomplish this, **OPC recommends that CFGC designate two new SMCAs to protect the northern and southern portions of the contiguous rocky intertidal habitat of Duxbury Reef, with take regulations that protect intertidal seaweed and invertebrates (except abalone when allowed) while allowing for existing shore- and boat-based fishing**. We defer to CDFW to recommend final boundaries for these two new SMCAs based on feasibility and enforceability.

Petition 2023-33MPA_AM1: Expand six MPAs statewide and add a new MPA in Santa Cruz

Environment California and Azul have proposed a suite of actions – six proposed MPA expansions and one proposed new MPA – aimed at strengthening protections for kelp forest habitats across the state. Specifically, this petition proposes to expand Cabrillo SMR (southern San Diego), South Point and Gull Island SMRs (Northern Channel Islands), Point Dume SMCA (north of Los Angeles near the Los Angeles County/Ventura County border), Point Conception SMR (north of Santa Barbara), and Natural Bridges SMR (Santa Cruz). It also proposes the designation of a new SMCA at Pleasure Point (Santa Cruz). The proposed expansions and new MPA are aimed at protecting persistent, healthy kelp patches currently unprotected by the MPA

Network. Petitioners argue that protecting these new locations will help improve the resilience of kelp forest ecosystems across the state in the face of anticipated future marine heat waves and other climate stressors.

Kelp forests in California provide a variety of critical ecological functions and ecosystem services. Kelp serves as habitat and an important food source for a rich diversity of invertebrates, fishes, marine mammals, and birds, including ecologically and economically important species such as abalone, rockfishes, and sea otters (Hamilton et al. 2022, Bell et al. 2020). Kelp forests are critical to the well-being of California's coastal residents and the state's multi-billion-dollar ocean economy, providing valuable recreational opportunities such as scuba diving and wildlife viewing (Schiel & Foster 2015, NOAA Office of National Marine Sanctuaries 2025, Monterey Bay National Marine Sanctuary 2025), and kelp forest ecosystems also hold tremendous cultural significance for California Native American tribes. Unfortunately, recent climate-driven changes have resulted in severe and concerning kelp loss in California. A prolonged marine heat wave beginning in 2014 triggered unprecedented declines in California's kelp forests (Rogers-Bennett & Catton 2019, McPherson et al. 2021). Along the North Coast, more than 95% of bull kelp canopy was lost from 2014-2019 and has shown little recovery since then (McPherson et al. 2021), while statewide more than 75% of kelp forests remain below their long-term average in 2024 (Harris et al. 2026). As marine heat waves are expected to become more frequent and more severe as climate change accelerates, supporting the protection and restoration of these vulnerable ecosystems is a top priority for OPC.

Though MPAs cannot directly mitigate climate stressors such as warming ocean waters, petitioners argue that MPAs can support kelp resilience by promoting intact food webs. Specifically, petitioners note that healthy, abundant populations of predatory organisms, such as California Sheephead and California spiny lobster, can keep populations of kelp grazers like sea urchins in check, preventing urchins from overgrazing kelp (Hamilton et al. 2010, Caselle et al., 2015). While this is an active area of research and scientific evidence for the kelp resilience benefits of MPAs is mixed (Cavanaugh et al. 2019), several recent studies in California have demonstrated support for this "trophic cascade" hypothesis.

Eisaguirre et al. (2020) analyzed decades of subtidal monitoring data from the Northern Channel Islands and found that giant kelp density was significantly higher, and purple sea urchin density significantly lower, inside MPAs compared to adjacent fished areas. Kumagai et al. (2024) combined subtidal monitoring data with remotely sensed kelp canopy data to evaluate the statewide response of kelp forests to the 2014-2016 heat wave and found that fully protected MPAs appeared to enhance kelp forests' resistance to, and recovery from, marine heat waves in Southern California. Ortiz-Villa et al. (2025) used four decades of remote sensing data to examine the effects of 54 MPAs on kelp canopy coverage statewide and found that

implementation of MPAs resulted in an 8.5% increase in kelp canopy coverage compared to unprotected areas, with kelp forests in MPAs showing faster and more significant recovery following the 2014-2015 marine heat wave. Finally, results from the first Decadal Management Review of California's MPA Network showed that kelp canopy was more stable and resilient in MPAs, particularly in the South Coast (CDFW 2023).

Importantly, these documented benefits have largely been limited to Southern California, where lobster and Sheephead are abundant. In central California, where these predators are absent or uncommon and the main predator of sea urchins is the southern sea otter, most studies here have found little to no significant differences in urchin or kelp densities between MPAs and unprotected areas (Hamilton et al. 2010, Eisaguirre et al. 2020).

To identify specific areas to target for additional MPA protection, petitioners focused on areas of overlap between highly persistent kelp patches, as identified by Arafeh-Dalmau et al. (2021) using satellite data, and "medium-priority kelp restoration sites" as identified by Giraldo-Ospina et al. (2025) – defined as historically stable kelp beds that resisted the effects of the 2014-2015 marine heat wave and currently have a high proportion of kelp compared to their historical mean. This classification was intended by the authors of this study for use in a kelp restoration context; however, satellite imagery of kelp forest canopy, specifically Landsat data from 1984-2023 (Bell et al. 2024), does show that the areas identified by petitioners appear to be largely persistent over time (Fig. 2, Fig. 3). Given the anticipated impacts of climate change on kelp statewide, especially in the context of a historic new marine heat wave currently forming along the California coast and a predicted "Super El Niño" this year, OPC finds that, from a precautionary standpoint, protecting additional persistent kelp within the MPA Network is worth exploring at a limited scale.

Of the actions proposed in the petition, OPC recommends that CFGC deny the proposed expansion of Natural Bridges SMR and deny the proposed designation of a new SMCA at Pleasure Point. Both of these areas are located in Santa Cruz, at the northern end of the Monterey Bay. As described above, empirical support for the hypothesized "trophic cascade" benefits of MPAs for kelp has not been found in central California. Additionally, the proposed new MPA at Pleasure Point would not meet minimum guidelines for MPA size or level of protection, making it unlikely to accomplish biodiversity conservation objectives.

The remaining proposed actions are all focused on Southern California, where MPAs may promote improved kelp resilience by promoting trophic cascades. Of these actions, **OPC recommends that CFGC deny the proposed expansion of Cabrillo SMR.** Per the U.S. Navy, this proposed expansion has the potential to impact military readiness in the area. **OPC recommends that CFGC deny the proposed expansions of South Point SMR and Gull Island**

SMR; these proposed expansions would compromise the decades-long, deeply institutionalized state-federal partnership to co-manage the existing Channel Islands MPAs, which currently protect 20% of state waters around the Northern Channel Islands in no-take marine reserves. The proposed expansion of South Point SMR in particular would result in a misalignment with the boundaries of the neighboring Federal Marine Reserve.

OPC recommends approval, with modifications, of the remaining two proposed actions in Southern California (expansion of Point Dume SMCA and Point Conception SMR).

Point Dume SMCA. Located just offshore of Malibu in Los Angeles County, the existing Point Dume SMCA currently protects nearly 16 square miles of sandy beach, rocky shoreline, and kelp forest, as well as portions of a submarine canyon extending more than 2,000 feet deep. Petitioners propose expanding the existing Point Dume SMCA to the west by 4.6 square miles, approximately a 29% expansion, to protect a portion of a large, persistent kelp bed immediately adjacent to the SMCA. This expansion would increase the amount of kelp protected by the SMCA from 1.2 linear miles to 2.9 linear miles (SeaSketch California 2026, Fig. 3). **OPC recommends that CFGC approve the proposed expansion of Point Dume SMCA**. Petitioners have also proposed an adjustment to the take allowance at Point Dume SMCA to allow additional recreational take, including a new take allowance for recreational shore-based hook-and-line fishing. **OPC recommends that CFGC deny the proposed additional take allowance at Point Dume SMCA**, as this would drop the SMCA's Level of Protection from high to moderate-low such that it would no longer serve as a replicate MPA for kelp, beach, rocky intertidal, and soft bottom habitats.

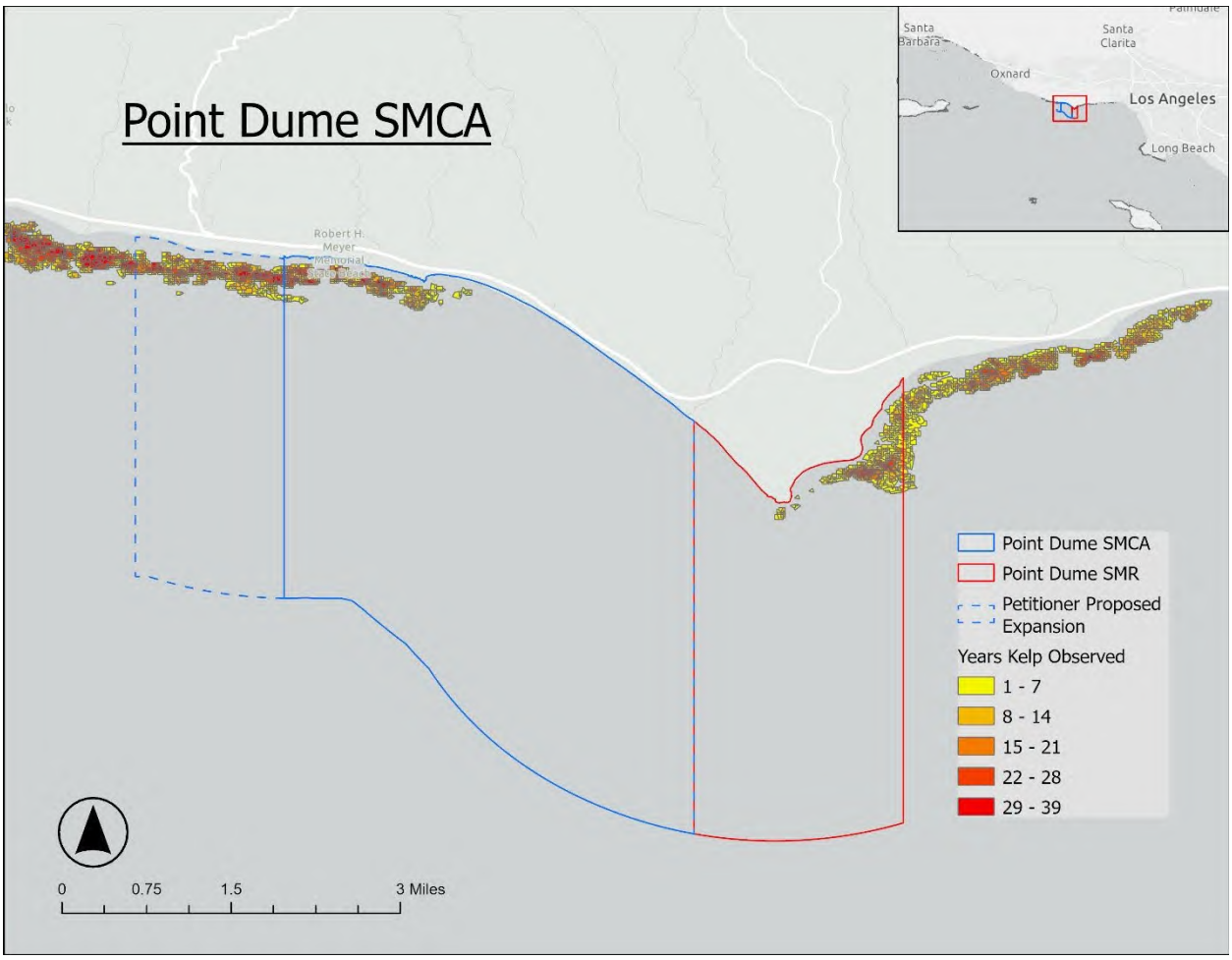


Figure 2. Point Dume SMCA and SMR, with petitioners' proposed expansion of Point Dume SMCA shown.

Point Conception SMR. Located at a major biogeographic transition zone, Point Conception SMR currently protects more than 22 square miles of rocky reefs, surfgrass beds, and kelp forests. Petitioners propose expanding the existing Point Conception SMR to the east by 14.6 square miles, which would include a very large patch of persistent kelp (Fig. 3). However, given the existing large size of this MPA, OPC finds that a smaller expansion, similar to the scale of expansion proposed for Point Dume SMCA, is more appropriate and would capture a significant portion of persistent kelp while maintaining some continued fishing access in this area. **OPC recommends that CFGC expand Point Conception SMR by shifting the eastern boundary of the SMR from the current 120° 25.000' W longitude line eastward to the 120° 23.000' W longitude line** (Fig. 3). This would expand the SMR by 7.65 square miles, approximately a 35% expansion, and increase the amount of kelp protected by the SMR from 2.27 linear miles to 4.44 linear miles (SeaSketch California 2026).

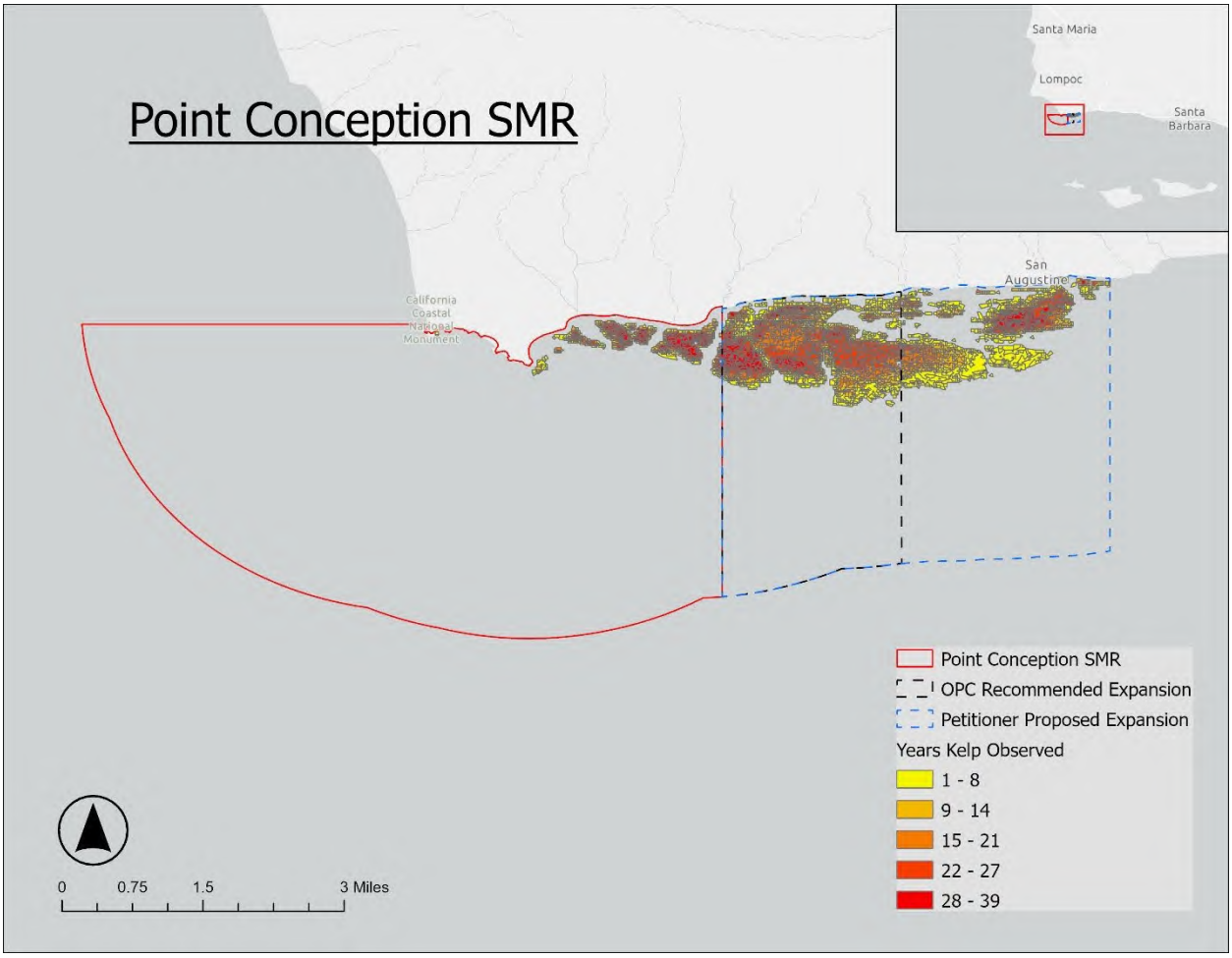


Figure 3. Point Conception SMR with petitioners' proposed expansion (blue dotted line) and OPC's recommended expansion (black dotted line) shown. OPC's recommended expansion encompasses much of the persistent kelp immediately adjacent to Point Conception SMR.

Recommendations At-a-Glance

Table 2. OPC's recommendations on all MPA petitions currently under consideration by CFGC.

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-14MPA	Nine SMCAs statewide (existing)	California Sea Urchin Commission	Allow commercial take of sea urchin in various MPAs	Deny
2023-15MPA_AM	Footprint SMR, Gull Island SMR, and Santa Barbara Island SMR (existing)	Blake Hermann	Reclassify SMRs to SMCAs to allow limited take of highly migratory species and possession of coastal pelagic species, or the take of pelagic finfish	Deny
2023-16MPA	Stewarts Point SMR and Bodega Head SMR (existing)	Bodega Bay Fisherman's Marketing Association	Reclassify SMRs to SMCAs to allow commercial take of salmon by trolling	Deny
2023-18MPA	Vandenberg SMR, Kashtayit SMCA, and San Miguel and Anacapa Island Special Closures (existing)	Ocean Conservancy	Multiple actions to modify allowed uses at several Santa Barbara Channel MPAs	Deny

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-19MPA	Chitqawi SMCA (new)	Santa Ynez Band of Chumash Indians	Add a new MPA near Morro Bay	Deny
2023-20MPA_AM1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Buchon SMCA and Point Buchon SMR (existing)	Santa Ynez Band of Chumash Indians	Add a tribal take exemption at Point Buchon SMCA, rename Point Buchon SMCA, and adjust northern boundary of Point Buchon SMR	Approve tribal take exemption and renaming; deny proposed boundary change
2023-21MPA_AM1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Pyramid Point SMCA (existing)	Tolowa Dee-ni' Nation	Remove recreational take of true smelt in Pyramid Point SMCA and adjust northern boundary of Pyramid Point SMCA	Approve proposed removal of recreational take of true smelt; deny proposed boundary change
2023-23MPA_AM1	Various MPAs in Monterey County (existing)	Giant Giant Kelp Restoration Project	Modify several regulations related to kelp restoration, including allowing urchin culling in Monterey MPAs; establish a new SMR at Tankers' Reef	Deny

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-24MPA_AM1	Laguna Beach No-Take SMCA and Dana Point SMCA (existing)	Laguna Bluebelt Coalition	Extend the southern boundary of the Laguna Beach No-Take SMCA to the southern border of Laguna Beach	Deny
2023-27MPA_AM1 (as clarified at the May 6, 2026 CFGC regional meeting)	Anacapa Island SMCA (existing)	Environmental Defense Center	Modify regulations at Anacapa Island SMCA to protect sensitive eelgrass habitats (with several options proposed)	Modify SMCA regulations to prohibit the deployment of lobster traps shallower than 50 feet
2023-28MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Sal SMCA (new)	Northern Chumash Tribal Council and Natural Resources Defense Council	Add a new MPA near Point Sal	Approve the proposed new Point Sal SMCA
2023-29MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Mishopshno SMCA (new)	Santa Ynez Band of Chumash Indians and Natural Resources Defense Council	Add a new MPA near Carpinteria	Approve the proposed new Mishopshno SMCA

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-32MPA (as clarified at the April 21, 2026 CFGC regional meeting)	Duxbury Reef SMCA (existing)	Environmental Action Committee of West Marin	Expand Duxbury Reef SMCA and modify regulations to strengthen protections for intertidal species	Designate two new SMCAs to protect the northern and southern portions of Duxbury Reef, each with take regulations that protect intertidal seaweed and invertebrates while allowing for continuation of other existing shore- and boat-based fishing
2023-33MPA_AM1	Various existing MPAs and one proposed new MPA	Environment California and Azul	Expand six existing MPAs statewide and add a new MPA in Santa Cruz	Approve proposed expansion of Point Dume SMCA, but deny proposed additional take allowance in Point Dume SMCA. Approve a smaller expansion of Point Conception SMR. Deny proposed expansion of Natural Bridges SMR, Cabrillo SMR, South Point SMR, or Gull Island SMR. Deny proposed designation of a new SMCA at Pleasure Point.
2023-34MPA	Point Buchon SMCA, Farnsworth Onshore and Offshore SMCAs (existing)	Environment California and Azul	Reclassify Point Buchon SMCA to an SMR to prohibit take; Remove all take except for recreational spearfishing in Farnsworth Onshore and Offshore SMCAs	Deny

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California Fish and Game Commission
August 12-13, 2026 Commission Meeting
MPA Petition Comments Summary
(comments received from 5:01 p.m. on June 12, 2026 through 12:00 p.m. on July 31, 2026)

Unless otherwise noted, "Department" refers to the California Department of Fish and Wildlife. "SMCA" refers to State Marine Conservation Areas; "SMR" refers to State Marine Reserves; "MPA" refers to Marine Protected Areas

Topic or MPA Petition Tracking No.	Location(s)	Support or Oppose	Date Received	Entity/Individual	Description	Number Rec'd
2023-14MPA	9 SMCAs	Support	6/17/2026	David Goldenberg, Executive Director, California Sea Urchin Commission (CSUC) (Petitioner)	In response to input at recent Commission meetings, CSUC requests modification to the version of Petition 2023-14MPA, to authorize recreational take (in addition to the previously requested commercial take) of red and purple sea urchins within the nine SMCAs identified in the petition. This change is considered to be aligned with the purpose and justifications already identified for the petition.	1
2023-15MPA_AM2	Northern Channel Islands	Support	5/22/2026	Blake Hermann (Petitioner)	The petitioner for Petition 2023-15MPA responds to concerns raised about their petition during the MPA regional meeting in Goleta. The petitioner also provides a report from the National Marine Fisheries Service (NMFS), which evaluates highly migratory species harvesting in the eastern Pacific. The petitioner highlights that the NMFS report provides insight into the ecosystem effects associated with highly migratory species removal through fishing pressure.	2
2023-19MPA_AM1	San Luis Obispo County	Oppose	6/24/2026-7/23/2026	Melodye Bullis, Lucas Green, Nicole Dorfman, Ron Reisner, Valerie Zera, Ryan Oldenkamp	Six sample letters representing eight comments from Morro Bay area residents raising concerns with Petition 2023-19MPA, "Chitqawi SMCA," including the loss of take allowances for commercial and recreational fishermen that are anticipated to have cultural and socioeconomic repercussions for the surrounding area. Other concerns regarding outreach were also raised, with claims that the surrounding Morro Bay community was not aware about this petition until recent months.	8
2023-19MPA_AM1	San Luis Obispo County	Support	7/28/2026	Sandy Lee	A Morro Bay resident supports the proposed "Chitqawi SMCA", sharing that they want to see Estero Bay thrive as nature designed.	1
2023-19MPA_AM1	New "Chitqawi SMCA" (Morro Bay)	Oppose	6/22/2026	Tom Aldrich	A Morro Bay resident and natural resource professional urges the Commission to reject Petition 2023-19MPA for the proposed "Chitqawi SMCA." They state that the proposal lacks scientific justification, undermines public access, disregards the shared history of the community, and is causing division.	1
2023-19MPA_AM1	New "Chitqawi SMCA" (Morro Bay)	Support	6/16/2026	Chairman Kenneth Kahn, Santa Ynez Band of Chumash Indians (Petitioner)	In response to input at recent Commission meetings, the petitioners for Petition 2023-19MPA express interest in adjusting their petition for a new "Chitqawi SMCA" so that it: (1) meets the scientific guidelines; (2) is sufficiently protective to satisfy protective criteria; (3) includes “tribal take” as set out in the regulations; and (4) disturbs few recreational users. The petitioners are open to Commission input on how to achieve this outcome.	1
2023-19MPA_AM1	New "Chitqawi SMCA" (Morro Bay)	Oppose	7/30/2026	Alexis Jacobs, Chair, Board of Directors, Morro Bay Chamber of Commerce	The Morro Bay Chamber of Commerce requests the Commission deny Petition 2023-19MPA or postpone consideration until economic impact analyses and meaningful outreach have been completed. The request is based on concerns raised about the petition's potential socioeconomic and cultural impacts for the Morro Bay community at large.	1
2023-19MPA_AM1	New "Chitqawi SMCA" (Morro Bay)	N/A	7/30/2026	Sylvia Marson	A Morro Bay resident requests that the Commission include the City of Morro Bay as an affected stakeholder in reciewing this petition by providing them with advanced notice of and opportunity to provide public testimony for all future Commission meetings, Tribal Committee meetings and Marine Resources Committee meetings.	1
2023-19MPA_AM1	New "Chitqawi SMCA" (Morro Bay)	Oppose	6/26/2026	Jeremiah O'Brien, Vice President, Morro Bay Commercial Fishermen's Organization	The vice president of Morro Bay Commercial Fishermen's Organization details the impacts of this petition on the commercial fishing industry if the petition were approved. They highlight this petition is part of a larger disruption to the industry caused by compounding changes to management of coastal waters and fisheries regulations.	1

Topic or MPA Petition Tracking No.	Location(s)	Support or Oppose	Date Received	Entity/Individual	Description	Number Rec'd
2023-24MPA_AM1	Laguna Beach SMCA (no-take)	Support	6/18/2026	Mike Beanan, Laguna Bluebelt Coalition (Petitioner)	The petitioner for Petition 2023-24MPA requests the Commission consider additional information in their review, highlighting public comments from the Juaneño Band of Mission Indians/Acjachemen Nation and four other Laguna community leaders, along with Reef Check survey results that support their petition.	1
2023-28MPA_AM2	New SMCA at Point Sal	Support	6/25/2026	Saule Baipsys, Outreach Coordinator, Guadalupe-Nipomo Dunes Center	Cuyama Elementary School students share their enthusiasm for marine life through mixed media artwork and written comments.	28
2023-28MPA_AM2	New SMCA at Point Sal	Oppose	6/23/2026	Carla Lalley and John Lalley	Parents of a Morro Bay commercial fisherman oppose Petition 2023-28, citing existing MPAs, the area's importance to commercial and recreational fishing, and potential economic impacts on local fishermen, businesses, and the broader community. They request the Commission reject the petition due to these concerns.	1
2023-28MPA_AM2	New SMCA at Point Sal	Oppose	7/9/2026	Jeff Dyerly	An Arroyo Grande commercial fisherman urges the Commission to reject the proposed Point Sal SMR, explaining that their family's commercial live-rockfish business depends entirely on the shallow rocky habitat within the proposed closure and would be forced to shut down if access is lost. They state that the closure is unnecessary, would unfairly harm local fishermen, and would concentrate fishing pressure into the few remaining areas available to the fleet.	1
2023-28MPA_AM2	New SMCA at Point Sal	Support	7/22/2026	Sophie Bartley, Project Manager, LegacyWorks Central Coast	A project manager at a central coast non-profit expresses strong support for establishing the proposed Point Sal MPA, emphasizing its unique biodiversity, role as a safe haven for juvenile marine species, and importance as a strategic addition to California's MPA network.	1
2023-29MPA_AM2	New "Mishpshno SMCA" in Santa Barbara Coutny	Oppose	7/21/2026	Molly Diamond	A 16-year-old Carpinteria resident urges the Commission to deny the petition to close Carpinteria Reef, emphasizing that the area is vital for their family's livelihood, community food security, and the cultural traditions of local youth. The commenter states that closing the reef would cause severe economic and emotional harm, is not supported by adequate science, and would deprive future generations of meaningful outdoor experiences.	1
2023-29MPA_AM2	New "Mishpshno SMCA" in Santa Barbara Coutny	Support with modification	7/29/2026	Supervisor Roy Lee, First District, Santa Barbara County	A Santa Barbara County Supervisor urges the Commission to modify Petition 2023-29MPA by grandfathering existing commercial fishing permits and incorporating access for the Coastal Band of the Chumash Nation, arguing that this balanced approach would protect marine resources while supporting long-standing fishing families and tribal stewardship.	1
2023-32MPA	Duxbury Reef SMCA	Oppose	7/29/2026	Brittany Hartwell	A Santa Rosa resident urges the Commission to reject the proposed redesignation of Duxbury Reef as a no-take reserve, supporting the Department's recommendation to maintain access and pursue targeted enforcement and education measures instead, arguing that responsible local anglers are not the source of ecological harm, provide stewardship and generational knowledge, and that closure would unnecessarily restrict sustainable community food access while failing to address the actual documented disturbances.	1
2023-32MPA	Duxbury Reef SMCA	Oppose	7/14/2026	Reba Meigs, West Marin Food Systems Group	The West Marin Food Systems Group urges the Commission to support the community-led Save Duxbury Adaptive Management Proposal, emphasizing that sustainable fisheries, healthy marine ecosystems, and responsible public access can coexist through shared leadership and science-based stewardship. They highlight the essential role local fishermen play in regional food security and resilience, advocating for collaborative, adaptive management rather than additional closures.	1
2023-32MPA	Duxbury Reef SMCA	Oppose	7/21/2026	Ingrid Noyes	A Novato resident urges the Commission to reject the proposed no-take reserve and any expansion of the Duxbury Reef SMCA, noting that existing protections are already robust and scientific monitoring shows no evidence of harm from current regulated use. The commenter states that the petition lacks site-specific justification, risks unnecessary impacts on coastal communities, and that the Department has already recommended denying the no-take reserve.	1

Topic or MPA Petition Tracking No.	Location(s)	Support or Oppose	Date Received	Entity/Individual	Description	Number Rec'd
2023-32MPA	Duxbury Reef SMCA	Oppose	7/29/2026	Brit Hartwell, General Manager, Palace Market and Goose & Fern	Two local food businesses, Palace Market and The Goose & Fern, strongly oppose redesignating Duxbury Reef as a no-take reserve, stating that closure would harm community food security, increase environmental impacts by shifting reliance to non-local seafood, and fails to address the actual documented disturbances, which are unrelated to hook-and-line fishing. They urge the Commission to follow the Department's recommendation against closure and pursue targeted measures that protect the reef while preserving sustainable local fishing access.	2
2023-32MPA	Duxbury Reef SMCA	Oppose	6/17/2026	Mollie Lounibos, Save Duxbury Access (SDA)	Save Duxbury Access submits a formal administrative remedy challenging the procedural and legal validity of the amended Duxbury Reef MPA petition, stating that the Commission is attempting to act on un-evaluated petition changes without required APA notice, CEQA analysis, socioeconomic review, or Master Plan-compliant stakeholder process. The group urges the Commission to deny the SMR proposal, pause any boundary expansion, and first evaluate SDA's Adaptive Management Plan as a lawful, community-supported alternative grounded in science, proper procedure, and equity.	1
2023-32MPA	Duxbury Reef SMCA	Support	7/30/2026	Isabel Dawson, Policy Associate, Environmental Action Committee of West Marin (EAC) (Petitioner)	The petitioner for Petition 2023-32MPA transmits three public comment letters supporting the Department recommendation to expand the Duxbury Reef SMCA boundaries, emphasizing that the currently unprotected intertidal areas provide critical ecological functions such as larval connectivity, climate refuge, and habitat for sensitive species.	3
2023-32MPA	Duxbury Reef SMCA	Oppose	6/18/2026	Mollie Lounibos, Save Duxbury Access (SDA)	SDA submits a response letter to a local newspaper announcement from May 11, 2026 that detailed updates to petition 2023-32MPA. SDA urges the Commission to reject or restart evaluation of the Duxbury Reef petition, arguing that EAC's evolving proposal is procedurally improper, misrepresents the Department's findings, introduces un-evaluated regulatory changes, and lacks site-specific justification and genuine community engagement. The group asks the Commission to require a new formal filing, proper notice, and full evaluation while giving meaningful consideration to community-based stewardship as an alternative pathway.	1
2023-33MPA_AM1	Cabrillo SMR	Oppose	6/12/2026	Russell Barabe	A San Digeo fishermen urges the Commission to reconsider Petition 2023-33-AM1 due to its potential economic harm to San Diego's commercial lobster fishery, stating that the proposed MPA expansion would significantly impact fishermen's livelihoods and fails to meet the Marine Life Management Act's requirement to account for financial effects on fishing communities.	1
2023-33MPA_AM1	Cabrillo SMR	Support	7/5/2026	Jim Royer	A local diver and scientist strongly supports MPA petition 2023-33 to expand the Cabrillo SMR, emphasizing the ecological importance and resilience of Point Loma's kelp forests and urges the Commission to protect these habitats to sustain healthy ecosystems and benefit coastal communities.	1
2023-33MPA_AM1	7 MPAs	Oppose	6/16/2026	Kim Selkoe, Executive Director, Commercial Fishermen of Santa Barbara (CFSB)	CFSB present new long-term scientific findings showing that kelp forest heatwave impacts and recovery patterns are driven by oceanographic thermal conditions rather than MPA boundaries, reinforcing the Department's conclusion that expanding MPAs would not improve kelp resilience. They urge the Commission to deny the petition and instead invest in targeted, science-supported restoration measures such as urchin removal and active kelp restoration.	1
2023-33MPA_AM1	South Point SMR, Santa Rosa Island	N/A	5/18/2026	Natasha Liso	A California resident with a finance background urges the Commission to require a formal economic impact assessment and clear accountability structure for mitigation before advancing the proposed Santa Rosa Island MPA expansion. They argue that the proposal is structurally incomplete, would impose significant economic harm on the local fleet and broader community, and risks permanently eroding essential fishing infrastructure and knowledge.	1
All Bin 2 MPA Petitions	all	Oppose	7/21/2026	Dietrich Von Kaenel	A sample letter representing two comments from California residents urges the Commission to reject all bin 2 MPA petitions stating the petitions lack sound scientific justification, fail to address climate-driven ocean changes, and would unnecessarily restrict access to sustainably harvested local seafood. They share that decisions should be based on evidence and consider the impacts on fishermen, consumers, and the local food system.	2

Topic or MPA Petition Tracking No.	Location(s)	Support or Oppose	Date Received	Entity/Individual	Description	Number Rec'd
All Bin 2 MPA Petitions	all	Oppose	5/18/2026	Brian Fry, Mary Rahmatulla, Joel Rahmatulla	A few California residents urge the Commission to prioritize evidence-based management and consider the impacts on consumers and local fishing communities before imposing regulatory restrictions, stating that the proposals are not supported by sound science, fail to address climate-driven ecosystem changes, and risk reducing access to responsibly harvested local seafood despite already strict regulations.	3
MPA Petitions Process	N/A	N/A	6/26/2026	Lisa Damrosch, Executive Director, Pacific Coast Federation of Fishermen's Assoc., and 9 organizations	A coalition of nine organizations representing commercial fishing interests requests the California Fish and Game Commission immediately clarify the standards, process, and agency roles used to evaluate MPA petitions, stressing the need for transparency, consistent criteria, and thorough socioeconomic analysis. They emphasize that the Commission Coastal Fishing Communities Policy requires meaningful engagement with fishing communities, making clear and consistent decision-making essential.	1
MPA Petitions Process	N/A	N/A	7/30/2026	Rikki Eriksen, PhD, Senior Scientist and Director of Marine Spatial Ecology Program, California Marine Sanctuary Foundation for 12 marine scientists	An independent group of 12 marine scientists urges the Commission to apply climate-smart MPA design and the precautionary principle in evaluating petitions, emphasizing that California's rapidly changing ocean conditions require strengthening—not weakening—MPA protections. They provide a synthesis of best available science and science-based recommendations for boosting climate resilience through refugia protection, ecological connectivity, habitat redundancy, and adaptive management.	1
2023-19MPA_AM1	Proposed "Chitqawi" SMCA	Oppose	7/9/2026	Brad Berch	A retired disabled scuba diver and lifelong fisher opposes Petition 2023-19, stating that the proposed MPA would restrict his options for access to safe fishing and diving grounds. He indicates that the proposed closure would diminish safe recreation opportunities, harm local traditions, and negatively affect businesses dependent on these activities.	1
Mulitple Petitions: 2023-19MPA, 2023-20MPA, & 2023-28MPA	Proposed "Chitqawi" SMCA; Point Buchon SMR/SMCA, and proposed SMCA	Oppose	6/21/2026	Mark Tognazzini	A Morro Bay resident urges the Commission to deny the proposed Chumash MPA petitions, arguing they lack scientific basis, would create exclusive fishing grounds for a single tribe, and would cause significant economic losses—citing substantial salmon and squid harvests from the affected Morro Bay area.	1
Mulitple Petitions: 2023-19MPA, 2023-20MPA, & 2023-28MPA	Proposed "Chitqawi" SMCA; Point Buchon SMR/SMCA, and proposed SMCA at Point Sal	Oppose	6/22/2026	Morro Bay Commercial Fishermen's Organization, Inc.	The Morro Bay Commercial Fishermen's Organization urges the Commission to reject Petition 2023-19, noting the Chitqawi SMCA was proposed without meaningful outreach and would restrict an area critical for salmon, crab, squid, and small-boat fisheries, creating safety, economic, and access impacts. They also oppose Petition 2023-20 due to its importance for nearshore small-boat fishing and concerns that tribal-only access would create division, and Petition 2023-28 because it would remove one of the few remaining reefs open to major commercial fisheries and limit safe anchoring.	1
Mulitple Petitions: 2023-19MPA, 2023-20MPA, & 2023-28MPA	Proposed "Chitqawi" SMCA; Point Buchon SMR/SMCA, and proposed SMCA	Oppose	6/23/2026	Chris Spiros	One sample letter representing two comments from a few Morro Bay area residents oppose Petitions 2023-19, 2023-20, and 2023-28, stating that the proposed Chitqawi SMCA and related MPAs would allow fishing only for the Santa Ynez Chumash, and would create significant financial impacts for Morro Bay and surrounding communities.	2
Mulitple Petitions: 2023-24MPA & 2023-33MPA_AM1	Laguna Beach SMCA (no-take)	Oppose	5/19/2026	Jeff Neubauer	A southern California resident urges the Commission to reject any MPA expansions unless there is transparent, species-specific scientific evidence demonstrating their necessity, arguing that static closures are not scientifically effective for highly migratory pelagic species and that California should evaluate existing MPAs and strengthen enforcement—particularly Automatic Identification System (AIS) compliance—before adding new restrictions.	1
Multiple Petitions: 2023-19MPA & 2023-20MPA	5 SMRs, 1 SMCA, and one "new" SMCA	Oppose	6/23/2026	Carla Lalley and John Lalley	Two residents of Los Osos urge the Commission to reject Petitions 2023-19 and 2023-20, arguing that additional MPA closures near Morro Bay would seriously harm local fishermen and cause broad economic impacts to the community.	1
Multiple Petitions: 2023-19MPA, 2023-20MPA, 2023-34MPA	San Luis Obispo County proposals	Oppose	7/27/2026	Yvonne Davis, Council Member and Enrollment Secretary, Salinan Tribe of Monterey and San Luis Obispo Counties	A descendant of Morro Bay indigenous families explains that the bay's waters are recognized as the ancestral homeland of the Salinan Peoples. They describe their family's long history of living in the area and participating in commercial fishing. Their deep connection to place, value of locally-caught seafood access, and concerns about socioeconomic impacts from the proposed changes informs their opposition to the petitions.	1

June 17, 2026

President Eric Sklar and Commissioners
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

RE: Petition 2023-14MPA – Request to Modify Proposed Regulations for Nine State Marine Conservation Areas

Dear President Sklar and Commissioners:

On behalf of the California Sea Urchin Commission (CSUC), we respectfully request modification of Petition 2023-14MPA currently under consideration as part of the Marine Protected Area Decadal Review process.

During recent Commission hearings and public testimony, Commissioners and stakeholders expressed interest in expanding the petition to include recreational participation in addition to commercial harvest opportunities. In response to that feedback, CSUC requests that Petition 2023-14MPA be modified to authorize both commercial and recreational take of red sea urchins and purple sea urchins within all nine State Marine Conservation Areas identified in the petition.

Specifically, CSUC requests that the proposed regulatory changes for Sea Lion Cove SMCA, Stewart's Point SMCA, Salt Point SMCA, Double Cone Rock SMCA, Naples SMCA, Anacapa Island SMCA, Point Dume SMCA, Point Vicente SMCA, and Swami's SMCA be revised to allow:

• Commercial harvest of red and purple sea urchins;
• Recreational harvest of red and purple sea urchins; and
• Any bag limits, seasonal restrictions, reporting requirements, gear restrictions, area-specific measures, or other conservation measures deemed appropriate by the Commission and the California Department of Fish and Wildlife.

This request does not alter the fundamental purpose of Petition 2023-14MPA. The petition remains focused on adaptive management within existing Marine Protected Areas, maintaining MPA boundaries and conservation designations while providing management tools to address widespread sea urchin barrens, support kelp forest recovery, improve ecosystem resilience, and benefit California's coastal communities.

The requested modification is consistent with the goals of the Marine Life Protection Act. Allowing regulated commercial and recreational harvest of red and purple sea urchins in the proposed State Marine Conservation Areas can contribute to the protection, maintenance, and restoration of marine ecosystems by reducing excessive grazing pressure associated with persistent sea urchin barrens and

supporting kelp forest recovery. The proposal advances adaptive management by responding to significant ecological changes that have occurred since the MPA network was established. It also supports the long-term sustainability of marine resources, provides opportunities for recreational, educational, and stewardship activities, and recognizes the important role that fishermen, divers, and local communities can play in maintaining healthy and resilient coastal ecosystems.

Recent scientific research and kelp restoration programs throughout California have increasingly recognized sea urchin removal as an important restoration tool. State-supported kelp recovery efforts, academic studies, and restoration projects have documented that reducing sea urchin densities can improve conditions for kelp recruitment and recovery in areas that have transitioned to persistent urchin barrens. Allowing regulated harvest by both commercial and recreational participants can provide a cost-effective, long-term mechanism to complement existing restoration investments while generating ecological benefits.

The Marine Life Protection Act and California's MPA Master Plan recognize adaptive management as a core principle. Ocean conditions have changed substantially since the MPA network was implemented, including significant kelp forest declines and expansion of sea urchin barrens in many regions. Allowing both commercial and recreational harvest of red and purple sea urchins in the proposed areas would provide a practical ecosystem management tool to address persistent urchin barrens, support kelp forest recovery, increase biodiversity, improve habitat quality for marine species, and advance the adaptive management objectives envisioned by the Marine Life Protection Act.

By maintaining existing MPA boundaries and conservation designations while providing targeted harvest opportunities, the proposal remains consistent with both the conservation objectives and adaptive management framework of the MLPA.

CSUC appreciates the Commission's consideration of this modification request and looks forward to continued collaboration with the Commission, California Department of Fish and Wildlife, Tribal governments, scientists, recreational users, conservation organizations, and other stakeholders throughout the decadal review process.

Respectfully submitted,

Sincerely,



David J. Goldenberg
Executive Director

FGC**@FGC**

From: Blake Hermann
Sent: Friday, May 22, 2026 9:59 AM
To: FGC
Cc: Ashcraft, Susan Miller-Henson, Melissa Newell, Caroline
Subject: Post MPA Day Comment regarding Petition2023-15MPA-AM2
Attachments: Post Goleta Meeting Comment.pdf

Hello all,

See Attached Comment regarding Petition2023-15MPA-AM2 and the feedback regarding comments of concern.

Thank you,
Blake Hermann
Petitioner 2023-15MPA-AM2

To the California Fish and Game Commission,

Following the recent California Fish and Game Commission meeting in Goleta and local discussion regarding Petition 2023-15MPA_AM, I would like to sincerely thank the Commission, Department staff, and members of the public for the opportunity to participate in the process and provide input on this proposal. I specifically appreciate the thoughtful discussion that occurred during public comments and the willingness of all parties to engage in open dialogue regarding the petition.

I also would like to acknowledge several concerns raised during public testimony regarding highly migratory species (HMS), ecosystem interactions, bycatch, and potential effects on ecological connectivity within the Northern Channel Islands MPA network. These are valid considerations and deserve careful scientific evaluation based on the best available data.

Adaptive Management

I specifically appreciated the perspectives shared by those who expressed caution regarding changes to existing SMRs. The Northern Channel Islands MPAs represent an important component of California's marine conservation framework, and any proposed modifications should be evaluated carefully and scientifically. My intent throughout this process has not been to argue against ecosystem level protection, but rather to evaluate whether the current MLPA framework allows for limited adaptive management in situations where ecosystem protection objectives may remain fully satisfied, as reflected in the DMR comprehensive recommendations list under adaptive management recommendation 4 appendix A.

It cannot be understated enough that this case cannot be any more relevant than at the Northern Channel Islands where between the Marine Reserves Working Group (MRWG) process (1999-2001), and the coastal MLPA (2008-2012), California's approach to ecosystem protection and pelagic/HMS access evolved significantly. During the MRWG process, ecosystem-level protection was largely approached through full marine reserve designations. However, through the later MLPA process and development of the Level of Protection (LOP) framework, California adopted a more refined approach, recognizing that certain forms of limited pelagic/HMS take continue to maintain ecosystem protection and connectivity objectives under a High Level of Protection (LOP).

This evolution in how ecosystem protection goals under the MLPA are evaluated is central to the question raised by the petition: if our understanding of how MPAs can meet

ecosystem protection objectives fundamentally changed following the MRWG process, is it justifiable now to revisit certain Northern Channel Islands MPAs to see if we can maintain those same protections under a High LOP designation while allowing limited pelagic/HMS access similar to MPA configurations later adopted under the MLPA LOP framework along the coast?

HMS Ecosystem Level Effects (MLPA and MPA Guide)

While concerns on trophic interactions and ecosystem effects from HMS removal are scientifically reasonable topics for consideration, as pelagic predators clearly play ecological roles within marine food webs when they are around. The petition does not seek to outright dismiss the ecological role of these species or even dismiss their role in the local ecosystem. The central question raised by the petition is not whether HMS have ecological importance, but whether the proposed changes would reduce ecosystem function or ecological connectivity below the protection thresholds defined within the MLPA framework. CDFW's own evaluation acknowledges that options retaining a "High" LOP would continue to maintain replicate status and remain within the MLPA framework's ecosystem protection goals.

This now inherently raises the question if we must maintain the no-take reserve model when, under the MLPA, limited pelagic or HMS allowed areas continue to meet said goals while granting some access back. This should be noted specifically in the context that the NCI was originally developed at a time where only no-take reserves were believed to meet ecosystem level protection goals. Since their establishment this outlook has significantly changed through the LOP framework.

This maintaining protection under a Conservation Area model stems from the fact that HMS, as their title infers, are the most transient species around, and that a vast majority are taken (fished) outside of California or even the US for that matter. A data inquiry sent to NMFS yielded catch data on HMS, specifically broadbill swordfish and tuna's displaying a clear trend. (see below)

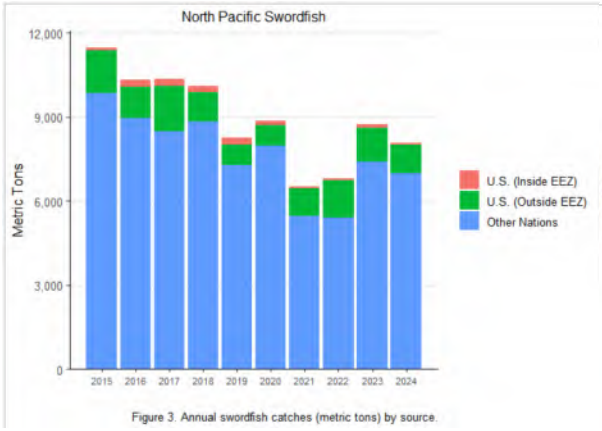


Figure 3. Annual swordfish catches (metric tons) by source.

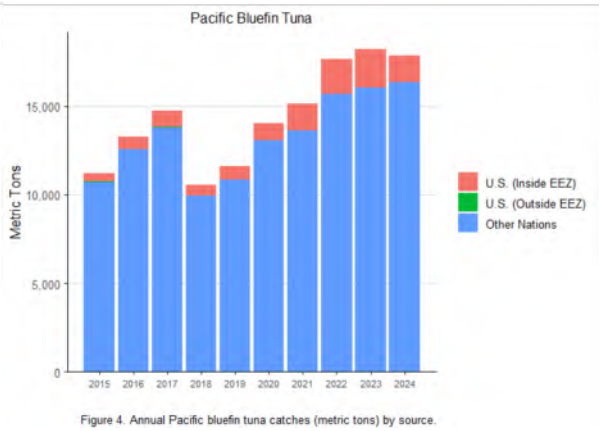


Figure 4. Annual Pacific bluefin tuna catches (metric tons) by source.

The NMFS report (attached separately) is a compilation of historic recreational and commercial catch data displaying the level of take HMS experience locally (<200nm from shore) versus beyond that range. Local levels of take are displayed in orange. As the catch data clearly suggests, a vast majority of bluefin tunas and an overwhelming majority of broadbill swordfish are taken outside of the US.

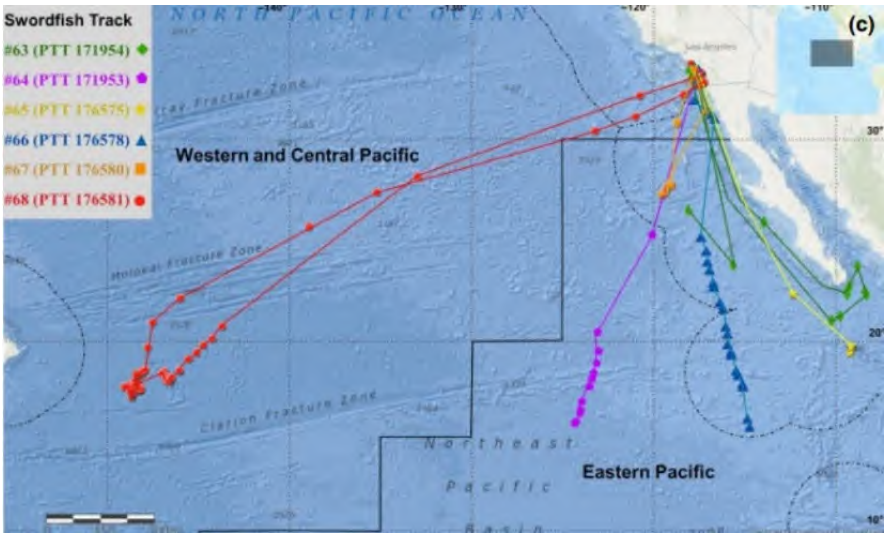
While it is understandable that this is an ecosystem centric process and not a direct fisheries management process, it is crucial to understand specifically if there are ecosystem level shifts that occur from HMS take, where those shifts actually come from as the stocks move back and forth, inside and outside the State, and the Country. The data strongly suggests, if there is any effect, the large majority of any ecosystem level effect on these areas is felt by the levels of take that are occurring while these HMS are outside of the county, and outside of the local scale ecosystem protection measures the MPA network provides.

To reiterate, all this rationale is specifically why the current MLPA LOP framework and OPC's MPA Guide reflect any pelagic or HMS level of take to retain a High LOP in an MPA, maintaining ecosystem level protection and connectivity under either framework. Any argument concerning the loss of ecosystem level protections must establish why said ecosystem protections are then lost, and why this supersedes specifically the MLPA, as well as The MPA Guide.

Highly Migratory Species Transient Nature

Several commenters noted that some HMS may exhibit more localized or repeated use of certain productive marine areas than traditionally assumed. I agree that ongoing scientific research continues to improve our understanding of HMS spatial ecology and ecosystem interactions, but it should be noted that the vast majority of HMS movement (billfish and

tunas) clearly shows why these species are called highly migratory species. Without a doubt, the leading tag data locally is conducted but the Pfleger institute (PIER), and the data displays this motion in broadbill swordfish tracking data where every individual tagged displayed a wide range of movement spanning hundreds to almost one thousand miles (see below).



Insights into the horizontal movements, migration patterns, and stock affiliation of California swordfish (Sepulvedaetal-2019)

Commercial Access Concerns

There were several comments/concerns made regarding specifically commercial fishing access. It should be noted that as submitted, only two commercial fishing take methods were presented: hook-and-line and harpoon gears. No longline type gears, trawl gear, or net gears were even proposed.

Harpoon gears in California may exclusively be used for swordfish take and swordfish take alone. It is the only commercial fishery with zero bycatch and minimal ecosystem interaction that is internationally recognized as a clean, sustainable method of take. This is why harpoon swordfish gears are allowed throughout Southern California SMCAs, as well as the ease of enforcement due to harpoon vessels being distinctly marked/shaped.

Hook-and-line gears, even commercially, mirror recreational methods aka rod-and-reel fishing. No gears can be detached from a vessel as the take methods state. For HMS, take methods even more so mirror recreational methods in forms of trolling and surface casting. Offering minimal difference in ecosystem impact compared to its recreational counterpart. This is reflected in the MLPA and MPA Guide where there was no distinction between

commercial or recreational methods (hook-and-line) concerning specifically pelagic or HMS take.

All this being said, the petition was designed/formally submitted to be extremely flexible with its option centric layout. If commercial fishing pressure remains to be a primary concern or new information comes to light showing a significantly greater impact versus recreational take of HMS, commercial take could be removed from a final accepted action.

Additional Concerns

Additional concerns regarding bycatch, seabird interactions, and fishing pressure are also important considerations. These concerns are precisely why the proposal was limited to selective pelagic methods such as spear, harpoon, and specified hook-and-line configurations intended to minimize habitat interaction and non-target impacts. While no fishery is entirely without ecological interaction, the petition's requests were designed specifically to avoid the types of impacts typically associated with degradation of bottom habitat, resident reef communities, or broader MPA ecosystem function. HMS/pelagic fishing gears in general occur offshore and away from areas where these interactions are most likely to occur. This is reflected in the High LOP classifications associated with offshore limited HMS/pelagic access under the MLPA framework.

Thank you again to the Commission, Department staff, and members of the public for the thoughtful discussion and continued engagement on this petition.

Sincerely,

Blake Hermann
Petitioner – 2023-15MPA_AM_2

FGC**@FGC**

From: Blake Hermann
Sent: Friday, May 22, 2026 10:13 AM
To: FGC
Cc: Ashcraft, Susan Miller-Henson, Melissa Newell, Caroline
Subject: HMS Ecosystem Effects Comment on Petition2023-15MPA_AM2
Attachments: HMS-by-Source Comment.pdf

Hello all,

Please see the attached comment regarding specifically Petition 2023-15MPA_AM2. It contains an unaltered, direct NMFS report utilizing ISC landing data to evaluate where key highly migratory species (HMS) are predominantly harvested throughout the eastern Pacific. The report and accompanying evaluation are intended to provide additional context for ecosystem-level discussions surrounding Petition 2023-15MPA_AM2 by comparing potential localized fishery pressure within California waters to the substantially larger international fishing pressure occurring on the same HMS stocks, as well as the relative scale of ecosystem effects associated with HMS removal through fishing pressure.

Thank you,
Blake Hermann
Petitioner-Petition2023-15MPA_AM2

To The Fish and Game Commission,

The Following data presentation was gathered and provided by NOAA's National Fisheries Marine Service (NMFS) to shed data driven light on a simple question, "How are key highly migratory species (HMS), that would be targeted primarily in HMS allowed MPAs in Southern California's Northern Channel Islands, taken globally?" Rather, what are the levels of take on these populations locally, inside US territorial waters, versus international waters?

It is understood that the MPA Adaptive Management process before us is an ecosystem focused process, not a fisheries management process. However, it must be noted that a key driver in any ecosystem level effect HMS do have on the MPA network is directly tied to the level of take that occurs on the species, regardless of where that take actually occurred. Essentially, any HMS taken that would have otherwise passed through the MPA network during its seasonal migrations creates an ecosystem level effect regardless of the actual take location (California, Hawaii, Mexico, Oregon, or in between); because, if left unobstructed, that individual could have passed through the MPA Network seasonally providing said effects. Therefore, it is reasonable to question the key "stressors" in this ecosystem level effect that removal of any HMS may have on the MPA network, posing the question: where are these species actually taken?

The report looks at three species: bluefin tuna, albacore tuna, and broadbill swordfish. These three species are the primary target HMS in southern California and would be the species most taken in any MPA that allows for that type of take as proposed by 2023-15MPA-AM2. The data displays the broad majority of commercial billfish (swordfish) and tuna (bluefin and albacore) are taken outside the US, while the stocks are in international waters. Therefore, any ecosystem level effect is primarily driven by the significantly higher level of take occurring on the species outside of our local waters. In the case of specifically swordfish, the fishery's collective impact within US waters is nearing negligible levels some years, almost invisible on the chart (report page 3). The point here being that any additional access and level of take to HMS inside of the three possible MPAs 2023-15MPA-AM2 requests would be negligible compared to the primary drivers of ecosystem level impacts that occur on our HMS.

The report on the below pages is in an unaltered form and has been previously referenced/submitted as a supporting document with past comments. However, given the nature of the discussions around Petition2023-15MPA-AM2 it is reasonable to publish this report individually for the record.

Thank you,

Blake Hermann
Petition2023-15MPA-AM2

HMS Catches by Area

NMFS West Coast Region

05 September 2025

The goal of this data summary is to compare catches of key highly migratory species (HMS) within the U.S. West Coast Exclusive Economic Zone (EEZ; meaning Federal waters offshore of California, Oregon, and Washington) to catches outside the EEZ. Catches outsize the EEZ include U.S. vessels fishing on the high seas as well as catches by foreign fleets who fish on the same stocks. Data are presented for the past ten years, 2015-2024.

The species included are North Pacific albacore, bluefin tuna, and swordfish.

The source for these data are the annual catch tables published by the International Scientific Committee for Tuna and Tuna-like Species (ISC).

This chart, which appears in the Pacific Fishery Management Council's annual HMS SAFE reports, shows total catch of each species by countries which harvest North Pacific stocks of HMS.

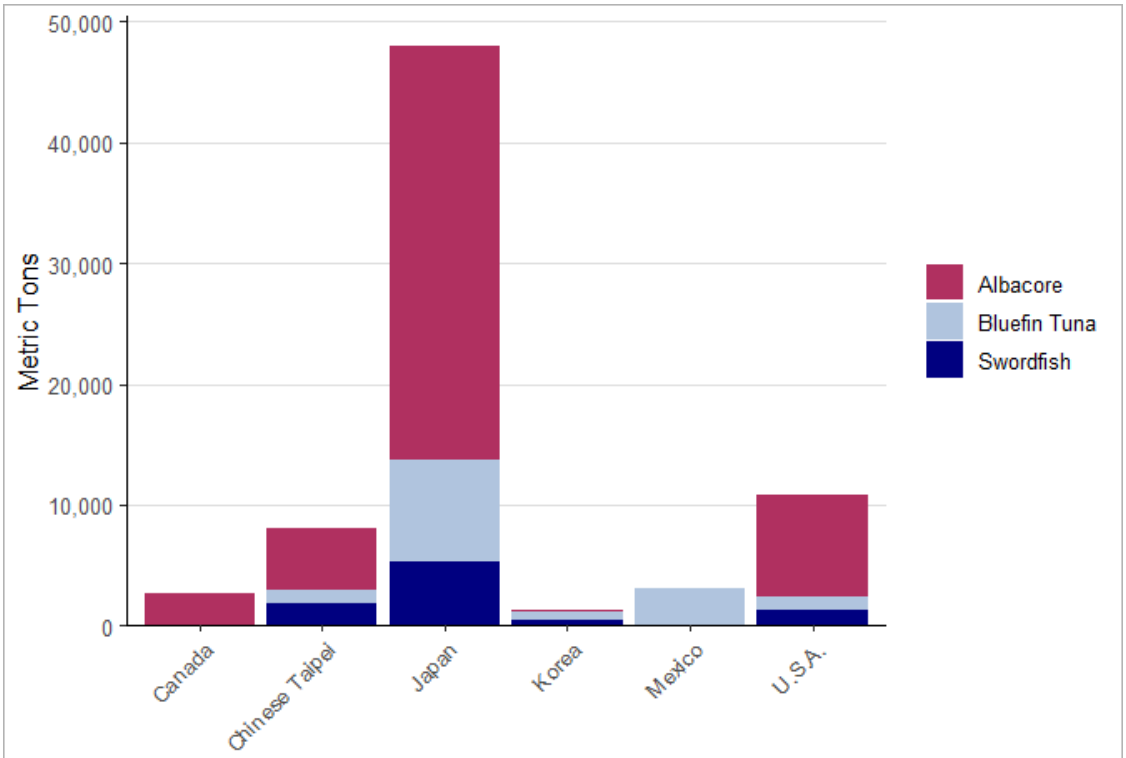


Figure 1. Annual average catch (metric tons) by species and country.

The following chart focuses on albacore, displaying catch by each country over the past 10 years. Note that in past years the U.S. and Canada have utilized a reciprocal access treaty allowing each country to fish and land in the other's EEZ. Therefore the catches by U.S.A. and Canada both may occur in the U.S. EEZ or in Canadian waters.

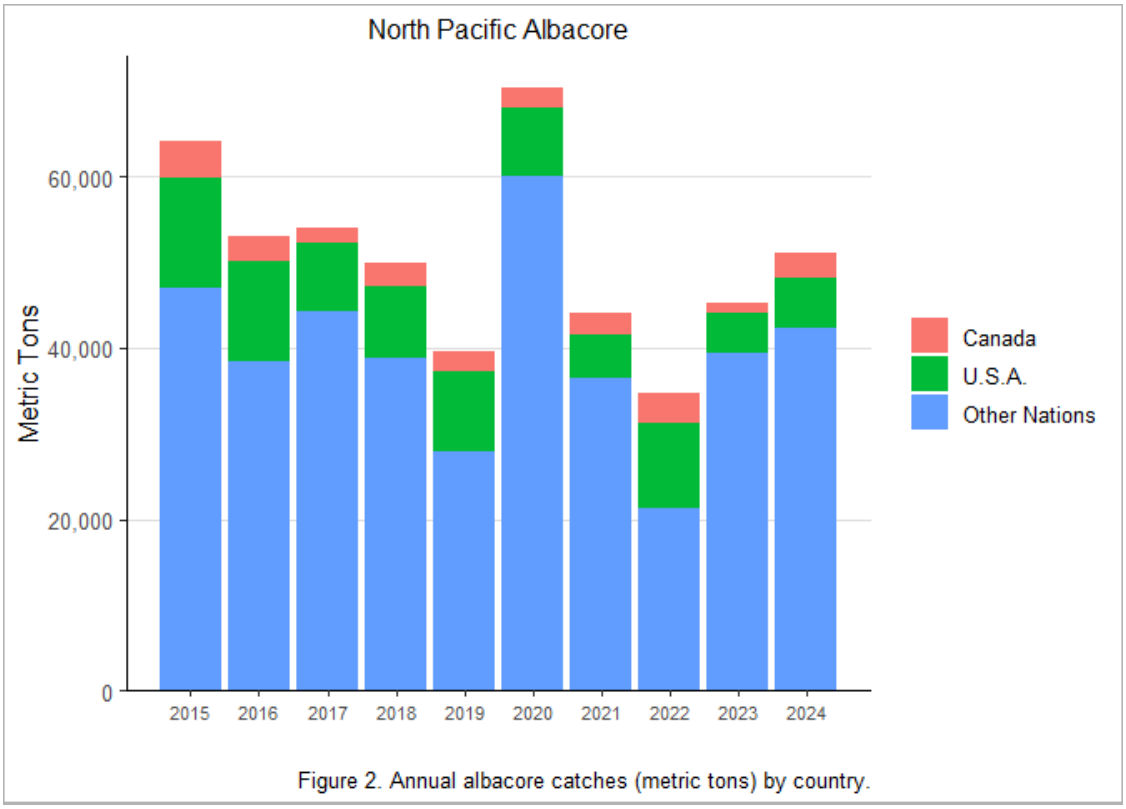


Figure 2. Annual albacore catches (metric tons) by country.

The following chart focuses on swordfish. For U.S. fisheries, longline gear fishes outsize the U.S. West Coast EEZ, while other gears (DSBG, harpoon, hook-and-line, and DGN) fish inside the EEZ.

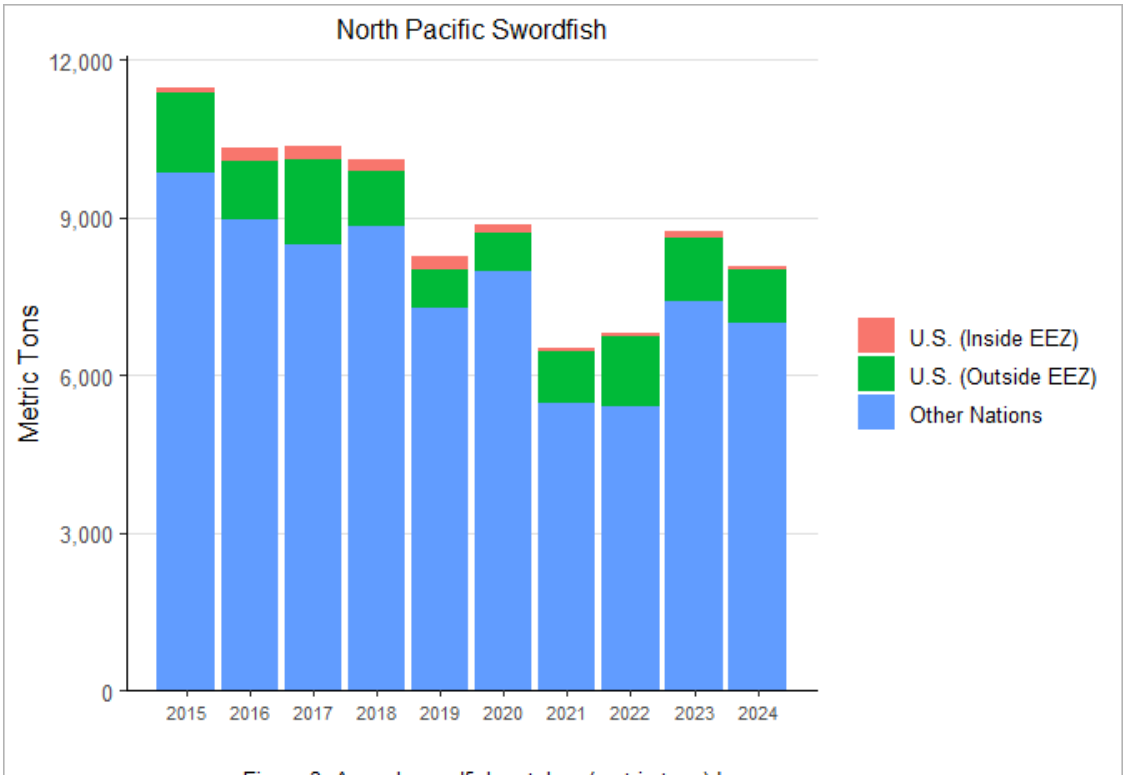


Figure 3. Annual swordfish catches (metric tons) by source.

The following chart focuses on Pacific bluefin tuna. Almost all U.S. catches of domestically caught bluefin are from gears which fish inside the EEZ (purse seine, hook-and-line, and DGN). Also included are sport fishing catches by U.S. recreational boats, which comprise the majority of U.S. bluefin catch in recent years. A small amount of bluefin is also caught incidentally by longliners fishing outside the EEZ.

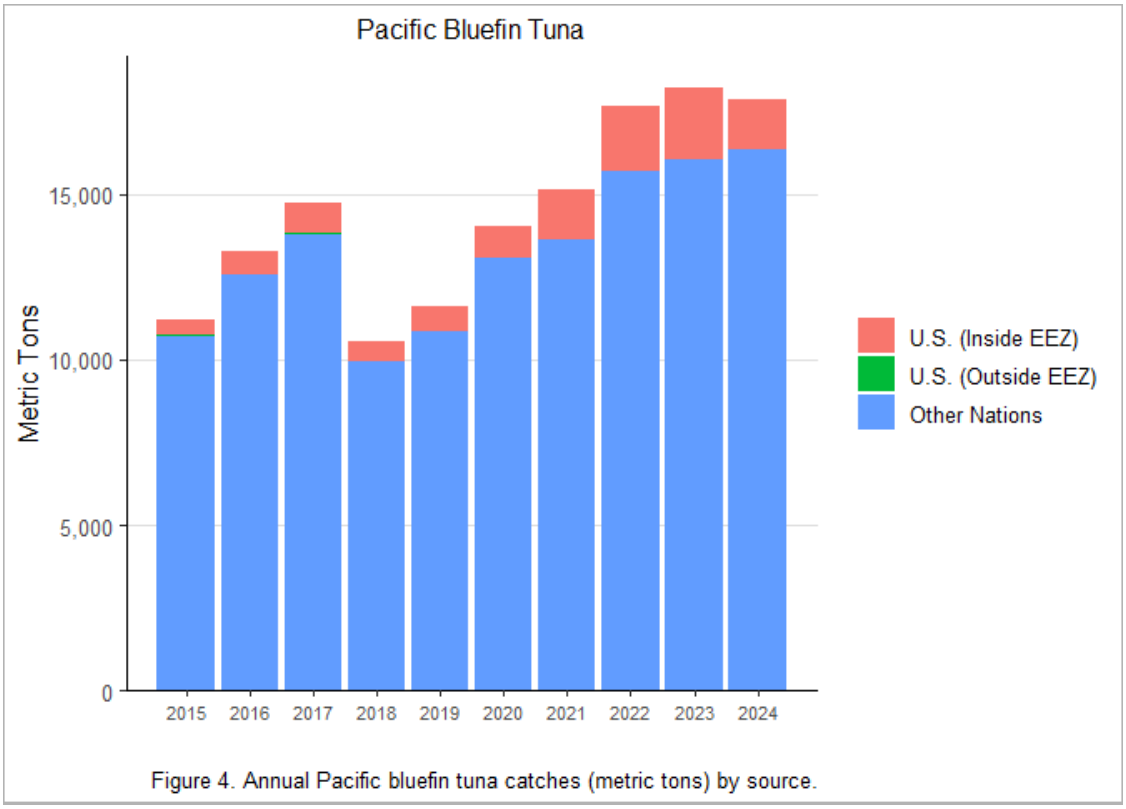


Figure 4. Annual Pacific bluefin tuna catches (metric tons) by source.

Everything in this summary should be cited as follows:

International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC). 2024 annual catch tables. Available from: https://isc.fra.go.jp/fisheries_statistics/index.html. Accessed on: September 2, 2025. Data summary and visualization provided by National Marine Fisheries Service (NMFS) West Coast Region staff. All data are subject to updates and corrections.

FGC**@FGC**

From: Mel B
Sent: Wednesday, June 24, 2026 12:49 PM
To: FGC
Subject: 2023-19 Oppose

June 24, 2026

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090

fgc@fgc.ca.gov

Dear Fish and Wildlife Commissioners:

I would like to oppose the proposed Petition 2023-19 Chitqawi SMCA by Morro Rock for the following reasons:

The petition removes all take allowance in an area used by both commercial and recreational fishermen, allowing only the Santa Ynez Chumash Band of Chumash Indians access.

In this day of divisiveness in our state, the removal of access of all users for one specific group is the opposite of inclusiveness and possibly leading to serious animosity towards the SYBCI as well as other tribes.

Taking away access from the local commercial and recreational fleet will have serious socioeconomic repercussions on a town that is known as a “fishing village”. This would impact hotels, marine supply stores, recreational fishing companies, private and public campgrounds, individual recreational fishermen, the only remaining fuel dock, ice plant, fish buyers as well as the commercial fishing fleet statewide. The proposed area is an important area fished for dungeness crab, rock crab, halibut, salmon and squid to name a few species. It is a well known rock cod area for the sport fishing fleet.

The lack of public engagement is a serious problem. The main stakeholders were not notified in any manner. Our Mayor and Harbor Director had no knowledge of something that has the serious potential to negatively impact the City of Morro Bay’s financial situation. The commercial fleet had no knowledge of the proposed MPA until late May 2026. The Salinan Indian Tribe had no knowledge until late June 2026.

Thank you for your attention.

Sincerely,
Melodye Bullis
Morro Bay resident since 2013

FGC**@FGC**

From: Lucas Green
Sent: Thursday, July 9, 2026 9:29 PM
To: FGC
Subject: Public Comment: Opposition to MPA Petition 2023-19MPA (and/or Petition 2023-33MPA)

Categories: Exhibit

To whom it may concern,

I am a local morro bay resident and frequently fish the area from the rock to dog beach, recreationally. Fishing is a family tradition and I have invested and built roots into a community where I can raise my son in the same tradition.

Coincidently I grew up in Santa Ynez and have always respected the Chumash reservation. To be honest my best childhood friend's Dad was the previous Chief, and I have always supported them to have their land, and to move outside out of it and participate in the culture we all live in. We now all live here together and it's our country.

It is not right to take away our ability to fish in Morro Bay. You all have been doing a good job managing our fishery and will continue to do so. But to remove our right to fish in our own community would be devastating.

I am investing in my community and future in Morro Bay. We are purchasing a home and expecting our first son. There are other places and MPA's that can protect our wildlife. This will crush the local economy.

I studied socal cultural anthropology in school. Chumash is one of 52 language groups in California. However before other people came, they did not consider themselves the same group. Villages attacked each other constantly. To have a reservation 80 miles away claim our fishing grounds for themselves makes no sense.

Thank you for your consideration

Lucas Green

FGC**@FGC**

From: Nicole Dorfman
Sent: Tuesday, July 14, 2026 9:31 AM
To: FGC
Subject: Please reject Chitqawi SMCA

Categories: Exhibit

Dear Ms. Miller-Henson,
The area proposed for this SMCA is vital for Morro Bay's economy and culture. It has long been utilized for commercial and recreational fishing and must not be taken away. Furthermore, denying access to any take EXCEPT for members of one tribal group is unacceptable and discriminatory. This area must be saved for use by ALL people who wish to fish. There is no compelling reason to take it away from what it always has been.

Thank you for your serious consideration of this important matter.
Sincerely,
Nicole Dorfman
Morro Bay

--
Nicole Dorfman | Secretary
Website | REACTalliance.org

FGC**@FGC**

From: Ron Reisner
Sent: Thursday, July 23, 2026 6:45 PM
To: FGC
Subject: Public Comment: Opposition to MPA Petition 2023-19MPA

Categories: Exhibit

I am a 20+ year full time resident of Morro Bay, California. I am adamantly opposed to MPA Petition 2023-19MPA.

The proposed MPA would have a serious negative effect on the economy of Morro Bay, most particularly the commercial fishing industry, the recreational fishing industry, and the tourism industries - all of which are significant contributors to the Morro Bay economy and the City's General Fund (which provides the services and infrastructure Morro Bay citizens rely on).

Further, the Chumash were previously granted the Chumash Heritage National Marine Sanctuary, which comprises 4,543 square miles of coastal and ocean waters off the Central California coast, to include 116 miles of coast line.

Enough is enough.

Ron Reisner
[redacted] Morro Bay, CA

FGC**@FGC**

From: Valerie Zera
Sent: Tuesday, July 28, 2026 1:55 PM
To: FGC
Cc:
Subject: OPPOSITION to the proposed Petition 2023-19 Chitqawi SMCA

July 28, 2026

Valerie Zera
Los Osos, CA

Melissa Miller-Henson
Executive Director
California Fish and Wildlife Commission

P.O. Box 944209
Sacramento, CA 94244-2090

Dear Fish and Wildlife Commissioners:

As a resident on the southern edge of Morro Bay in the town of Los Osos, I am submitting my strong opposition to the proposed Petition 2023-19 Chitqawi SMCA to the north side of Morro Rock.

Removing all take allowance in an area used by both commercial and recreational fishermen, and permitting only the Santa Ynez Chumash Band of Chumash Indians access will severely harm the Morro Bay economy, which is primarily generated by tourism.

Visitors to Morro Bay, famous as being a fishing port village, expect the ready availability of fresh, locally wild caught seafood in our restaurants and seafood markets. Large numbers of tourists also enjoy fishing from the shore, from small watercraft and from locally based fishing charters taking them for either shallow water or deep sea fishing adventures. Others travel here specifically to dive in local waters, to both admire the ocean bottom & to acquire fresh seafood.

The proposed Chitqawi SMCA would deprive both locals and tourists of the seafood species that are typically fished here including Dungeness crab, rock crab, halibut, salmon and squid. It is an especially well known rock cod area for the sport fishing fleet. People retire to Morro Bay (and other nearby) areas for the widely available outdoor activities, including fishing. Morro Bay is a tiny seaside city encompassing about 5.3 square miles. The proposed SMCA would be an out-of-proportion 3 square miles!

I respect the cultural heritage of California's Native American tribes, but am concerned that the proposed Chitqawi SMCA destroys the access rights of the general public in favor of a small select group. This is much like wealthy seaside landowners wishing to keep the public off "their" beaches. I firmly believe that the proposal constitutes a betrayal of the precepts of public trust, statutory authority, equal treatment, and transparency. California's marine resources belong to all Californians and should be managed under principles of equal access, sound science, and transparent public oversight.

The proposed Chitqawi SMCA will also lower the availability of fresh, wild caught seafood to our local residents at a time when the importance of this low fat source of protein is being pushed forward to the public. This is especially true for our local population's largest age group, about one-third of the total, which are individuals aged 65 and over. The Mediterranean Diet is currently the most popularly followed diet in the United States, and emphasizes the use of fresh seafood as the primary source of protein (over red meats).

Thank you for considering my input opposing the proposed Chitqawi SMCA, in
support of continued public and commercial access along all of Morro Bay and its surrounding seas.

Yours truly,

Valerie Zera

cc: Carla Wixom, Mayor of Morro Bay cwixom@morrobayca.gov
Chris Munson, Morro Bay Harbor Director cmunson@morrobayca.gov
Bruce Gibson, San Luis Obispo County Supervisor District 2
bgibson@co.slo.ca.us
Dawn Addis, State Assembly District 30

Assemblymember.Addis@assembly.ca.gov
John Laird, State Senate District 17 senator.laird@senate.ca.gov
Salud O. Carbajal, Representative 24th district of California to Congress

https://carbajal.house.gov/contact/
Alex Padilla, U.S. Senator for California
https://www.padilla.senate.gov/contact/contact-form/
Adam Schiff, U.S. Senator for California
https://www.schiff.senate.gov/contact/get-in-touch/

FGC**@FGC**

From: Ryan Oldenkamp
Sent: Thursday, July 9, 2026 10:24 AM
To: FGC
Subject: Opposition to MPA Petition 2023-19MPA (and/or petition 2023-33MPA)

My name is Ryan Oldenkamp, I am a 41 year old outdoorsman, fisherman, local business owner, and father of two children who grew up exploring the same coastline and hold the same love and passion for the coast that I do. My entire family are lifetime residence of the central coast. If you restrict access for us it would greatly impact our lives in more ways than you, could you imagine.

No longer we will be able to spend our weekends poke pulling the jetty or surrounding rock piles for eel or grass bass, no longer will my children be able to learn life lessons like determining if the tide is coming or going, how many hours they have left before the sun sets or the tide makes an area inaccessible, what time of the year the spawning sand crabs are thick as a blanket under your feet when surfcasting. No longer we will be able to enjoy kayaking the kelp beds for rock cod and halibut, no longer we will be able to cook a fresh catch on the shore while enjoying a sunset. No longer will be able to explore tide pools and the true beauty that hides in them on a negative tide. No longer we will be able to have soul touching heart to heart conversations that only come up between a boy and his dad when casting a rod repeatedly. You see this is not just a piece of coast to me and family, it is our lives, it is heartbeat, it is our escape from a world that is glued to their devices and that doesn't hold the same values as we do. If you take this away I am worried that our family will not only lose all of this, but we will lose what connects us and hold us together as a family. Without this coastline to escape to I guess we can look at the photos we took of its beauty over the last 40 years for memories, however we would just be staring at the phone screen and not emersed in its beauty, but maybe that's what the world wants after all? Maybe you do to? Please ask yourself is this what you want for us and for many others who hold the same values?

Ryan Oldenkamp
Project Manager
Simons Construction INC.

From: Sandra Lee <[redacted]>
Sent: Tuesday, July 28, 2026 7:20 AM
To: FGC
Subject: State Marine Protected Area(MPA) in Estero Bay 20230-19MPA

[redacted]

California Fish and Game Commission
Executive Director, Melissa Miller-Henson,

I support the proposed State Marine Protected Area(MPA) in Estero Bay 20230-19MPA. I live and work in Morro Bay and want to see the beautiful Estero Bay thrive as nature designed. Please vote yes on the proposal.

SANDY LEE
[redacted]
Morro Bay, CA 93442

Tom Aldrich
[redacted]
Morro Bay, CA [redacted]

June 22, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Subject: Opposition to Petition 2023-19MPA - Proposed Chitqawi SMCA

Dear Commissioners,

I submit these comments as a Morro Bay resident and a natural-resource professional with more than 27 years of experience in upper-level wildlife and habitat management. I was educated in the University of California system, earning a B.S. in Wildlife Biology and an M.S. in Ecology, and spent my career working on complex conservation issues, including the regulation of harvest for nationally shared migratory bird populations. My background has taught me the importance of science-based decision-making, transparent public processes, and policies that strengthen -- rather than divide -- the communities that depend on natural resources.

I am writing to express my strong opposition to Petition 2023-19MPA, the proposal to establish the "Chitqawi State Marine Conservation Area" off Morro Bay.

My concerns fall into four major categories: public access, historical community use, lack of demonstrated biological need, and the divisive nature of the proposal.

1. Public Trust Resources Must Remain Accessible to All Californians

The coastline and nearshore waters off Morro Bay are public trust resources, managed for the benefit of the entire public. Generations of residents -- commercial fishermen, recreational anglers, families, divers, surfers, and visitors -- rely on this area for access, food, recreation, and cultural connection.

Creating a new MPA that restricts public use while granting a special exemption to a single group undermines the long-standing principle that public waters must remain open and equally accessible to everyone.

2. The Area Has Deep Historical Importance to the Whole Community

Morro Bay's nearshore waters have supported centuries of shared use:

- Commercial fishing that built the town's economy
- Recreational fishing and boating central to local culture
- Community events, harbor activities, and tourism
- Multi-generational family traditions tied to these waters

This proposal reframes a widely shared public space as belonging primarily to one group, despite the fact that the entire community has historical, cultural, and economic ties to this coastline.

3. No Biological or Ecological Justification Has Been Presented

After reviewing the petition and supporting materials, I see no scientific evidence that:

- Fish stocks in the proposed area are depleted
- Harvest pressure is unsustainable
- Existing MPAs are insufficient
- Additional restrictions would provide measurable ecological benefit

California already has one of the most comprehensive MPA networks in the world, created through a rigorous, science-driven process. Any new MPA should require clear, peer-reviewed biological justification -- which is absent here.

Creating a new MPA without demonstrated ecological need sets a troubling precedent and risks undermining public trust in the MPA system.

4. The Proposal Is Socially Divisive and Harmful to Community Cohesion

This petition has already created significant division within the Morro Bay community. Many residents feel blindsided by a proposal that:

- Was not developed through broad community engagement
- Grants exclusive access to one group while restricting others
- Reopens past conflicts over access and identity
- Risks pitting neighbor against neighbor

Marine policy should unify communities, not fracture them.

5. Additional Concerns

- Precedent: Approving a new MPA without biological need opens the door to future petitions based on social or political arguments rather than science.
- Economic impacts: Even small closures affect charter boats, tackle shops, tourism, and working waterfront businesses.

- Process integrity: The MPA network was created through years of public meetings, scientific review, and stakeholder negotiation. A petition-driven shortcut circumvents that process.
- Equity: Public waters should not be managed in a way that creates unequal access among Californians.

Conclusion

For these reasons, I respectfully urge the Commission to reject Petition 2023-19MPA. The proposal lacks scientific justification, undermines public access, disregards the shared history of the entire community, and is already causing unnecessary division.

Thank you for considering my comments.

Sincerely,

Tom Aldrich

FGC**@FGC**

From: natalie@nashobaconsultingllc.com
Sent: Tuesday, June 16, 2026 12:44 PM
To: FGC
Cc: Nakia Lent; Eckerle, Jenn@CNRA; Esgro, Michael@CNRA
Subject: Letter from Chairman Kahn re MPA proposal
Attachments: CA FGC - MPA Petition 2023-19MPA - 2026-06.16.pdf

Hello Commissioners –

Please see the attached letter from Chairman Kenneth Kahn, Santa Ynez Band of Chumash Indians. The Tribe would like to discuss accommodating users like those who testified in the May 5 meeting. Since MPAs are not on this week's agenda (except possibly public comment on items 3 and 27) the Tribe will not be present at this week's FGC meeting, but we will follow up with you as well as CNRA and CDFW to discuss this proposal.

Please note there is one error in the letter, Nakia Zavalla's email has two "l"s in it as cc'd here.

Please reach out with any questions.

Thank you,
Natalie

Natalie Landreth
Nashoba Consulting, LLC
natalie@nashobaconsultingllc.com
907-360-3423

NASHOBA CONSULTING

SANTA YNEZ BAND OF CHUMASH INDIANS

P.O. BOX 517 · SANTA YNEZ · CA · 93460

Tel: 805.688.7997 · Fax: 805.686.9578

www.chumash.gov

June 16, 2026

BY EMAIL TO: fgc@fgc.ca.gov

California Fish and Game Commission
715 P Street, 16th Floor
Sacramento, CA 95814

Re: MPA petition 2023-19MPA (Chitqawi)

The Santa Ynez Band of Chumash Indians would like to thank you for your ongoing work on the Marine Protected Area (MPA) petitions. We recognize this process takes several years and many meetings and we thank you for your service on the Fish and Game Commission throughout this process.

We presented on the above-captioned petition (Chitqawi) at the public meeting on May 5, 2026. The following day, the Commissioners indicated we are in "a solution space" for the MPA petitions. We are pleased to hear this as we were under the impression at various times that: (1) petitions could not be amended, (2) we had to keep to the original intent of the petition as filed in 2023, (3) onshore fishing rendered an application "low protection," and (4) low or moderate protection areas would likely not be accepted as MPAs, even though MPAs have varying levels of protection and some even have commercial fishing. Because of this information gleaned from various meetings, the Tribe felt constrained in the current petition process even though the Tribe itself is somewhat flexible in its approach.

Give the posture of the current petitions, and notwithstanding the petition as filed in 2023, the Tribe would like to find a way to adjust the petition so that it: (1) meets the scientific guidelines; (2) is sufficiently protective to satisfy protective criteria; (3) includes "tribal take" as set out in the regulations; and (4) disturbs few recreational users. We are open as to how the Commission would like to address this specifically, but we would agree, for example, to add to this petition recreational openings to address the public comments on May 5th. However, in doing so, we would want to be sure that the petition is still considered sufficiently protective to be considered as an MPA.

Chitqawi is unique and important for its natural and cultural resources for the many reasons outlined in the May 5 presentation. However, we would like to work with you to protect this special area while also striking a balance that meets the goals of the MPA network and allows residents recreational harvest.

To follow up on this, please contact our representatives in this matter, Nakia Zavalla (nzavala@chumash.gov) and Natalie Landreth (natalie@nashobaconsultingllc.com).

Thank you,

Kenneth Kahn
Chairman
Santa Ynez Band of Chumash Indians

FGC@FGC

From: Tina Clark
Sent: Thursday, July 30, 2026 9:41 AM
To: FGC
Subject: Opposition to Petititon 2023-19
Attachments: MPA-letter.pdf

Dear Ms. Miller-Henson,

Attached, please find a letter from the Morro Bay Chamber of Commerce in opposition to Petition 2023-19.

Thank you,

Tina

--
Tina Clark
Chief Executive Officer
Morro Bay Chamber of Commerce
Mobile: 805.305.0246
Office: 805.772.4467

MORRO BAY
CHAMBER OF COMMERCE

July 22, 2026

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Re: Opposition to Petition 2023-19 – Chitqawi State Marine Conservation Area

Dear Fish and Wildlife Commissioners:

The Morro Bay Chamber of Commerce respectfully opposes Petition 2023-19, which proposes creating the Chitqawi State Marine Conservation Area adjacent to Morro Rock.

The Morro Bay Chamber of Commerce is dedicated to promoting a strong local economy and supporting the businesses that make our community thrive. Morro Bay's working waterfront is not only an important part of our history and identity, but it also remains a vital economic engine that supports jobs, tourism, recreation, and small businesses throughout the region. Any proposal that significantly affects access to our coastal waters deserves broad public participation, careful economic analysis, and thoughtful consideration of all stakeholders.

The proposed petition would prohibit commercial and recreational fishing activities within the designated area while allowing access solely to the Santa Ynez Chumash Band of Chumash Indians. While we recognize and respect the cultural significance of traditional tribal practices and support efforts to preserve California's cultural heritage, we are concerned that limiting access for all other user groups raises important questions about equity, public access, and the long-term impacts on the broader community.

Morro Bay has long been recognized as one of California's historic fishing communities. The commercial fishing industry and recreational fishing opportunities are deeply woven into the fabric of our local economy. Restricting access to this important fishing area would have consequences extending far beyond individual fishermen. Local hotels, restaurants, marine supply businesses, charter fishing operators, public and private campgrounds, fuel suppliers, the community's only remaining fuel dock, the local ice plant, fish buyers, seafood processors, and numerous other small businesses all benefit from a healthy working waterfront. These businesses, in turn, support local employment and generate significant economic activity throughout San Luis Obispo County.

The area identified in the petition is an important fishing ground for Dungeness crab, rock crab, halibut, salmon, squid, and other commercially valuable species. It is also a well-known recreational fishing area utilized by sportfishing vessels and individual anglers. Reducing access to these waters would have measurable economic consequences for businesses that depend on both commercial and recreational fishing.

Equally concerning is the apparent lack of meaningful public outreach surrounding this proposal. Based on information shared with our organization, many of the primary stakeholders were unaware of the petition until very recently. Local commercial fishermen, recreational fishing interests, City leadership, and other community organizations were not provided adequate notice or opportunity to engage in discussions before the proposal advanced. Given the potential economic implications for Morro Bay, this level of outreach falls well short of what should be expected for a proposal of this magnitude.

The Chamber believes that public policy affecting coastal access and local economies should be developed through an open, transparent process that includes all affected parties. Decisions with potentially significant economic consequences should be informed by comprehensive data-driven socioeconomic analysis, as well as robust stakeholder engagement, prior to the State's continued consideration of establishing such an exclusionary zone in and around the waters of Morro Bay.

We respectfully request that the California Fish and Wildlife Commission deny Petition 2023-19, or at a minimum, postpone consideration until a thorough economic impact analysis has been completed and meaningful outreach has been conducted with the commercial fishing industry, recreational users, local governments, tribal representatives, business organizations, and the broader Morro Bay community.

Thank you for your consideration of our comments and for your commitment to ensuring a fair and transparent public process. We appreciate your service and respectfully ask that the concerns of Morro Bay's business community be given careful consideration.

Sincerely,



Alexis Jacobs, Chair, Board of Directors
Morro Bay Chamber of Commerce

July 30, 2026

California Fish and Game Commission
715 P Street, 16th floor
Sacramento, CA 95814
Email: fgc@fgc.ca.gov

Subject: MPA No:2023-19MPA

Dear Honorable Fish and Game Commission,

Please include the City of Morro Bay as an affected stakeholder in reviewing the proposed MPA. Please provide advanced notice of, and opportunity to provide public testimony at all future Commission meetings, Tribal Committee meetings and Marine Resources Committee meetings. The City of Morro Bay is a current and historical fishing village that must be included in any activities or decisions that impact the livelihood of the town and its residents. To limit decisions to the Chumash is discriminatory to the long- time residents of coastal towns along the central coast. The city must be afforded an opportunity to submit written comment and participate in any environmental economic review process regarding fishing and marine protected areas. The city and its residents are very concerned about overfishing and damaging the environment.

Thank you for your attention to this matter. Your consideration in this matter is appreciated.

Sincerely,

Sylvia Marson
Morro Bay, CA

cc: council@morrobayca.gov

June 26, 2026

California Fish and Wildlife Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Dear Commissioners:

We are writing this letter in hopes you will reject Petition 2023-19 from the Santa Ynez Band of Chumash Indians. Their ask for their own Marine Protected Area (MPA) without any science or public input is just a move to take more ocean for themselves at the exclusion of California's state commercial fisheries.

The fisheries have worked with MPAs since they were established in California. These areas were scientifically designed and established throughout the State of California and at that time determined to satisfy the sciences driving MPAs forward.

The commercial fishing industry in California have already suffered the loss of grounds to MPAs, RCAs, Exclusion Zones, depth restrictions, and the possibility of losing miles and miles of productive ocean to wind farms.

As these things mount up we find ourselves having to travel further and further from home to work. This causes a great deal of added expense to the commercial fishermen and also the burning of additional diesel fuel to reach an area that we can fish in.

This, of course, adds a great deal to our carbon footprint, the time it takes to travel extra miles, and the continued concentration of fishermen in smaller and smaller areas. Fishermen will soon be fishing on top of each other devastating the grounds they are working in as those grounds become fewer and far between.

In conclusion, please consider the fishing industry as we seem to have been losing area now for about 25 or 30 years. Please put a stop to this policy before there is nothing left.

Sincerely,

Jeremiah O'Brien, Vice-president of Morro Bay Commercial Fishermen's Organization

FGC**@FGC**

From: Mike Beanan
Sent: Thursday, June 18, 2026 11:47 AM
To: FGC
Cc: mike@lagunabluebelt.org
Subject: Petition 2023-24-R
Attachments: DFG 06182026.docx

Commissioners and Staff,

Thank you for the opportunity to update the Fish and Game Commission in regard to the need to restore and protect the reef system in South Laguna. As you evaluate the Laguna Bluebelt Petition, we request that you consider the additional information presented in the attached documents.

Please note the multiple Public Comments from tribal and community leaders. The attached Reef Check Survey results and video compare MPA sea life abundance inside Laguna Beach's fully protected MPAs and the adjacent degraded kelp reef in the petition area.

According to the general recommendations of the Science Advisory Team, protecting all of Laguna Beach's marine life will strengthen the overall Southern California MPA network and reflect the adaptive management goals of the MLPA.

Respectfully submitted,

Mike Beanan Petitioner for
the Laguna Bluebelt Coalition

Fish & Game Commission, State of California
Commissioners Skylar, Anderson, Zavaleta, Murray, Hostler-Carmesin,
P.O. Box 944209 Sacramento, CA 94244-2090

June 18, 2026

ATTN: Melissa Miller-Henson Director
Via Mail and Email: FGC@FGC.CA.GOV

Re: Laguna Bluebelt Coalition MPA Petition 2023-24 – R

Commissioners and Staff,

We appreciate the Fish and Game Commission's important role in evaluating the Marine Protected Area Petitions and strongly encourage you to include the recent Reef Check Survey of South Laguna's reef area in your deliberations. Given the current pressure on marine life throughout California, protecting all of Laguna Beach's essential fish habitats and kelp forests reflects the goals of the Marine Life Protection Act for adaptive management during the decadal review and increase the functionality of the South Laguna reef system to benefit the regional MPA network and fishery.

In January of this year, the Reef Check Foundation, internationally recognized by the United Nations, found reefs just outside of the MPA in the petition area had only a few strands of remnant kelp lacking Sheepshead and surrounded by sea urchins while within Laguna Beach's MPAs kelp forests were thriving.

The Sea Sketch program has also mapped the degraded kelp reef off of South Laguna suffering from decades of fishing pressure. Lobster traps on the rocky substate likely entangle and remove kelp while commercial and recreational fishing targets Sheepshead – a keystone predator of sea urchins grazing on remnant kelp.

A Sea Grant study reports that the strength of an MPA's impact depends on the intensity of fishing outside the MPAs. In areas where there is less pressure from fishing, there is more biomass located both inside and outside the MPA. Where fishing pressure is higher, there is a larger difference between the biomass of the protected fish inside the MPA and those impacted by fishing pressure outside of the MPA boundaries. The Reef Check Survey confirms these findings to support protecting South Laguna's kelp reefs

with reduced biomass now due to an increase of recorded fishing pressure since establishment of Laguna's fully protected MPAs in 2012.

Laguna Beach is the only fully protected MPA along the 120 miles of Southern California coastline from Palos Verdes to La Jolla. At only 9.1 square miles, it was determined by the Science Advisory Team to be the minimum size for success. Adding Laguna Beach's last mile will advance protection closer to the preferred size as recommended by SAT.

Integrating sound science, the Reef Check data and Sea Sketch map of kelp substrate supports adaptive management policies of the Marine Life Protection Act. Additionally, the recent Smithsonian report "Closing the Implementation Gap: Capacity Development for Effective Marine 30 x 30" recommends seven capacity features achieved within Laguna's MPAs policies and programs but more needs to be done.

You might ask, what makes Laguna Beach's MPAs so successful and able to restore South Laguna reefs?

Most importantly residents, citizen scientists and visitors are excited and proud of Laguna's MPAs. Consequently, the Bluebelt Petition has broad community support including endorsements from three tribes, 100 local businesses and dozens of non-profit organizations. Laguna Beach's Marine Safety Lifeguards are also trained as Marine Protection Officers to enhance education and enforcement measures.

The community hosts multiple events throughout the year including an annual Photo Contest and KelpFest celebrating MPAs for over 17 years. A short movie showcasing our connection to the sea life is featured at the local movie theater to educate and motivate respect and protection. SCUBA and free divers from around the globe have posted thousands of videos of Laguna's Aquarium depicting the success of the present MPAs to inspire support for the Bluebelt Petition and full citywide protection. An online Change.org petition has over 7,300 individually verified signatures. The Aliso Beach Wildlife Habitat Monitoring Program, also known as the Aliso Berm Buddies Project, provides regular reports of disturbances of wildlife and urban runoff discharges impacting water quality in Laguna's MPAs.

We invite you to visit the Laguna Bluebelt website to fully appreciate the community's dedication to marine life protection and see incredible photos of sea life recovery.

Sound science is the key to California's pioneering MPAs. The SAT determined when it comes to marine life protection, bigger is better. Please consider reviewing the recent Reef Check Survey video and recommend protecting all of Laguna Beach in achieving the goals and objectives of the Fish and Game Commission and MLPA.

Laguna's successful MPA is essential to meeting California's 30 by 30 goals since only 9% of California's sea life is fully protected. Extending the current No Take SMCA to protect all of Laguna's tidepools and rocky reefs will enhance the regional fishery recovery and contribute to achieving the goal of protecting 30% of ocean waters and marine life. Please consider a tour of Laguna's MPAs to see firsthand the success of your important work on the Fish and Game Commission.

With appreciation,

Mike Beanan
Petitioner for the Laguna Bluebelt Coalition
Laguna Bluebelt - Working Together for a Healthy Ocean

References

Reef Check Survey Laguna Blue Belt Petition | Videos & Movies on Vimeo
Laguna Bluebelt Coalition Report.docx

Sea Sketch Map California MPA Petitions - SeaSketch

Sea Grant Study Defining fishing impacts on the effectiveness of California's Marine Protected Areas for the first time | California Sea Grant

Tribal Letter of Support

Visit Laguna Support representing 100 local businesses

Orange County Coastkeeper Letter of Support

Project O

South Laguna Letter of Support

Fish & Game Commission, State of California July 2, 2025
Commissioners Zavaleta, Murray, Hostler-Carmesin, Skylar and Anderson
P.O. Box 944209 Sacramento, CA 94244-2090

ATTN: Melissa Miller-Henson Director
Via Mail and Email: FGC@FGC.CA.GOV

RE: Tribal Support for Bluebelt Petition to Extend MPA to Laguna Beach Southern Boundary

Dear Commissioners,

The Juaneño Band of Mission Indians/Acjachemen Nation have lived in the proposed boundary area for over 10,000 years successfully managing sea life resources with ancient sustainable practices. We are the inheritors and stewards of Laguna Beach's rare and iconic coastal treasures for present and future generations.

The Juaneño Band of Mission Indians/Acjachemen Nation, the indigenous people of Orange County, California – USA, supports the Laguna Bluebelt Petition 2023-24-R to protect all of Laguna Beach's sea life heritage to the southern city limits. The revised MPA boundary will enhance enforcement consistency and add 1.3 miles of essential sea life habitat, including offshore kelp reefs. The Laguna MPAs are a vital link for genetic dispersal and healthy, diverse sea life between MPAs in La Jolla and Palos Verdes. The extension will enhance the integrity of the Laguna Beach network and protect species and habitat diversity.

We encourage the Commission to recognize the value of protecting all of Laguna's marine life and approve the Bluebelt Petition 2023-24-R as a critical step forward in protecting all of California's network of sea life heritage.

Sincerely,

Adelia Sandoval, Director
Juaneño Band of Mission Indians/Acjachemen Nation

Reef Check California Report:

Laguna Beach Coastal Kelp Forest Evaluation

Final Report To: Laguna Bluebelt Coalition



Jaclyn Mann Reef Check Foundation February 2026

Introduction

The Laguna Beach State Marine Reserve (SMR) and the Laguna Beach State Marine Conservation Area (SMCA) were both established in January 2012 as a part of California's Marine Protected Area (MPA) network (Figure 1). The Laguna Beach SMR protects more than six square miles of marine habitat and covers 4.4 miles of coastline. It extends from Abalone Point, Laguna Beach's northernmost city limit, south

to Goff Island. The Laguna Beach SMCA extends south from Goff Island to Table Rock and protects more than 3 square miles of marine habitat and covers 1.2 miles of coastline (California Department of Fish and Wildlife 2022). Though these two MPAs cover most of the shoreline of Laguna Beach, there is an additional mile of coastline that remains unprotected between the Laguna Beach SMCA and the Dana Point SMCA.

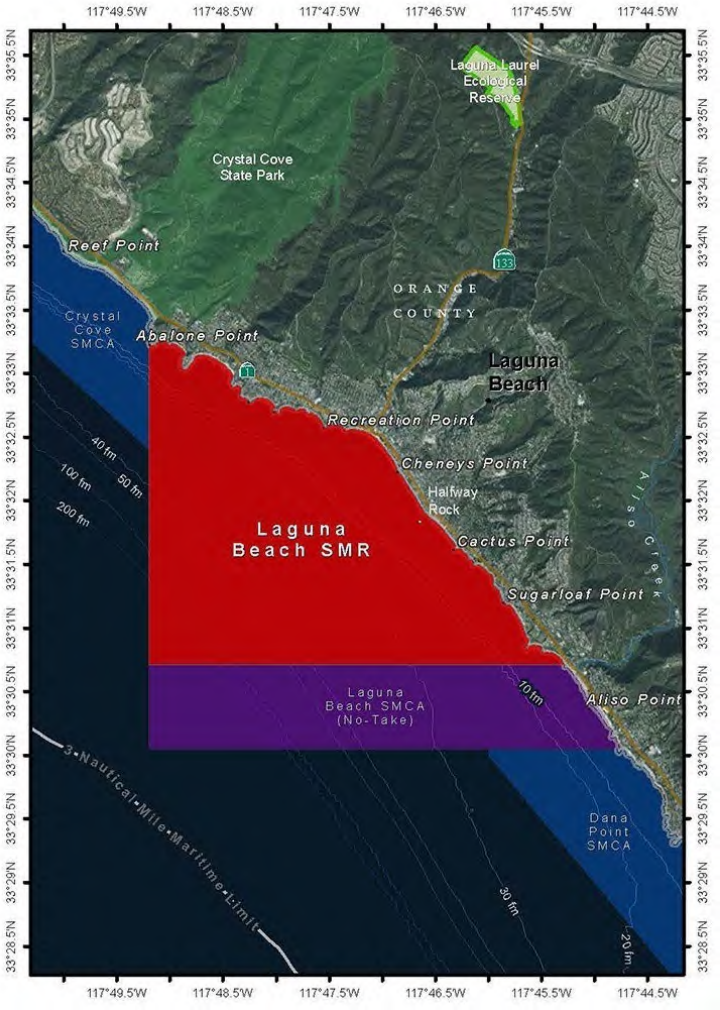


Figure 1. Map showing the current boundaries of the Laguna Beach SMR and Laguna Beach SMCA (NoTake).

This report was designed to compare the kelp forest ecosystems found outside of the Laguna Beach SMR and the Laguna Beach SMCA to kelp forest ecosystems inside those protected areas. Specifically, we will be comparing the communities found at six sites; four sites located within the Laguna Beach SMR (Seal Rock, Shaws Cove, Divers Cove, Heisler Park) and two sites located in unprotected waters south of the Laguna Beach SMCA (Thousand Steps, Three Arches).

Reef Check Methods

To assess the kelp forest ecosystems, Reef Check divers completed biotic surveys at each of the six sites. All surveys were completed following the Reef Check California Monitoring Protocol (Freiwald et al. 2021). Each survey included six 30m by 2m swath transects on which divers conducted counts of fish, invertebrates, macroalgae, and made uniform point contact (UPC) observations. Data on substrate, relief, and cover (sessile organisms) were collected at every meter during each UPC survey. Transects were placed at each survey site in predetermined depth zones, three shallow and three deep. An additional 12 fish transects (30m by 2m and by 2m) were conducted during each survey. Along each transect, a set of 83 indicator species, comprising of 13 species of macroalgae, 35 taxa of invertebrates, and 35 taxa of fish, were looked for and counted. Reef Check indicator species have been selected because they are ecologically important and of relevance to management (Freiwald and Beahrs 2020).

Reef Check long-term monitoring data was also used to examine changes in the kelp forest communities of the four sites located within the Laguna Beach SMR since the establishment of the MPA in 2012.

Giant Kelp Trends

In Southern California, giant kelp (Macrocystis pyrifera) forms kelp forest canopies. Since the establishment of the Laguna Beach SMR and SMCA in 2012, all four monitored sites have shown a slight positive trend in giant kelp density (Figure 2). Looking specifically at data collected in 2025 and 2026, the four sites inside the Laguna SMR have notably higher giant kelp densities than those at Thousand Steps Beach and Three Arches, which are located outside the MPA (Figure 3).

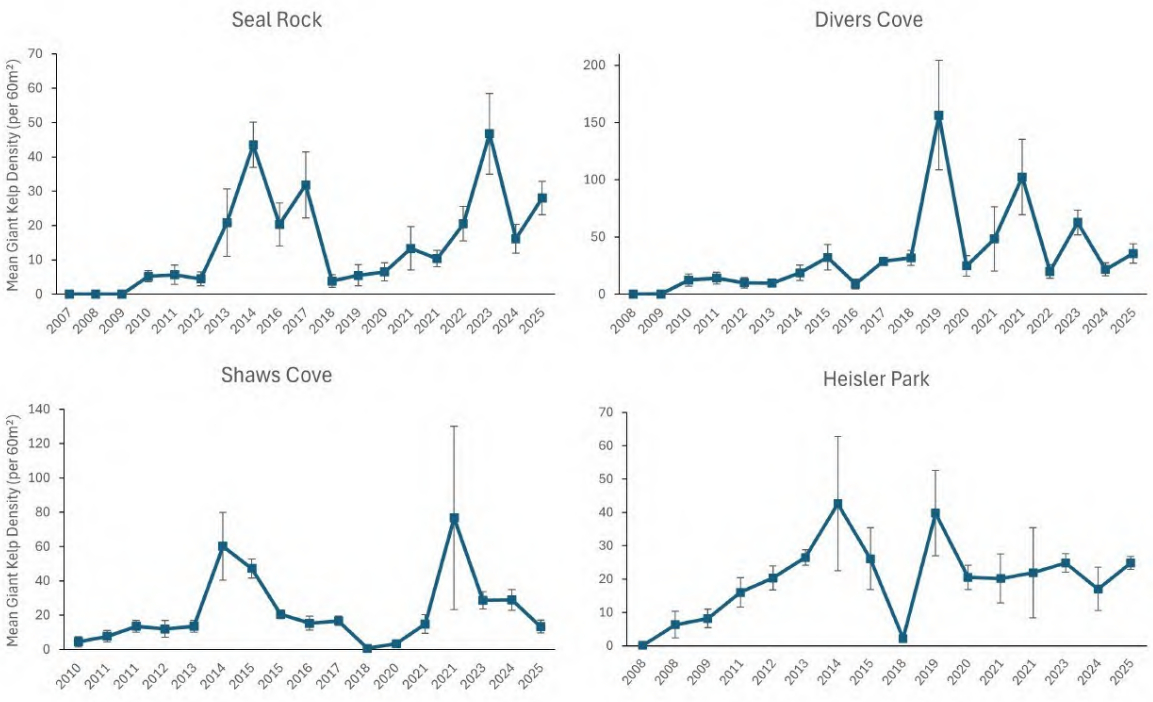


Figure 2. Giant kelp densities over time at four long-term monitoring sites in Laguna Beach, California. Error bars represent the standard error of the mean.

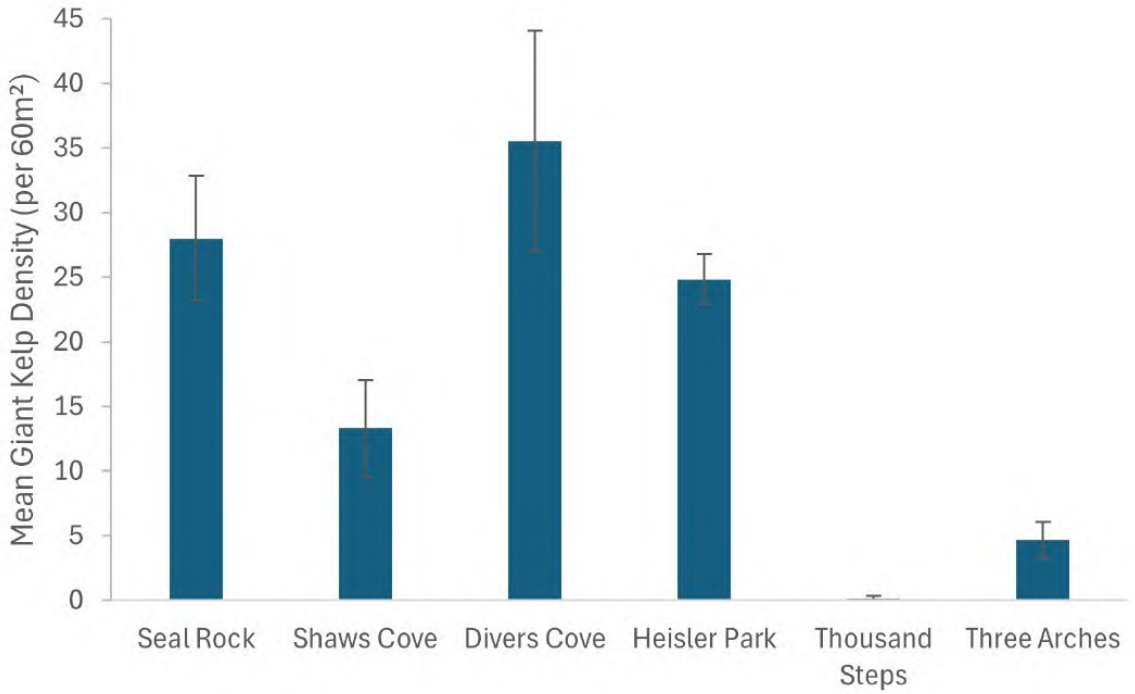


Figure 3. Mean giant kelp density at six sites in Laguna Beach, California, based on the most recent survey data (2025 and 2026). Error bars represent the standard error of the mean.

Sea Urchin Trends

Reef Check monitors four species of urchin in California: purple urchins (*Strongylocentrotus purpuratus*), red urchins (*Mesocentrotus franciscanus*), starry urchins (*Arbacia stellata*), and crowned urchins (*Centrostephanus coronatus*). Purple, red, and crowned urchins are commonly observed in southern California. Starry urchin, though, are rare in California. Starry urchin have only been recorded during Reef Check surveys in southern California at sites off Anacapa and Santa Cruz Islands. Over 19 years of monitoring, starry urchin have never been recorded at Reef Check sites located in the Laguna Beach SMR.

Since the establishment of the Laguna Beach SMR and SMCA in 2012, all four long term monitoring sites have seen a decline in both purple and red urchin densities (Figure 4). If we look specifically at urchin density data collected in 2025 and 2026, the four sites inside the Laguna Beach SMR have notably smaller densities of both purple and red urchins than the two sites located outside of the MPA (Figure 5). Small amounts of crowned urchins were recorded at Seal Rock, Shaws Cove, Divers Cove, and Three Arches. Interestingly, starry urchins were recorded for the first time at a Laguna Beach site at Three Arches in 2026 (Figure 5).

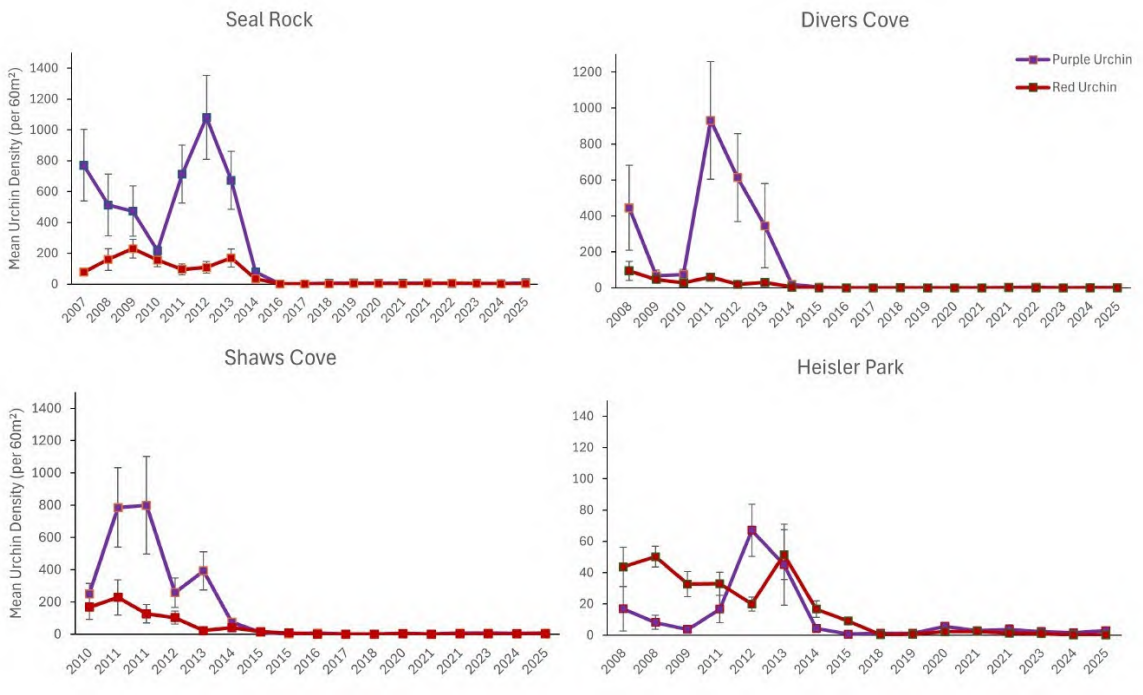


Figure 4. Purple and red urchin densities over time at four long-term monitoring sites in Laguna Beach, California. Error bars represent the standard error of the mean.

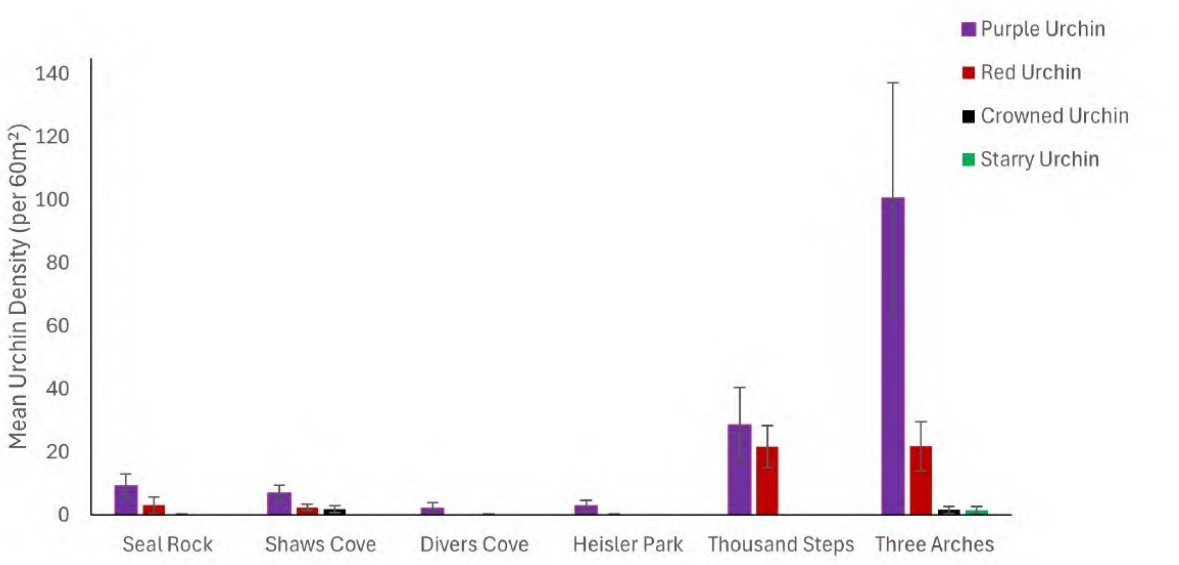


Figure 5. Mean urchin density at six sites in Laguna Beach, California, based on the most recent survey data (2025 and 2026). Error bars represent the standard error of the mean.

Reef Habitat Characterization

Uniform Point Contact (UPC) surveys were used to collect substrate data at each site. Substrate was recorded based on the size of the substrate at each point, ranging from sand (rock<0.5cm) to reef (rock>1m). The four sites located within the Laguna Beach SMR and Three Arches were mainly composed of large substrate, with all 5 sites characterized by over 50% rocky reef. Thousand Steps Beach was characterized by more medium-sized substrate, with 50% cobble (rock< 15 cm) and only 30% rocky reef (Figure 6).

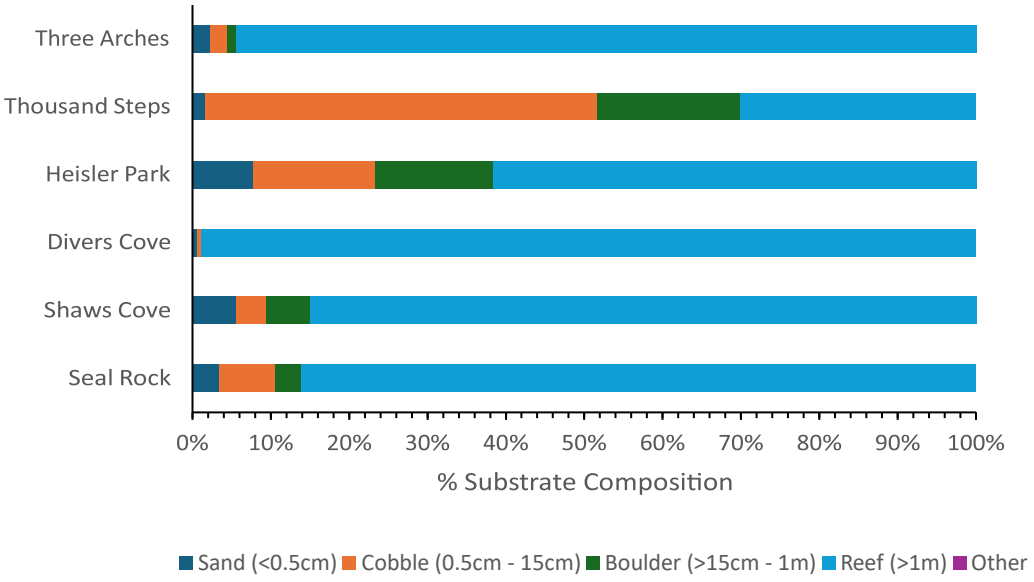


Figure 6. Mean percent substrate composition at six sites in Laguna Beach, California, based on the most recent survey data (2025 and 2026).

Conclusions

Overall, this report finds that the kelp forest ecosystems inside the Laguna Beach SMR have stable giant kelp densities and currently have higher giant kelp densities than the ecosystems surveyed at Thousand Steps Beach and Three Arches. The protected ecosystems also currently have lower urchin densities than the unprotected reefs. The higher urchin populations outside of the Laguna Beach SMR and SMCA may have led to increased grazing pressure on the algae communities of these ecosystems. If there is not enough drift algae to support urchin grazing, urchins are known to actively search for food and may graze on attached giant kelp holdfasts, resulting in a decline in giant kelp density (Harrold and Reed 1985). The fishing pressure on urchin predators, such as California spiny lobster *(Panulirus interruptus*) and California sheephead (*Bodianus pulcher*), at sites outside the MPAs may allow larger populations of urchins to thrive on those reefs. Continuing to monitor these six sites will allow us to better understand the impacts of MPAs on the dynamics of these kelp forest ecosystems.

References

Freiwald, J., and A. Beahrs. 2020. Reef Check California: SCUBA-diving citizen scientist monitor rock reef ecosystems. Page 313 in C. A. Lepczyk, O. D. Boyle, and T. L. V. Vargo, editors. Handbook of citizen science in ecology and conservation. University of California Press, Oakland, California.

Freiwald, J., S. M. McMillan, and D. Abbott. 2021. Reef Check California Instruction Manual: A Guide to Monitoring California's Kelp Forests, 10th Edition. Reef Check Foundation, Marina del Rey, CA, USA.

Harrold, C., and Reed, D. C. (1985). Food availability, sea urchin grazing, and kelp forest community structure. Ecology, 66(4), 1160-1169.

California Department of Fish and Wildlife. (2022, September). Laguna Beach State Marine Reserve/State Marine Conservation Area (No-Take). California Natural Resources Agency. https://wildlife.ca.gov/Conservation/Marine/MPAs/Laguna-Beach#6239649

Subject: Laguna Businesses in Support of the Bluebelt Petition 23-24R

Dear Mayor and City Councilmembers,

We, Visit Laguna Beach, support the Laguna Bluebelt MPA Petition 2023-24R to protect South Laguna's marine ecosystems, ensuring that all of Laguna Beach's coast remains a sanctuary for marine life and a lasting legacy for Californians and visitors alike.

The economic benefits of a city-wide fully protected Marine Protected Area will play a central role in the success of Laguna's businesses and stewardship initiatives.

Sincerely,

Joanna Bear

ORANGE COUNTY COASTKEEPER®

3151 Airway Ave, Suite F-110
Costa Mesa, CA 92626
714-850-1965
www.coastkeeper.org

California Fish and Game Commission

P.O. Box 944209

Sacramento, CA 94244-2090

Re: Support for Laguna Bluebelt Coalition Petition to extend the no-take SMCA to the southern boundary of the City of Laguna Beach

Dear President Sklar and Commissioners,

OC Coastkeeper has the mission to protect swimmable, drinkable, fishable water and promote watershed resilience throughout our region. We have been actively working to support and implement Marine Protected Areas since the passage of the Marine Life Protection Act. We support the Laguna Bluebelt Coalition's petition regarding an extension of the Laguna Beach no-take SMCA boundary to the southern border of the city and urge you to approve this proposed boundary change.

Orange County beaches have some of the most beautiful beaches and coves found anywhere in the world. Visitation is high, and therefore the protection offered by the MPAs is vital. Most of the city is protected by the Laguna Beach State Marine Reserve (SMR) and the Laguna Beach no-take State Marine Conservation Area (SMCA). However, there is a stretch of coastline that lies within the city limits that does not receive the same level of protection. Commercial and recreational fishing is permitted in these waters and residents are alarmed by the amount of fishing and the number of

lobster traps that they see regularly. This area of the coastline has not been sufficiently studied to get scientific data on the impact of fishing, but local residents that spend substantial time in the water have noted a decrease in fish in the unprotected area.

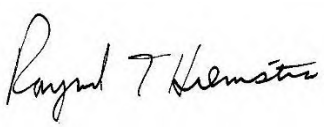
These coves support vital kelp forest habitat, which is on the decline across the state. The rocky substrate that supports the kelp as well as the fish and invertebrates that utilize the kelp are impacted by lobster traps and anchors. The kelp is still present, but now fails to reach the surface. We must protect this habitat while it still has the ability to come back.

Another concern in this area is the whale migration route. Whales frequently come in close to the shore through Laguna Beach on their migration to and from the calving and breeding grounds in Baja California. During Lobster season, the whales run into a virtual wall of lobster ropes and buoys, which pose a serious threat to entanglement.

Extension of the no take SMCA boundary south will assist enforcement of MPA regulations by making the entire City of Laguna Beach a no take zone. The City of Laguna Beach has recently taken over management of all of the beaches in the city. Until last summer, the County of Orange was in charge of managing all of the beaches south of Aliso Creek. Now that beach management is consistent throughout the city, the MPA rules should be consistent as well. This will make it easier for the public to identify where they can and can't fish, and for enforcement officers to do their job.

To help MPA enforcement, protect whales, and preserve the remaining kelp beds, we urge the commission **to extend the no-take SMCA boundary to coincide with the southern boundary of the City of Laguna Beach.** We enthusiastically support California's MPA Network and believe the MPAs are working to preserve biodiversity. In the case of Laguna Beach, the MPA extension will enhance the protection of vital ecosystems and create a more consistent and cohesive enforcement policy.

Sincerely,



Associate Director of Policy and Projects



February 3, 2024

California Fish and Wildlife Commission, P.O. Box 944209, Sacramento, CA 94244-2090

Re: Support for extension of Laguna Beach no-take SMCA to the southern boundary of the city

Dear President Sklar and Commissioners,

My name is Rich German and I am the founder of a Laguna Beach based nonprofit, Project O, whose mission is to protect, sustain and restore the ocean and sacred life within it. I am writing to express our support for the proposed extension of the current marine protected no-take zone to the southern border of Laguna Beach, (to the community of Three Arch Bay).

As an avid paddleboarder who has paddled tens of thousands of miles, all within Laguna's MPA, I have seen firsthand the positive impact the no-take zone has created. When I first started paddling in 2010, I would barely see any fish at all off the coastline. I asked a friend who was a former commercial fisherman why there were no fish and he replied "we caught them all."

On January 1, 2012 the no-take zone was put into place. No less than 6 months later I would paddle out, look down, and I would see fish… lots of fish. Today our coastline is thriving with marine life - from little fish to large fish, lush kelp forests, healthy reefs and large populations of dolphins and whales. I refer to our MPA as the 'greatest aquarium in the world.'

Personally, I feel our no-take MPA is a brilliant example of what happens when we leave the ocean alone and allow it to restore itself, and it serves as a wonderful example for other coastal regions to model. Extending our local MPA will help to further restore our precious coastline. Plus, by extending the line to cover the entire coast of Laguna, it will make it easier for the public to know where they can and cannot fish and also for enforcement officers to do their job.

Thank you for your support of Laguna Beach's MPA and for considering this no-take zone expansion which will increase the protection of our coastal marine life and habitats. The

citizens of Laguna Beach are proud stewards of our precious coastline and are committed to protecting the environment so that all life can flourish now and for generations to come.

Respectfully,
Rich German
Founder of Project O

8/22/25

Laguna Beach City Council
505 Forest Ave
Laguna Beach, CA 92651

Dear Councilmembers:

On behalf of Get Inspired, I am pleased to express our strong support for extending the Laguna Beach Marine Protected Area (MPA) to include South Laguna as a no-take zone. This extension would create a single, enforceable offshore boundary along one common latitude line, improving protection and management of this remarkable ecosystem.

Over the past 23 years of surveying and diving Orange County reefs, I have seen firsthand the incredible recovery that followed the establishment of existing MPAs. It took about seven years to witness significant changes, but the difference between the Crystal Cove SMCA or the Dana Point SMCA and the Laguna Beach Marine Reserve now, is dramatic. While our restored kelp forests are doing well on all Orange County reefs, we are still missing the kelp forest on the reef at 1000 steps beach. It has been gone since 2014. It has been my observation that fish and invertebrate populations outside the Marine reserve remain low, compared to the Marine Reserve, likely due to fishing pressure.

Laguna Beach is home to a rare and intact kelp forest ecosystem that stretches nearly the entire city's coastline—an ecological treasure with global significance. Extending protections to South Laguna will not only safeguard biodiversity but also strengthen Laguna Beach's reputation as a world-class ecotourism destination. Around the world, communities charge a premium to experience pristine ecosystems; Laguna has that opportunity right at its doorstep.

Get Inspired's mission is to foster stewardship and curiosity for the natural world through hands-on science. Our organization has restored Orange County's kelp forests and continues to engage students and volunteers to help us restore green abalone, white seabass, and Pismo clams. Extending MPA protections will amplify these efforts, creating lasting benefits for future generations.

We strongly encourage approval of this petition to ensure Laguna's extraordinary marine habitats continue to flourish.

Sincerely,

Nancy L. Caruso

Nancy L. Caruso
Marine Biologist/Founder Get Inspired

SOUTH LAGUNA CIVIC ASSOCIATION
P.O. BOX 9668
SOUTH LAGUNA, CA
92652-7639
southlaguna.org

August 29, 2023

Commissioners and Staff,

Since 2012, with the implementation of the California Marine Life Protection Act of 1999, Laguna Beach has successfully managed a network of Marine Protected Areas as a statewide model of collaboration and appreciates the support of the Fish & Game Commission in that effort.

On the heels of annexation of South Laguna beaches coming under the purview of the City of Laguna Beach on March 1, 2023, we are requesting an expansion of the "No Take SMCA" provisions to extend throughout all Laguna Beach MPAs. In addition to alignment with Laguna Beach's commitment to the national "30 x 30 Initiative Plan" to conserve 30% of America's land and waters by 2030, a citywide "No Take" provision will provide enforcement consistency and community equity while protecting South Laguna kelp reefs – key to carbon sequestration, rising sea temperatures and bluff erosion.

Multiple benefits will accompany extending the Laguna Beach No Take MPA from 7.2 to 7.9 miles from Aliso Beach and Totuava Cove through Three Arch Bay (TAB) southwest to the Laguna Beach city limit. TAB has exceptional nursery beds for marine life in its bays that are not protected under our current MPAs. For this reason, coupled with the decimating impacts of over-fishing in the unprotected SMCA along TAB during the past 10 years, the TAB Community Services District requested in May 2023 that California Fish and Wildlife Commission extend the No Take MPA through "the southernmost point of the city of Laguna Beach – Mussel Cove, also known as Three Arch Bay."

The Laguna Bluebelt Coalition, Laguna Ocean Foundation through their education and outreach programs, the City of Laguna Beach's Environmental Sustainability Committee, and the enthusiastic 100% support and collaboration of our City Council

and Marine Safety Department have enabled us to be strong watchdogs and local stewards of our MPAs. Together, we have focused on habitat restoration, water-quality education, wildlife and resource protection, and networking.

Laguna Beach's rocky coastline has been scientifically determined to provide ideal tidepool and kelp forest habitats as a vital genetic linkage for marine life between the Palos Verde Peninsula and La Jolla Cove. No Take MPAs in Laguna Beach have created increased sea life populations, support an expanding variety of ecotourism recreational opportunities, and have proven to be essential to mitigating decades of over-fishing.

Citywide MPA consistency will further improve ocean water quality by reducing harmful greenhouse gas emissions from fishing boats traveling from Dana Point to Laguna Beach.

Climate change science recognizes the ocean as key to reversing negative anthropogenic climate impacts.

Thank you for your support of Laguna's Marine Protected Areas and for your consideration of an expansion of the network of No Take MPAs citywide which will increase protections to California's sea life populations and habitat value while benefiting us all.



Greg O'Loughlin, President
South Laguna Civic Association

Welcome! The 15th Annual Laguna Bluebelt Photo Contest is open May 10 through July 1, 2026!



This year, we are again awarding cash prizes to all winners in both Professional and Amateur categories! And we will again have our **Kids** category for children aged 13 years and younger!

Your photo can be taken anytime after May 2025 — within, or of — Laguna's Marine Protected Areas. Submit your photo via the online **Entry Form**. For full rules, check out the Contest Guidelines page. Check out the 2025 winners here for some inspiration!

While the contest is free to enter, as always, we'd appreciate your donation, great or small, to support our work to protect and restore our marine life. You can help by clicking here.

Stay Blue,
The Laguna Bluebelt Coalition

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FGC**@FGC**

From: Saule Baipsys <outreach@dunescenter.org>
Sent: Thursday, June 25, 2026 1:14 PM
To: FGC
Subject: Point Sal Support from Cuyama Students
Attachments: Cuyama Schools Pt. Sal Letters.pdf

Good afternoon, President Sklar and Honorable Commissioners,

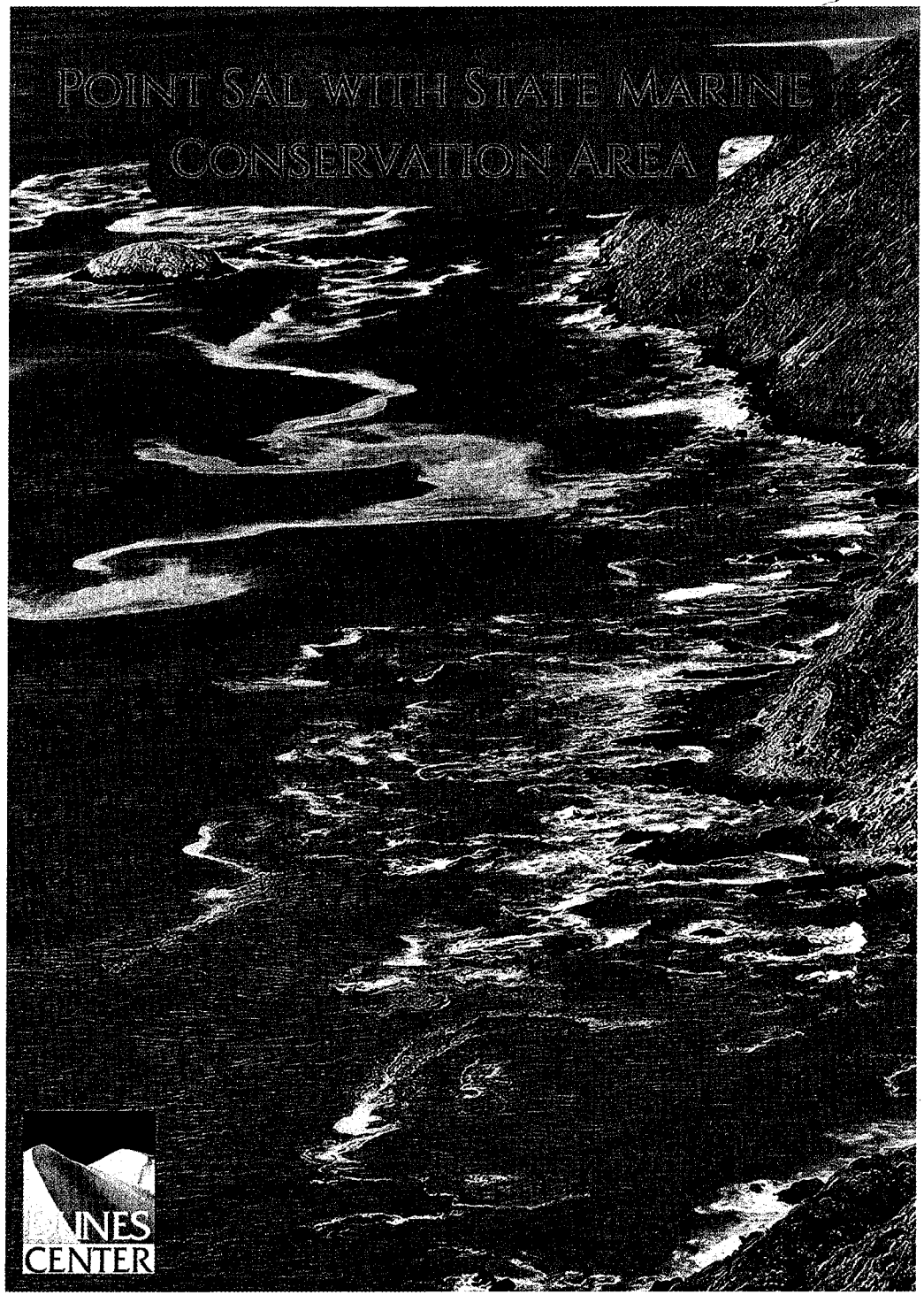
I am Saule Baipsys the Outreach Coordinator and Educator at the Guadalupe-Nipomo Dunes Center. I am emailing to share our local students support of the Point Sal MPA. Through lessons, discussions, and activities, our students have cultivated a great love for this area and are eagerly anticipating its designation as a State Marine Protected Area. Please see their letters and drawings of support attached in this email.

Thank you for your commitment to serving the natural resources of our state and sowing hope for California's next generation of ocean advocates.

With gratitude,

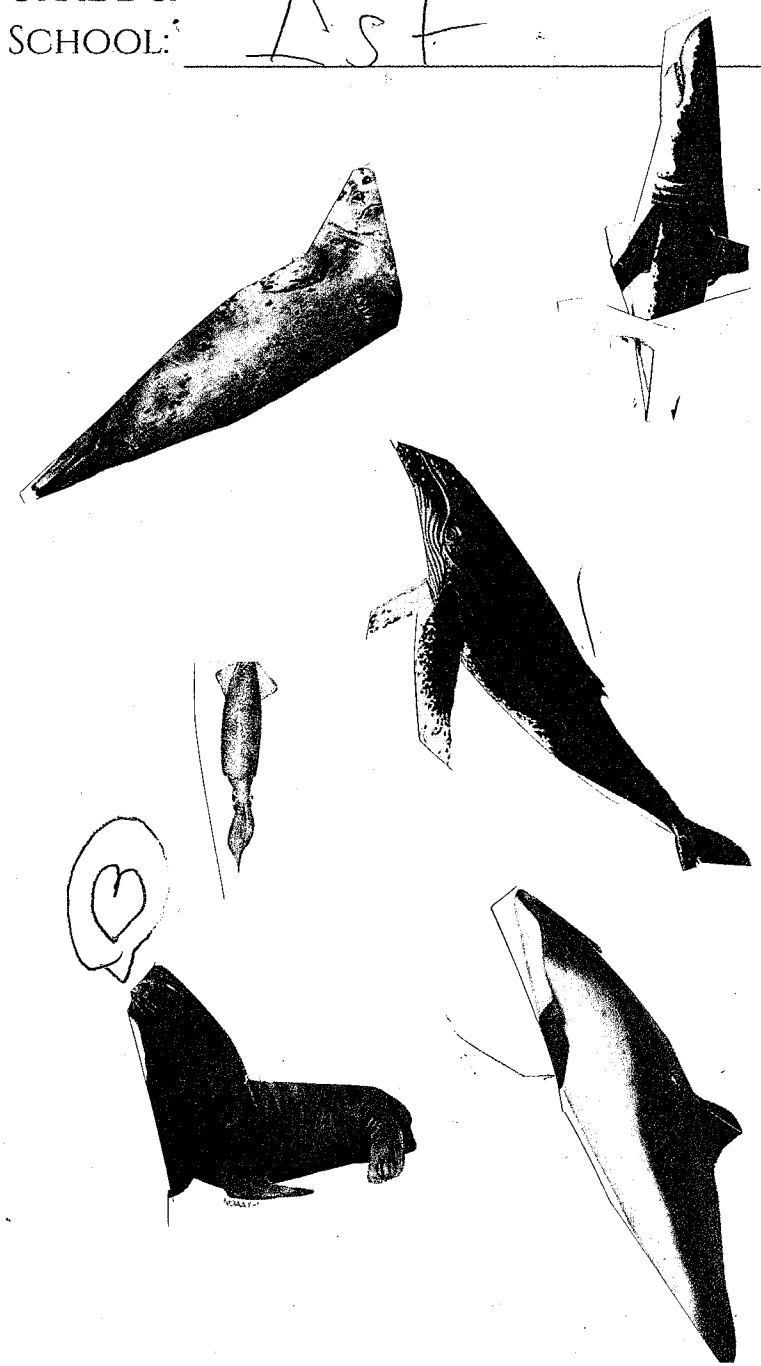
Saule Baipsys
Outreach Coordinator
Guadalupe-Nipomo Dunes Center
1065 Guadalupe Street
Guadalupe, CA 93434
www.dunescenter.org
805-343-2455 phone
310-844-2369 cell

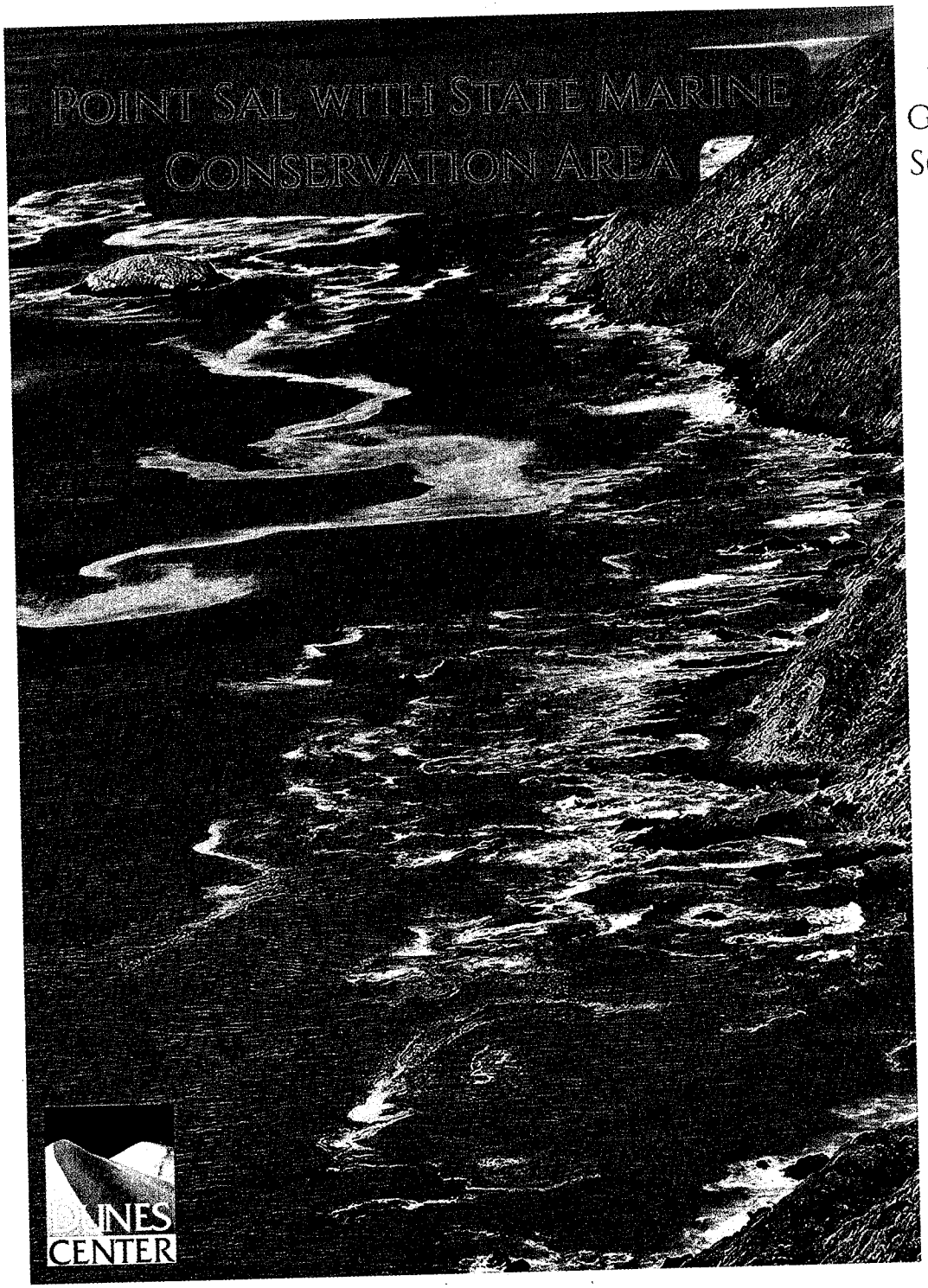
Promoting the conservation of the Guadalupe-Nipomo Dunes ecosystem through education, research, and the support of cooperative stewardship.



NAME: Mark

GRADE & SCHOOL: 1st





NAME: Calvin

GRADE &
SCHOOL: 5th

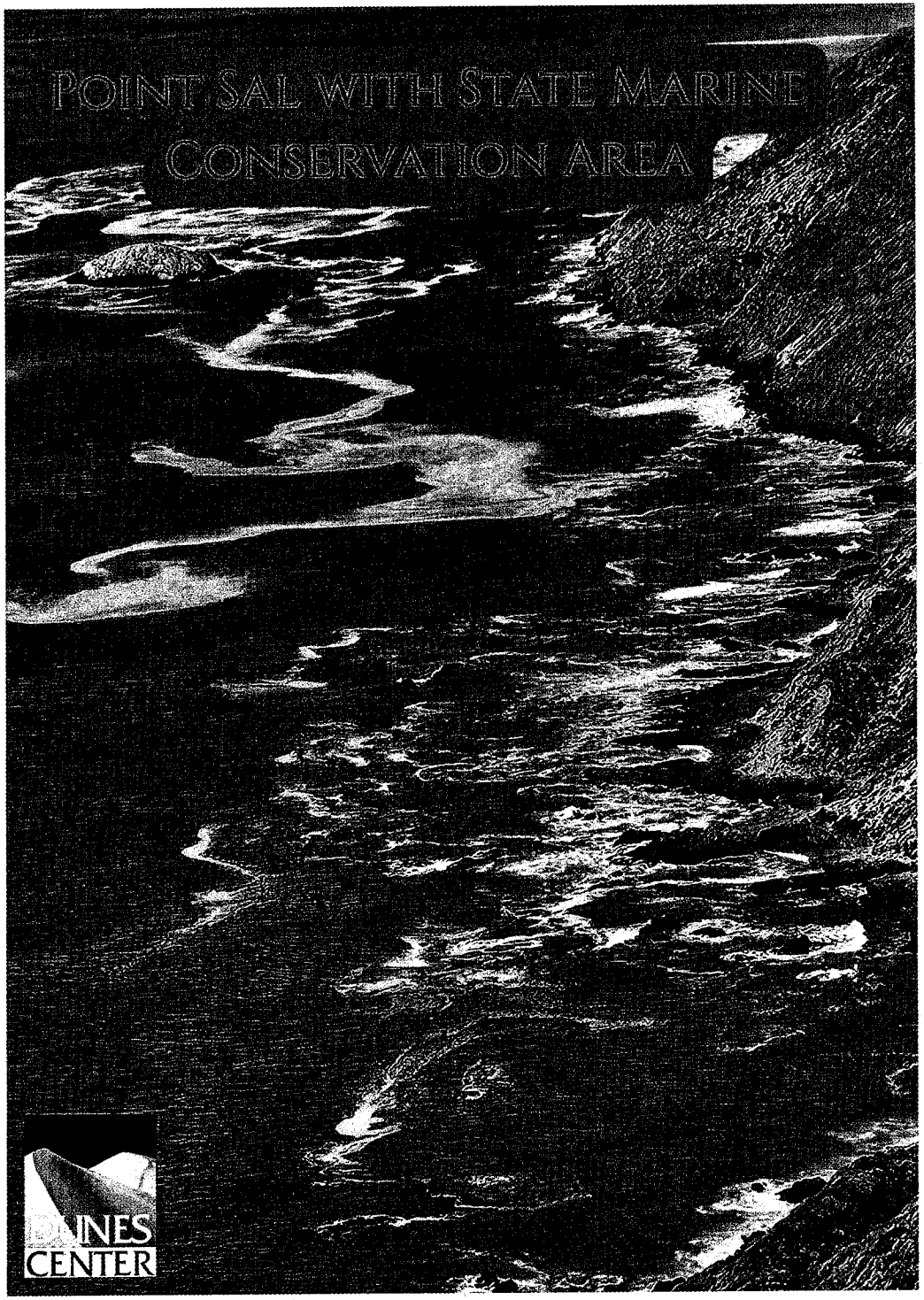
have a nice dayp





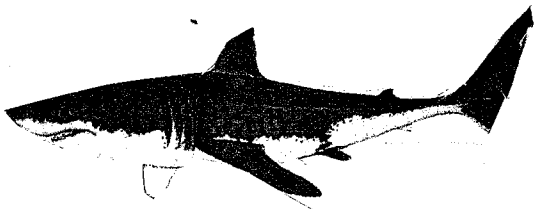


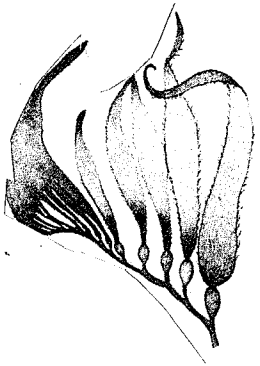


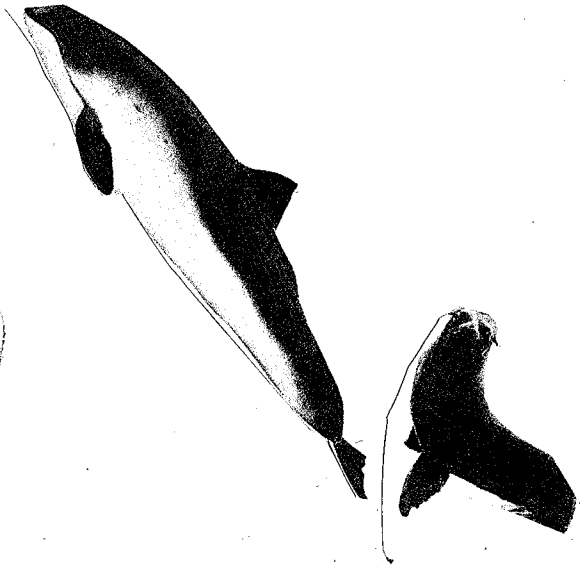


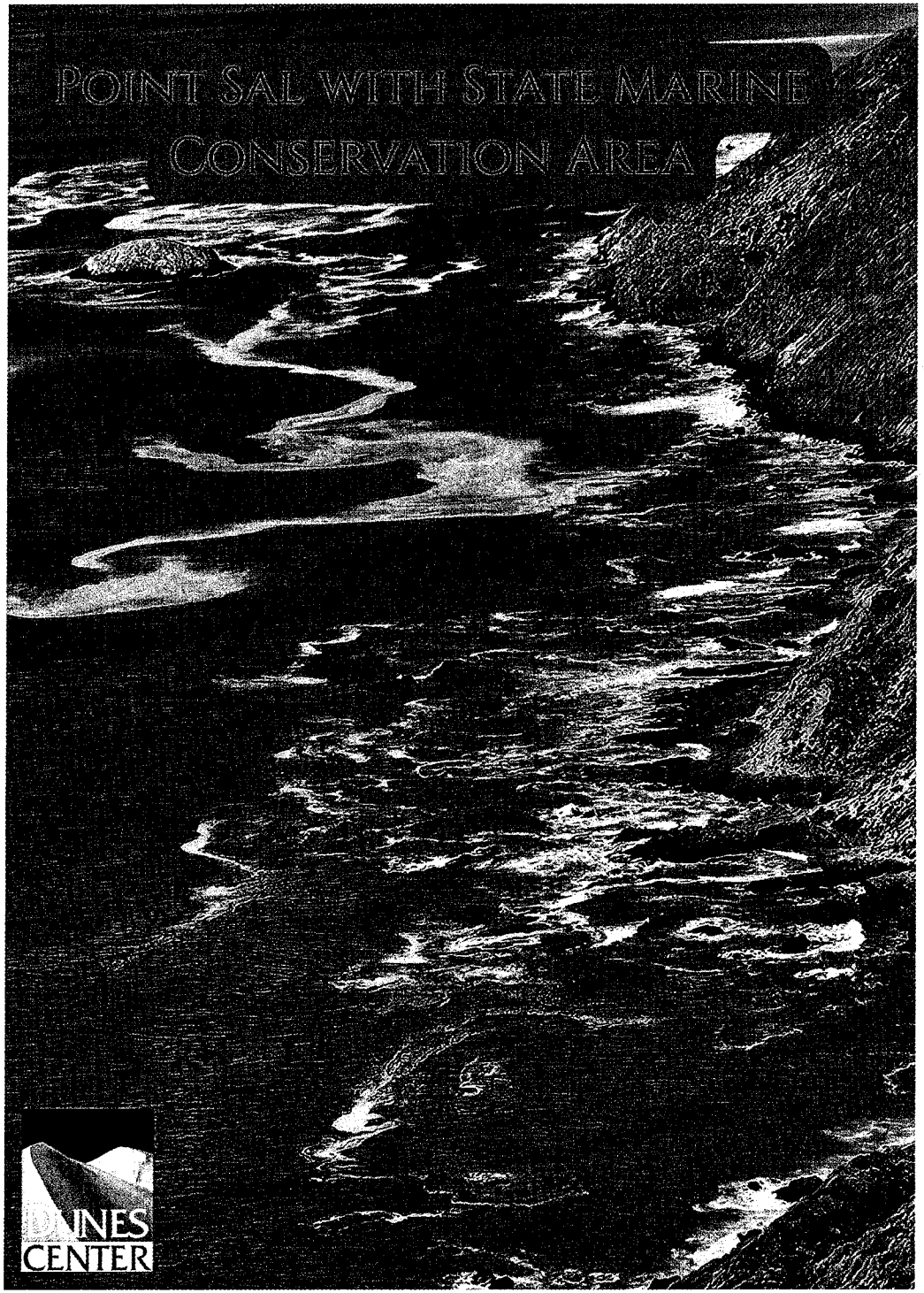
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GRADE & SCHOOL: 4th





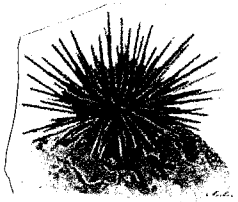




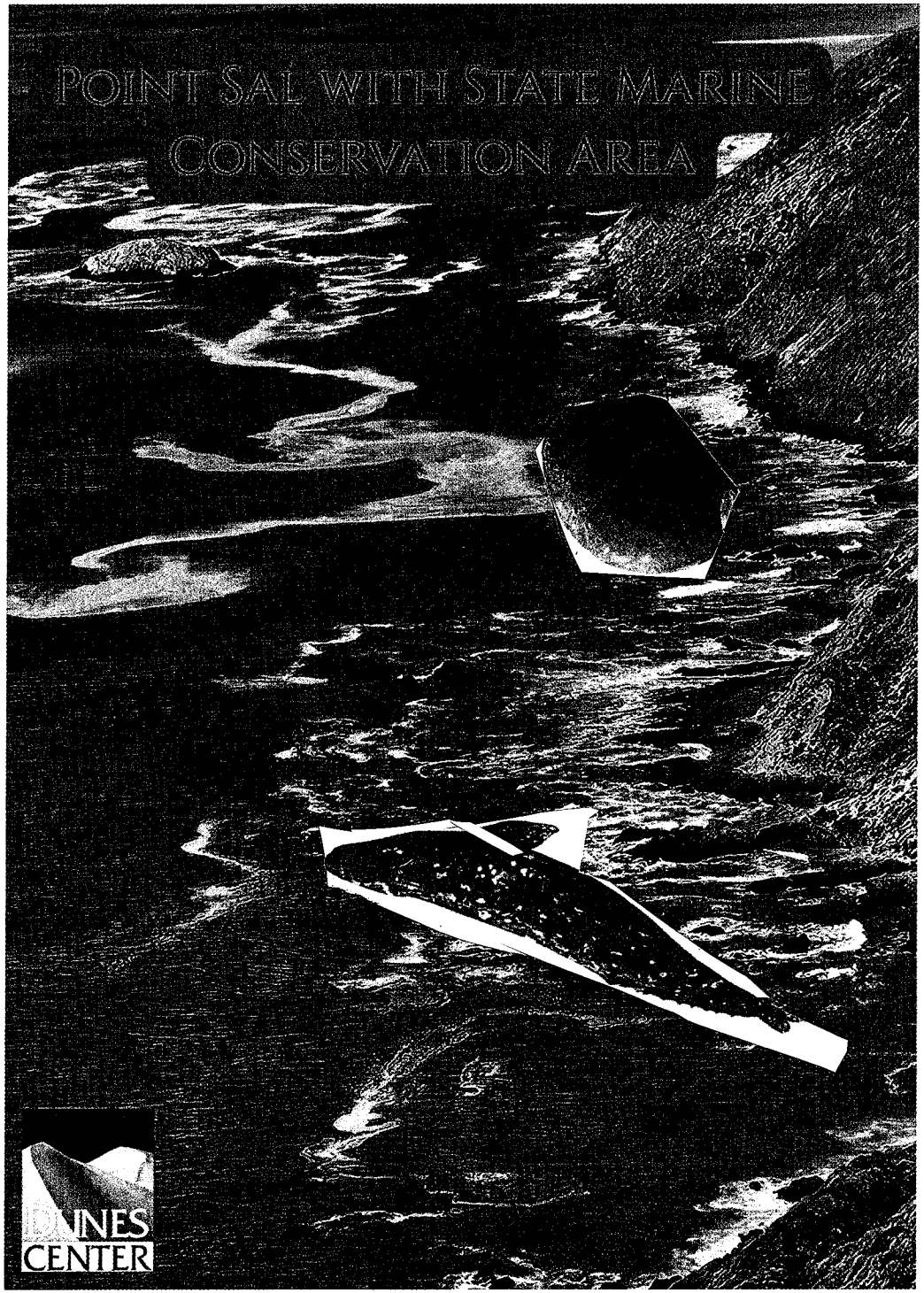
NAME: ISRAEL (Q.)

GRADE & SCHOOL: going into 4th (Ca)yama elementary



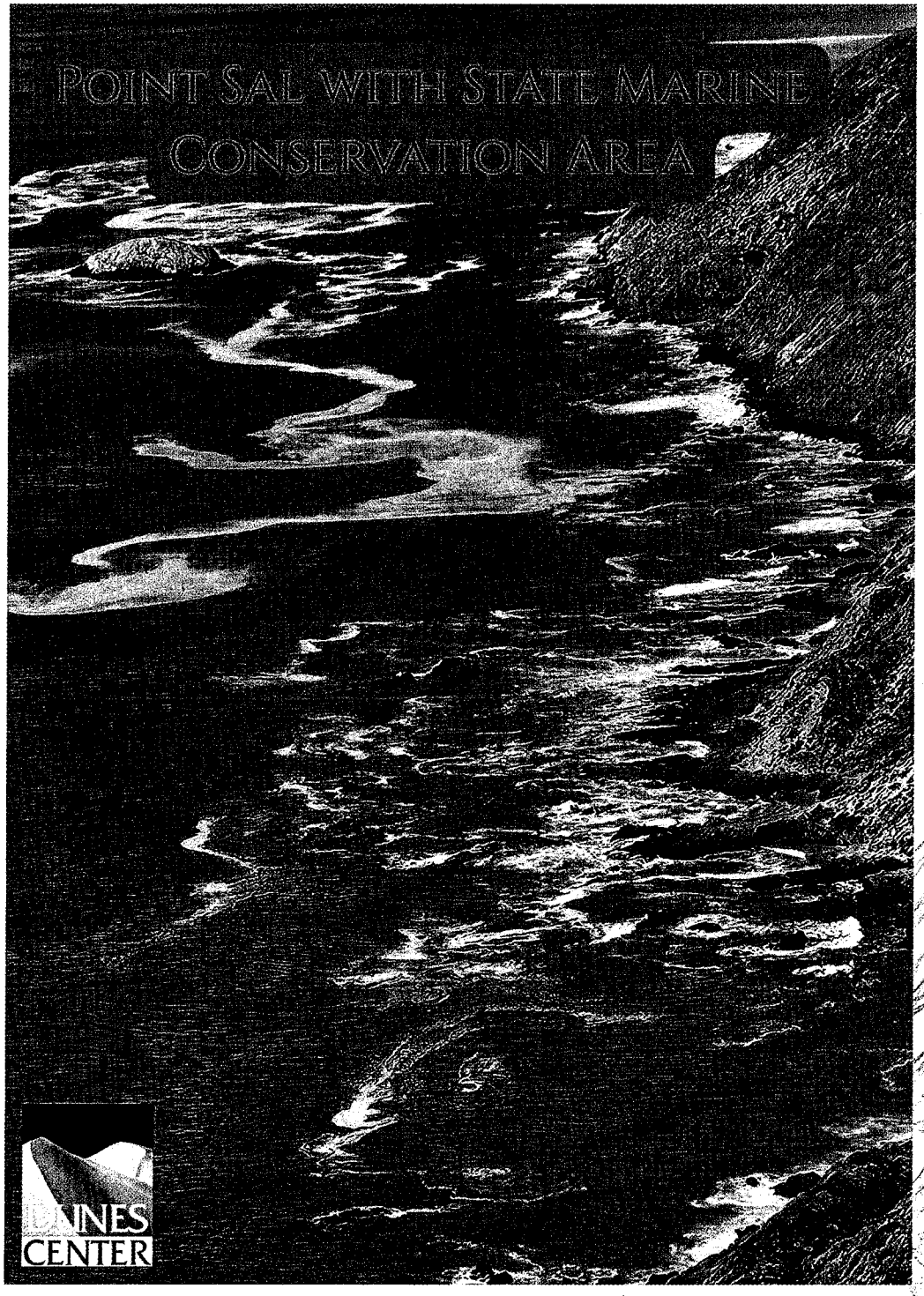






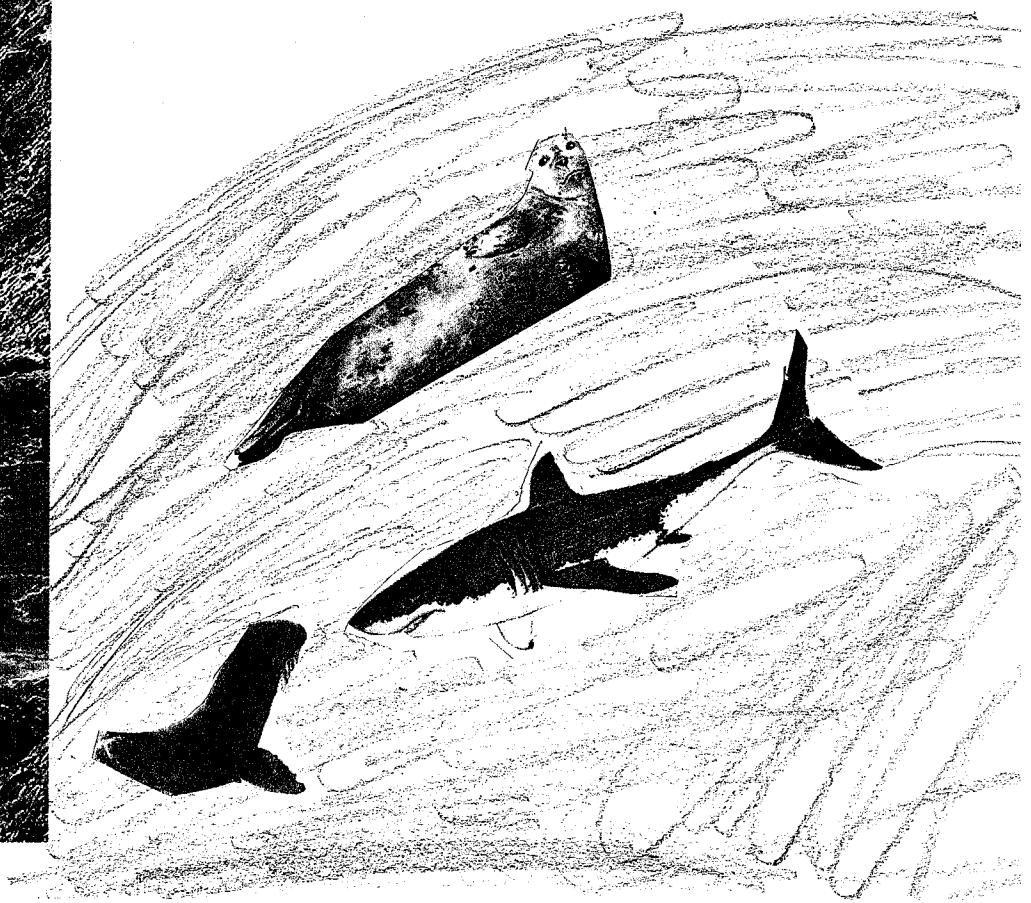
NAME: Allison

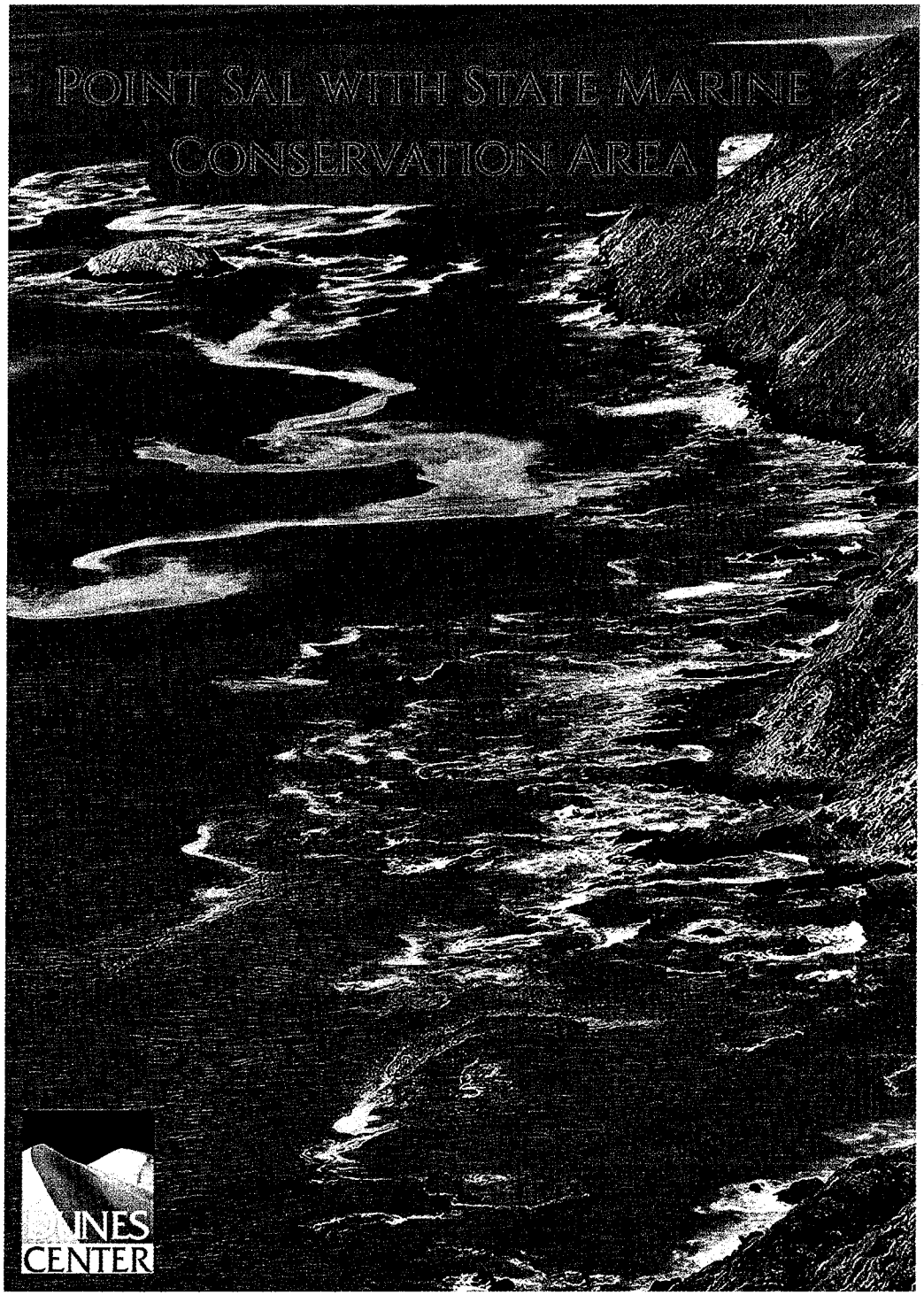
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NAME: Th. 9G0

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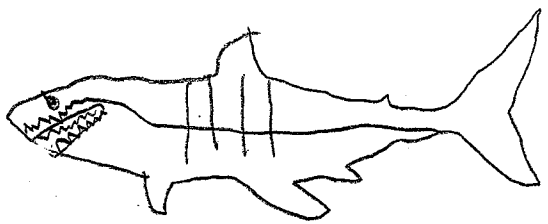


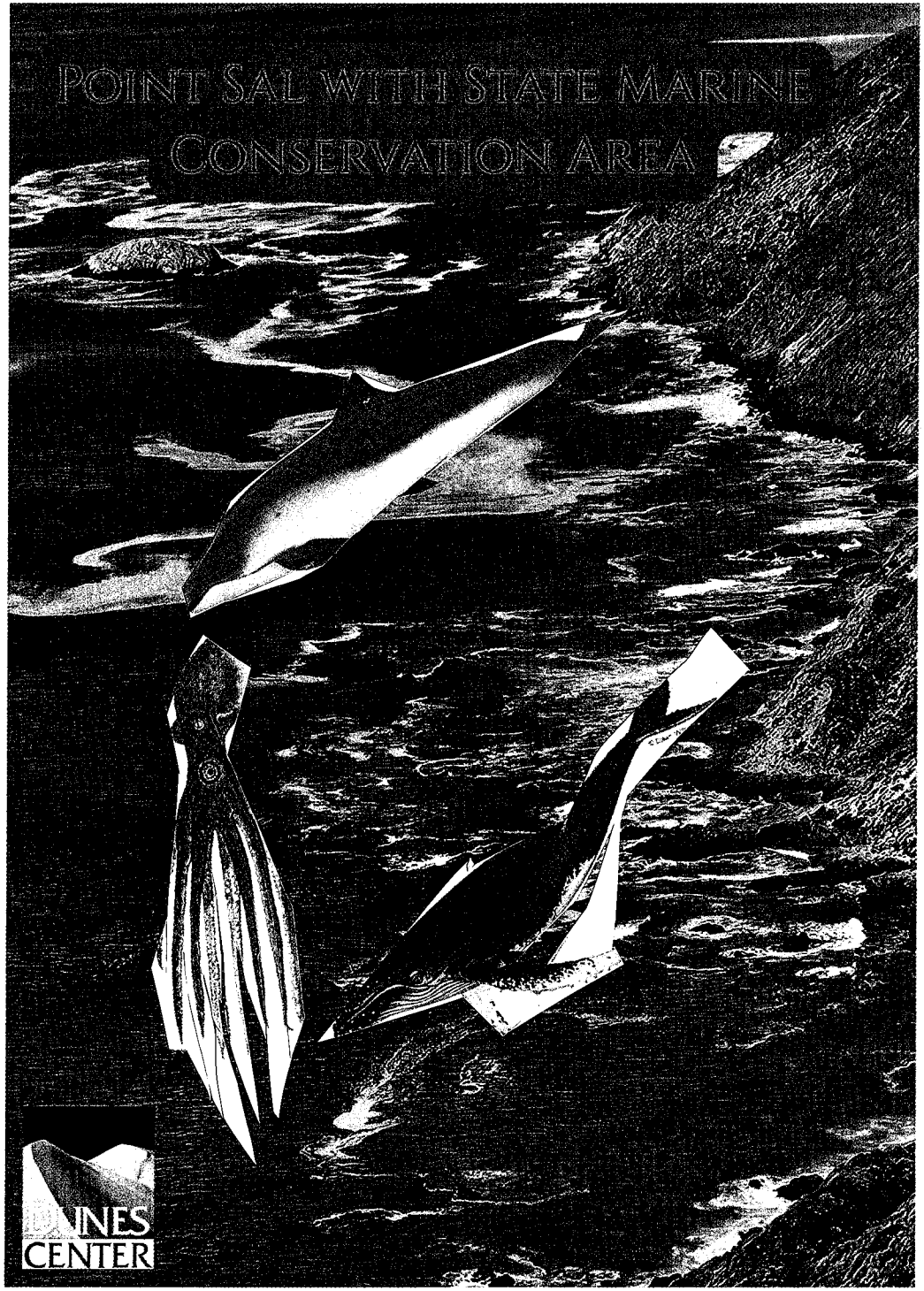


NAME: Jazlee

GRADE & SCHOOL: 4th [illegible]

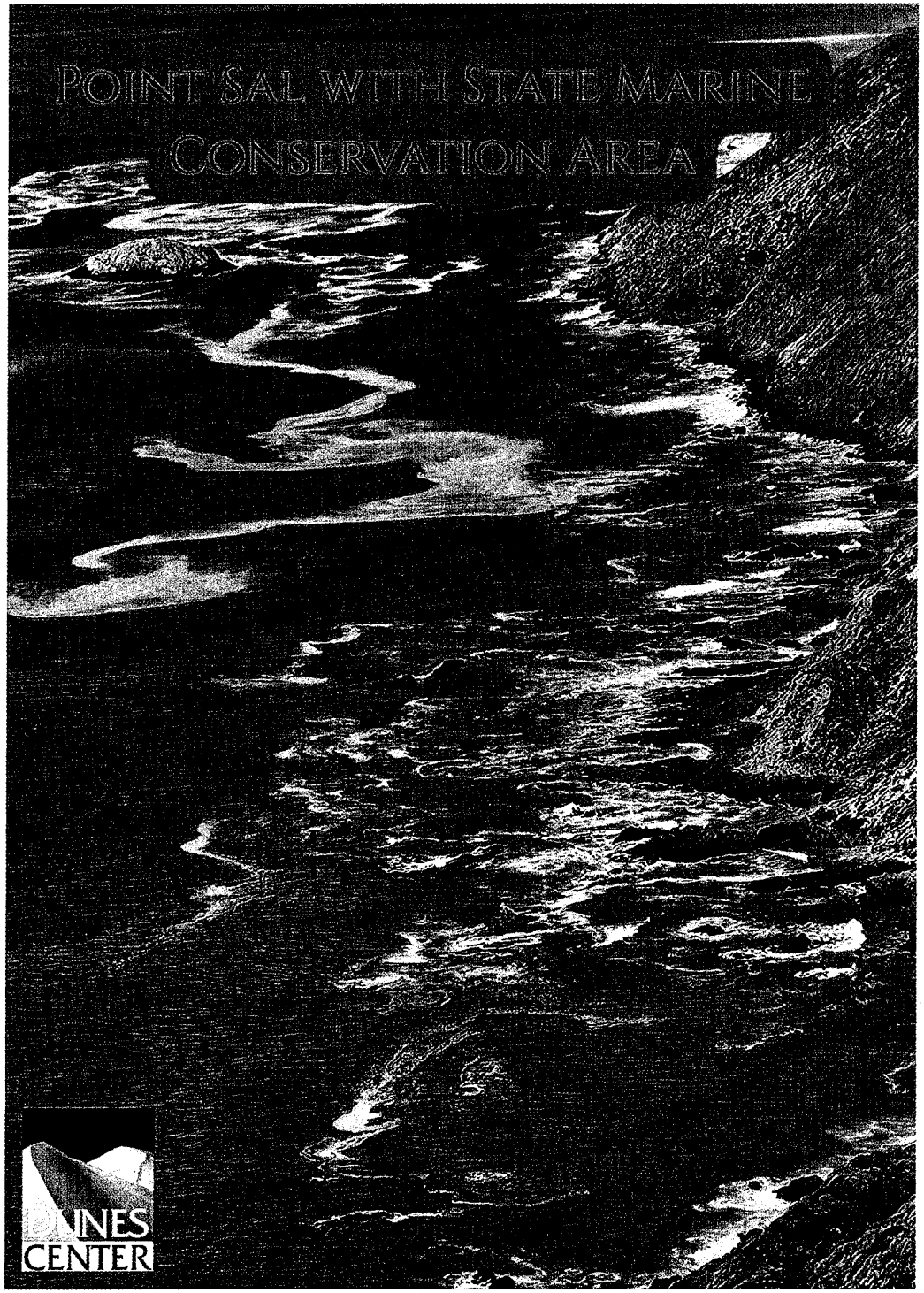
I ♡ a gray white sharks.





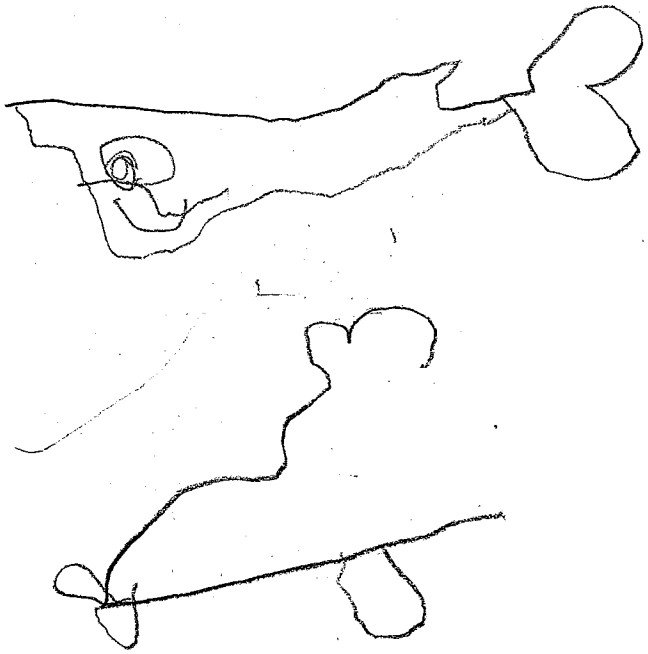
NAME: Mia Tao

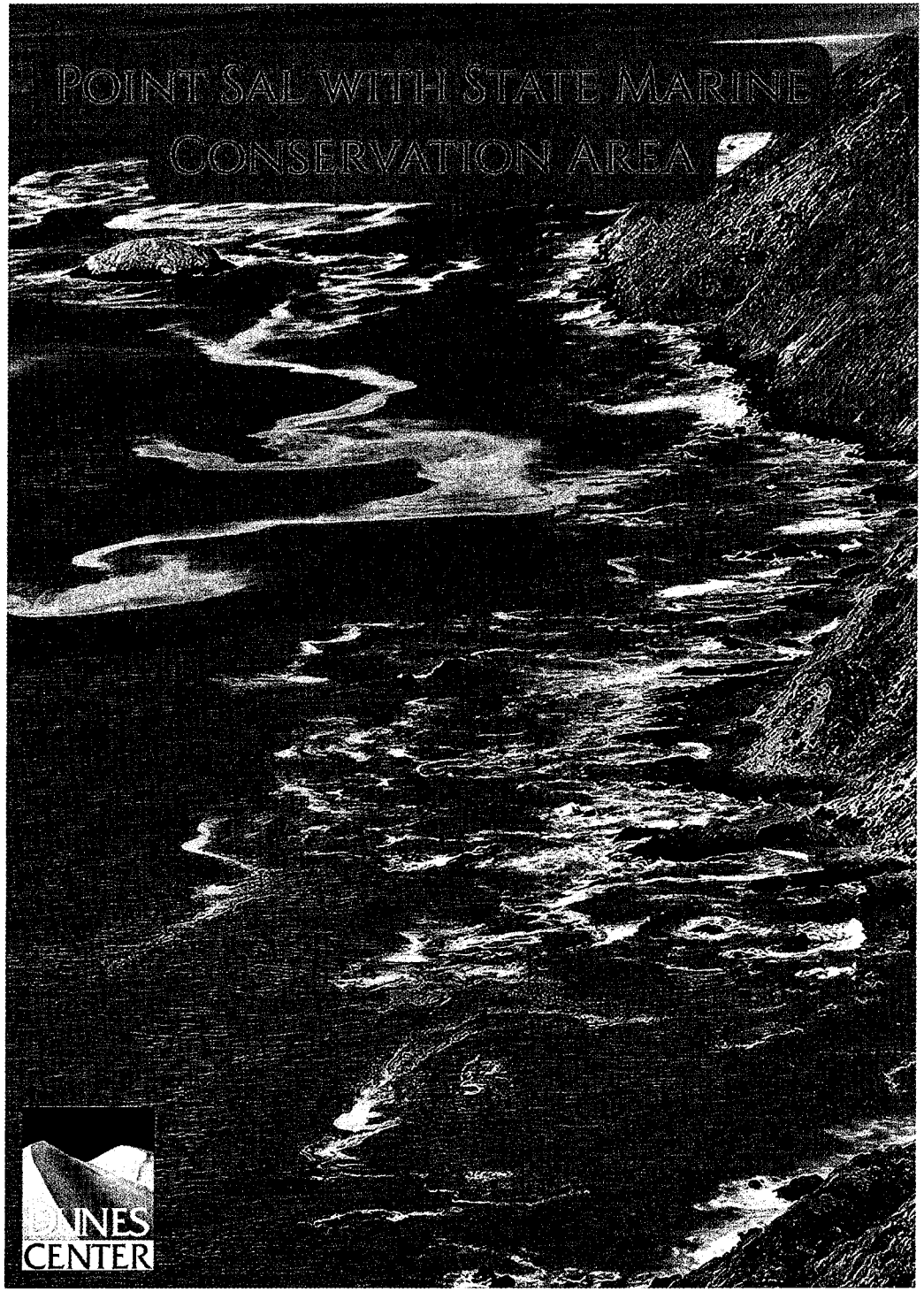
GRADE & SCHOOL: 2nd



NAME: _____

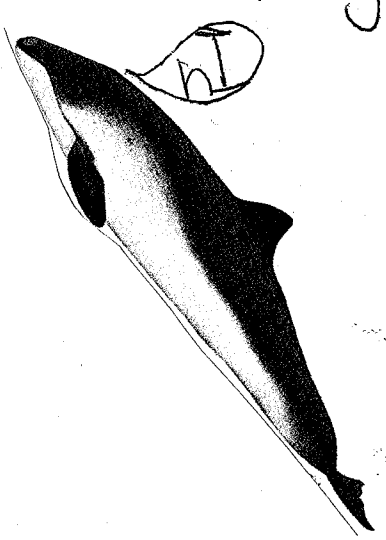
GRADE & SCHOOL: Aren

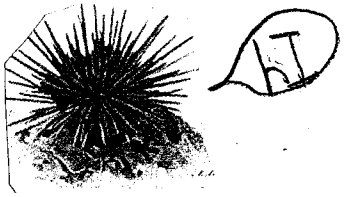


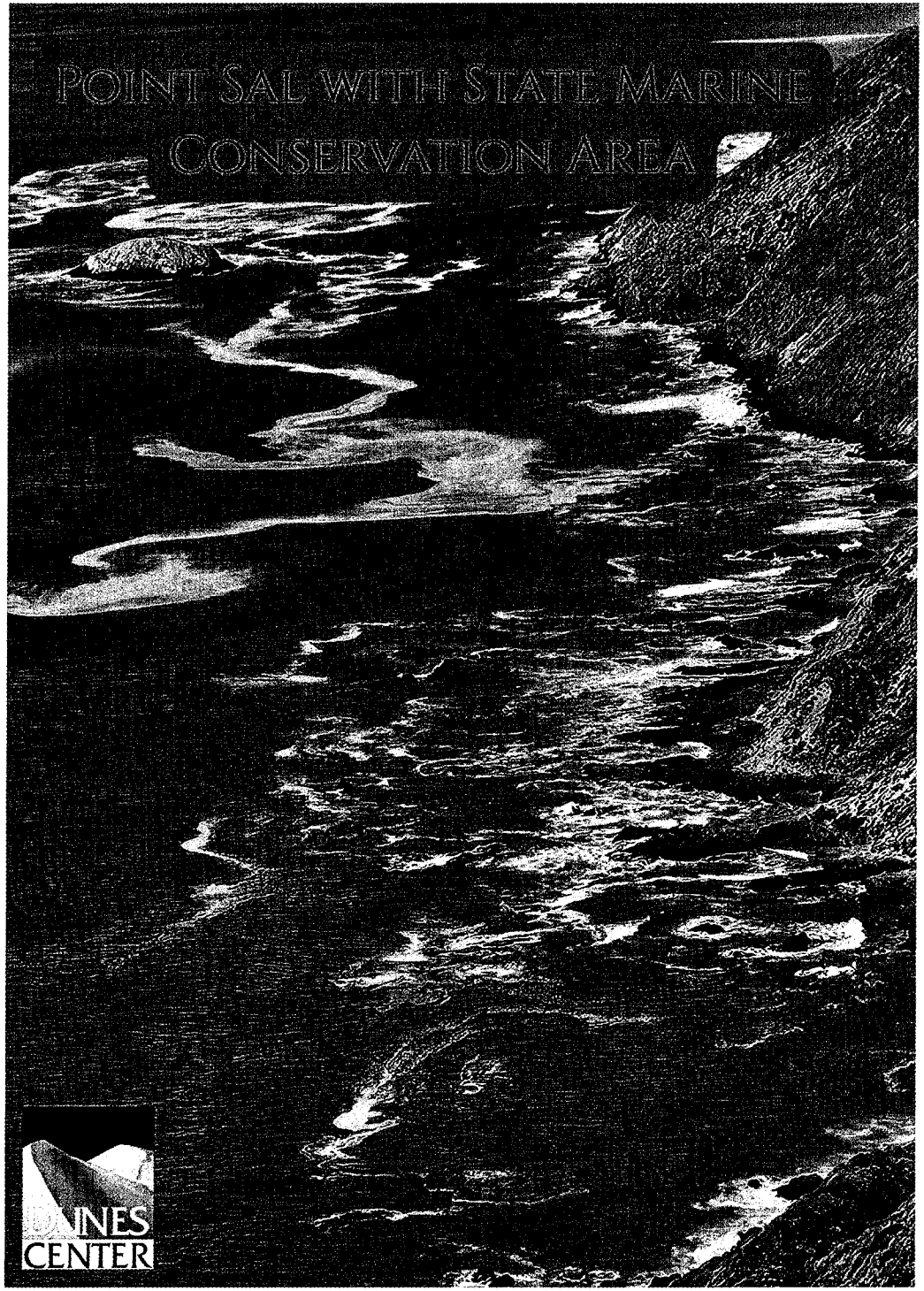


NAME: Katalexis

GRADE & SCHOOL: 1st, Cuyama Elementary

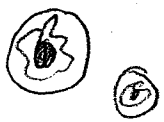


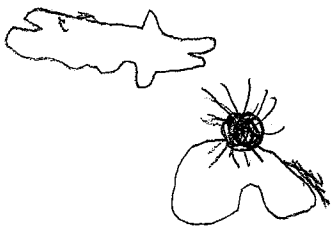


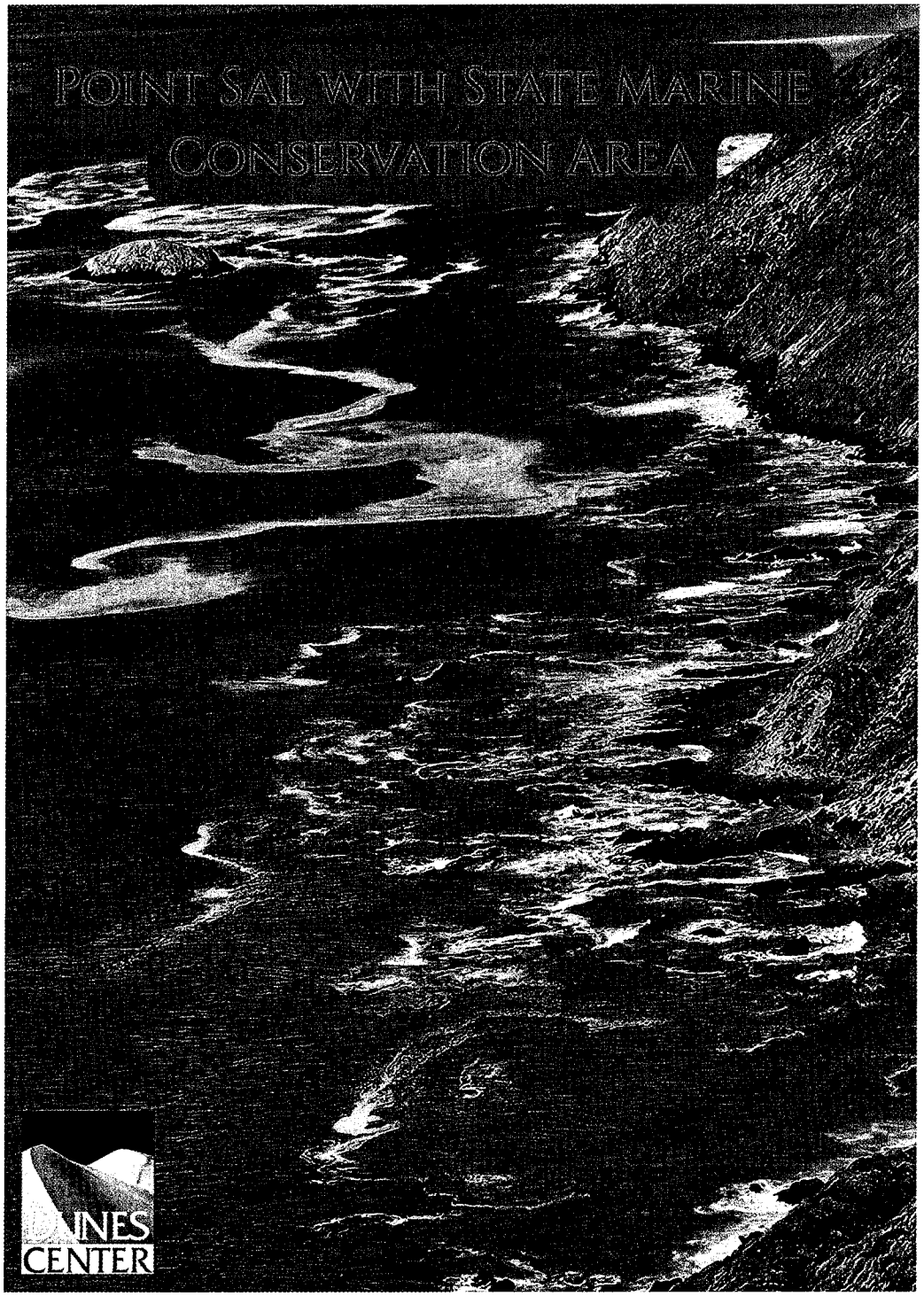


NAME: Ruby

GRADE &
SCHOOL: 2nd Grade



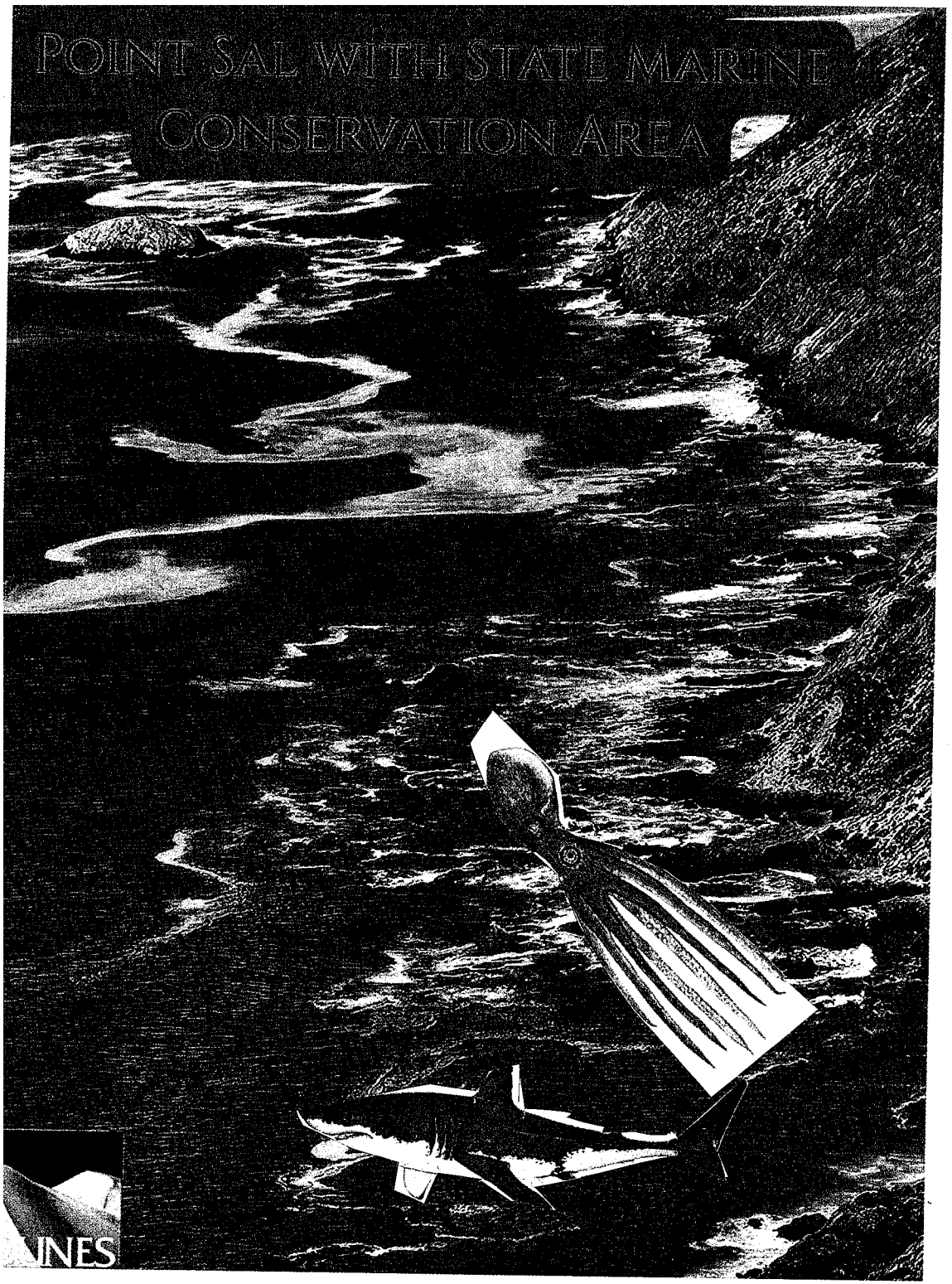




NAME: Rylee [redacted] B

GRADE & SCHOOL: I ♡ SEALS

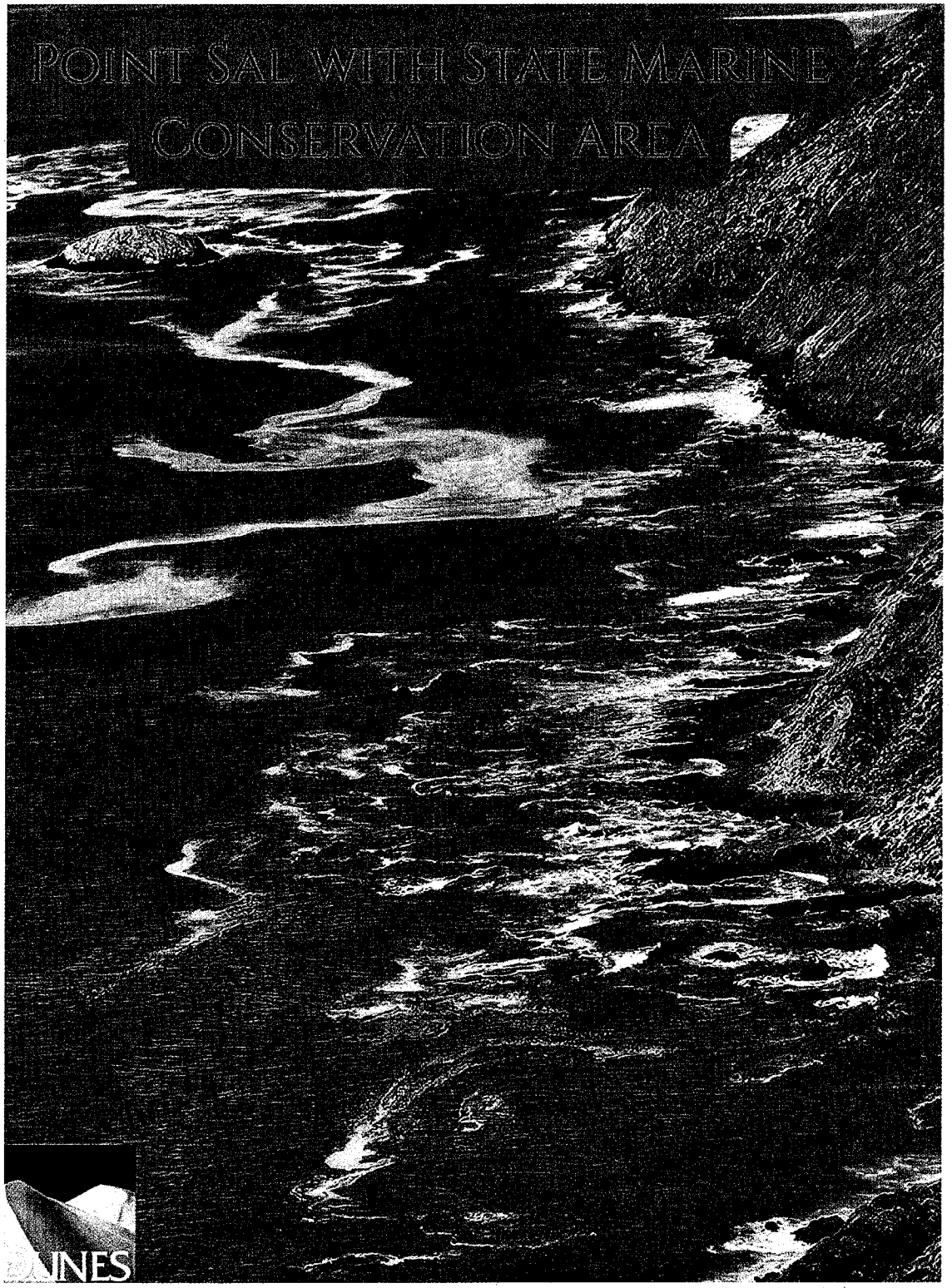




NAME: Freddie

GRADE & SCHOOL: 6th grade Cuyama Elementry Schoo

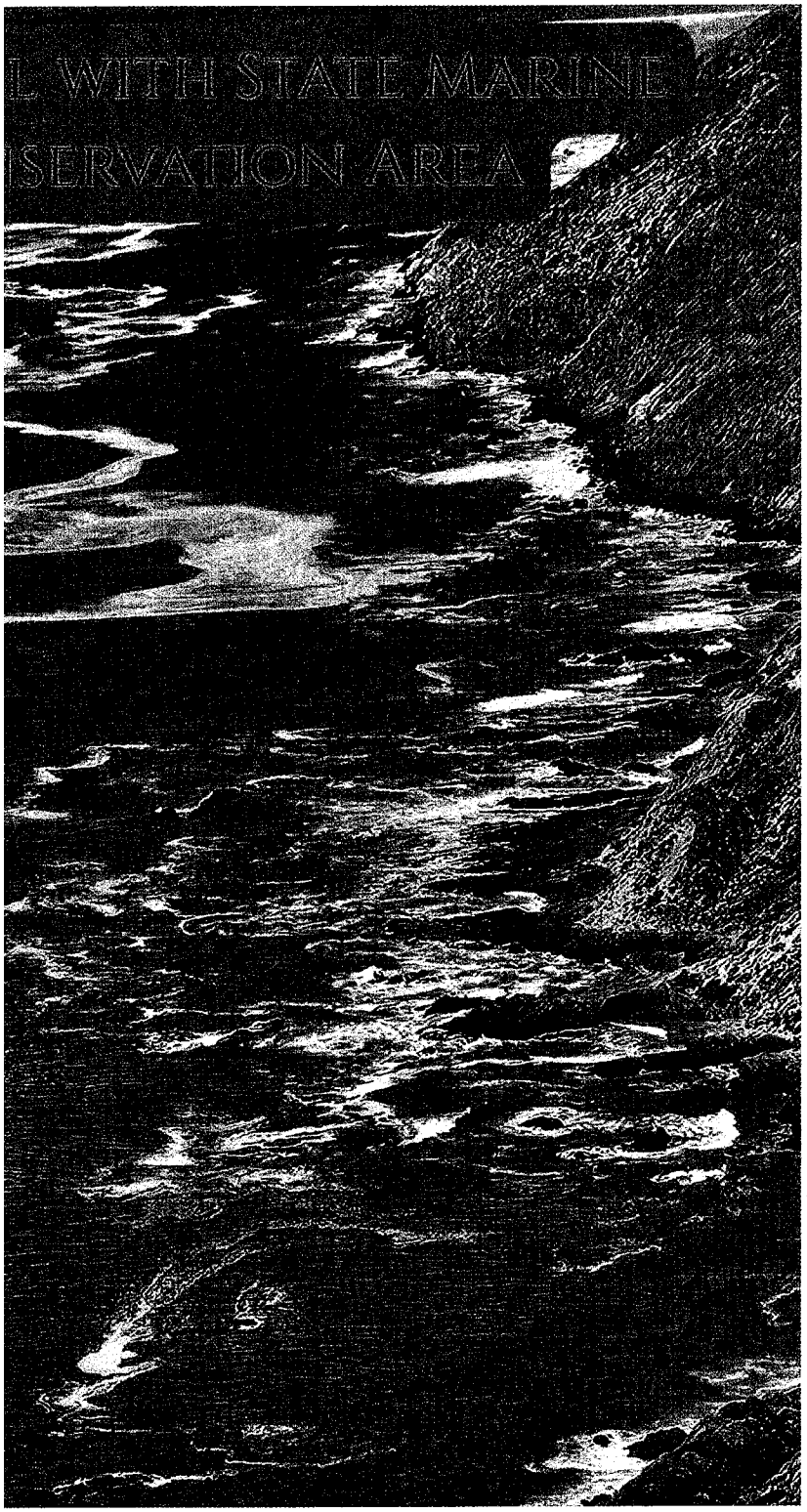
- These animals should be safe from predator



NAME: Alberto [redacted]

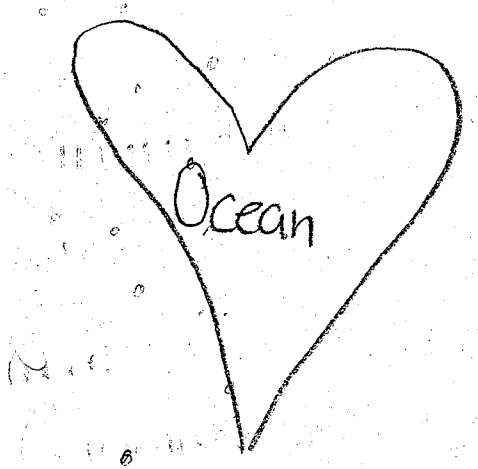
GRADE & SCHOOL: Cuyama Elementary School.

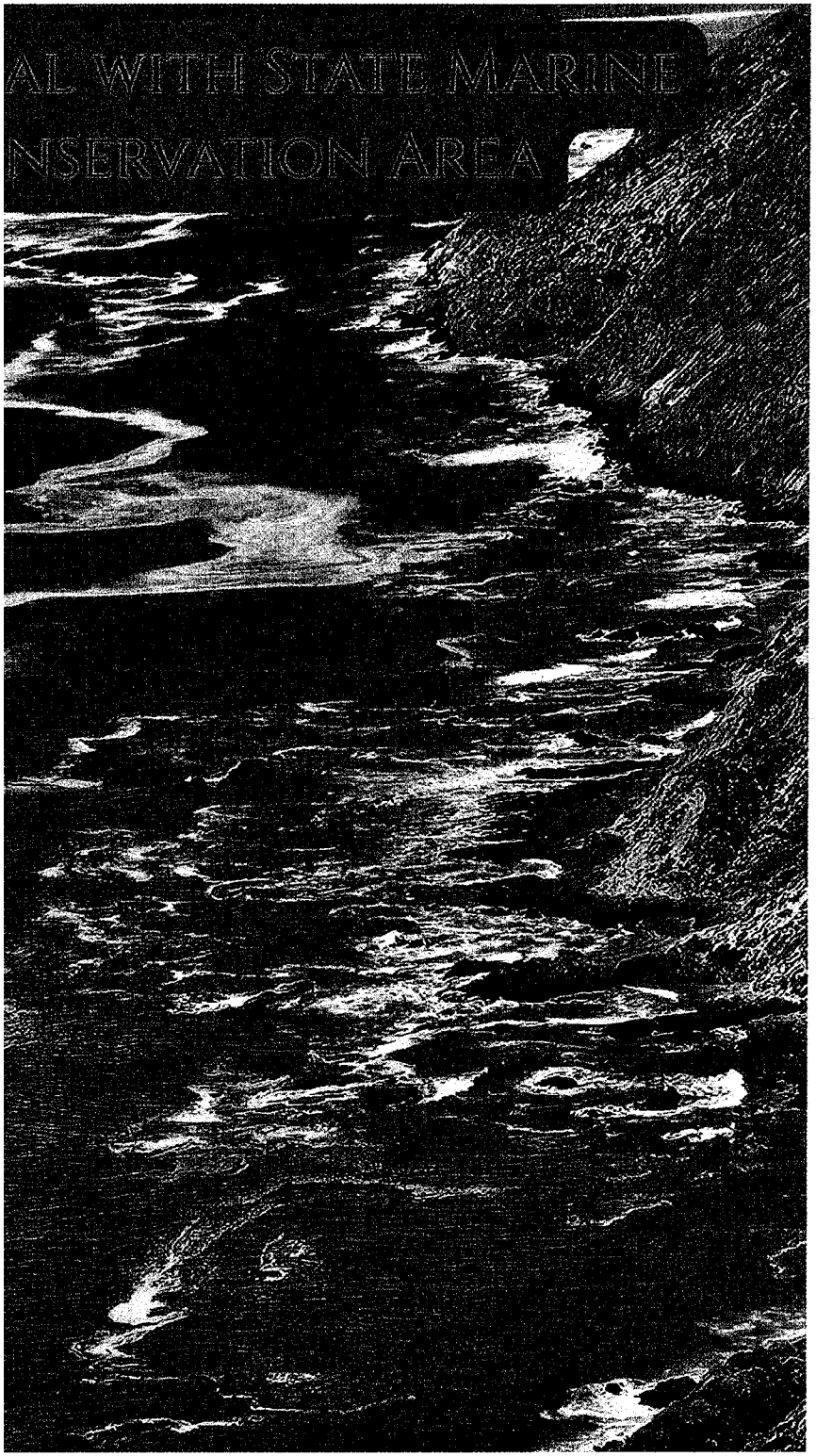
* Please, help our ocean stay Clean!
* Our future waters depend on us!
* El agua es vida.



NAME: Stella [redacted]

GRADE & SCHOOL: 8th grade Cuyama Valley Jr high

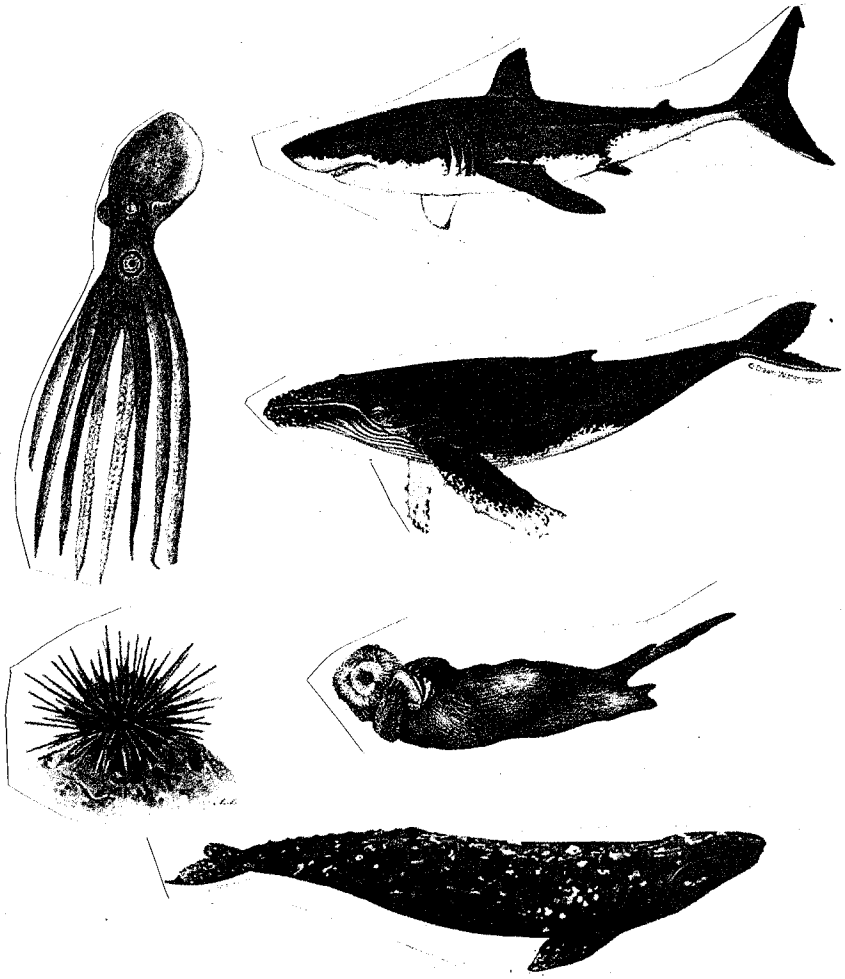


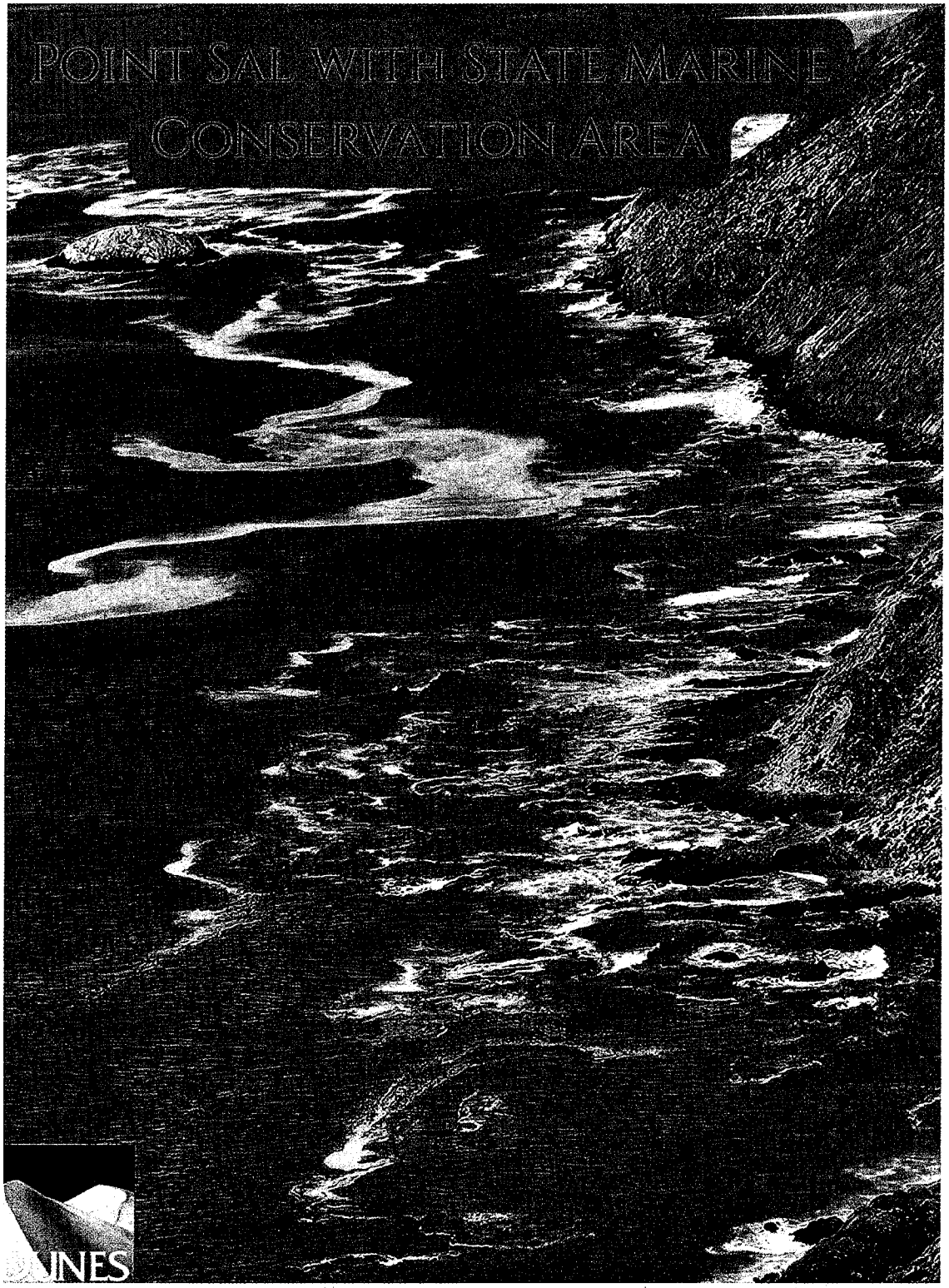


NAME: Brian

GRADE &
SCHOOL: Grade 5 Cuyama Elementary

These are my favorite sea animals. and creatures

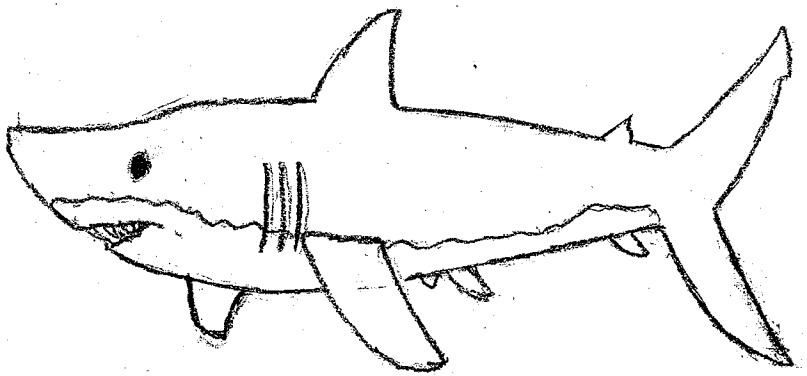


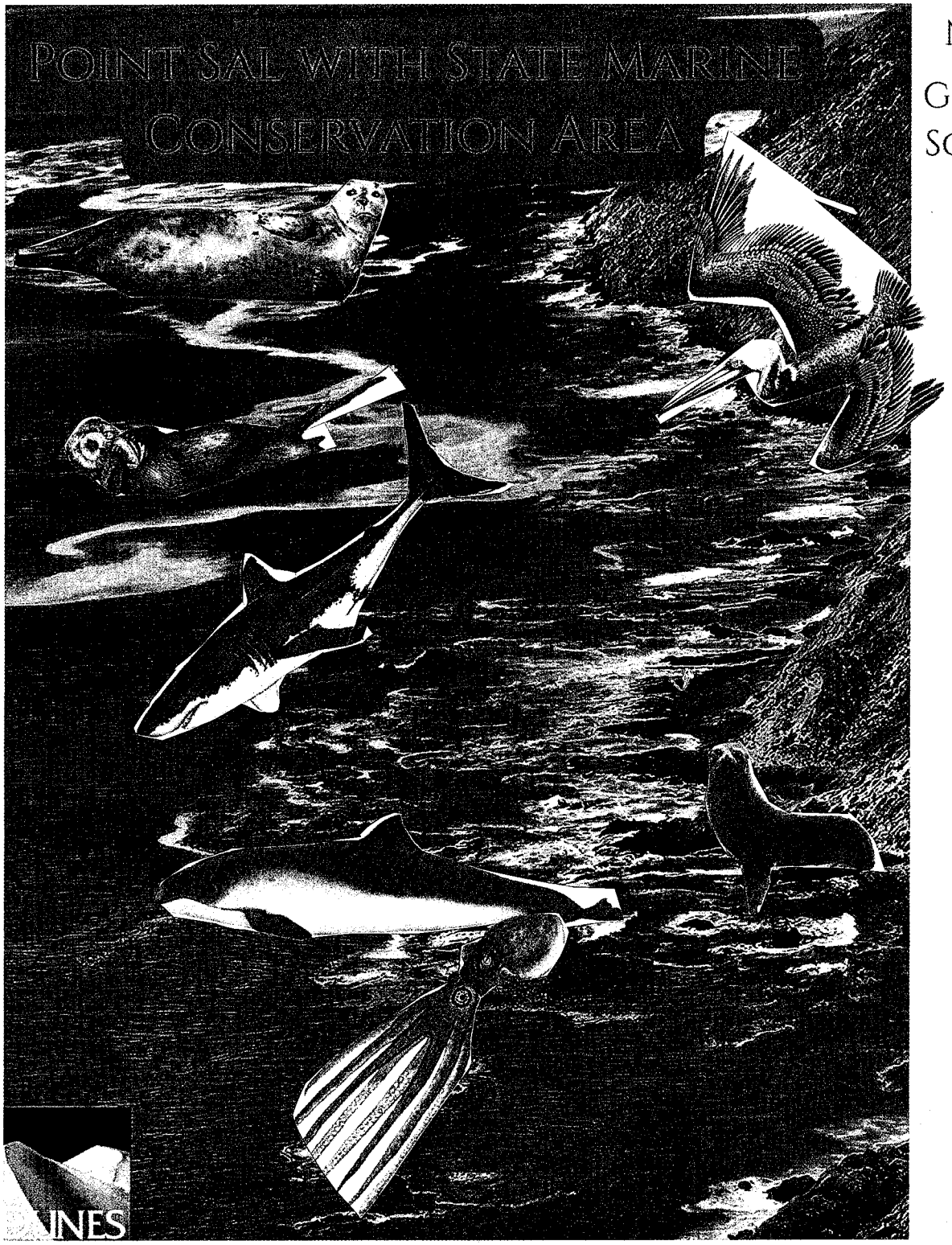


NAME: Jeremi [redacted]

GRADE & 9th grade

SCHOOL: Cuyama Valley High School

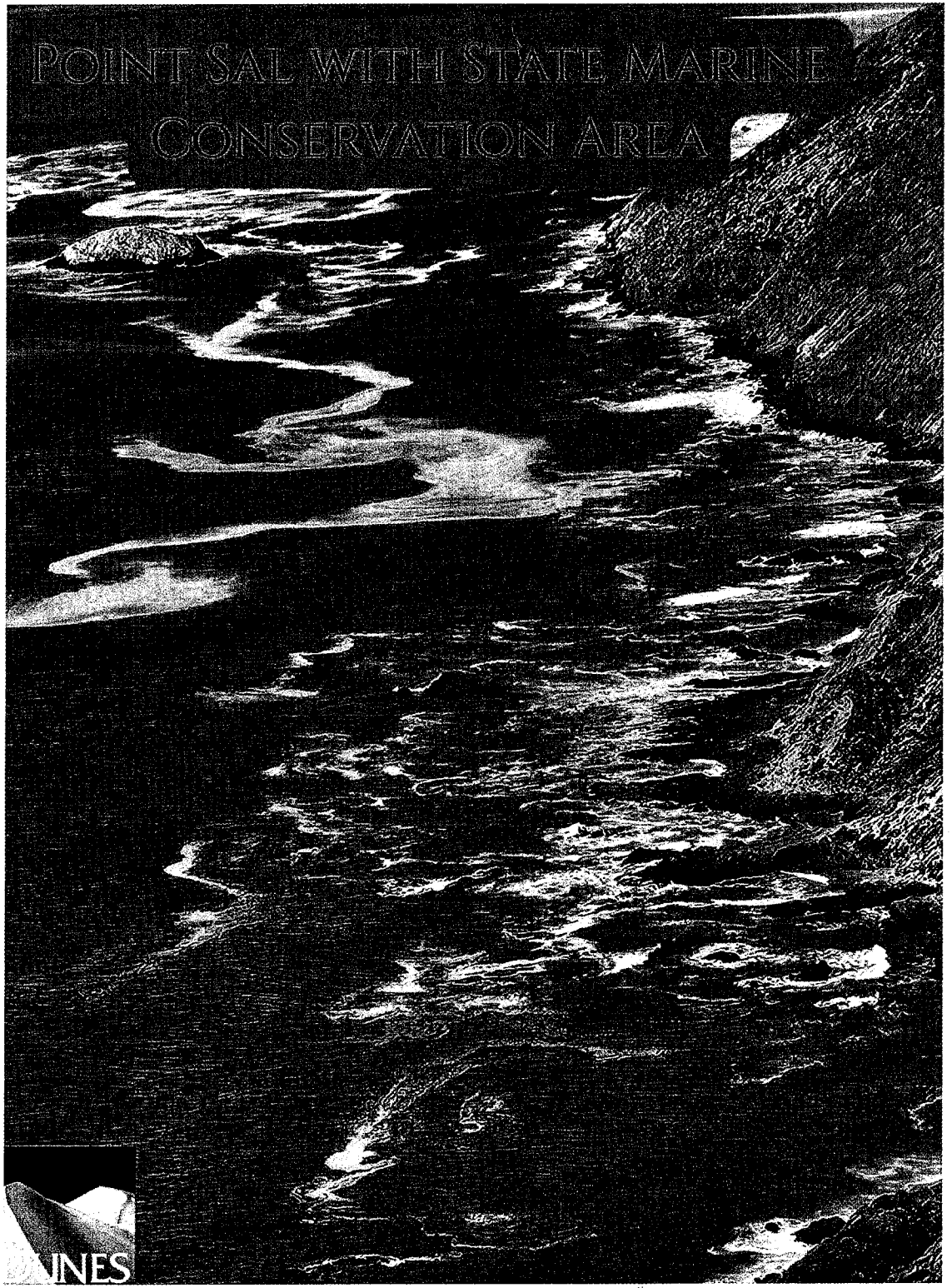




NAME: Edhg

GRADE & 6Th

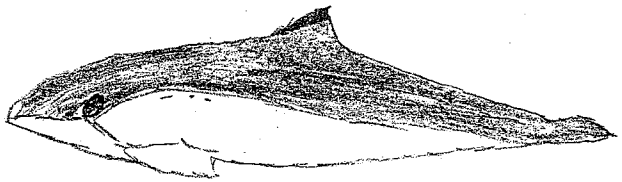
SCHOOL: cuyama Elementry School

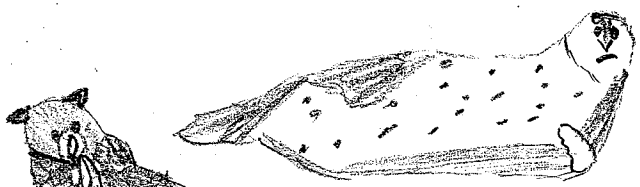


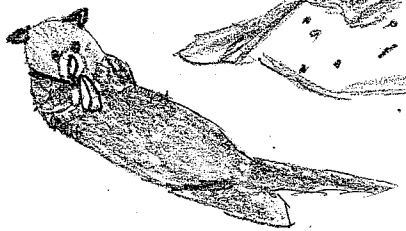
NAME: Grace ★

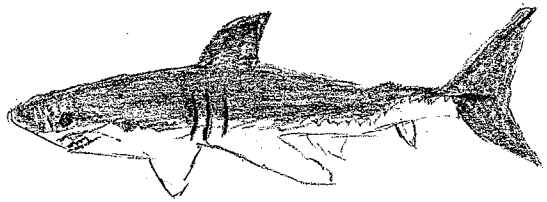
GRADE & 7th

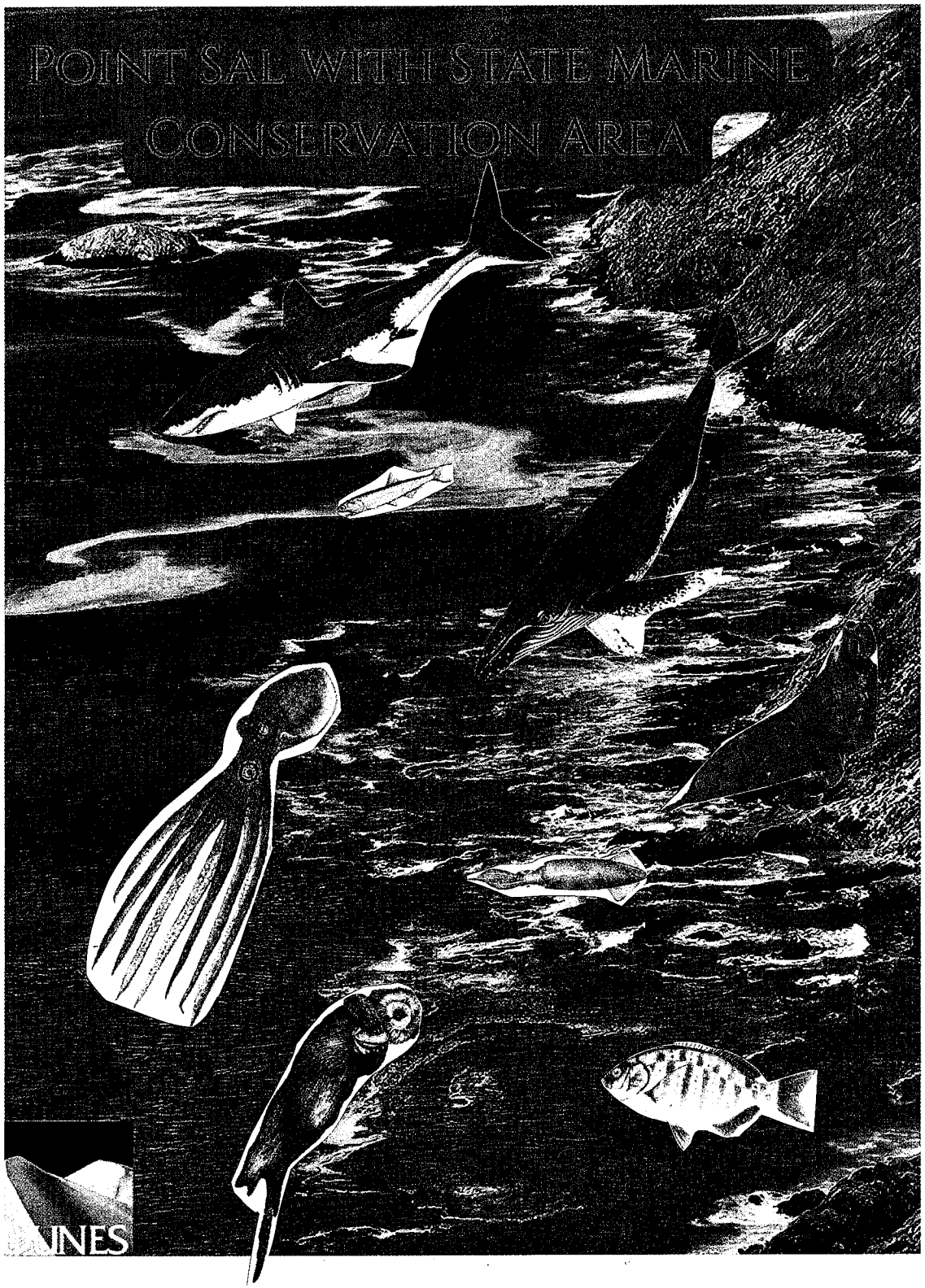
SCHOOL: Cuyama Middle school







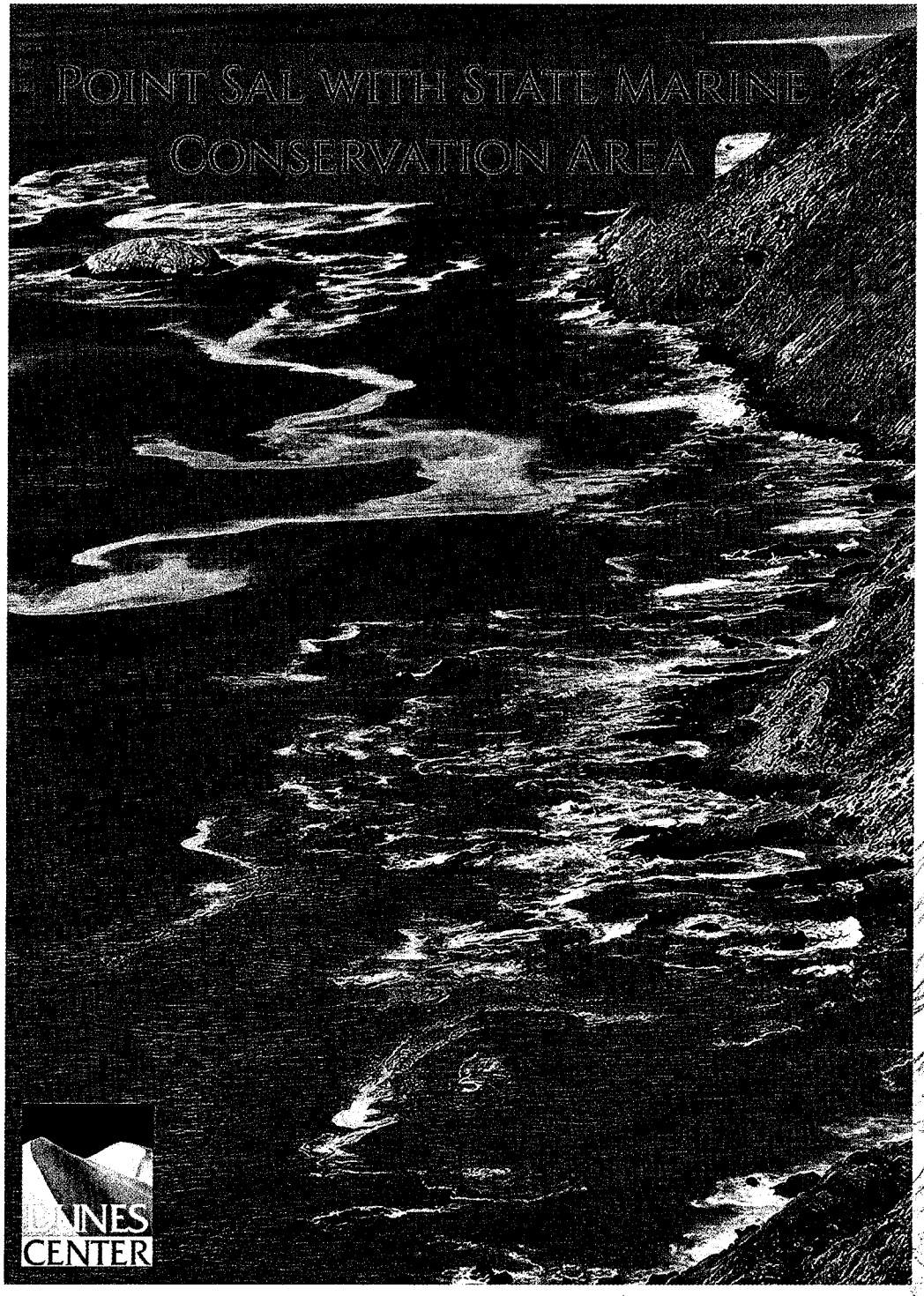




NAME: Kailey

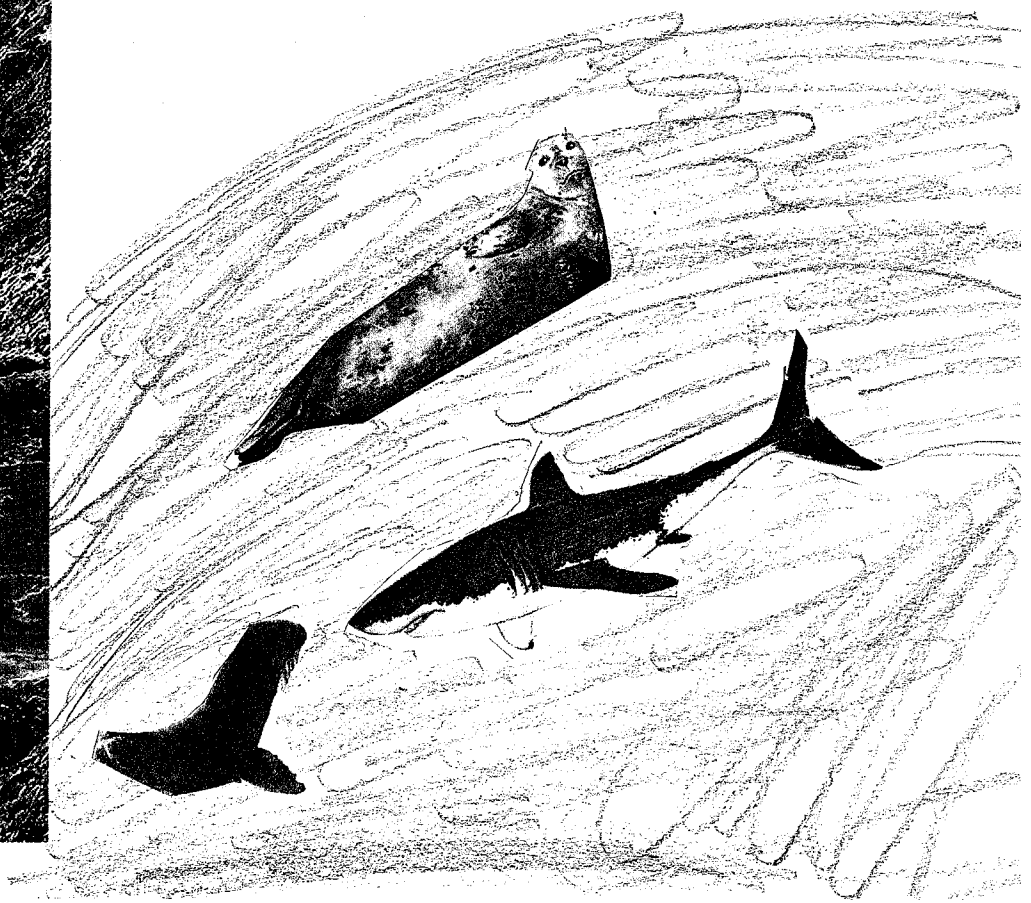
GRADE & 6th

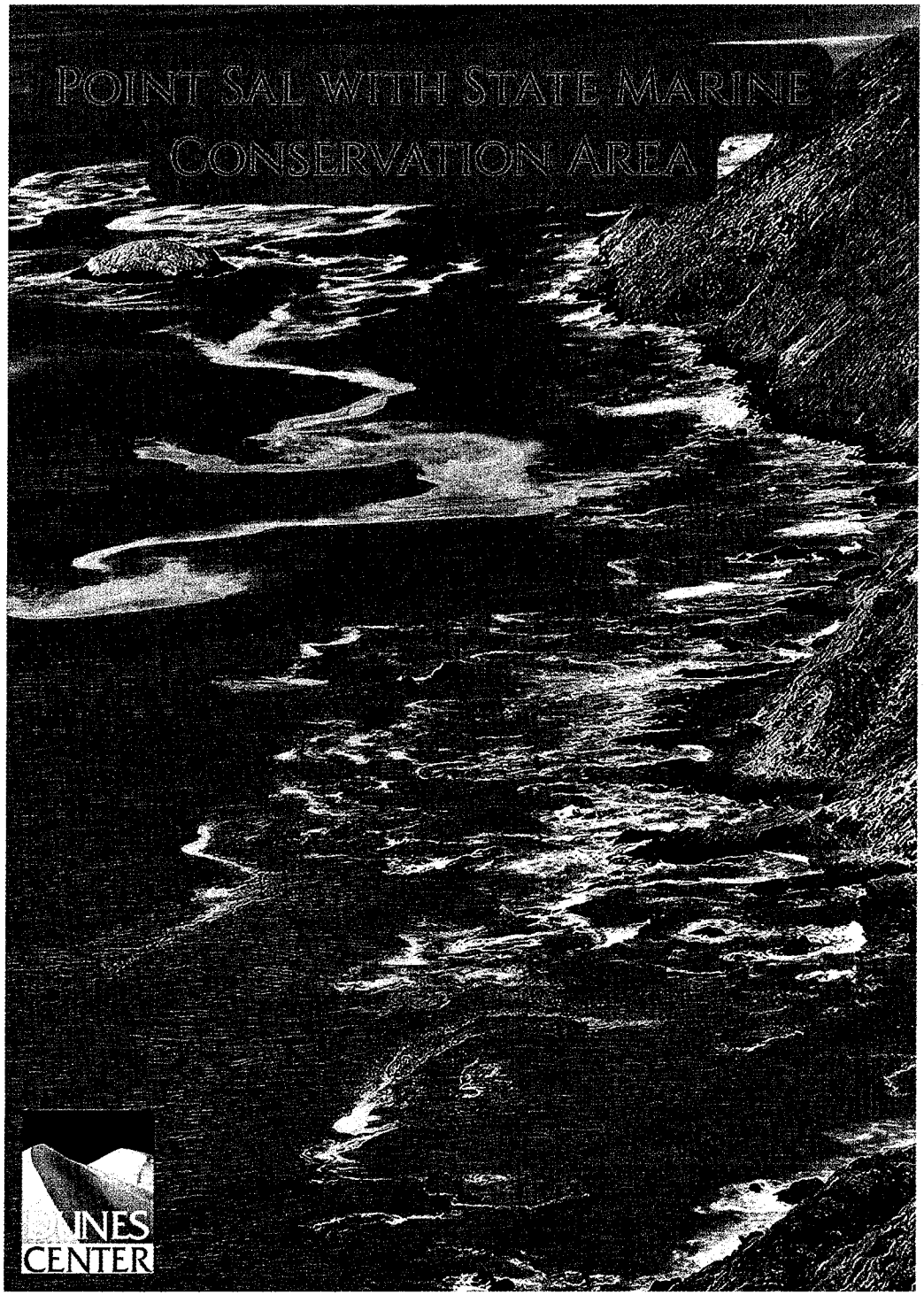
SCHOOL: Cuyama Elementry School



NAME: Th. 9G0

GRADE &
SCHOOL: 3 th

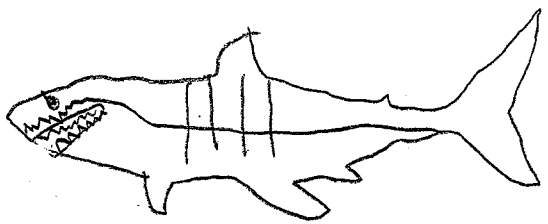


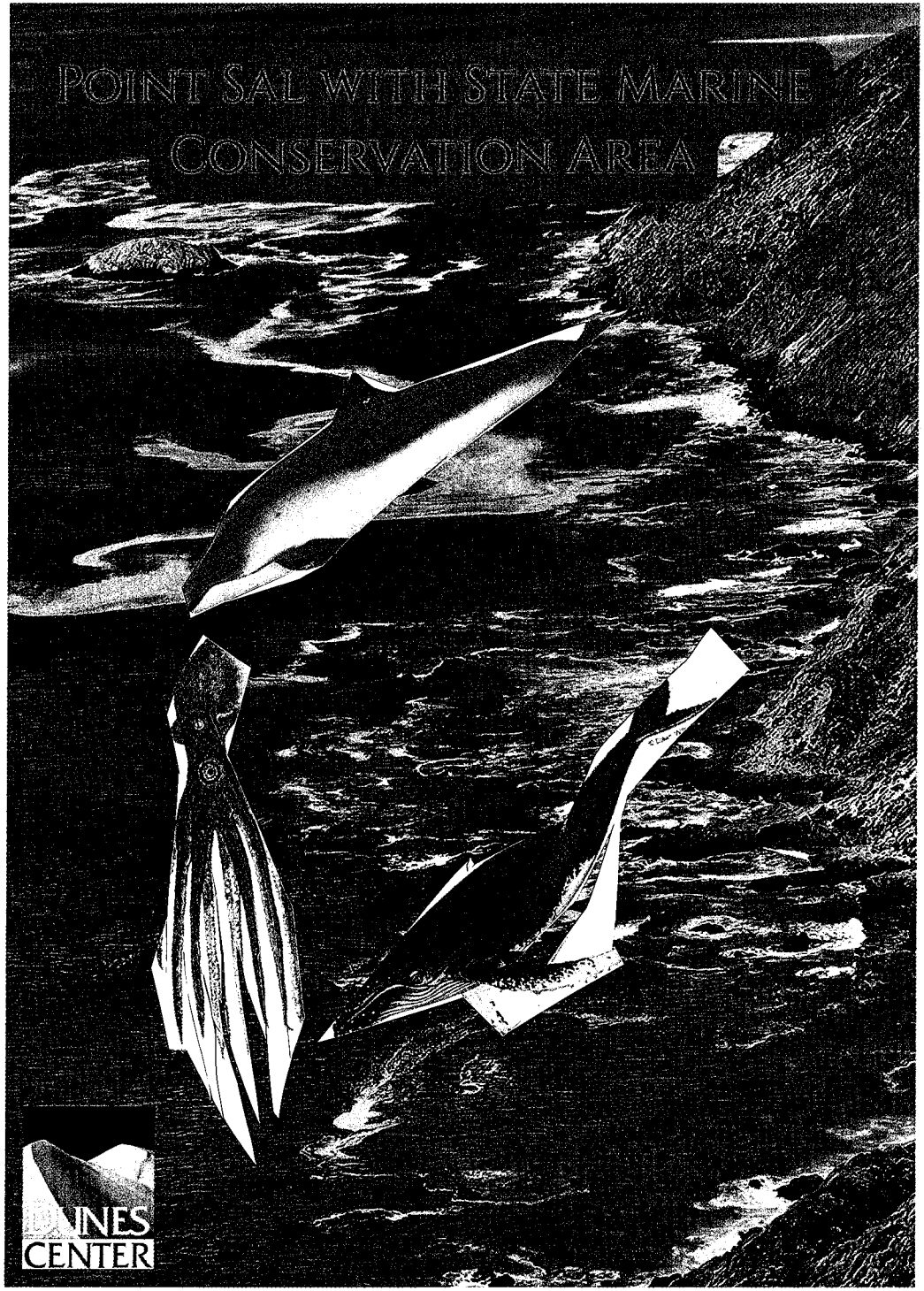


NAME: Jazlee

GRADE & SCHOOL: 4th [illegible]

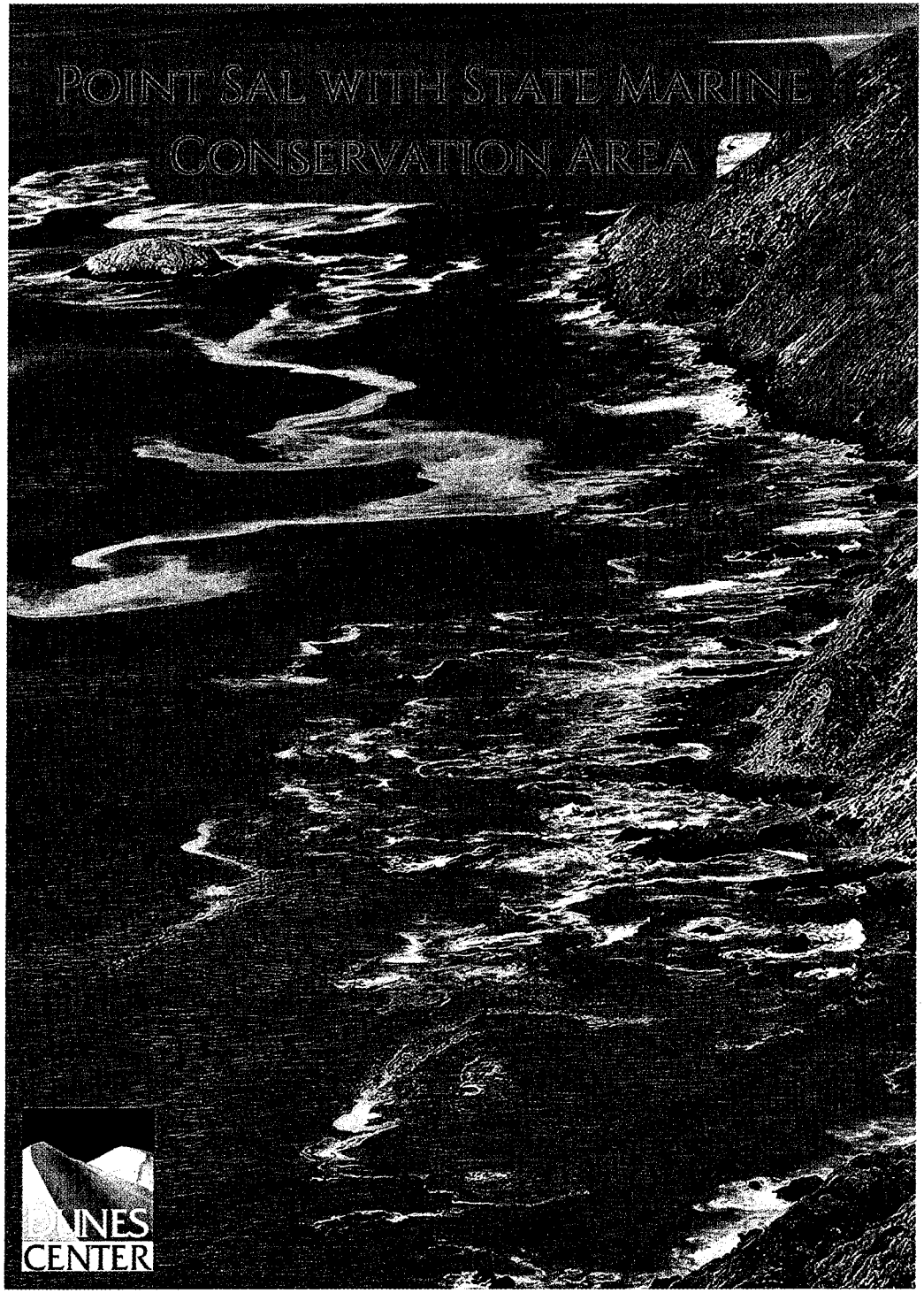
I ♡ a gray white sharks.





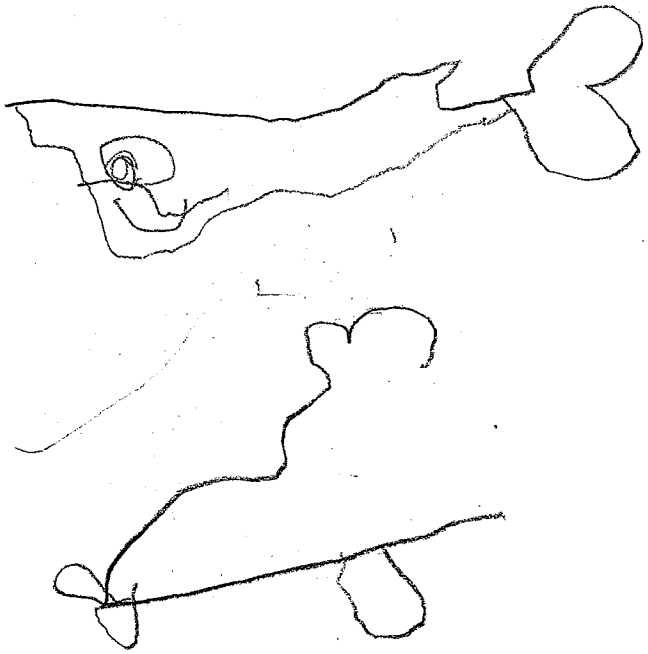
NAME: Mia Tao

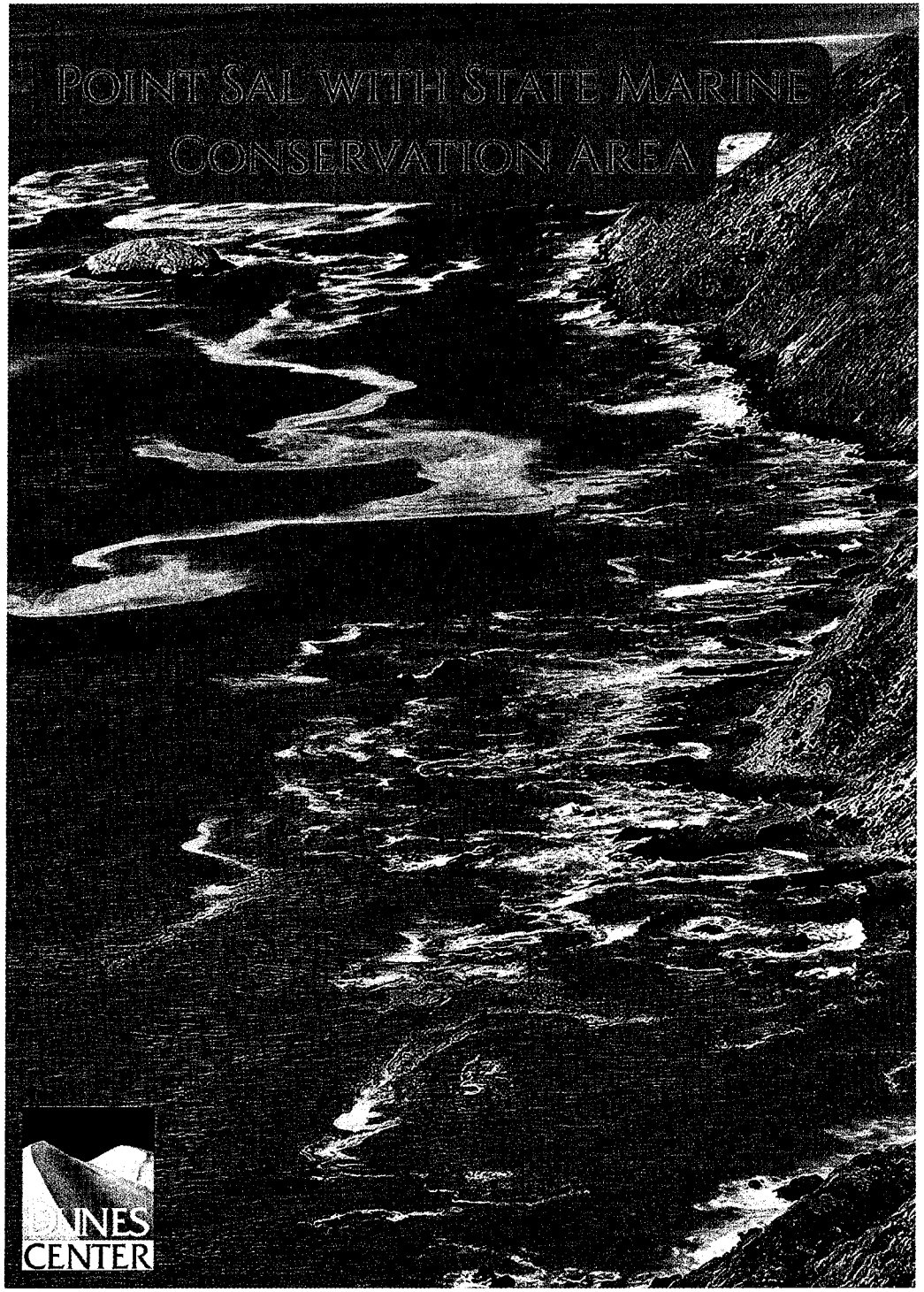
GRADE & SCHOOL: 2nd



NAME: _____

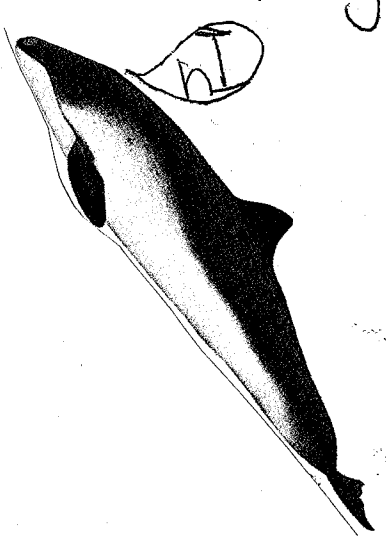
GRADE & SCHOOL: Aren

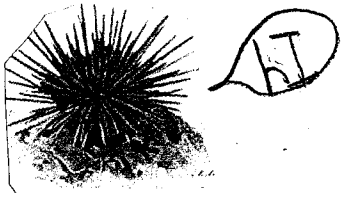


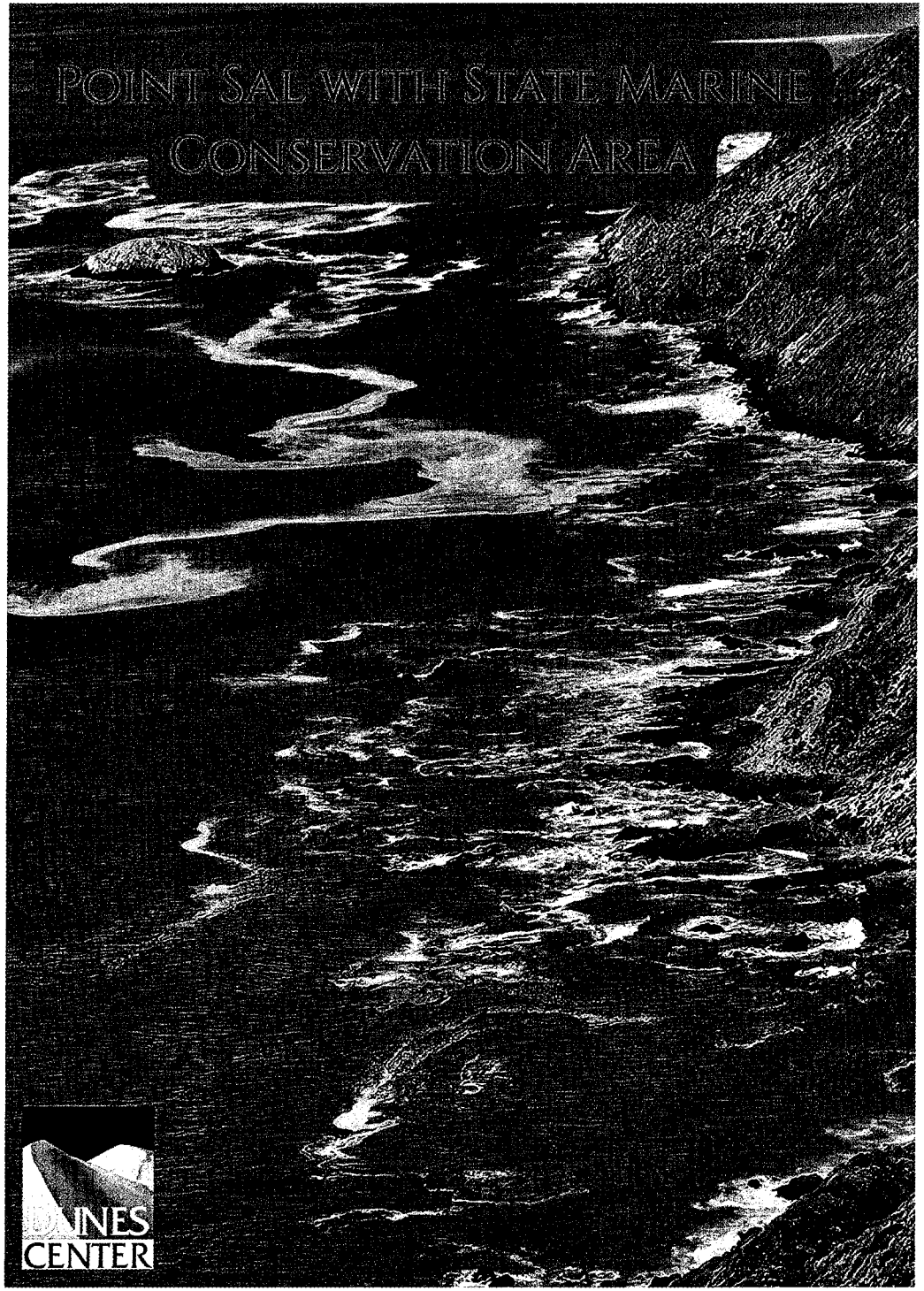


NAME: Katalexis

GRADE & SCHOOL: 1st, Cuyama Elementary

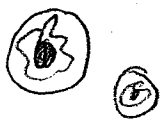


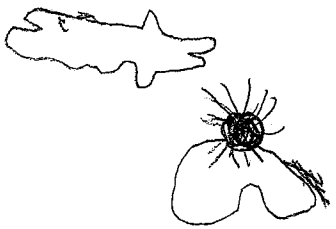


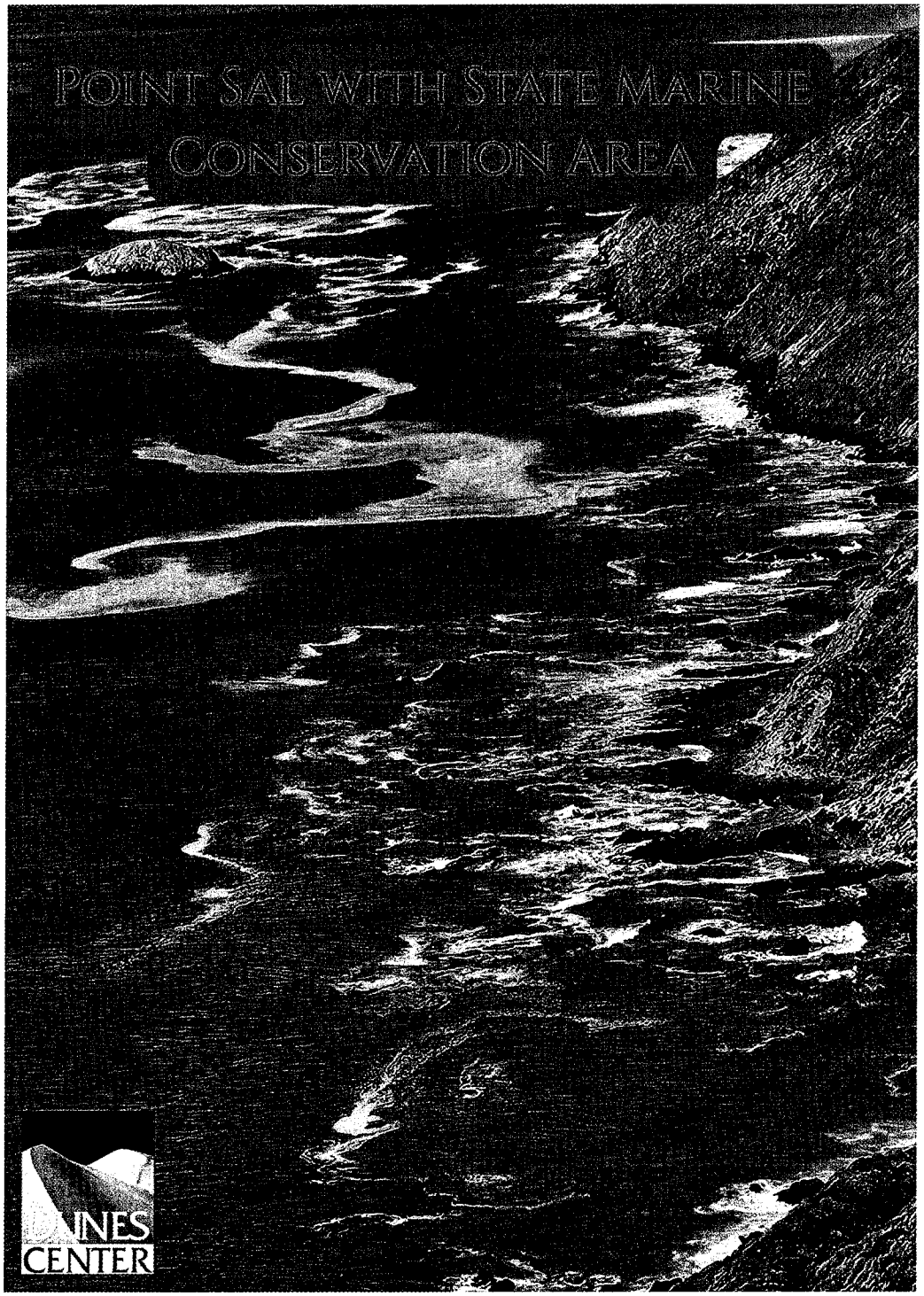


NAME: [redacted]

GRADE & SCHOOL: 2nd grade



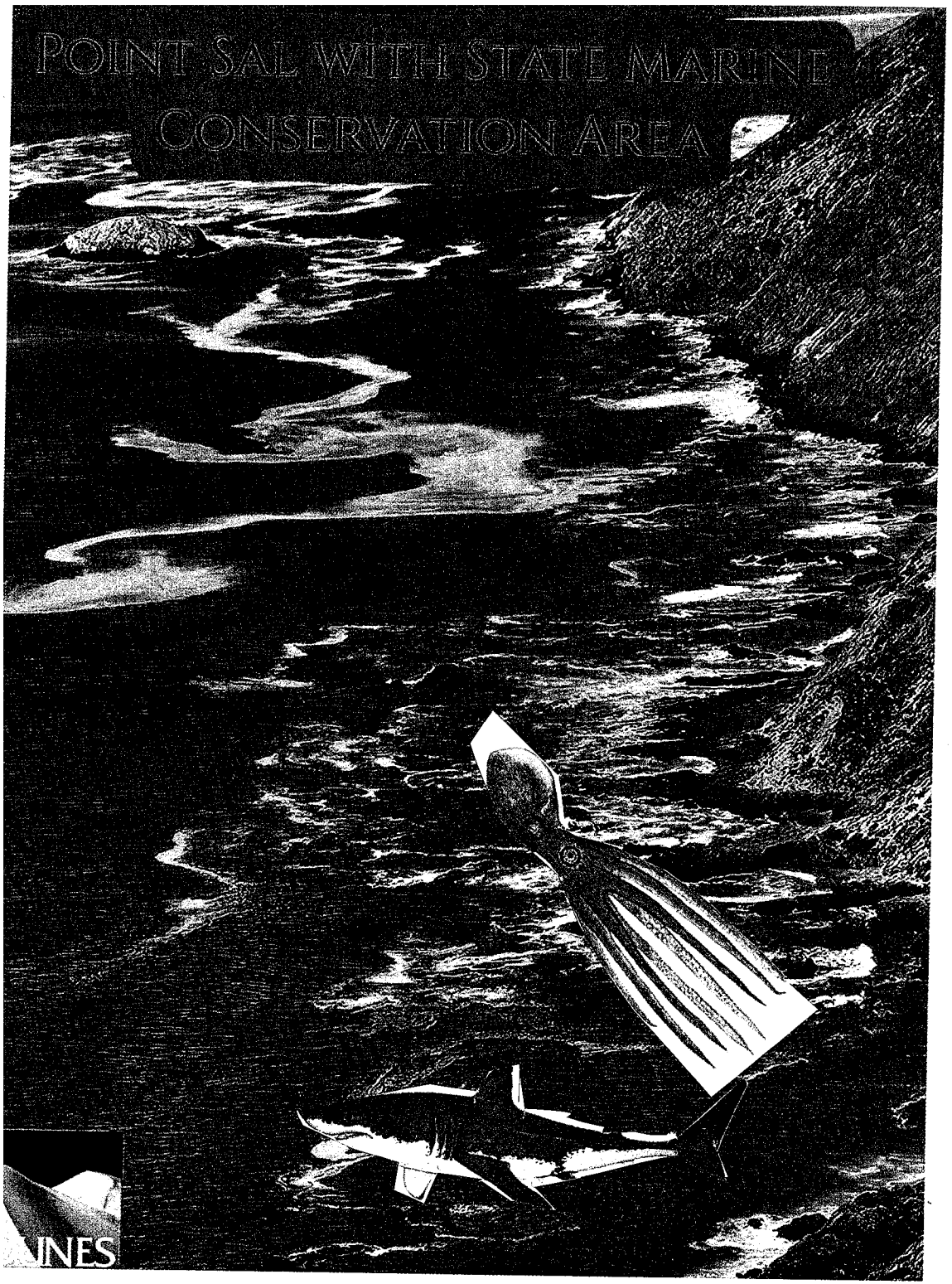




NAME: Rylee

GRADE & SCHOOL: I ♡ SEALS





NAME: Freddie

GRADE & SCHOOL: 6th grade Cuyama Elementry Schoo

- These animals should be safe from predator

FGC**@FGC**

From: Carla Lalley
Sent: Tuesday, June 23, 2026 8:53 PM
To: FGC
Subject: Oppose Petition 2023-28 Port Sal

Categories: Exhibit

We would like to strongly urge you to **oppose** the unnecessary Petition **2023-28 Port SAL.**

This area is vital to local commercial and sport fisherman. These waters are a fishing area for halibut, groundfish and Dungeness crab.

There are already 3 MPAs in this area. These additional closures will **severely** affect the livelihood of the Port San Luis and Morro Bay commercial fishermen and sport fishermen.

Our son is a commercial fisherman in Morro Bay. You will be severely limiting his ability to provide for his family if you approve this petition.

You will also be depriving all the restaurants and people living here of access to fresh, wholesome, nourishing fish. There will also be an economic impact on the entire area that depends on the fishermen's ability to provide fresh fish to the markets and restaurants and bring tourists to our area.

Please consider the enormous unintended consequences of giving only one small group of people access to these waters. **Oppose Petition 2023-28**.

Thank you for your consideration.

Carla & John Lalley
Los Osos, CA

FGC**@FGC**

From: Jeff Dyerly
Sent: Thursday, July 9, 2026 2:39 PM
To: FGC

RE: MPA Petition Process —Petitions 2023-28MPA-AM,

To the California Fish and Wildlife Commission;

My wife and I live locally in Arroyo Grande and have a large family that we support through a commercial rockfish operation out of Port San Luis. Our operation relies on our Nearshore and Deeper Nearshore limited entry permits for groundfish. We specialize in catching and selling Live rockfish to the Bay area and Southern California. Our operation uses traditional rod and reel to catch fish one at a time, keeping them alive in tanks and transporting them live to market. It is analogous to buying live main lobster and it is unique to this area. In order to ensure the fish can survive, all harvesting must be done in rocky underwater structures shallower than 120 feet, which can only be found in certain headland areas along the coast. The area in the Proposed Pt Sal SMR represents THE MAIN AREA where we fish on a daily basis. If the proposed closure happens, we will be forced to close our operation and no longer provide fresh fish to the citizens of the state.

As previously stated, the primary focus of our fishery is to harvest and sell our rockfish live to market. In order to do this, the fish must be harvested in depths less than 120 feet. This excludes much of the offshore reefs where deep water groundfish live in abundance. In addition, our permits specify species of fish that are only found in shallow rocky areas. Our permits also specifically limit us to areas south of 40 degrees, 10 min North latitude and north of 34 degrees 27 minutes North latitude. This permit constraint, combined with the logistics of long travel distances in a small boat, restrict us to three areas out of Port San Luis. These areas are the rocky headlands south of Point Buchon MPA, Point Sal and Purisma Point, north of the Vandenburg MPA. Point Arguello, south of the Vandenburg MPA is just too far to reach in a small boat that is required to fish in shallow waters, safely. If the proposed Pt Sal MPA is implemented, the entire fleet will be forced into the two remaining areas, which could put serious pressure on those rockfish populations. We have already been forced out of two out of the five rockfish reefs out of Port San Luis. It would be grossly unfair to further restrict our ability to earn a living as commercial fishermen.

I am still shaking my head in confusion as to why anyone would even feel the need to close this area to fishing. I just do not see how our fishing operation could negatively affect any other use of these local resources. I am at Pt Sal at least 4-5 days a week and literally only see a few other boats, on any given day. Most of those are boats I recognize as fellow commercial fishermen. I also fish close enough to the shoreline that if there are people walking along the beach I could easily see them. Only one out of ten trips will I see someone on shore and I'm sure that this is because there is no road access to this area. If someone is there, then they hiked many miles down a steep trail to get there and even though I can see them, they are far enough away that I could not have any interaction. I can see no economic value for any shore based activities and my

operation would not interfere with anyone on shore if there were something that others could use the land for.

In conclusion, I beg you to not adopt the Pt Sal MPA, doing so will not help the local people and will literally force my wife and I to close our business and look for employment elsewhere to provide for our family.

Respectfully,

Jeff Dyerly

FGC**@FGC**

From: Sophie Bartley <sophie@legacyworksgroup.com>
Sent: Wednesday, July 22, 2026 2:41 PM
To: FGC
Subject: Support for the proposed Point Sal Marine Protected Area

Hello,

My name is Sophie Bartley and I am writing to express my strong support for the proposed Point Sal Marine Protected Area.

I work for a local nonprofit called LegacyWorks Central Coast. LegacyWorks and many other regional partners work together in collaborative networks that seek to build community resiliency and protect the vital natural resources that sustain us.

Designating this MPA supports a shared mission for regional conservation in many critical ways, specifically:

- **Biodiversity and resiliency.** Protecting marine biodiversity is essential for sustaining long-term coastal ecological resiliency. Point Sal's unique mix of habitats, including tidepools, kelp forests, a rocky reef, and sandy beaches, support an incredible variety of marine life. Point Sal's unique topography and current convergence creates an ideal safe haven for juvenile fish and invertebrates to settle and mature. Protecting these waters directly boosts fish populations and ecosystem health, making our coastline more resilient to the increasing threats of climate change and marine industrialization.
- **Supporting a more comprehensive and effective network of MPAs.** Point Sal would serve as a strategic replicate site for California's MPA network. It secures critical habitat types and also protects Lion Rock, an essential roosting and breeding site for marine mammals and seabirds. A new MPA at Point Sal would help act as an "insurance policy" for the region, counterbalancing current and future impacts elsewhere.

CDFW's 2023 decadal review showed that MPAs work to enhance biodiversity and support our local communities. The proposed Point Sal MPA represents a rare opportunity to protect a relatively undisturbed coastal ecosystem while it is still thriving. I urge the Commission to move forward with this petition to protect the waters of Point Sal.

Thank you,
Sophie Bartley

Sophie Bartley she/her
Project Manager

FGC**@FGC**

From: Molly [redacted]
Sent: Tuesday, July 21, 2026 9:34 PM
To: FGC
Subject: PLEASE DONT TAKE AWAY MY HOME!!!

Good evening all commissioners. My name is Molly [redacted]. I am 16 years old, going into my junior year, and a local youth in Carpinteria, California and I go to [redacted] high school. I deny the petition to close Carpinteria reef.

I love to fish, hunt, and free dive. Carpinteria reef has been a part of my life from a very young age. I remember my dad teaching my brother how to free dive, and my brother teaching me. And I will soon be teaching my younger brother as well. I have hunted my very first legal California spiny, lobster here, and spearfish my very first sheephead. This reef is where I learned to become comfortable in the water. Carpinteria reef is my home. It is a safe place for many locals to fish and hunt for their food. And it is too many others in the community of Carpinteria. I have taught many of my friends how to free dive and fish in Carpinteria and at the reef.

Coming from a family who loves to fish and has sport fishing boats in Santa Barbara, that fish in Carpinteria. We can see the struggles and impact that closing this reef and making it in MPA would have. From personal experience, I have friends and neighbors who depend on this reef for their food. Yes, there is a counter argument of. " Why not just beach fish?" But many beach fish like rays, perch, ect. Contain high amounts of heavy metals in them. So by fishing at the reef, it will reduce the amount of heavy metals that are consumed. fishing, hunting and other water, activities, a very healthy lifestyle and diet. I know many people in my community that are homeless and still go to school and depend on fishing at the reef, or they have a home but share a two bath three bedroom home with about five other families. These families in my local community fish at Carpinteria reef to feed their families. This new petition to make Carpinteria reef an MPA will impact me and my family heavily. If my family boats cannot fish here. It will be very hard to make ends met. In my family, there's already been talks about moving away to a different place, this will take a huge hit on our local family business. my older brother Matt is a 19 year-old captain and commercial fisherman in Santa Barbara. He is the youngest captain in California at the moment.

By now, you might recognize me and my family from the fishing game commission meeting on 5/5/26 in Goleta California. There were many big feelings and tears at that meeting coming from me a scared 16 year old who was overcoming her fear of public speaking and also overthinking and overwhelmed with what is my life was going to look like if this petition passes and my family won't be able to fish anymore and lose our family business? The anxiety of this still weighs on my shoulders every single day. And the thoughts of losing my home Carpinteria reef and just living in Carpinteria is really hard and impacts me everyday all day.

I know that the generation even younger than me loves fishing hunting, and free diving at Carpinteria reef as well. You might remember my younger brother Max [redacted], he is nine years old during his speech. He had some big feelings and shed a couple tears after he spoke at the meeting he told me he doesn't want to lose his home and that he's scared. Personally, I don't think a nine-year-old should be scared that he's going to lose his home. I don't know about you, but if a very young generation of youth in a local community is already feeling the impact of what could potentially happen. It's a big deal and it means something to a lot of people. If this marine protected area gets approved, there will be an abundance of local youth playing on their iPads, phones, and TVs. Rather than spending time outside in nature and learning about our ecosystem from a personal view, I have learned that experience is the best way to learn. There have been many lessons that I have learned at Carpinteria reef that I will never forget.

California Has some of the most regulated fisheries in the world. We already have so many limits and regulations on how many fish you can catch, what size they need to be and where you can and can't fish. Most fisherman follow all the rules, they buy their fishing licenses, they buy the right gear and follow all the rules. This marine protected area is not recommended by CDFW and is not recommended by me and others in my community. There's not enough research and science that has been done to justify this marine protected area.

I am at Carpinteria reef every weekend during the school year and almost every day during the summer. One thing that I have noticed that many of the people at the commission meeting on 5/5/26, is that many of the people on the opposing side of my argument had said they are at Carpinteria reef very often. I'm not here to say that it is untrue or that they don't go to Carpinteria reef, but I have never seen any of those people that said that at the meeting. Most of the time I know everybody who's at the reef and if I don't, I go and introduce myself and make new friends that also love to fish and hunt. This place is my home, the people that share it with me, are family.

In this lengthy email, I have covered many topics and thoughts that are on my mind coming from a young 16 year-old Carpinteria youth Who doesn't want their home to go away. I have overcame fears of public speaking and I look forward to doing more of it in future meetings. I'm looking to pursue fisheries management when I am older and I someday want to help be a part of decision-making in marine protected areas and other fisheries regulations in California. thank you so much for your time. I look forward to seeing all of you in the future. I am please asking you to deny the petition to close Carpinteria reef.

Sincerely,
Molly [redacted]

ROY LEE
First District Supervisor



BOARD OF SUPERVISORS
County Administration Building
105 East Anapamu Street
Santa Barbara, CA 93101
Telephone: (805) 568-2190
www.countyofsb.org

COUNTY OF SANTA BARBARA

July 29, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Dear President Sklar and Commissioners,
I appreciate the Commission's continued commitment to protecting California's marine resources and recognize the importance of preserving healthy ocean ecosystems for future generations. While I support the goals of the proposal, I have concerns regarding Petition 2023-29MPA (Mishopshno SMCA) and respectfully urge the Commission to pursue an approach that protects both our environment and the working families who depend on these waters.

The proposed Mishopshno State Marine Conservation Area lies off the coast of Carpinteria, where generations of local commercial fishermen have responsibly harvested spiny lobster and other species. These fishermen have already adapted to California's existing network of Marine Protected Areas and have demonstrated that sustainable fishing and marine conservation can coexist.

I support the proposal with these 2 key modifications:

First, existing commercial fishing permits should be grandfathered into the new management framework. The individuals and families who have built their livelihoods under the current regulatory system should not lose access to productive fishing grounds through a change in policy. At the same time, I do not support the issuance of new commercial fishing licenses within the proposed MPA.

Second, I support providing access for the Coastal Band of the Chumash Nation as part of any tribal stewardship or co-management framework. The Coastal Band has deep historical and cultural ties to this area, and their participation should be recognized and accommodated as the Commission considers the future management of these waters.

I believe this balanced approach would protect marine resources while honoring the longstanding contributions of both our commercial fishing community and the Coastal Band of the Chumash Nation. Conservation is most successful when it respects the people and traditions that have long been connected to our coast.

Thank you for your consideration and for your continued service to the people of California.

Sincerely,

Roy Lee
Supervisor, First District
Santa Barbara County

FGC**@FGC**

From: B. Hartwell
Sent: Wednesday, July 29, 2026 7:49 PM
To: FGC
Subject: Opposition to Petition 2023-32MPA — Duxbury Reef State Marine Conservation Area Redesignation

Brittany Hartwell

Santa Rosa, CA

July 29, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Submitted via email: fgc@fgc.ca.gov

CC: California Department of Fish and Wildlife, Marine Region
RE: Opposition to Petition 2023-32MPA - Duxbury Reef State Marine Conservation Area Redesignation

Dear Commissioners and Department Staff,

I am writing to express my strong opposition to the petition asking the Fish and Game Commission to redesignate Duxbury Reef from a State Marine Conservation Area to a State Marine Reserve, which would effectively close the reef to fishing.

As a lifelong resident of the North Bay coast, I have spent decades fishing these waters, as have generations before me. Those of us who spend time along this coastline know it intimately - we've watched it change over time and care deeply about its health and longevity.

Eliminating access won't preserve the reef. It will simply erect another barrier between people and the natural spaces that build understanding, stewardship, and respect. Intergenerational pole-and-line fishing cultivates reverence for the land and sea, not destruction. Anglers are not the enemy - we're often the eyes and ears on the water, reporting pollution, hazards, and illegal activity.

This closure would also come at a real cost to the people who depend on these waters for food. Local anglers already contend with a shrinking footprint of accessible fishing grounds after previous closures and restrictions. Each additional loss narrows the options for community members who rely on this coastline for a sustainable, self-caught source of seafood - one with none of the environmental cost of commercial supply chains.

Notably, even the petitioning organization's own monitoring data undercuts the case for closure: 2024 reporting documented well over a hundred potential violations at Duxbury Reef, and not one involved hook-and-line fishing. The overwhelming majority involved unauthorized hand collection of intertidal species and issues related to dogs on the beach - not licensed anglers acting within the rules. I would ask the Department to weigh this discrepancy carefully, as it directly contradicts the premise that fishing access is driving harm to the reef.

I understand that CDFW's own draft evaluation of this petition already recommends against redesignating Duxbury Reef to the more restrictive reserve status, while supporting only a boundary adjustment that would not reduce existing take allowances. I strongly support that recommendation and urge the Commission to adopt it as written, rather than yield to a petition that goes well beyond what the Department's own analysis supports.

Local anglers have a real conservation track record: during the years abalone harvest was still sustainable, it was often anglers themselves who volunteered for early-morning watches on holiday weekends, reporting illegal take - everyday coastal residents, not paid activists. That same spirit is alive today; a coalition of local residents has recently organized specifically to propose enforcement- and education-based alternatives to closure, precisely because they believe access and conservation are compatible.

It's hard not to feel alienated when proposals frame responsible anglers as threats to the ecosystem we value most. Many of us hold generational knowledge of these waters and would otherwise be natural conservation partners - but advocacy that severs our remaining ties to the coastline makes that collaboration unlikely.

If the goal is genuine preservation, more targeted measures exist. Enforcement capacity in this region is genuinely stretched thin, with only a handful of wardens covering Marin and a dozen surrounding counties. Rather than closing the reef, the Department should pursue increased warden presence during low-tide and peak visitation periods, continued and expanded support for the existing volunteer docent program, and restrictions on dog access in the sensitive intertidal zone itself - not just the parking lot and trail. These approaches target the actual, documented sources of disturbance rather than penalizing a community with a long record of responsible use.

Conservation succeeds by building allies, not excluding them. I urge the Department and Commission to reject the redesignation of Duxbury Reef and instead pursue solutions that protect the reef while preserving access for those who have long shown care and stewardship for this place.

With thanks,
Brittany Hartwell

FGC**@FGC**

From: Reba Meigs
Sent: Tuesday, July 14, 2026 5:37 PM
To: FGC; West Marin Food Systems
Subject: Support for Community-Based Stewardship and the Save Duxbury Adaptive Management Proposal
Attachments: LOS Duxbury Adaptive Management Plan (1) (1) (1).pdf

Dear Melissa Miller-Henson,

I hope this email finds you well. I am writing on behalf of the West Marin Food Systems Group to express our support for community-based stewardship and the Save Duxbury Adaptive Management Proposal. The West Marin Food Systems Group is a shared leadership regional collaborative of schools, community organizations, food providers, farmers, ranchers, fishermen, public agencies, and nonprofit partners working to improve equitable access to healthy, locally produced food throughout West Marin. Our work is grounded in the understanding that healthy communities depend upon healthy working landscapes—including our agricultural lands and our coastal waters.

We recognize that Marine Protected Areas (MPAs) are an important tool for protecting California's coastline and precious reefs like Duxbury. We also believe that healthy marine ecosystems, sustainable fisheries, and responsible public access can coexist, particularly in places like West Marin, where stewardship and conservation have long been community values.

West Marin Food Systems partners with Leave No Trace through the Cleaner California Coast Initiative and with NOAA Sea Grant in partnership with UC San Diego and Penn State University to strengthen coastal stewardship through science, education, and cross-sector collaboration. Our participation in the MPA Collaborative Network reflects a shared leadership approach to protecting coastal resources by building local capacity, advancing effective communication, and implementing practical stewardship solutions.

Last month, Leave No Trace facilitated a statewide training for the MPA Collaborative Network focused on effective communication for MPA partners, including land managers. Our participation in regional MPA Collaborative meetings has emphasized pollution prevention, understanding visitor behavior, and advancing practical stewardship strategies, such as reusable cup and container programs, fishing-line and tackle collection stations at public beaches and marinas, cigarette butt receptacles and visitor education that reduces impacts before they occur.

In addition, our team will be working closely with our UCCE partners to create an emergency food plan for West Marin and we see our local fisheries as an instrumental part of this plan.

Please find attached our letter of support for the Save Duxbury Adaptive Management Proposal, we encourage you to take a community-led shared leadership approach and join community members, key stakeholders and the West Marin Food Systems Group in support of the the Duxbury Adaptive Management Plan

Best regards,

Reba Meigs, on behalf of the West Marin Food Systems Group

July 2, 2026

California Department of Fish and Wildlife
California Fish and Game Commission

Re: Support for Community-Based Stewardship and the Save Duxbury Adaptive Management Proposal

Dear Commissioners,

On behalf of Innovative Health Solutions and the West Marin Food Systems Group, we respectfully submit this letter in support of the Save Duxbury Adaptive Management proposal and its commitment to collaborative, science-based stewardship that recognizes both the ecological importance of Duxbury Reef and the essential role local fishermen play in the health and resilience of West Marin's food system.

The West Marin Food Systems Group is a regional collaborative of schools, community organizations, food providers, farmers, ranchers, fishermen, public agencies, and nonprofit partners working to improve equitable access to healthy, locally produced food throughout West Marin. Our work is grounded in the understanding that healthy communities depend upon healthy working landscapes—including our agricultural lands and our coastal waters.

During the COVID-19 pandemic, Innovative Health Solutions served as fiscal sponsor for the Marin Food Policy Council and administered the *Catch Together* initiative, an emergency food security program developed in partnership with local fishermen. Through this effort, four local commercial fishermen supplied fresh, locally caught seafood to more than 40 community providers, ultimately reaching 19,520 Marin County families in just three months. The program distributed high-quality local protein through organizations including the Bolinas Community Center, Feed the People, Bolinas Community Kitchen, San Geronimo Valley Community Center, Coast Café, the San Francisco-Marin Food Bank, and numerous other community partners. It also helped sustain local fishermen whose traditional restaurant markets had collapsed during the pandemic.

Catch Together demonstrated something our collaborative continues to see today: local fishermen are not simply resource users—they are essential partners in regional food security, emergency preparedness, economic resilience, and community well-being.

As the West Marin Food Systems Group expands partnerships with schools, community kitchens, local producers, and organizations working to strengthen regional food systems, we continue to recognize locally harvested seafood as an important source of healthy protein and an integral part of a diverse, climate-resilient foodshed. Maintaining access to sustainably

cc: The Honorable Jared Huffman, U.S. Representative, California's 2nd Congressional District
Dennis Rodoni, Supervisor, Marin County Board of Supervisors, District 4

harvested local seafood supports both vulnerable families and the economic viability of West Marin's fishing community.

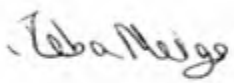
We also believe that the future of Duxbury Reef should be guided through robust community engagement, shared leadership, adaptive management, and the best available science. The collaborative approach outlined in the proposed Adaptive Management Framework reflects many of the same principles that guide our work: bringing together community organizations, local resource users, educators, public agencies, and conservation partners to develop durable, locally supported solutions.

This philosophy also aligns with ongoing efforts to revitalize the West Marin Chamber of Commerce. As we work to strengthen economic opportunity across the region, it has become increasingly clear that agriculture, commercial fishing, tourism, environmental stewardship, local businesses, and community health are interconnected. The long-term vitality of West Marin depends upon coordinated partnerships that recognize the contributions of all sectors while protecting the natural resources upon which they depend.

We appreciate the Save Duxbury Access petition's emphasis on science, stakeholder engagement, education, and adaptive management. We encourage the Commission to continue working with local fishing families, community organizations, educators, conservation partners, and public agencies to develop solutions that protect both California's extraordinary coastal resources and the communities that have stewarded them for generations.

Thank you for your consideration and for your continued stewardship of California's marine resources.

Sincerely,



Reba Meigs
West Marin Food Systems Group
Innovative Health Solutions

cc: The Honorable Jared Huffman, U.S. Representative, California's 2nd Congressional District
Dennis Rodoni, Supervisor, Marin County Board of Supervisors, District 4

FGC**@FGC**

From: Ingrid Noyes
Sent: Tuesday, July 21, 2026 11:26 AM
To: FGC
Subject: Opposition to Environmental Action Committee of West Marin (EAC) Duxbury Petition

To the California Fish and Game Commission:

Dear President Sklar and Commissioners,

I'm writing to express opposition to the Environmental Action Committee of West Marin's (EAC) Duxbury Petition, 2023-32MPA and SMCA Expansion. I oppose the proposed no-take reserve and any unjustified expansion of the Duxbury Reef SMCA.

Duxbury Reef is already highly protected within Point Reyes National Seashore and the Greater Farallones National Marine Sanctuary, alongside strict statewide fishing regulations. Long-term UCSC monitoring shows natural variability, not ecosystem collapse, and there is no evidence that current regulated use is causing harm. If issues arise, targeted, least-restrictive management tools are available and appropriate.

CDFW scientists have already rejected the EAC's claim that Duxbury is in crisis and recommended denying the no-take reserve. Proposing expansion without site-specific justification departs from established, evidence-based standards and risks unnecessary harm to coastal communities, including local fishing access and food security in West Marin.

I urge the Commission to:

- Reject a no-take reserve at Duxbury Reef
- Maintain current SMCA boundaries unless clear, site-specific need is demonstrated
- Rely on adaptive, least-restrictive management tools
- Include the February 2026 Save Duxbury Access alternative petition in the official record

Thank you very much for your consideration.
Sincerely,

Ingrid Noyes
native of West Marin
currently living in Novato CA

FGC**@FGC**

From: Palace Wine Dept <wine@palacemarket.com>
Sent: Wednesday, July 29, 2026 8:11 PM
To: FGC
Subject: Opposition to Petition 2023-32MPA — Duxbury Reef State Marine Conservation Area Redesignation

Palace Market
11300 CA-1
Point Reyes Station, CA 94956
brit@palacemarket.com | 415-663-1016

July 29, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Submitted via email: fgc@fgc.ca.gov

CC: California Department of Fish and Wildlife, Marine Region
RE: Opposition to Petition 2023-32MPA — Duxbury Reef State Marine Conservation Area Redesignation

Dear Commissioners and Department Staff,

We are writing as the team at Palace Market to express our strong opposition to the petition asking the Fish and Game Commission to redesignate Duxbury Reef as a State Marine Reserve, which would effectively close the reef to fishing.

Our store sources fish directly from local anglers who fish these waters, and we've built that relationship over years because it matters - to our business, to our customers, and to this community. Closing Duxbury Reef would not just affect a handful of hobbyists. It would eliminate a working source of food for the people who buy from our counter every week.

There is real value in a short supply chain. Fish caught at Duxbury Reef reaches our customers within hours, not days or weeks. It requires no refrigerated freight, no overseas processing, and no long-haul trucking, all of which carry a far heavier environmental footprint than a local angler with a rod and a bucket. When customers ask us for the most sustainable option in the case, the answer is often the fish caught a few miles from where we're standing. Closing this fishery doesn't reduce environmental impact; it pushes our customers toward seafood with a larger one.

There's also a resilience argument here that's easy to overlook. Local, small-scale fisheries like this one diversify where our community's food comes from. When supply chains are disrupted, as they have been in

recent years, communities with functioning local food systems fare better than those entirely dependent on distant, centralized sources. A healthy relationship between local grocers and local anglers is part of what makes a community food-secure, not just food-convenient.

We also want to note that even the petitioning organization's own monitoring data undercuts the case for closure: 2024 reporting documented well over a hundred potential violations at Duxbury Reef, and not one involved hook-and-line fishing. The overwhelming majority involved unauthorized hand collection of intertidal species and issues related to dogs on the beach, not the anglers whose catch stocks our shelves. We would ask the Department to weigh this discrepancy carefully, as it directly contradicts the premise that fishing access is driving harm to the reef.

We understand that CDFW's own draft evaluation of this petition already recommends against redesignating Duxbury Reef to the more restrictive reserve status, while supporting only a boundary adjustment that would not reduce existing take allowances. As a local business that depends on that continued access, we strongly support that recommendation and urge the Commission to adopt it as written.

The anglers who supply our store aren't strangers to this coastline, many have fished these waters for decades, some for generations. They have a genuine stake in the reef's health, because their livelihood depends on it lasting. Treating them as a threat to be regulated out, rather than a community with skin in the game, misses an opportunity to build real partners in conservation.

If the goal is genuine preservation, there are more targeted paths forward: increased warden presence during peak visitation, continued support for the existing volunteer docent program, and tighter restrictions on dog access in the sensitive intertidal zone itself. These address the documented sources of disturbance without cutting off a small business's access to the most sustainable seafood available to this community.

We urge the Department and Commission to reject the redesignation of Duxbury Reef and instead pursue solutions that protect the reef while preserving the local fishing access that keeps our store, and this community's food system, connected to the coast we all depend on.

Sincerely,

The Team at Palace Market
Brit Hartwell, General Manager
Point Reyes Station

FGC**@FGC**

From: The Goose & Fern <thegooseandfern@gmail.com>
Sent: Wednesday, July 29, 2026 8:04 PM
To: FGC
Subject: Opposition to Petition 2023-32MPA — Duxbury Reef State Marine Conservation Area Redesignation

The Goose and Fern
116 5th St
Santa Rosa, CA 95401
thegooseandfern@gmail.com

July 29, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Submitted via email: fgc@fgc.ca.gov

CC: California Department of Fish and Wildlife, Marine Region
RE: Opposition to Petition 2023-32MPA — Duxbury Reef State Marine Conservation Area Redesignation

Dear Commissioners and Department Staff,

We are writing as the team at The Goose & Fern to express our strong opposition to the petition asking the Fish and Game Commission to redesignate Duxbury Reef as a State Marine Reserve, which would effectively close the reef to fishing.

Our kitchen sources fish directly from local anglers who fish these waters, and we've built that relationship over years because it matters, to our restaurant, to our guests, and to this community. Closing Duxbury Reef would not just affect a handful of hobbyists. It would eliminate a working source of food for the people who cook for, and dine with, us every week.

There is real value in a short supply chain. Fish caught at Duxbury Reef reaches our kitchen within hours or days, not weeks. It requires no refrigerated freight, no overseas processing, and no long-haul trucking, all of which carry a far heavier environmental footprint than a local angler with a rod and a boat. When guests ask us about the most sustainable dish on the menu, the answer is often the fish caught just an hour from where they're sitting. Closing this fishery doesn't reduce environmental impact; it pushes our menu toward seafood with a larger one.

There's also a resilience argument here that's easy to overlook. Local, small-scale fisheries like this one diversify where our community's food comes from. When supply chains are disrupted, as they have been in recent years, communities with functioning local food systems fare better than those entirely dependent on

distant, centralized sources. A healthy relationship between local restaurants and local anglers is part of what makes a community food-secure, not just food-convenient.

We also want to note that even the petitioning organization's own monitoring data undercuts the case for closure: 2024 reporting documented well over a hundred potential violations at Duxbury Reef, and not one involved hook-and-line fishing. The overwhelming majority involved unauthorized hand collection of intertidal species and issues related to dogs on the beach, not the anglers whose catch ends up on our plates. We would ask the Department to weigh this discrepancy carefully, as it directly contradicts the premise that fishing access is driving harm to the reef.

We understand that CDFW's own draft evaluation of this petition already recommends against redesignating Duxbury Reef to the more restrictive reserve status, while supporting only a boundary adjustment that would not reduce existing take allowances. As a local business that depends on that continued access, we strongly support that recommendation and urge the Commission to adopt it as written.

The anglers who supply our kitchen aren't strangers to this coastline, many have fished these waters for decades, some for generations. They have a genuine stake in the reef's health, because their livelihood depends on it lasting. Treating them as a threat to be regulated out, rather than a community with skin in the game, misses an opportunity to build real partners in conservation.

If the goal is genuine preservation, there are more targeted paths forward: increased warden presence during peak visitation, continued support for the existing volunteer docent program, and tighter restrictions on dog access in the sensitive intertidal zone itself. These address the documented sources of disturbance without cutting off a small business's access to the most sustainable seafood available to this community.

We urge the Department and Commission to reject the redesignation of Duxbury Reef and instead pursue solutions that protect the reef while preserving the local fishing access that keeps our kitchen, and this community's food system, connected to the coast we all depend on.

Sincerely,

The Team at The Goose & Fern
Clyde & Brit Hartwell

FGC**@FGC**

From: Save Duxbury Access <saveduxburyaccess@gmail.com>
Sent: Wednesday, June 17, 2026 5:57 PM
To: FGC; Miller-Henson, Melissa
Cc: Ashcraft, Susan Shuman, Craig Eckerle, Jenn Esgro, Michae Waggoner, Claire Kord, Eric farallones@noaa.gov; anne_altman@nps.gov; Chris.Chamberlain@MarinCounty.gov; calla@mpacollaborative.org
Subject: Re: Submission of Save Duxbury Access Administrative Remedy – Petition 2023-32MPA (Duxbury Reef SMCA)
Attachments: SDA_Admin_Remedy_V2 6-17-2026.pdf

Dear Executive Director Miller-Henson and Commissioners,

Please find attached Version 2 of Save Duxbury Access's Administrative Remedy regarding the Duxbury Reef MPA and related petitions. This updated version replaces our earlier submission.

We respectfully request that the Commission accept Version 2 into the record and consider it in its decision-making. Please confirm receipt at your convenience.

Respectfully,

Mollie Lounibos
Save Duxbury Access
Bolinas, California

On Tue, Apr 14, 2026 at 5:56 PM Save Duxbury Access <saveduxburyaccess@gmail.com> wrote:

> Dear Executive Director Miller-Henson and Commissioners,
>
> After careful and thorough consideration of the Commission's proceedings regarding the Duxbury Reef MPA and related petitions, Save Duxbury Access has submitted the attached Administrative Remedy to the Commission.
>
> Save Duxbury Access respectfully requests that the Commission give due consideration to our comments and concerns as outlined in the attached letter, including our formal legal challenge to staff's rejection of our February 2026 regulatory petition, our objections to proceeding with boundary expansion on the current record, and our proposed Adaptive Management Plan as a regulatory alternative.
>
> We remain committed to constructive dialogue aimed at resolving these matters and to making every practical effort to avoid formal litigation. We appreciate the opportunity to contribute to the record in advance of the April 15–16 Commission meeting and the April 21 regional MPA petitions meeting,

and we stand ready to answer any questions or provide additional information the Commission may require.

Respectfully,

Mollie Lounibos
Save Duxbury Access
Bolinas, California

SAVE DUXBURY ACCESS
P.O. Box 55, Bolinas, Marin County, California 94924

June 17, 2026

California Fish and Game Commission
1416 Ninth Street, Suite 1320
Sacramento, California 95814
Attn: Commission Secretary, Executive Director Melissa A. Miller-Henson, and All Commissioners

RE: Perfected Administrative Record (Version 2) — Petition 2023-32MPA (Duxbury Reef SMCA) Formal Objection to Any Commission Action on a Materially Amended and Un-Evaluated Petition Configuration | Formal Objection to the Commission's Departure From Its Own Adopted MPA Petition Framework | Renewed Challenge to the Staff Rejection and "non-regulatory" Reclassification of the SDA Petition | Continued Objections to Boundary Expansion Without a Functioning AMP, a CEQA Cumulative Impact Analysis, and a Socioeconomic Baseline | Objection to Improper Deference to Federal Wilderness and 30×30 Agendas | Preservation of All Rights Under CEQA, the APA, the Bagley-Keene Open Meeting Act, CCP Sections 1094.5 and 1085, and the MLPA

Dear Commissioners:

I. INTRODUCTION: SCOPE AND PURPOSE OF THIS VERSION 2 UPDATE

Save Duxbury Access (SDA) — the Bolinas-rooted community organization submits this Version 2 update to its perfected administrative record to the California Fish and Game Commission (the Commission) in the matter of Petition 2023-32MPA, filed by the Environmental Action Committee of West Marin (EAC). This submission is made pursuant to Public Resources Code Section 21177, Code of Civil Procedure Sections 1094.5 and 1085, the California Administrative Procedure Act, the Bagley-Keene Open Meeting Act, and the Commission's procedures for public comment on Marine Protected Area (MPA) petitions under the Marine Life Protection Act (MLPA).

This update is filed in a procedural posture that has materially changed since Version 1 was submitted on April 12, 2026. The Commission's April 15-16 and April 21, 2026 regional meetings have occurred, and the Commission has now articulated, on the record, the schedule by which it intends to resolve the Bin 2 petitions, including Duxbury Reef 2023-32MPA:

- **June 2026** — no MPA business on the Commission's agenda.
- **August 2026 (Sacramento)** — a third meeting day is added to receive the Ocean Protection Council (OPC) evaluation and recommendations, the CDFW report on the five tribal-led petitions, and a JEDI-approach report, with limited public comment on receipt.
- **Between August and October** — "30,000-foot" Commission deliberation; per the on-record intervention of the Commission's own legal counsel, public comment remains open through the October meeting.
- **October 2026** — formal grant/deny vote on each petition (or on individual actions within each petition), with one or two additional days added if needed, and a possible slip to an October-receive / December-vote sequence if the tribal-led work is incomplete by August.

The practical effect of this schedule is that the window in which SDA must preserve its procedural objections in the administrative record is now approximately ninety to one hundred fifty days. This Version 2 update is filed to ensure that every objection SDA may later raise on judicial review has first been presented to the Commission in writing, consistent with the exhaustion-of-administrative-remedies doctrine.

All substantive legal arguments advanced in Version 1 of this administrative record — including the CEQA cumulative impact deficiency, the Bin 2 evidentiary inconsistency, the APA least-burdensome-alternative requirement, and the socioeconomic and JEDI policy deficiencies — are fully incorporated herein by reference and remain operative. The April 11, 2026 letter from Executive Director Miller-Henson, entered into the record by Version 1, likewise remains part of the record. Version 2 repositions the record for the August-receipt / October-vote posture and adds the following:

- **Section II** — Formal objection that the regulatory action the Commission is now being urged to adopt is a materially amended configuration of EAC's petition that CDFW never evaluated and the public was never noticed to comment upon, in violation of the APA and the MLPA Master Plan.
- **Section III** — Formal objection that the Commission's conduct of this proceeding has departed from its own adopted August 2023 MPA Petition Framework, with supporting reference to the Commission's own on-record statements at its February 11, May 6 (Goleta), and May 19 (San Clemente), 2026 meetings.
- **Section IV** — Renewed and strengthened challenge to the "non-regulatory" reclassification of the SDA petition, demonstrating from the Commission's own record that the regulatory / non-regulatory line it invoked is not consistently applied.
- **Section IX** — Formal objection to the Commission's improper deference to federal wilderness designation processes and the executive 30×30 conservation target, neither of which may lawfully displace the Commission's independent state mandate.

The remaining sections restate and update SDA's positions on the CDFW SMR denial, boundary expansion, AMP sequencing, CEQA, the federal/30×30 governance conflict, socioeconomic analysis, and SDA's formal requests, which are revised to reflect the procedural posture as of June 17, 2026.

II. THE COMMISSION CANNOT LAWFULLY ACT ON A MATERIALLY AMENDED, UN-EVALUATED PETITION CONFIGURATION

The regulatory action EAC now urges the Commission to adopt is not the petition CDFW evaluated. Over the course of this proceeding, EAC's petition has materially changed, and the most consequential changes were introduced after the petition was referred to CDFW and after CDFW's evaluation was already underway. The Commission cannot lawfully grant a regulatory action on this moving-target record without first restoring the APA and MLPA Master Plan procedures that a material amendment requires.

A. The Configuration Before the Commission Is a Compound of Material Changes CDFW Never Evaluated

Read together, EAC's April 12, 2026 letter and its April 21, 2026 regional-meeting presentation ask the Commission to adopt a regulatory action that is a compound of three distinct elements: (a) CDFW staff's March 2026 "grant in concept" recommendation on boundary expansion; (b) EAC's November 26, 2025 boundary amendment, which CDFW conceded it "could not consider" in its evaluation; and (c) new

SMCA regulatory text that EAC introduced for the first time in its April 12, 2026 letter — including a "hook-and-line only" gear restriction, a prohibition on take from tidepools, and a prohibition on the take of geological and cultural resources from tidepools.

None of elements (b) or (c) was the subject of a CDFW evaluation, an Initial Statement of Reasons under Government Code Section 11346.2, a Notice of Proposed Action under Government Code Section 11346.4, or a 45-day public comment period directed to that specific regulatory text. The Commission's own practice of designating formal amendments with "AM1" / "AM2" suffixes confirms that its procedural architecture contemplates a formal, traceable amendment process — not letter-based, ad hoc modification at any time up to the moment of a vote.

B. EAC Has Admitted, and CDFW Has Confirmed on the Record, That the Evaluations Are Frozen at the Referral Package

This is not a contested factual matter requiring SDA to prove anything. EAC's own April 12, 2026 letter states that CDFW's evaluation "could not consider" the November 2025 amendment. And at the Commission's February 11, 2026 meeting, CDFW Marine Region Manager Dr. Craig Shuman confirmed on the record that the formal evaluations CDFW was completing are based on the petitions "as they were referred to the department by the commission with the information that we had at the time of referral," and that "all this new information that's coming in is not getting incorporated into the evaluations." President Sklar accepted that characterization, agreeing that "the iterative process will . . . take place at those [regional] meetings."

CDFW Marine Region Manager Shuman further stated, at the Commission's February 11, 2026 meeting, that an iterative process in which the agency receives and incorporates new information as it goes "is not the process that has been set up." The August 2023 MPA Petition Framework's bifurcated structure — Commission referral, then CDFW evaluation, then Commission decision — cannot logically accommodate a substantive amendment introduced at a stage when the CDFW evaluation has already been completed against a frozen referral package. The Commission would be voting on a configuration its own expert staff never analyzed.

C. Adoption Without Fresh APA Notice and an Initial Statement of Reasons Would Be Reversible Error

Two strands of the APA are directly implicated. First, under Government Code Section 11346.4, the specific SMCA regulatory text EAC introduced on April 12, 2026 was never the subject of a Notice of Proposed Action containing that text. Adoption without fresh notice and a 45-day comment period directed to the operative language is reversible error. Second, under Government Code Section 11346.2, there is no Initial Statement of Reasons in the record explaining the necessity of the new provisions — the gear restriction, the tidepool take exclusion, and the geological / cultural take prohibition. Adoption without an ISOR fails the APA's reasoned-decision-making requirement. The Commission's certified regulatory program status does not relieve it of these core APA obligations.

D. Treating 30×30 Preferences as Binding Direction Would Be an "Underground Regulation"

To the extent the Commission treats Ocean Protection Council policy preferences or the Governor's 30×30 Executive Order (N-82-20 as binding direction requiring it to expand or upgrade protection at Duxbury Reef, it would be applying a "standard of general application" that has not been adopted as a regulation under the APA. Government Code Section 11340.5 prohibits the enforcement of such underground regulations. SDA addresses the substance of this improper deference in Section IX below;

here it is sufficient to note that any reliance on those external policy preferences as the operative justification for regulatory action is independently defective under the APA.

E. The Morphed Configuration Was Not Produced by the Master Plan's Required Process

The Commission is bound by the MLPA Master Plan, including the Science Advisory Team's alongshore-span guidelines and the adaptive-management protocols set out in Chapter 4 of the Master Plan. The amended configuration now before the Commission was not produced by the Science Advisory Team review, the ecological siting analysis, or the Regional Stakeholder Group and Blue Ribbon Task Force process that the Master Plan requires. “Stakeholder process” and “iterative” are terms of art in the MLPA regime that carry substantive procedural weight; they cannot be satisfied by the receipt of a letter at a regional meeting. Acting on the morphed configuration would therefore depart from the Master Plan as well as from the APA.

III. THE COMMISSION'S CONDUCT OF THIS PROCEEDING HAS DEPARTED FROM ITS OWN ADOPTED PETITION FRAMEWORK

The defects identified in Section II are not isolated. They are symptoms of a broader pattern in which the Commission has substituted an undefined, ad hoc set of practices for the formal MPA Petition Framework it adopted in August 2023 and the adaptive-management process set out in Chapter 4 of the 2016 Master Plan. SDA places the following objections on the record, each supported by the Commission's own statements at its public meetings, which are part of the official Cal-Span record of those proceedings.

A. Substitution of an Undefined “Iterative” Practice for the Formal Amendment Procedure

At the Commission's May 6, 2026 Goleta meeting, President Sklar characterized the petition review as an “iterative process” in which any party may “submit a letter” at any time before a vote, to “be considered as part of the decision making.” When challenged, President Sklar acknowledged that the word “iterative” “was used in the original MPA process to mean something very specific,” and that he was “using it generally.” At the February 11, 2026 meeting, Executive Director Miller-Henson conceded that the Commission's practice as to petitioner participation has “evolved over time,” and Commissioner Zavaleta sought to cabin the practice as something the Commission is doing “in a contained way following the [Decadal Management Review]” in order to “avoid setting a different expectation.” These are admissions that the Commission is operating outside its written Framework. As shown in Section II, CDFW's confirmation that the formal evaluations do not incorporate the iterative submissions completes the picture: the “iterative” practice is not integrated with the evaluation pipeline on which the Commission's decision is supposed to rest.

B. Asymmetric Procedural Treatment of Similarly Situated Parties

Inconsistent application of procedural rules to similarly situated parties is the paradigm of arbitrary and capricious administrative action. At the February 11, 2026 meeting, the Commission's own Vice-President, Commissioner Murray — who chairs the Commission's MPA petition effort — stated on the record that she was “a little uncomfortable” that, for those who “submitted petitions over two years ago,” the Commission has “very clearly asked them” not to speak and they “have not had the opportunity” to address their petitions, even as a newly arriving submitter received podium time. She added that “ceded time or not, we have . . . pretty clearly discouraged people from talking about their petitions for the last couple years,” and called for transparency about “what it takes to be able to get extra time so that everyone has the same opportunity.” President Sklar's response — “we've discouraged it, but it hasn't stopped it” — confirms the absence of an enforceable, neutrally applied rule.

C. Moving-Target Amendments Impair the Public's Right to Meaningful Comment

If a petition may be amended by letter at any time up to the moment of the vote, then by definition the public cannot exercise its right under Bagley-Keene Open Meeting Act Section 11125.7 to address the Commission on the operative proposal before the Commission acts. Members of the public raised precisely this defect on the record, noting that as the Duxbury petition "materially transformed" it was unclear whether EAC had filed a new FGC-1 form or whether its existing support letters, anecdotal observations, and MPA Watch data still aligned with the new proposal — and describing the "moment of iterative absurdity" at which it was not known whether new restrictions "would be measured from low water or from high, be at 200 feet or at 500 feet." The structural mismatch between what was noticed and what is in fact being considered at the time of decision is confirmed by CDFW's admission that the evaluations do not incorporate the later material.

D. The Proposed Closure of the Administrative Record Was Without Authority

At the May 19, 2026 San Clemente meeting, the presiding Commissioner President proposed that the Commission "close the record" after the August meeting so as to "take no more comment written or in person or on Zoom" at the October meeting. The Commission's own legal counsel intervened on the record, stating that "as a general rule, you don't have any authority to just close the administrative record," and that he was "worried about you trying to close the administrative record" without identifiable authority. Commissioner Zavaleta observed that closing the record after August "does not give the public a chance to respond to whatever it is that we recommend in October." The Commission subsequently acknowledged that it "cannot not take public comment on an item" and that comment would remain open "until we vote" in October. SDA requests written confirmation, for the record, that the administrative record will remain open and public comment will be accepted through the October 2026 vote.

E. Pre-Petition Engagement With the EAC Petitioner Is Now Corroborated on the Record

At the February 11, 2026 meeting, Executive Director Miller-Henson referred on the record to "the conversations that had been taking place with the petitioner who submitted a petition in 2023." That reference corroborates the community's prior concern, raised at the Goleta meeting, that Commissioners had indicated awareness of the Duxbury Reef petition "literally years before it was formally submitted." Substantive pre-petition engagement between Commissioners or staff and a prospective petitioner, while not categorically impermissible, raises concerns of appearance of partiality, potential ex parte communication in a quasi-adjudicative posture, and potential Bagley-Keene serial-meeting exposure. SDA places this concern on the record and reserves all rights with respect to it.

IV. THE "NON-REGULATORY" RECLASSIFICATION OF THE SDA PETITION CANNOT REST ON A NEUTRALLY APPLIED RULE

Version 1 of this record formally challenged the April 11, 2026 determination by which Commission staff rejected SDA's February 2026 regulatory petition under Title 14, Section 662, on the ground that the Adaptive Management Plan (AMP) proposal does not constitute a "regulation." That challenge is renewed and strengthened here. The Commission's own record now demonstrates that the regulatory / non-regulatory distinction the staff invoked is not applied consistently or on settled criteria, and therefore cannot support the rejection of SDA's petition.

A. The SDA Petition Proposed a Specific Amendment to an Existing California Regulation

SDA's petition proposed to incorporate the AMP's binding trigger system, monitoring obligations, and Advisory Council governance structure into Title 14, Section 632(b)(50) — the regulation that governs the Duxbury Reef SMCA. An amendment to a specific provision of the California Code of Regulations governing how an SMCA is managed, and applying to all persons and agencies with jurisdiction over the site, is a "rule . . . of general application" within the meaning of Government Code Section 11342.600. That is a regulatory change. The Miller-Henson letter's contrary conclusion is stated without supporting reasoning.

B. The Rejection Was Unexplained and Unreasoned

The April 11, 2026 letter does not identify which element of SDA's FGC-1 filing was deficient, does not identify which required category under Section 662(b) was unmet, and cites no Commission precedent for concluding that a proposed amendment to Title 14 fails to qualify as a regulatory change. An administrative determination that fails to articulate the factual or legal basis for its conclusion is not adequately reasoned for purposes of administrative or judicial review. The Commission must place on the record a written explanation, supported by specific citation to APA authority and Commission procedure, of the basis for the determination.

C. The Commission Itself Does Not Consistently Apply the Regulatory / Non-Regulatory Line

The Commission's own record establishes that the line on which the rejection rests is porous in both directions. At the May 19, 2026 San Clemente meeting, President Sklar stated that "everything is regulatory," and that items "within the petitions" are properly considered by the Commission when it grants or denies; the Executive Director took the position that non-regulatory items are "a separate list" off the formal vote sheet; and CDFW Marine Region Manager Shuman identified a "third option" — "grant with alternative pathway" — that the Commission had "used" in the Bin 1 petitions and that "could be the non-regulatory measure." At the February 11, 2026 meeting, President Sklar conceded that "anybody can submit anything as a regulatory thing and then we deny it . . . that's a process that we . . . can't really change," and Commissioner Murray acknowledged she would "like to discourage" improper filings but identified no mechanism to do so. A classification that the Commission applies case-by-case under unwritten criteria, and that its own members describe inconsistently, cannot supply a principled, neutrally applied basis for rejecting SDA's petition while accepting EAC's parallel petition for full evaluation.

D. Disparate Treatment of Parallel Petitions Is an Abuse of Discretion Under CCP Section 1085

EAC's petition and SDA's petition both propose changes to the same regulation — Title 14, Section 632(b)(50) — governing the same geographic area, and both were submitted on FGC-1 forms. The Commission accepted EAC's petition for full staff evaluation while rejecting SDA's as "non-regulatory," with the apparent consequence that negotiations on SDA's AMP were suspended. This disparate treatment of substantively parallel petitions, without a principled legal distinction, is an arbitrary and capricious exercise of the Commission's procedural authority cognizable as an abuse of discretion under Code of Civil Procedure Section 1085. SDA reserves all rights to seek judicial review of the April 11 rejection under CCP Section 1085, independently of and in addition to any broader challenge under CCP Section 1094.5.

E. Formal Entry of the Miller-Henson Letter and SDA's Response

The April 11, 2026 Miller-Henson letter remains entered in the official administrative record of Petition 2023-32MPA pursuant to Version 1 of this record and Public Resources Code Section 21167.6 as written evidence submitted to the Commission. SDA's responses to each operative ruling in that letter — contesting the rejection of the regulatory petition, declining to concede that non-regulatory reception is a procedurally equivalent substitute for petition evaluation, contesting the suggestion that SDA coordinate with EAC's outreach program, and acknowledging the MPA Collaborative only as a supplemental rather than a substitute pathway — are restated and preserved in full.

V. CDFW'S DENIAL OF 2023-32MPA_1 IS CORRECT AND MUST BE FORMALLY ADOPTED

SDA formally affirms and endorses CDFW's recommendation to deny petition 2023-32MPA_1, the request to reclassify Duxbury Reef SMCA as a no-take State Marine Reserve. The evidentiary record CDFW compiled independently confirms each of the following findings.

A. Zero Enforcement Citations Refute the Petitioner's Core Factual Claim

CDFW Marine Enforcement District data show that officers visited Duxbury Reef SMCA throughout 2019 to 2025 and issued zero citations for violating MPA regulations during that period. Of the nearly 1,000 “potential violations” logged by EAC's own MPA Watch program, only a handful per year were reported to enforcement, the majority involving offshore boat-based fishing rather than intertidal take. As a member of the public summarized on the record at the Goleta meeting, “CDFW law enforcement reported zero citations at Duxbury since 2019.” The enforcement problem EAC identifies as the justification for SMR reclassification does not exist in the empirical record.

B. EAC's MPA Watch Methodology Is Overbroad and Unreliable

CDFW correctly found that characterizing all “hand collection of biota, including the handling of organisms while participating in tidepooling activities” as potential violations is methodologically unsound. MPA Watch is a passive observation program not designed to document regulatory violations, and EAC — the organization that prepares the Marin County MPA Watch reports — had an inherent conflict of interest in characterizing routine tidepool visitation as evidence of widespread non-compliance. The Commission should place on the record a specific finding that EAC's MPA Watch data, as presented in petition 2023-32MPA_1, does not constitute objective evidence of a regulatory enforcement problem.

C. An SMR Would Add No Meaningful Intertidal Protection

The existing SMCA regulations already prohibit the harvest of invertebrates and seaweed from the rocky intertidal habitat. CDFW confirmed that reclassification to an SMR “would not result in additional regulatory protection for the rocky intertidal habitat” — the precise habitat EAC claims to protect. The only take SMR designation would eliminate is shore-based recreational finfish fishing and, when the moratorium eventually lifts, abalone — activities culturally and economically vital to the Bolinas community and deliberately preserved in the MLPA Initiative planning process.

D. The Duxbury Docent Program Demonstrates the Effectiveness of the Education-First Approach

CDFW's evaluation notes a measurable decrease in potential violations following implementation of the Duxbury Docent program in January 2021 — a community-led stewardship model of exactly the kind that

SDA's AMP Framework formalizes and scales. This is direct empirical support for SDA's core contention: targeted outreach and education, properly resourced and institutionally supported, is at least as effective as regulatory reclassification in achieving this SMCA's ecological protection goals.

VI. THE BOUNDARY EXPANSION RECOMMENDATIONS CANNOT PROCEED ON THE CURRENT RECORD

SDA's opposition to the grant-in-concept for boundary expansion is not reflexive opposition to all boundary modification. It is a legally grounded objection to proceeding without the site-specific evidence, functioning governance structure, socioeconomic baseline, and procedural sequencing that law and sound administrative practice require.

A. CDFW Applied Inconsistent Evidentiary Standards Across Bin 2 Petitions

In Bin 2 petitions 2023-14MPA, 2023-33MPA, 2023-34MPA, and 2023-24MPAAM — all recommended for denial — the dispositive grounds included the absence of site-specific evidence of ecological need; conflict with the original intent of the MPA as established in the MLPA Initiative; proposed changes that would not improve MPA Network design under the science guidelines; significant adverse socioeconomic impacts on coastal fishing communities; and the availability of non-regulatory alternatives such as education, outreach, and enforcement. Each of these grounds applies with equal or greater force to the Duxbury boundary expansion, yet CDFW reaches a different result. CDFW's affirmative case rests on the general ecological importance of shale reef habitat, climate-resilience principles applicable statewide, and alignment with Science Advisory Team alongshore-span guidelines — none of which is a site-specific finding. CDFW's own evaluation acknowledges that its long-term monitoring site is located "north of the most heavily visited portion of the reef, which limits the ability to assess the direct effects of human visitation" in the very areas proposed for new SMCA designation.

In petition 2023-34MPA (Point Buchon), CDFW denied a change because it "does not align with original intent of the MPA." CDFW's own evaluation of 2023-32MPA acknowledges that the Blue Ribbon Task Force "did not advance" the northern expansion alternative "given the proposed fishing restrictions . . . and the proximity of other proposed MPAs that would have further restricted fishing." The northern expansion now recommended encompasses exactly the area the Task Force deliberately excluded. The Commission must require CDFW to provide a written explanation, placed in the record, for why the evidentiary and procedural standards that produced denial in the comparable Bin 2 petitions do not apply with equal force here. Absent such an explanation, adopting the expansion is an arbitrary departure from the Commission's own analytical framework, cognizable as an abuse of discretion under CCP Section 1085.

B. The Blue Ribbon Task Force Deliberately Excluded the Northern Expansion Area

The North Central Coast Regional Stakeholder Group and Blue Ribbon Task Force considered and rejected proposals that would have included the northern portion of Duxbury Reef's rocky intertidal habitat within the MPA boundary. That rejection reflected a determination that the fishing restrictions required to encompass that area were disproportionate to the ecological benefit, given the significance of that coastline to the Bolinas fishing community and the proximity of other restrictive MPAs. Revisiting that deliberate compromise without the site-specific evidence, stakeholder process, and regulatory sequencing the MLPA requires is not adaptive management — it is the circumvention of adaptive management.

C. The Northern Expansion Zone Overlaps the Most Economically Significant Fishing Block for the Port of Bolinas

CDFW's own Figure 1 and supporting analysis confirm that Commercial Fishing Block 447 — which directly overlaps both proposed expansion zones, particularly the northern expansion — is the most valuable block for the hook-and-line California halibut fishery operating out of the Port of Bolinas. Commercial fishermen report actively fishing within 1,000 feet of shore in the northern expansion area when conditions permit. CDFW's alternative pathway asserts the new SMCAs would be designed to maintain existing commercial and recreational take, but the boundaries and take regulations for those SMCAs have not been defined. Until they are, the assurance that commercial fishing will be preserved is a promise in a staff evaluation, not a guarantee in regulation. The Commission cannot approve boundary expansion in concept while leaving the precise protections for commercial fishing undefined and unenforceable.

VII. THE ADAPTIVE MANAGEMENT PLAN MUST PRECEDE ANY BOUNDARY EXPANSION

SDA's February 2026 petition proposes to amend Title 14, Section 632(b)(50) to incorporate a binding, site-specific Adaptive Management Plan into the regulatory framework governing Duxbury Reef SMCA, grounded in Fish and Game Code Sections 2852(a), 2853(c)(3), and 7050(b). Notwithstanding the procedural determination addressed in Section IV, the AMP remains the least burdensome regulatory alternative on the current record and must be evaluated as such before any boundary expansion proceeds. As the AMP Framework states, "the addition of an effective site-specific management plan to the existing SMCA . . . should be approved and implemented before any expansion of the area of the SMCA is contemplated."

A. The AMP Is Required to Establish the Baseline the Commission Needs

CDFW acknowledges there is no site-specific scientific evidence of ecological harm in the proposed expansion zones. Without a baseline monitoring program specifically covering those areas — which the AMP would establish through partnership with the UC Santa Cruz long-term intertidal program and College of Marin — the Commission cannot determine whether expansion is ecologically necessary, whether its boundaries are calibrated to actual conditions, or whether its take regulations are proportionate to documented threats. Designating new SMCAs before establishing that baseline inverts the scientific process the MLPA requires.

B. The AMP Provides the Governance Structure for CDFW's Own Outreach Mandate

CDFW's evaluation recommends "comprehensive outreach and education" on three separate occasions. SDA's proposed Duxbury Advisory Council — modeled on the Bolinas Lagoon Advisory Council — would convene CDFW, Marin County Parks, the National Park Service, the Greater Farallones National Marine Sanctuary, the Bolinas-Stinson Union School District, the Bolinas Rod and Boat Club, College of Marin, and tribal representatives. Without the Advisory Council there is no institutional structure to implement CDFW's own recommendations. To ensure the AMP has a durable institutional sponsor with the capacity to enter binding cooperative agreements and persist across decades, SDA is actively developing a permanent local-governance vehicle to administer the AMP, with the intention of transitioning sponsorship from SDA to that institution upon its formation; the cooperative-agreement architecture available under California law provides the durable framework the Commission has indicated it requires.

C. The AMP Is the Least Burdensome Regulatory Alternative Under the APA

Government Code Section 11346.3 requires the Commission to adopt the least burdensome means of achieving its mandate. CDFW denied 2023-32MPA_1 in part because "targeted outreach and education can be just as, or more, effective than changes in MPA regulations." That proportionality logic applies with identical force to boundary expansion: if ecological concerns at the existing SMCA can be addressed through non-regulatory means, then concerns in the expansion zones — where CDFW has identified no site-specific threats — can certainly be addressed by non-regulatory means before a new SMCA is imposed.

D. The AMP's Traffic Light System Provides the Adaptive Management Flexibility the MLPA Requires

The AMP incorporates a data-responsive Traffic Light trigger system: under GREEN conditions (stable invertebrate populations, resilient kelp, high biodiversity per UCSC / MARINe data), the status quo continues; under YELLOW conditions (statistically significant localized decline linked to human interaction), the Advisory Council implements targeted temporary measures; under RED conditions (critical systemic ecosystem failure), the Council triggers emergency convention with all relevant agencies. This provides the adaptive-management tools the MLPA requires without the irreversible socioeconomic consequences of preemptive boundary expansion.

VIII. CEQA REQUIRES A CUMULATIVE IMPACT ANALYSIS BEFORE ANY BOUNDARY EXPANSION

The Commission's authority to adopt MPA regulations is subject to the California Environmental Quality Act. Certified regulatory program status does not exempt the Commission from CEQA's core substantive mandates. In Pesticide Action Network North America v. California Department of Pesticide Regulation, the court held that a certified regulatory program must comply with CEQA's fundamental requirements, including a comprehensive cumulative impact analysis. In Mountain Lion Coalition v. Fish and Game Commission (1989), the court affirmed a peremptory writ directing this Commission to prepare an environmental document with a legally sufficient cumulative impact analysis before proceeding with a regulatory action under the Fish and Game Code. Neither the EAC petition nor the CDFW staff evaluation contains the cumulative impact analysis CEQA requires. The following analyses are absent from the record and must be completed before the Commission acts.

A. Effort Displacement ("Shifting Effort") Analysis

If new SMCAs are designated with take restrictions on boat-based commercial fishing, the effort currently conducted there will be displaced into adjacent open areas. This displacement is a reasonably foreseeable indirect physical change in the environment that CEQA Guidelines Section 15355 requires to be analyzed. The Commission must identify where displaced effort will concentrate, the baseline conditions of the receiving waters, and whether new fishing pressure will trigger localized stock depletion or habitat degradation. A meaningful cumulative impact analysis under CEQA Guidelines Section 15130 must assess the aggregate regional effect of all reasonably foreseeable closures — not the Duxbury expansion in isolation.

B. Greenhouse Gas and Vessel Transit Analysis

When commercial and recreational vessels are displaced from near-shore grounds, they must travel greater distances to viable alternatives, increasing fuel consumption and greenhouse gas emissions — a quantifiable physical consequence that CEQA's climate provisions require to be analyzed. Neither the

EAC petition nor the CDFW evaluation addresses this. The Commission's CEQA obligation does not disappear because the petitioner and CDFW have failed to address it.

C. No Cumulative Analysis of Concurrent West Marin Closures

The record must reflect the cumulative context of all reasonably foreseeable MPA regulatory changes along the relevant stretch of the Marin coastline, including other petitions pending before the Commission that may further restrict access to regional fishing grounds. The Commission cannot lawfully approve the Duxbury boundary expansion as an isolated action while ignoring the cumulative burden imposed on the fishing community when that action is considered together with existing restrictions and other pending changes.

IX. NO DEFERENCE TO EXECUTIVE 30×30 AGENDAS

A recurring theme in this proceeding is a potential general deference to executive conservation agendas and general climate conditions that lie outside the Commission’s jurisdiction. SDA places the following objections on the record and incorporates by reference its separately filed letter of notice concerning jurisdictional conflict and the absence of cumulative impact analysis.

A. The Commission's Mandate Is Defined by California Law, Not Federal Policy

The Commission derives its authority from the California Constitution and the Fish and Game Code. The constitutional public-trust over the State's fish and wildlife is a state function answerable to California's citizens. The Commission does not serve as an instrument of federal environmental policy, a surrogate for the OPC or other agencies, or an implementing body for executive orders. Should the Commission allow its proceedings to be leveraged as part of the federal wilderness designation aims of NGOs or other agencies, or outside conservation targets such as 30×30, it would be operating outside its lawful authority.

B. Federal Wilderness Designation Beneath & Adjacent to Duxbury Proposed Boundaries is a Unique Vulnerability

The federal wilderness designation process under the Wilderness Act of 1964 applies to federally managed lands and waters and runs through Congress, not through public comment periods with fishing communities. The Commission should note that EAC — the petitioner here — has simultaneously been a lead advocate for wilderness-designation expansion at Point Reyes National Seashore, including the marine-wilderness conversion of Drakes Estero, following the elimination of “non-conforming uses” such as motorized boats and commercial activity associated with oyster farming, and ranching. Enabling the federal wilderness logic of the petitioner, which is by design hostile to consumptive and commercial use, into a state MLPA proceeding that is built on community input, stakeholder process, sustainable use, and adaptive management, would be procedurally inappropriate. The Commission should articulate, on the record, the distinction between federal wilderness management and assumptions, and California's state waters, state fishing rights and management, and state-controlled boundaries, and continue to conduct this proceeding accordingly.

C. The 30×30 Initiative Is an Executive Directive, Not a Legislative Mandate Binding the Commission

Executive Order N-82-20 directs state agencies to work toward conserving 30 percent of California's lands and coastal waters by 2030. An executive order is not legislation; it does not amend the Fish and Game Code, expand the Commission's authority, or alter its constitutional trust obligations. The indiscriminate application of a 30×30 acreage target to Duxbury Reef — without independent, California-specific scientific justification — substitutes an executive policy preference for the evidence-based

regulatory process the Commission is required to follow, and it disproportionately burdens a small, unincorporated coastal community. As Section VII explains, the State's own 30×30 Roadmap recognizes that community stewardship counts; the Commission's fastest and most equitable path to the State's conservation objectives at Duxbury is to recognize a functioning community stewardship area, not to impose a poorly sequenced boundary expansion.

D. The Ocean Protection Council's Agenda Does Not Supersede the Commission's Statutory Mandate

The Ocean Protection Council may play an important advisory and coordinating role, but it is not the Commission, and its policy priorities do not bind the Commission. The Commission may not lawfully subordinate its independent regulatory judgment to the OPC's agenda or treat OPC-aligned advocacy and OPC-funded science as foreclosing the Commission's obligation to evaluate independently the rights and interests of California anglers, commercial fishermen, and coastal communities. SDA requests that the Commission clarify, on the record, the distinct and subordinate role of the OPC in these proceedings.

X. A COMPLETE SOCIOECONOMIC IMPACT ANALYSIS IS REQUIRED BY COMMISSION POLICY

The Commission's Coastal Fishing Communities Policy (adopted February 2024) commits the Commission to support management options that sustain the social and economic stability of coastal fishing communities while minimizing adverse regulatory impacts. The Commission's Justice, Equity, Diversity and Inclusion (JEDI) Policy requires that regulatory actions not impose disproportionate burdens on marginalized or low-income communities. The current record satisfies neither policy with respect to the proposed expansion zones.

A. Commercial Halibut Fishery at Block 447

A complete socioeconomic baseline must quantify the total annual revenue derived from Commercial Fishing Block 447; the number of vessels and permit holders dependent on it; the geographic availability of alternative grounds given the existing density of MPAs in Marin County; and the downstream effects on shoreside businesses in the Port of Bolinas. CDFW's evaluation references the block's significance but does not produce this analysis. The Commission cannot make a finding of Coastal Fishing Communities Policy compliance on the current record.

B. Subsistence Fishing and JEDI Compliance

Duxbury Reef's Agate Beach access point is the only walk-in, vehicle-accessible intertidal reef shoreline in Marin County for subsistence fishers and gatherers who lack offshore vessels or the means to travel to distant alternatives. Any regulatory action restricting access falls disproportionately on low-income residents of Bolinas and surrounding West Marin. As the region becomes increasingly housing-stressed and economically polarized, Duxbury Reef represents a vital, irreplaceable subsistence resource for working families. A formal JEDI analysis must precede any boundary designation affecting this access.

XI. REMAINING PROCEDURAL DEFICIENCIES

A. All Petitions and Requests Affecting Duxbury Reef Must Be Considered Together

Whether SDA's February 2026 filing is evaluated as a regulatory petition or as a non-regulatory request — a characterization SDA contests — the Commission must consider it concurrently with, and as an alternative to, the boundary expansion recommendations arising from 2023-32MPA. The MLPA's

adaptive-management mandate, the APA's least-burdensome-alternative requirement, and CEQA's obligation to consider a reasonable range of alternatives each independently require that the AMP be before the Commission when it acts on boundary expansion. Proceeding on expansion while the AMP awaits evaluation in a separate, subordinated process would fracture the record and deprive the Commission of the full range of regulatory alternatives the law requires.

B. The Pattern of Prejudgment Remains Part of the Record

At the February 11, 2026 hearing, statements from the dais characterized SDA's AMP filing as "not regulatory" and as "a letter" before CDFW staff had completed their evaluation and while the public comment period remained open. The April 11 Miller-Henson letter formalized that characterization into a written staff determination. Read together with the on-record admissions catalogued in Sections II through IV, these events document a pattern of pre-determination regarding SDA's petition and an asymmetry of treatment favorable to EAC that are inconsistent with the Commission's obligation to provide a fair administrative process. SDA places these events in the record and reserves all rights arising from them.

XII. FORMAL REQUESTS TO THE COMMISSION

In order to exhaust all available administrative remedies and preserve all rights to judicial review under Code of Civil Procedure Sections 1094.5 and 1085, SDA formally requests that the Commission take the following actions:

1. **PROCEDURALLY RESET THE EAC PETITION OR HALT ITS EVALUATION.** Require EAC to file a new FGC-1 form reflecting all material amendments to its petition, including the November 2025 boundary amendment and the April 12, 2026 SMCA regulatory text; re-open formal public comment on the operative, amended proposal; and re-set the CDFW evaluation timeline so the evaluation matches what is in fact before the Commission, consistent with CDFW's confirmation that its evaluations do not incorporate post-referral material. Failing the above, halt further evaluation of the evolved EAC proposal as not properly before the Commission under Title 14, Section 662, and the APA.
2. **RECONSIDER THE "NON-REGULATORY" CLASSIFICATION OF THE SDA PETITION.** Provide a written statement of the basis for the classification, including the underlying authority, the decision-maker, and the date; correct the classification, consistent with the principle articulated by President Sklar that items within a petition are appropriately considered by the Commission and with the Bin 1 "grant with alternative pathway" precedent identified by CDFW; and resume negotiations on the Adaptive Management Plan immediately.
3. **CONFIRM THE PROCEDURAL BASELINE FOR THE AUGUST RECEIPT AND OCTOBER VOTE.** Confirm in writing that the administrative record will remain open and public comment will be accepted through the October 2026 vote, consistent with the on-record intervention of Commission counsel at San Clemente on May 19, 2026; that any further material amendment to a petition before the vote will be made on a fresh FGC-1, re-noticed, and subject to a renewed comment period; and that the draft regional-meeting process will be published in writing, with a public comment period, in advance of the August 2026 meeting.
4. **ADOPT THE CDFW DENIAL OF 2023-32MPA_1.** Formally adopt CDFW's recommendation to deny petition 2023-32MPA_1, and place on the record a specific finding that the zero-citation enforcement record, the methodological deficiencies in EAC's MPA Watch data, and the

demonstrated effectiveness of the Duxbury Docent program each independently support the denial.

5. **REQUIRE A WRITTEN LEGAL EXPLANATION OF THE PETITION REJECTION.** Direct Commission counsel or staff to produce a written explanation, placed in the official record, identifying the specific APA provision and the specific deficiency in SDA's FGC-1 filing that supports the conclusion that a proposed amendment to Title 14, Section 632(b)(50) does not constitute a regulatory change.

6. **EVALUATE THE AMP AND CONDITION ANY EXPANSION ON PRIOR AMP EVALUATION AND BASELINE DATA.** Direct CDFW to evaluate SDA's AMP framework on its merits as a complete regulatory alternative to boundary expansion, and do not advance boundary designation under 2023-32MPA_2 or 2023-32MPA_3 until (a) the AMP has been formally evaluated and the Commission has determined on the record whether it is a sufficient alternative; (b) a site-specific scientific and socioeconomic baseline study for the expansion zones has been completed; and (c) the Duxbury Advisory Council has been formally convened.

7. **REQUIRE A CEQA CUMULATIVE IMPACT ANALYSIS.** Prior to any final action on boundary expansion, direct CDFW to prepare a cumulative impact analysis under CEQA Guidelines Sections 15355 and 15130 addressing (a) effort displacement from the expansion zones into adjacent open areas; (b) compounding effects of any concurrent or reasonably foreseeable closures in West Marin; and (c) greenhouse gas consequences of increased vessel transit distances.

8. **REQUIRE A COMPLETE SOCIOECONOMIC IMPACT ANALYSIS.** Direct CDFW to conduct a site-specific socioeconomic impact analysis of the expansion zones, with particular attention to (a) the commercial halibut fishery's dependence on Block 447; (b) subsistence fishing patterns in the expansion areas; and (c) JEDI and Coastal Fishing Communities Policy compliance.

9. **ADDRESS THE BIN 2 INCONSISTENCY ON THE RECORD.** Require CDFW to provide a written explanation for why the evidentiary standards that supported denial in petitions 2023-14MPA, 2023-33MPA, 2023-34MPA, and 2023-24MPAAM do not apply with equal force to the Duxbury boundary expansion, or modify the recommendation accordingly.

10. **ARTICULATE THE COMMISSION'S INDEPENDENCE FROM FEDERAL WILDERNESS, 30×30, AND OPC AGENDAS.** Articulate, on the record, that each restriction applicable to the Duxbury Reef MPA is grounded exclusively in California law and California-specific fisheries science; analyze and protect against federal wilderness designation objectives and vulnerabilities enabled by Commission regulatory decisions within state-jurisdictional waters; demonstrate that the proceeding is not structured to satisfy a 30×30 acreage target; and clarify the distinct and subordinate role of the Ocean Protection Council.

11. **ENTER ALL AUGUST AND OCTOBER MATERIALS INTO THE ADMINISTRATIVE RECORD.** Direct Commission staff to enter all materials presented by SDA and other parties at the August 2026 and October 2026 meetings, and at any continued or rescheduled meeting on Petition 2023-32MPA, into the official administrative record of Petition 2023-32MPA and any related proceedings.

XIII. CONCLUSION

Since Version 1 of this record was submitted, the Commission's own meetings have clarified the procedural posture and, in doing so, deepened rather than resolved the core legal deficiencies in the administrative record. The petition the Commission is being urged to adopt is a materially amended configuration its own staff never evaluated and the public was never noticed to comment upon. The Commission has, by its own members' on-record admissions, substituted an undefined "iterative" practice for the formal Framework it adopted in August 2023, applied procedural latitude unevenly across petitioners, and entertained closing the administrative record without authority. The "non-regulatory" classification of SDA's petition rests on a distinction the Commission itself does not consistently apply. And the record still lacks the CEQA cumulative impact analysis, the site-specific ecological and socioeconomic baseline, and the defined commercial-fishing protections that law requires before any boundary expansion.

SDA's position remains what it has been throughout this proceeding: the Commission should deny EAC's SMR petition, as CDFW has recommended; should decline to act on any materially amended configuration until proper APA notice, an Initial Statement of Reasons, a fresh CDFW evaluation, and the Master Plan's stakeholder process have been observed; should condition any boundary expansion on the prior adoption of a functioning Adaptive Management Plan and the completion of site-specific baseline studies; and should require the CEQA cumulative impact analysis the law demands before any final regulatory action. These are not unreasonable requests. They are what the MLPA, CEQA, the APA, the Bagley-Keene Act, and the Commission's own policies require.

SDA is prepared to implement the AMP immediately. The Advisory Council is ready to convene. The community stands ready to be the stewardship partner that CDFW has called for — three times, in its own evaluation. SDA urges the Commission to choose the path that is scientifically sound, legally defensible, and just.

All arguments, objections, and requests set forth in this letter and in Versions 1 through 4 of this administrative record are formally entered into the administrative record of this proceeding pursuant to Public Resources Code Section 21177 and the common-law exhaustion doctrine. SDA reserves all rights, including the right to seek judicial review under Code of Civil Procedure Sections 1094.5 and 1085 — including with respect to the April 11, 2026 staff rejection of SDA's regulatory petition and any Commission action on a materially amended petition configuration — should the Commission fail to act in conformity with the applicable legal standards.

Respectfully submitted,

SAVE DUXBURY ACCESS
Bolinas, California
June 17, 2026

Enclosures:

- Letter from Melissa A. Miller-Henson, Executive Director, California Fish and Game Commission, to Mollie Lounibos, Save Duxbury Access, dated April 11, 2026 (previously entered into the administrative record).
- Save Duxbury Access letter of notice concerning jurisdictional conflict, abdication of statutory duty, and absence of required cumulative impact analysis (incorporated by reference in Section IX).

cc:

California Department of Fish and Wildlife, Marine Region
Craig Shuman, Regional Manager, CDFW Marine Region
Claire Waggoner, Environmental Program Manager, CDFW Marine Region
CDFW Marine Enforcement District — Eric Kord, Assistant Chief
California Attorney General's Office
Office of the Governor
Ocean Protection Council
Greater Farallones National Marine Sanctuary
Point Reyes National Seashore
Marin County Parks
Calla Allison, Executive Director, MPA Collaborative Network

Outlook

Comments for August 12th FGC Meeting: Agenda Item 2

From Isabel Dawson [redacted]
Date Thu 07/30/2026 01:32 PM
To FGC <FGC@fgc.ca.gov>
Cc Ashcraft, Susan [redacted] ashley [redacted]

Dear Commissioners,

Please see the **three attached comment letters** to be submitted under **Agenda Item 2: General Public Comment**, for the upcoming August 12th Fish & Game Commission meeting.

These comments may have been emailed directly to FGC previously, but we want to ensure they reach the right address and make it on the record.

Thank you for your consideration.

Best,

Isabel Dawson
Policy Associate
Environmental Action Committee of West Marin (EAC)
[redacted]

Mission: To protect and sustain the unique lands, waters, and biodiversity of West Marin.
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July 03, 2026

RE: Comment on Duxbury Reef Petition #2023-32MPA

Dear Eric Sklar,

I am writing to provide public comment on Duxbury Reef Petition #2023-32MPA for your review at upcoming Fish & Game Commission meetings.

I support the staff recommendation to "grant in concept" the northern and southern boundary expansions at Duxbury Reef State Marine Conservation Area, which proposes to include the currently unprotected intertidal habitat in a State Marine Conservation Area.

The northern unprotected part of the reef is extremely important for larval connectivity, is adjacent to important seabird nesting areas and a marine mammal colony, and may be increasingly important as a climate refuge for intertidal communities moving north. The southern unprotected part of the reef holds rare and sensitive species and hosts a harbor seal colony year-round. Protecting this rare and productive habitat will improve larval connectivity and the reef's resilience to climate change.

Protecting these ecologically connected areas benefits not only the health of intertidal creatures, but also enhances the recreational and educational access of the ~95% of people who visit Duxbury Reef to tidepool, take walks, learn, and study.

I urge the Commission to protect this special place by adopting the Department's recommendation and protecting the north and south intertidal habitat within a State Marine Conservation Area. The full extent of Duxbury Reef's sensitive and biodiverse habitat deserves to be protected for current and future generations.

Thank you for considering my comments.

Sincerely,
Daniel Edelstein

July 28, 2026

RE: Comment on Duxbury Reef Petition #2023-32MPA: Agenda Item 2

Dear Eric Sklar,

I am writing to provide public comment on Duxbury Reef Petition #2023-32MPA for your review at upcoming Fish & Game Commission meetings.

I support the staff recommendation to "grant in concept" the northern and southern boundary expansions at Duxbury Reef State Marine Conservation Area, which proposes to include the currently unprotected intertidal habitat in a State Marine Conservation Area.

The northern unprotected part of the reef is extremely important for larval connectivity, is adjacent to important seabird nesting areas and a marine mammal colony, and may be increasingly important as a climate refuge for intertidal communities moving north. The southern unprotected part of the reef holds rare and sensitive species and hosts a harbor seal colony year-round. Protecting this rare and productive habitat will improve larval connectivity and the reef's resilience to climate change.

There is a great deal of misunderstanding around the Duxbury MPA and increased science, signage and communication is needed for the community and visitors to understand the complexity and the need for increased marine protection. Protecting these ecologically connected areas benefits not only the health of intertidal creatures, but also enhances the recreational and educational access of the ~95% of people who visit Duxbury Reef to tidepool, take walks, learn, and study.

I urge the Commission to protect this special place by adopting the Department's recommendation and protecting the north and south intertidal habitat within a State Marine Conservation Area. The full extent of Duxbury Reef's sensitive and biodiverse habitat deserves to be protected for current and future generations.

Thank you for considering my comments.

Sincerely,
David McGuire
[redacted]

July 28, 2026

RE: Comment on Duxbury Reef Petition #2023-32MPA: Agenda Item 2

Dear Eric Sklar,

I am writing to provide public comment on Duxbury Reef Petition #2023-32MPA for your review at upcoming Fish & Game Commission meetings. I have been a resident of California for my entire life, born in San Francisco, and lived for 35 years on the coast in Pacifica, California. I was able to walk on the beach every single day. I have also spent many days exploring the coastline and marveling at the diversity of life found in the ocean. My children attended Ocean Shore Alternative School, where a yearly project, Oceans Week, allowed the entire school community to learn more about the importance of the ocean ecology and balance. We spent three days in Point Reyes and two days at Fort Ross. For these reasons, I am passionate about preserving as much as we can about the oceans around us, and how they benefit us.

I support the staff recommendation to "grant in concept" the northern and southern boundary expansions at Duxbury Reef State Marine Conservation Area, which proposes to include the currently unprotected intertidal habitat in a State Marine Conservation Area.

The northern unprotected part of the reef is extremely important for larval connectivity, is adjacent to important seabird nesting areas and a marine mammal colony, and may be increasingly important as a climate refuge for intertidal communities moving north. The southern unprotected part of the reef holds rare and sensitive species and hosts a harbor seal colony year-round. Protecting this rare and productive habitat will improve larval connectivity and the reef's resilience to climate change.

Protecting these ecologically connected areas benefits not only the health of intertidal creatures, but also enhances the recreational and educational access of the ~95% of people who visit Duxbury Reef to tidepool, take walks, learn, and study. This needs to include our children and grandchildren.

I urge the Commission to protect this special place by adopting the Department's recommendation and protecting the north and south intertidal habitat within a State Marine Conservation Area. The full extent of Duxbury Reef's sensitive and biodiverse habitat deserves to be protected for current and future generations.

Thank you for considering my comments.

Sincerely,
Joanne Simonson
[redacted]
[redacted]

June 18, 2026

California Fish and Game Commission

P.O. Box 944209

Sacramento, CA 94244-2090

RE: Supplemental Letter for Inclusion in the Administrative Record in Response to Environmental Action Committee of West Marin (EAC) May 11, 2026 Statement Regarding Petition 2023-32MPA (Duxbury Reef SMCA)

Dear Commissioners:

Save Duxbury Access (SDA) submits this supplemental letter to its perfected administrative record to the California Fish and Game Commission in the matter of Petition 2023-32MPA, filed by the Environmental Action Committee of West Marin (EAC). This submission is intended to preserve our objections, requests, and supporting arguments for the record and to ensure they are considered in any Commission action on the petition. This letter supplements and incorporates by reference all prior submissions and objections previously filed by Save Duxbury Access in this proceeding.

This letter in response to the May 11, 2026 statement from the Environmental Action Committee of West Marin ("EAC"), published in the Bolinas Hearsay News, announcing further changes to Petition 2023-32MPA. The May 11 statement raises three distinct concerns that, taken together, render the current proposal unsuitable for grant on the existing record: **(i) it materially mischaracterizes CDFW's March 2026 recommendation**; **(ii) it advances regulatory language that was never before CDFW when CDFW evaluated the petition and that the Department has confirmed cannot now be incorporated into its evaluation**; and **(iii) it was published outside any formal amendment procedure the Commission has authorized**, deepening a pattern of post-deadline revisions announced without a refiled FGC-1 (14 CCR § 662), without notice under Bagley-Keene (Cal. Gov. Code § 11125.7), and without engagement with the Bolinas community most directly affected.

I. CDFW Did Not Recommend What EAC Now Claims.

EAC's May 11 statement asserts that its current request "supports CDFW's recommendation." It does not. CDFW recommended that the Commission **deny the no-take State Marine Reserve reclassification** and grant only in concept limited boundary expansions designed to protect intertidal habitat while **maintaining existing commercial and recreational take allowances**. CDFW further found that EAC's underlying claims of confusion and violations were **unsubstantiated by enforcement data**, noted that officers issued **zero citations at Duxbury from 2019 through 2025**, and concluded that improved signage, education, and outreach could be "just as or more effective" as redesignation. EAC's restatement of "support" elides each of these findings.

II. The Petition CDFW Evaluated Is Not the Petition Now Before the Commission.

On February 11, 2026, CDFW Marine Region Manager Dr. Craig Shuman confirmed on the record that CDFW's evaluations are completed *"on the petitions as they were referred to the department by the commission with the information that we had at the time of referral,"* and that *"all this new information that's coming in is not getting incorporated into the evaluations."* (Cal-Span, FGC mtg. of Feb. 11, 2026.) The petition CDFW formally evaluated in March 2026 sought no-take SMR reclassification on a defined boundary set. The current proposal—SMCA with "clarifying language" requiring "no take in rocky intertidal tidepool areas" and fishing only "by casting from the rocks or beach to waters beyond the intertidal zone," combined with an undefined northern boundary expansion—is materially different. EAC has not refiled FGC-1 as required by 14 CCR § 662; its supporting materials, letters of support, and MPA Watch data still reference the original 2023 no-take SMR proposal; and CDFW has not had the opportunity (or, on Dr. Shuman's account, the ability) to incorporate any of the post-referral amendments into its evaluation. **The Commission is being asked to grant a proposal that no agency in the regulatory chain has formally reviewed.**

The April 2026 San Mateo hearing made the consequences of this drift concrete. CDFW recognized Duxbury Reef's importance to Bolinas and broader Marin County as a multi-use coastal area supporting tidepooling, wildlife viewing, shore-based fishing, and commercial and recreational fishing offshore, and specifically identified the northern offshore area as part of the **most valuable fishing block** for the hook-and-line California halibut fishery out of the port of Bolinas. When Commissioner Zavaleta asked the petitioner to define the proposed northern boundary, EAC offered **"200 feet or 500 feet,"** could not identify whether that distance was measured from the high-tide line or low-tide line, and offered to "follow up." Commissioner Zavaleta correctly observed that **"those details matter."** Whether the boundary is 200 feet at mean high tide or 500 feet at mean lower low water determines whether the most valuable hook-and-line halibut block out of Bolinas is preserved or eliminated. A proposal that cannot define its core regulatory line at the public hearing has not yet crystallized into a petition the Commission can lawfully evaluate.

III. The May 11 Language Creates a De Facto SMR That CDFW Recommended Against.

EAC's proposed "clarifying language"—"no take in rocky intertidal tidepool areas" and fishing only "by casting from the rocks or beach to waters beyond the intertidal zone"—is **functionally impossible to comply with** at Duxbury Reef. The rocky intertidal extends hundreds of feet from shore at low water; Bolinas residents and visitors fish on and around the reef structure itself; and the configuration of the reef makes casting "beyond" the intertidal from shore physically impracticable. The language would foreclose shore-based fishing, eeling, spearfishing, and any future recovery of abalone harvest within the SMCA. In substance, it converts the SMCA into the **no-take SMR that CDFW expressly recommended denying**. No site-specific evidence has been provided to justify restrictions that differ materially from the petition CDFW evaluated.

IV. The Commission Has Permitted Asymmetric Procedural Treatment.

The procedural posture of Petition 2023-32MPA has departed from the Commission's own *August 2023 MPA Regulation Change Petition Framework*. Commissioner Murray acknowledged on February 11, 2026 that the Commission has *"pretty clearly discouraged people from talking about their petitions for the last couple years"* and noted her discomfort that petitioners who submitted in 2023 "have not had the opportunity to talk about their petitions." (Cal-Span, FGC mtg. of Feb. 11, 2026.) Commissioner Anderson stated at the Goleta meeting on May 6, 2026 that "because the advocate from Duxbury, uh, keeps asking about it … *you can add additional items to each one of these things* when we make the final determination." (Cal-Span, FGC mtg. of May 6, 2026, 4:41:27.) President Sklar described the practice as an "iterative process" through which a petitioner may "submit a letter, [and] it'll be considered as part of the decision making that we make down the road." (Id. at 2:23:59.)

This latitude has been extended to EAC. It was not extended to SDA. Commission staff's April 11, 2026 letter rejected SDA's submittal as **"non-regulatory"** while expressly inviting SDA to use the April 21, 2026 regional MPA petitions meeting to **"share and briefly present"** its proposal as an alternative to Petition 2023-32MPA. At the last minute, SDA was denied presentation time and relegated to public comment. The same April 11 letter stated that the Commission was **"not accepting new MPA-related petitions"** for the current process—even as EAC has, since that date, been permitted to alter its petition's designation, boundary, and operative take language through an undefined "informal iterative process" without a refiled FGC-1 and without prior notice to the affected community. The disparity is reinforced by Dr. Shuman's acknowledgment on February 11, 2026 that an "alternative pathway"—including non-regulatory measures—is part of the Commission's Bin 1 grant-with-alternative-pathway architecture, a pathway the Commission has applied to other petitions but appears to have foreclosed in this proceeding by classifying SDA's submission as outside the regulatory stream entirely.

V. The Iterative Practice Implicates Notice and Meaningful-Comment Requirements.

The Bagley-Keene Open Meeting Act requires that the public be given a meaningful opportunity to comment on matters actually before the Commission. (Cal. Gov. Code § 11125.7.) The current record contains multiple materially different versions of Petition 2023-32MPA—the original December 2023 no-take SMR petition; the November 2025 southern-boundary amendment; the April 2026 hearing pivot to SMCA with an undefined northern boundary expansion; and the May 11, 2026 introduction of "clarifying language" that, in operation, creates a no-take zone—each announced through different channels, none of them through a refiled FGC-1. As public commenter Mollie Lounibos observed on the record, *"as this petition has materially transformed … the materials that stand no longer align with this new proposal, including their letters of support, anecdotal observations, MPA watch survey data, as well as their primary justification."* (Cal-Span, FGC mtg. of May 6, 2026, 6:11:23.) The April 2026 hearing exchange about whether the boundary was at "200 feet or 500 feet" is the practical embodiment of a moving-target proposal. A petition whose operative terms remain unsettled at the time of the noticed public hearing cannot satisfy § 11125.7's meaningful-comment guarantee.

VI. EAC Has Not Met the MLPA's Expectations for Local Engagement or Site-Specific Justification at Duxbury.

Throughout this process, EAC has failed to engage in **free, prior, and informed consultation** with the Bolinas community most directly affected. The petitioner has not hosted a single public meeting in Bolinas or West Marin. EAC's representation that the petition enjoys "strong community support" is contradicted by the absence of any such meetings. The *Marine Life Protection Act* and its Master Plan, including *Chapter 4 (Adaptive Management)*, built the existing MPA network through Regional Stakeholder Groups, a Blue Ribbon Task Force, and dedicated outreach into coastal communities (including translation into five languages). "Stakeholder process" is, in this regime, a term of art that carries substantive procedural weight. A petition seeking to alter the MPA network without engaging the affected coastal community departs from the very architecture under which the SMCA was established.

Independent evidence in the administrative record also undercuts the premise of a Duxbury-specific emergency. Long-term UC Santa Cruz/MARINe monitoring at Bolinas Point shows variability consistent with statewide trends rather than a site-specific collapse, and CDFW law-enforcement data show zero citations at Duxbury since 2019.

VII. EAC's "Completely Unprotected" Framing Is Not Accurate.

EAC's public communications describe the proposed expansion areas as "currently unprotected intertidal habitat." That framing materially understates the protections already in place. Within the existing Duxbury Reef SMCA, take of intertidal invertebrates and seaweeds is already prohibited. Recreational take is limited to finfish and abalone (currently closed until 2036), and is subject to generally applicable Title 14 regulations, including size limits, bag limits, seasons, gear restrictions, and license requirements. Commercial fishing is not allowed inside the SMCA and remains subject to those same statewide rules outside the MPA boundaries. The shoreline and offshore expansion areas are further covered by the Duxbury Reef Area of Special Biological Significance (ASBS), Point Reyes National Seashore, and Greater Farallones National Marine Sanctuary, as well as the Marine Life Management Act framework, the federal Marine Mammal Protection Act, the Migratory Bird Treaty Act, and the California Coastal Act on the landward side. CDFW's own evaluation acknowledges that the current SMCA already prohibits intertidal invertebrate and seaweed take and that redesignation to an SMR would not add meaningful additional protection for those resources. EAC's "unprotected" language therefore misstates both the existing regulatory baseline and the incremental effect of the proposed boundary expansions and SMR-style restrictions.

VIII. Relief Requested.

For the foregoing reasons, Save Duxbury Access respectfully requests that the Commission:

1. **Deny Petition 2023-32MPA in its entirety**, including the SMR reclassification and boundary expansions originally sought and each of the post-deadline amendments that were not formally filed on FGC-1, evaluated by CDFW against a stable referral package, or noticed to the affected community through a clearly defined process; or, in the alternative,

2. **Direct that any continued consideration of Petition 2023-32MPA proceed only after EAC files a new FGC-1** reflecting the proposal in its current form, the petition is re-noticed under 14 CCR § 662 and Cal. Gov. Code § 11125, CDFW is afforded a re-set evaluation period against that stable record, and Bolinas-area stakeholder outreach is completed;
3. **Give meaningful weight to SDA's community-based stewardship alternative**—anchored on signage, education, outreach, and collaborative management—as a "grant with alternative pathway" of the type CDFW has previously identified as available within the Commission's Bin 1 architecture (see Dr. Craig Shuman, Cal-Span, Feb. 11, 2026), consistent with CDFW's conclusion that signage, education, and outreach may be "just as or more effective" tools at Duxbury Reef; and
4. **Place on a future Commission agenda the question whether amended MPA-related petitions must be supported by documented local stakeholder outreach** in the affected community before being advanced for Commission action.

Please file this letter in the official administrative record for Petition 2023-32MPA and confirm its inclusion in the record for any future Commission review or action on this matter. Save Duxbury Access expressly reserves all rights to seek judicial review, including under *California Code of Civil Procedure § 1085*, with respect to any final Commission action taken on a record that does not address the foregoing.

Attached are supporting materials documenting the evolution of the petition, the discrepancies between EAC's public claims and CDFW's findings, the regulatory regime already in place, and the procedural irregularities that have disadvantaged the Bolinas community throughout this process.

Respectfully submitted,

Save Duxbury Access

Save Duxbury Access is a grassroots group of Bolinas residents who believe in protecting Duxbury Reef while keeping access open for fishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with nature and continue our longstanding tradition of responsible stewardship in Bolinas, California.

Attachment A: EAC Post-Deadline Amendments — Petition 2023-32MPA

Version	Designation	Boundary Expansion	Allowed Take	FPIC / Filing Channel
2023 (Original Petition)	SMR — No-take	Defined northern and southern boundaries	None — complete no-take zone	FGC-1 filed; no Bolinas public meetings; minimal outreach; "strong community support" claim disputed
March 2025	**DEADLINE FOR AMENDMENTS**	**DEADLINE FOR AMENDMENTS**	**DEADLINE FOR AMENDMENTS**	**DEADLINE FOR AMENDMENTS**
November 2025	SMR — No-take	Southern boundary amendment to address asymmetry	None — complete no-take zone	Amendment discovered by community through third party; confirmed by EAC at meeting
April 2026 (San Mateo Hearing)	SMCA (no longer seeking SMR)	Undefined northern boundary expansion; southern expansion as defined in November 2025	Verbally endorsed CDFW fishing protections but could not define the northern boundary when questioned by Commissioner Zavaleta ("200 feet or 500 feet … I would imagine from mean high tide")	No FGC-1 filed for materially changed petition; major amendments announced at hearing with no prior community notice
May 11, 2026 (Local Press)	SMCA with "clarifying language" (functionally an SMR)	Northern expansion (still undefined) and southern expansion as defined in November 2025	"Clarifying language" includes "no take in rocky intertidal tidepool areas" + fishing only by "casting from rocks/beach beyond intertidal zone" (functionally equivalent to no-take SMR given reef configuration); continues to assert to have "eliminated all commercial impacts" despite northern boundary remaining undefined	Amendment published in Bolinas Hearsay News (Local Press) rather than filed with the Commission. No FGC-1 filed; no prior notice or community engagement; CDFW has confirmed post-referral amendments are not incorporated into its evaluation (Shuman, 2/11/26)

Key Questions:

- Has any version after March 2025 been formally submitted via a new FGC-1 form?
- Have supporting materials been updated to reflect and justify the post-deadline changes?
- What version of the petition is actually before the Commission for decision?
- Why was this petition allowed an "informal iterative process" while Save Duxbury Access was told the Commission was "not accepting new MPA-related petitions"?
- How can the Commission evaluate whether fishing impacts have been "eliminated" when the petitioner could not define the northern boundary with precision at the April hearing?
- Given CDFW Marine Region Manager Dr. Craig Shuman's on-record statement that "all this new information that's coming in is not getting incorporated into the evaluations," how can EAC accurately represent that its May 11 proposal "supports CDFW's recommendation"?

Attachment B: What CDFW Actually Recommended

CDFW did not support EAC's no-take proposal. The Department recommended that the Commission **deny the SMR reclassification** and only **grant in concept** limited boundary expansions that protect intertidal habitat **without restricting existing commercial or recreational fishing.**

No enforcement crisis

- CDFW found EAC's claims of confusion and violations **"unsubstantiated by enforcement data"**
- Officers issued **zero citations** at Duxbury from 2019–2025
- MPA Watch data are **not designed to document violations**; EAC characterized all handling of organisms as "potential violations"
- CDFW concluded **signage, education, and outreach** could be **"just as or more effective"** as redesignation

No-take conversion conflicts with original MPA purpose

- CDFW found the SMR proposal **does not align with the MPA's original intent** and would **unnecessarily eliminate established uses** vetted during MLPA planning
- Current SMCA already prohibits intertidal invertebrate and seaweed take; SMR would **not add meaningful protection**
- CDFW recommended petitioners work with Bolinas community on **outreach and education** instead

Fishing community impacts

- CDFW recognized Duxbury as important to Bolinas and **broader Marin County** for multiple uses including shore-based and offshore fishing
- Northern offshore area is **the most valuable halibut fishing block** for Bolinas hook-and-line fleet
- **Few alternative fishing locations** exist in Marin County

Boundary uncertainty at April hearing

- When asked how far north boundary would extend, petitioner offered **"200 feet or 500 feet"** without clarity on measurement baseline
- Petitioner initially answered **"from mean high tide, I would imagine … we can follow up"**
- Commissioner Zavaleta: **"those details matter"**—difference determines whether halibut grounds are lost
- Undercuts claim that fishing impacts were already resolved

May 11 amendment creates functional no-take zone

- EAC's proposed language requires "no take in rocky intertidal tidepool areas" and fishing only by "casting from the rocks or beach to waters beyond the intertidal zone"
- **Functionally impossible to comply with** at Duxbury Reef where rocky intertidal extends hundreds of feet from shore
- Bolinas residents and visitors fish on and around the reef structure itself, not by casting over it from sand
- Would eliminate shore-based fishing, eeling, spearfishing, and future abalone harvest
- Creates **de facto no-take zone functionally equivalent to the SMR** that CDFW explicitly recommended denying
- No site-specific evidence provided to justify new restrictions that differ substantially from evaluated petition
- May 11 language was never before CDFW when CDFW completed its March 2026 evaluation; per CDFW Marine Region Manager Dr. Craig Shuman (Cal-Span, Feb. 11, 2026), "all this new information that's coming in is not getting incorporated into the evaluations"

No site-specific emergency

- Long-term monitoring shows variability **consistent with statewide trends**, not a Duxbury-specific crisis
- CDFW found **no critical new information** warranting SMR redesignation
- Unclear whether SMR would provide **greater benefit than outreach and education**

CDFW did not endorse the petition as filed

- Department found proposed boundaries **do not align with feasibility guidelines** and would need refinement
- Recommended only an **alternative pathway** with redesigned boundaries that protect intertidal habitat without unnecessarily restricting fishing

Duxbury treated differently from other Bin 2 petitions

- Other **Bin 2 petitions** required substantial **site-specific evidence** and **stakeholder consensus** before consideration; this proposal provides neither while seeking restrictions that **CDFW explicitly recommended denying**
- CDFW found **no critical new information**, **no enforcement crisis**, and **no Duxbury-specific emergency**—yet the Commission is being asked to expand boundaries based on a **weaker evidentiary standard** than applied to other communities under the **Bin 2 framework**
- Commissioner Murray acknowledged on Feb. 11, 2026 that the Commission has "pretty clearly discouraged people from talking about their petitions for the last couple years"—yet EAC has been heard repeatedly on Petition 2023-32MPA, including a recorded "iterative" dialogue at the Goleta meeting on May 6, 2026

- Commissioner Anderson stated on May 6, 2026 that "you can add additional items to each one of these things"—generalizing the practice from a Duxbury-specific accommodation into an emerging rule of decision being created outside any rulemaking under the California APA

Existing regulatory protections rebut EAC's "completely unprotected" framing

- **Title 14 CCR fishing regulations**: size limits, bag limits, season closures, gear restrictions, and California fishing license requirements apply throughout the proposed expansion area
- **Marine Life Management Act** (Fish & Game Code §§ 7050 et seq.): statewide framework governing sustainable management of marine fisheries, fishery management plans, and ecosystem-based management
- **Marine Mammal Protection Act** (16 U.S.C. §§ 1361 et seq.): federal protection for the resident harbor seal colony year-round
- **Migratory Bird Treaty Act** (16 U.S.C. §§ 703 et seq.): federal protection for adjacent seabird nesting populations
- **Endangered Species Act** (federal and state): protection for any listed species transiting or using the area
- **California Coastal Act**: governs land-side activity adjacent to the reef and coastal access
- **Marine Life Protection Act + Master Plan, Chapter 4 (Adaptive Management)**: existing MPA network already underpins the SMCA designation through a structured stakeholder process (RSGs, Blue Ribbon Task Force, five-language outreach)
- CDFW's own evaluation acknowledged that the proposed SMR redesignation **would not add meaningful protection** beyond what the current SMCA and statewide framework already provide
- **Current Duxbury Reef SMCA**: prohibits take of intertidal invertebrates and seaweeds (the protection EAC seeks to add is already in place for those resources)

Attachment C: EAC Amendment to Petition 2023-32MPA (5/11/26)

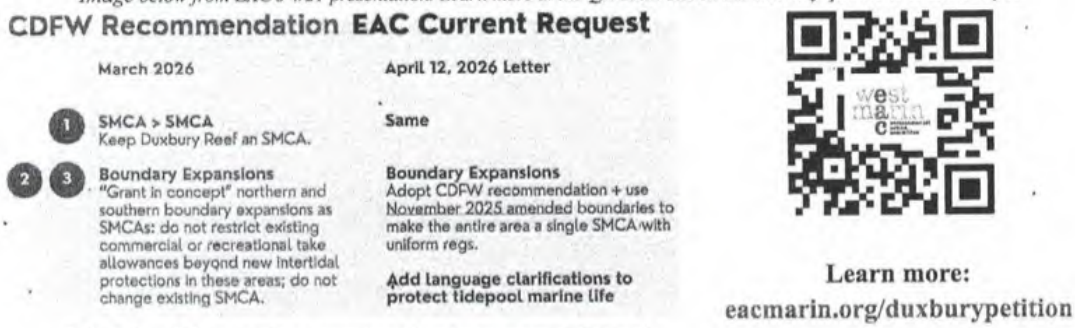
DUXBURY REEF UPDATE: The CA Department of Fish & Wildlife (CDFW) has recommended* protecting the **full extent** of Duxbury Reef's **intertidal** habitat within a **State Marine Conservation Area (SMCA)**, the current designation.

**Recommendations are not final decisions. The Fish & Game Commission still needs to vote around August, and can consider amendments and other information not in the original petition.*

EAC's Updated April 2026 Position on Duxbury Reef Petition

EAC has revised our petition request based on stakeholder input and CDFW's recommendation. **EAC supports CDFW's recommendation to "grant in concept" the northern and southern boundary expansions at Duxbury Reef**, which would make this currently unprotected intertidal habitat a State Marine Conservation Area. **CDFW's recommendation would not impact recreational or commercial fishing in the expanded areas** and would better protect other sensitive intertidal life. **EAC is requesting smaller amended boundaries and consistent clarified language** that protects intertidal sea life and reduces visitor confusion while maintaining most recreational fishing. We are suggesting the SMCA language allows for recreational fishing from shore, but hook and line only, and no take in rocky intertidal tidepool areas.

Image below from EAC's 4/21 presentation. Learn more at the QR code. Reach out with any questions/to share input.



What does this mean for recreational and commercial fishing?

If CDFW's recommendation is adopted, **the reef *would not* become a no-take reserve. Recreational fishing would continue** within the current marine protected area and the expanded SMCA. The boundary expansions would focus protection on the intertidal, **eliminating impacts to commercial fishing.**

The **language clarifications** EAC is additionally advocating for would still allow for **most fishing** at Duxbury Reef—casting a line from the rocks or beach to the waters beyond the intertidal zone.

Will this impact non-consumptive uses of the reef? *I.e., tidepooling, dog walking, education, surfing, research, etc.*

These recreational, non-consumptive uses would still be allowed. CDFW's recommendation and EAC's current position would not change or restrict any of these uses.

How will protecting the full reef habitat provide benefits for reef creatures and visitors?

The **northern** unprotected part of the reef is vital for larval connectivity, adjacent to important seabird nesting areas and a marine mammal colony, and will likely increasingly become a climate refuge for intertidal communities moving north. The **southern** unprotected part of the reef holds rare and sensitive species and hosts a harbor seal colony year-round. Including this rare and productive habitat in an SMCA would protect larval connectivity and improve climate change resilience. CDFW's recommendation also identifies benefits.

When intertidal health is protected, and marine life is abundant and diverse, the recreational and educational experiences of *all* visitors improve.

[Reproduction of EAC announcement published in Bolinas Hearsay News, May 11, 2026 — see attached PDF page]

FGC**@FGC**

From: Russell Barabe
Sent: Friday, June 12, 2026 2:03 PM
To: FGC
Subject: Petition 2023-33-AM1

Greetings,

I am writing to voice my opposition to Petition 2023-33-AM1. I am currently an avid fisherman here in San Diego and I understand how difficult it is for commercial fisherman to make a living. This proposal will specifically impact the commercial lobster fishery here in San Diego and likely drive multiple individuals out. Part of the Marine Life Management Act requires both the State of CA and the Federal Government to consider the financial impacts of actions such as these on these fishing communities. This simple change could significantly hinder commercial lobster fisherman from making a living.

Please reconsider this expansion of the MPA.

Thank you.

Russ

FGC**@FGC**

From: Jim Royer
Sent: Sunday, July 5, 2026 2:10 PM
To: FGC
Subject: MPA petition 2023-33

Hello,

My name is Jim Royer and I live in zip code 92117 and am a regular SCUBA diver and snorkeler and scientist at a local startup company. I strongly support the MPA petition 2023 #33 for the Cabrillo SMR expansion. I regularly dive in the remarkable kelp forests off Point Loma. These dive sites have incredible diversity in species of underwater life and are a famed attraction for local and visiting divers. I want to see these habitats afforded the critical protections they deserve. Protected kelp forests become effective producers for areas well beyond their boundaries, which translates to healthy, resilient ecosystems that benefit coastal economies. When so many kelp forests in San Diego are struggling from environmental, and anthropogenic impacts, it is of utmost importance that we protect those that remain resilient. I urge you to support this proposal.

Thank you
Jim Royer

Commercial Fishermen of Santa Barbara
P.O. Box 6666, Santa Barbara, CA 93160
www.cfsb.info

June 16, 2026

California Fish and Game Commission
1416 Ninth Street, Suite 1320
Sacramento, CA 95814

Re: Supplemental Comment on New Science Study relevant to Petition 2023-33MPA_AM

Dear Commissioners:

Commercial Fishermen of Santa Barbara (CFSB) submits this supplemental comment to bring to the Commission's attention a significant new peer-reviewed study directly relevant to Petition 2023-33MPA_AM as it pertains to the kelp forests of the Santa Barbara Channel coast and islands. We respectfully submit that this study strengthens CDFW's March 2026 recommendation to deny the petition, specifically reinforcing their central finding that the petition lacks site-specific mechanistic evidence linking MPA expansions to improved kelp resilience or recovery.

The New Study

Michaud, Reed, and Miller (2026), "Macroalgal community transformation during successive marine heatwaves in southern California kelp forests," *Communications Earth & Environment* (in press), draws on 23 years of continuous monitoring data (2002–2025) from nine rocky reef sites along the mainland coast of the Santa Barbara Channel, collected by the Santa Barbara Coastal Long-Term Ecological Research program. The study examined the effects of the 2014–2015 "warm blob" heatwave and the 2018 heatwave on the seafloor algal communities beneath the kelp canopy – the same climate events the petitioner invokes as justification for MPA expansion. Two of the nine sites fall within existing MPAs (Naples SMCA and Campus Point SMCA, both established 2012) and seven do not, providing an opportunity to observe whether MPA protection affected heatwave response or recovery trajectories. We recognize that the study was not designed as a formal paired inside/outside MPA comparison, but its 23-year time series, nine sites, and rigorous statistical modeling still yield multiple insights directly relevant to this petition.

Macrocystis pyrifera cover wasn't driven by heatwave dynamics.

Michaud et al. found giant kelp (*Macrocystis pyrifera*) — the species of greatest commercial, ecological, and conservation value in the region — was largely resistant to both heatwaves within the Santa Barbara Channel. Heatwave duration was not a statistically significant predictor of *Macrocystis* biomass at any of the nine sites, even during the strongest heatwave on record in the northeast Pacific. The authors attribute

this to the channel's oceanographic position, where temperatures did not reach the species' critical thermal threshold. There is a naturally occurring abiotic advantage here, stemming from the upwelling gradient west of Point Conception. The relative resilience of *Macrocystis* here compared to southern California, Baja California, Australia, and New Zealand is due to favorable oceanography, not because of MPA coverage.

MPA-protected and unprotected sites showed the same responses.

Another consequential finding for this petition is that the dominant understory kelp, *Pterygophora californica*, declined sharply at all nine sites during the 2014–2015 heatwave, reaching a 23-year minimum in 2016. This temporary collapse was uniform across the channel. It occurred at Naples and Isla Vista MPAs and at unprotected sites alike. There is no indication in the data that MPA protection conferred any measurable resistance to the thermal stress that drove this decline. This directly contradicts the petition's central premise that expanding MPA boundaries around "persistent" kelp patches will protect them from climate-driven disruption.

The primary driver of community change was abiotic thermal exposure, not fishing pressure.

Statistical modeling showed that the proportion of heatwave days — an oceanographic variable entirely outside the influence of any MPA boundary — was a significant negative predictor of understory kelp biomass and a significant positive predictor of subtropical species biomass. Sites with more anomalously warm days showed larger community composition shifts than those with fewer. *There is no suggestion in the data that fishing-related variables (which could only interact with the algal community indirectly) could explain residual (additional) variation*. This finding supports CDFW's conclusion that "the dominant drivers operate beyond MPA borders" and that MPA expansion cannot be treated as a targeted climate resilience tool in this system.

Recovery was driven by thermal regime change, not protection status.

Understory communities, including *Pterygophora*, largely returned to pre-heatwave composition within a few years of the heatwaves ending. This is ecologically important and speaks to the inherent resilience of these communities when thermal conditions permit. Recovery progression tracked the east-west thermal gradient: it began in 2018 at the coolest, westernmost sites and progressed to warmer sites beginning in 2020. That Naples (an MPA site) recovered early is attributable to its position at the cooler western end of the mainland coast and to its historically large population — not to its protection status, since the equally protected Isla Vista site, situated in a warmer thermal zone further east, followed a later recovery trajectory consistent with its thermal exposure. The authors identify "species insurance" as a recovery mechanism— the stabilizing effect of high species richness with asynchronous responses to disturbance. *Species richness is a property of the entire channel-wide community*, not of individual MPA-protected reefs.

Even as communities recovered in the short term, the study documents a persistent, long-term increase in warm-water species across all nine sites — inside and outside protected areas — driven by basin-scale climate forces that no MPA boundary can address.

Conclusions

Michaud et al. (2026) found that heatwave disruption was uniform across MPA-protected and unprotected sites alike, that recovery tracked the channel's natural thermal gradient rather than management boundaries, and that the long-term community shift toward warmer-water species is being driven by basin-scale forces no local MPA can address. Taken together, these findings do not support MPA expansion as a tool for building kelp forest climate resilience in this region.

The OPC's March 20, 2026 letter to the Commission identified "building climate resilience" as a key lens for evaluating MPA petitions – a standard CFSB fully endorses. Applying that standard here, however, leads to the same conclusion as CDFW's scientific analysis: Petition 33 does not pass the test. The best available science tells us that what builds climate resilience in the Santa Barbara Channel is restoring the ecological processes – urchin control, nutrient cycling, kelp recruitment – that allow communities to recover when heatwaves subside.

The OPC letter also rightly emphasizes supporting thriving fishing communities and climate-resilient fisheries. Commercial fishermen are not obstacles to resilience; they are partners in it. Our divers are already doing purple urchin clearance work in the channel, directly enabling the kelp recovery this petition claims to advance but cannot deliver. Sustainable, well-managed fishing is compatible with and can actively support healthy, resilient kelp ecosystems.

The Commission should weigh the opportunity cost carefully. Regulatory resources, enforcement capacity, and stakeholder goodwill are finite.

CFSB urges the Commission to deny Petition 2023-33MPA_AM, consistent with CDFW's recommendation, and to direct conservation resources toward the targeted, science-backed restoration approaches that the new science supports: urchin removal, active kelp restoration, and the forthcoming Kelp Restoration Management Plan.

California's MPA Network has earned its global reputation through rigorous science and inclusive stakeholder process. Maintaining that standard means holding the line against changes that lack mechanistic, science-based justification.

Respectfully,

Kim Selkoe, Ph.D.
Executive Director
Commercial Fishermen of Santa Barbara
kselkoe@cfsb.info

Reference Cited

Michaud, K.M., Reed, D.C., and Miller, R.J. (2026). Macroalgal community transformation during successive marine heatwaves in southern California kelp forests. *Communications Earth & Environment*. https://doi.org/10.1038/s43247-026-03599-5 (Article in Press).

Rcvd 5/18/24

Dear Fish and Game Commission,

I am submitting these comments for the record following yesterday's meeting regarding the proposed MPA expansion at Santa Rosa Island, as I was unable to speak publicly due to travel.

I am strongly opposed to the proposed expansion.

I come to this issue from a finance background, and I want to be direct: my concern is not emotional it is structural. Effective regulation requires not only conservation objectives but a clear accounting of costs, consequences, and accountability. On those grounds, this proposal is incomplete.

The existing regulatory framework governing this fishery quotas, seasonal restrictions, size limits already reflects a meaningful commitment to sustainability. Before layering additional closures on top of that framework, the Commission should be required to answer a straightforward question: **what is the economic impact, and who is responsible for assessing it?**

This is not a peripheral concern. A closure of this nature would have cascading effects on Santa Barbara Harbor and the surrounding economy affecting not just commercial fishermen, but restaurants, consumers, harbor businesses, and the broader supply chain that depends on a functioning local fleet. To advance a proposal of this scale without a rigorous, independent economic assessment and a defined mitigation plan would be a significant failure of due diligence.

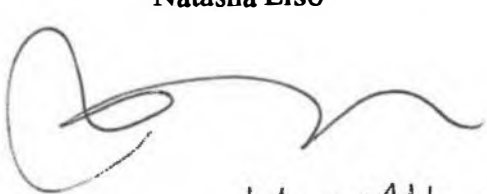
I would also ask the Commission to consider the composition of the fleet it is regulating. The fishermen entering this industry today are not doing so for financial gain; margins are already razor thin. They are here because of deep commitment to their craft and to providing locally sourced seafood to this community. An additional closure of this nature, layered onto an already difficult operating environment, has a meaningful probability of being the regulatory threshold that permanently exits a significant portion of this fleet.

Once that knowledge, those relationships, and that infrastructure are gone, they do not come back.

I respectfully urge the Commission to require a formal economic impact assessment and a defined accountability structure for mitigation before this proposal advances. Conservation and economic responsibility are not mutually exclusive but both must be present for regulation to be sound.

Thank you for the opportunity to submit these comments.

Natasha Liso



May 7th, 2024.

FGC**@FGC**

From: Dietrich Von Kaenel
Sent: Tuesday, July 21, 2026 2:30 PM
To: FGC
Subject: Opposition to Current MPA Proposals

Categories: Exhibit

Dietrich Von Kaenel
Oceanside, CA,

7/21/2026

California Fish and Game Commission

P.O. Box 944209

Sacramento, CA 94244-2090

fgc@fgc.ca.gov

Dear Members of the California Fish and Game Commission,

I am writing to express my opposition to ALL of the current Marine Protected Area (MPA) proposals under consideration.

I am a fisherman, spear fisherman, and seafood consumer who makes a deliberate effort to seek out local, fresh ingredients that are harvested responsibly. Supporting my local fishing community is important to me, and I value knowing where my food comes from and how it is caught. I also choose to buy locally because California has some of the most stringent and well-enforced fishing regulations in the world, giving me confidence that the seafood I purchase is sustainably managed.

From an informed standpoint, I am concerned that the current MPA proposals are not adequately supported by sound science. As fisheries scientist Ray Hilborn has argued in multiple peer-reviewed publications, including *Marine Protected Areas miss the boat* (Science, 2015) and *Are MPAs effective?* (ICES Journal of Marine Science, 2017), marine protected areas are not a one-size-fits-all solution and often fail to outperform well-managed fisheries. In *Marine biodiversity needs more than protection* (Nature, 2016), Hilborn emphasizes that protection alone is insufficient without strong, active fisheries management. More recent work, such as *A path forward for analysing the impacts of marine protected areas* (Nature,

2022), further highlights that some claims about MPAs rely on uncertain assumptions and incomplete data.

Equally important, the largest and most pressing threat to ocean health today is global climate change. Warming waters, ocean acidification, and shifting ecosystems are already transforming marine environments on a global scale. MPAs are spatial tools and do not address these broader systemic stressors. Protecting areas that are not significantly impacted by fishing does little to mitigate climate-driven changes and risks diverting attention from the primary drivers of ecosystem decline.

Myself and the other fishermen who supply my food are already operating under strict regulations and are actively engaged in responsible stewardship. They participate in conservation measures such as sea urchin capacity reduction, trap limits for spiny lobster, and collaborative management efforts like the 2013 MPA stakeholder process. These actions demonstrate a commitment to sustainability that should be recognized and supported.

As a consumer, I care deeply about maintaining access to local, responsibly harvested seafood. Restricting these fisheries further could push consumers like me toward imported seafood from regions with far fewer regulations and less transparency.

I urge the Commission to consider: if access to local, sustainable seafood is reduced, where will that food come from?

I am not advocating for unregulated harvesting. I support responsible fishing within California's existing strict regulatory framework. What I ask is that policy decisions be grounded in sound science and that the voices of those who depend on and support these fisheries-including consumers-are meaningfully considered.

My goal is to continue supporting a local food system that prioritizes sustainability, accountability, and long-term ocean health.

Thank you for your time and consideration.

Sincerely,
Dietrich Von Kaenel
Oceanside, California

Rcvd 5/18/26

Brian D. Fry
[redacted]
Aliso Viejo, CA [redacted]
[redacted]

May 8, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Dear Members of the California Fish and Game Commission,

I am writing to express my opposition to the current Marine Protected Area (MPA) proposals under consideration.

I am a seafood consumer who makes a deliberate effort to seek out local, fresh ingredients that are harvested responsibly. Supporting my local fishing community is important to me, and I value knowing where my food comes from and how it is caught. I also choose to buy locally because California has some of the most stringent and well-enforced fishing regulations in the world, giving me confidence that the seafood I purchase is sustainably managed.

From an informed standpoint, I am concerned that the current MPA proposals are not adequately supported by sound science. As fisheries scientist Ray Hilborn has argued in multiple peer-reviewed publications, including *Marine Protected Areas miss the boat* (Science, 2015) and *Are MPAs effective?* (ICES Journal of Marine Science, 2017), marine protected areas are not a one-size-fits-all solution and often fail to outperform well-managed fisheries. In *Marine biodiversity needs more than protection* (Nature, 2016), Hilborn emphasizes that protection alone is insufficient without strong, active fisheries management. More recent work, such as *A path forward for analysing the impacts of marine protected areas* (Nature, 2022), further highlights that some claims about MPAs rely on uncertain assumptions and incomplete data.

Equally important, the largest and most pressing threat to ocean health today is global climate change. Warming waters, ocean acidification, and shifting ecosystems are already transforming marine environments on a global scale. MPAs are spatial tools and do not address these broader systemic stressors. Protecting areas that are not significantly impacted by fishing does little to mitigate climate-driven changes and risks diverting attention from the primary drivers of ecosystem decline.

The fishermen who supply my food are already operating under strict regulations and are actively engaged in responsible stewardship. They participate in conservation measures such as sea urchin capacity reduction, trap limits for spiny lobster, and collaborative management

efforts like the 2013 MPA stakeholder process. These actions demonstrate a commitment to sustainability that should be recognized and supported.

As a consumer, I care deeply about maintaining access to local, responsibly harvested seafood. Restricting these fisheries further could push consumers like me toward imported seafood from regions with far fewer regulations and less transparency.

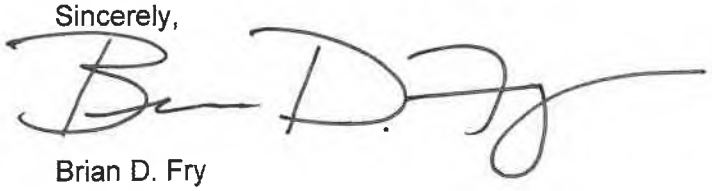
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My goal is to continue supporting a local food system that prioritizes sustainability, accountability, and long-term ocean health.

Thank you for your time and consideration.

Sincerely,



Brian D. Fry
Aliso Viejo, California

THE FRY'S

[redacted]

Aliso Viejo, CA

[redacted]

SANTA ANA CA 926

9 MAY 2026 PM 4 L



California Fish & Game Comm.
P.O. Box 944209
Sacramento, CA 94244-2090

94244-2090

Rcvd
5/18/26

Mary Rahmatulla
Mission Viejo, CA

May 11, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Dear Members of the California Fish and Game Commission,

I am writing to express my opposition to the current Marine Protected Area (MPA) proposals under consideration.

I am a seafood consumer who makes a deliberate effort to seek out local, fresh ingredients that are harvested responsibly. Supporting my local fishing community is important to me, and I value knowing where my food comes from and how it is caught. I also choose to buy locally because California has some of the most stringent and well-enforced fishing regulations in the world, giving me confidence that the seafood I purchase is sustainably managed.

From an informed standpoint, I am concerned that the current MPA proposals are not adequately supported by sound science. As fisheries scientist Ray Hilborn has argued in multiple peer-reviewed publications, including *Marine Protected Areas miss the boat* (Science, 2015) and *Are MPAs effective?* (ICES Journal of Marine Science, 2017), marine protected areas are not a one-size-fits-all solution and often fail to outperform well-managed fisheries. In *Marine biodiversity needs more than protection* (Nature, 2016), Hilborn emphasizes that protection alone is insufficient without strong, active fisheries management. More recent work, such as *A path forward for analysing the impacts of marine protected areas* (Nature, 2022), further highlights that some claims about MPAs rely on uncertain assumptions and incomplete data.

Equally important, the largest and most pressing threat to ocean health today is global climate change. Warming waters, ocean acidification, and shifting ecosystems are already transforming marine environments on a global scale. MPAs are spatial tools and do not address these broader systemic stressors. Protecting areas that are not significantly impacted by fishing does little to mitigate climate-driven changes and risks diverting attention from the primary drivers of ecosystem decline.

The fishermen who supply my food are already operating under strict regulations and are actively engaged in responsible stewardship. They participate in conservation measures such as sea urchin capacity reduction, trap limits for spiny lobster, and collaborative management efforts like the 2013 MPA stakeholder process. These actions demonstrate a commitment to sustainability that should be recognized and supported.

As a consumer, I care deeply about maintaining access to local, responsibly harvested seafood. Restricting these fisheries further could push consumers like me toward imported seafood from regions with far fewer regulations and less transparency.

I urge the Commission to consider: if access to local, sustainable seafood is reduced, where will that food come from?

I am not advocating for unregulated harvesting. I support responsible fishing within California's existing strict regulatory framework. What I ask is that policy decisions be grounded in sound science and that the voices of those who depend on and support these fisheries-including consumers-are meaningfully considered.

My goal is to continue supporting a local food system that prioritizes sustainability, accountability, and long-term ocean health.

Thank you for your time and consideration.

Sincerely,

Joel Rahmatulla
[redacted]
Mission Viejo, CA [redacted]

May 11, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Dear Members of the California Fish and Game Commission,

I am writing to express my opposition to the current Marine Protected Area (MPA) proposals under consideration.

I am a seafood consumer who makes a deliberate effort to seek out local, fresh ingredients that are harvested responsibly. Supporting my local fishing community is important to me, and I value knowing where my food comes from and how it is caught. I also choose to buy locally because California has some of the most stringent and well-enforced fishing regulations in the world, giving me confidence that the seafood I purchase is sustainably managed.

From an informed standpoint, I am concerned that the current MPA proposals are not adequately supported by sound science. As fisheries scientist Ray Hilborn has argued in multiple peer-reviewed publications, including *Marine Protected Areas miss the boat* (Science, 2015) and *Are MPAs effective?* (ICES Journal of Marine Science, 2017), marine protected areas are not a one-size-fits-all solution and often fail to outperform well-managed fisheries. In *Marine biodiversity needs more than protection* (Nature, 2016), Hilborn emphasizes that protection alone is insufficient without strong, active fisheries management. More recent work, such as *A path forward for analysing the impacts of marine protected areas* (Nature, 2022), further highlights that some claims about MPAs rely on uncertain assumptions and incomplete data.

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My goal is to continue supporting a local food system that prioritizes sustainability, accountability, and long-term ocean health.

Thank you for your time and consideration.

Sincerely,

[redacted]

the Rahmatullas
[redacted]
MISSION VIEJO, CA
[redacted]

SANTA ANA CA 926
12 MAY 2026 PM 4 L



California Fish + Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

94244-2090

June 25, 2026

TO: The Honorable Eric Sklar, President, California Fish and Game Commission
Commissioner Darius W. Anderson, Vice President, California Fish and Game Commission
Commissioner Jacque Hostler-Carmesin, California Fish and Game Commission
Commissioner Samantha Murray, California Fish and Game Commission
Commissioner Erika Zavaleta, California Fish and Game Commission

CC: Meghan Hertel, Director, California Department of Fish and Wildlife
Craig Shuman, Marine Region Manager, California Department of Fish and Wildlife
Jen Eckerle, Executive Director, California Ocean Protection Council
Wade Crowfoot, Secretary, California Natural Resources Agency
The Honorable Gavin Newsom, Governor, State of California

RE: Formal Request for Immediate Clarification on MPA Petition Evaluation Standards, Process, and Agency Roles

Dear Commissioners:

On behalf of the California commercial fishing fleet, we submit this formal request for immediate clarification regarding the process for evaluation of Marine Protected Area (MPA) petitions in California. The Pacific Coast Federation of Fishermen's Associations (PCFFA) represents the commercial fishing organizations and their member fishermen who are responsible for the majority of seafood landed in California. Member organizations, the San Diego Fishermen's Working Group, Commercial Fishermen of Santa Barbara, Ventura County Commercial Fishermen's Association, the Morro Bay Commercial Fishermen's Organization, and the California Lobster and Trap Fishermen's Association represent the fishermen and port communities most directly affected by the current petitions before the Commission. The Alliance of Communities for Sustainable Fisheries also represents six commercial fishing associations on the Central Coast, and the California Fishermen's Resiliency Association has supporting members across California's coast. Together we form a coalition with a long history of advocating for sound fisheries policy, ocean access, and fishing community resilience, and we submit this letter not as a single "stakeholder" but on behalf of the commercial fishing families, port communities and working waterfronts that will bear the lasting consequences of these decisions.

Over the course of multiple Commission meetings, regional public hearings, Tribal Committee discussions, agency letters, and petition revisions, one fundamental issue remains unresolved: the public, and particularly the California fishing communities most directly affected, still do not know what decision-making standard is being applied to determine the approval or denial of these petitions.

The Commission has now received California Department of Fish and Wildlife (CDFW) technical recommendations on non-tribally led petitions, while tribal petitions are advancing on a separate timeline with recommendations expected in August. The CDFW has recently been tasked by the Commission to "evaluate" the tribal petitions, but the nature and scope of this evaluation is unknown. The Ocean Protection Council (OPC) has indicated it will provide separate policy recommendations through its own MPA policy lens, in

addition to CDFW's technical review. While we recognize OPC's important role in statewide ocean policy and MPA implementation, this creates understandable questions about how those recommendations will be integrated into Commission decision-making, what relative weight they will carry, and what role OPC's statutory authority over statewide MPA policy and implementation plays in shaping petition-specific recommendations to the Commission.

Thousands of public comments have been collected across many hours of testimony. While public meetings serve an important role in gathering perspectives, they are not a substitute for meaningful stakeholder consultation, science-based technical analysis, or transparent decision-making standards such as were utilized during the MLPA Initiative process. General public comment and structured consultation with directly affected and technically informed stakeholders serve different purposes and cannot be treated interchangeably in decisions of this magnitude.

These unresolved process and policy questions are especially important in light of the Commission's own Coastal Fishing Communities Policy, which commits the Commission to meaningful engagement with fishing communities and to supporting the long-term social and economic resilience of California's fishing ports and infrastructure. That policy recognizes the importance of fishing communities as integral components of marine resource management and requires those interests to be meaningfully considered in decisions affecting access and opportunity.

California's commercial fishing communities have already adapted to significant permanent access restrictions under the existing MPA network following a difficult process. Yet fishermen have continued to engage in good faith, expecting transparency, consistency, and meaningful consideration. Since this process began almost three years ago, there have been repeated requests for answers, and yet it remains unclear how these multiple inputs will be weighed, what standards govern the Commission's ultimate decisions, and whether those standards are being applied consistently across petition types.

This is no longer simply a matter of individual petitions. It is now a matter of process integrity, transparency, and accountability. We remain deeply concerned that the process continues to advance without a clear standard for evaluating socioeconomic impacts. While fishing activity has been acknowledged in portions of the record, there has been no comprehensive evaluation of fishery displacement, port-level impacts, seafood supply chain consequences, cumulative regulatory burdens, or the effect on California's domestic seafood production.

At a time when federal policy is increasingly focused on strengthening the competitiveness and resilience of American commercial fishing businesses, California must be mindful of imposing additional restrictions without clear standards, demonstrated necessity, and full consideration of cumulative impacts.

These are not secondary considerations. They are required considerations.

This lack of clarity is unacceptable in a public process with permanent consequences for fishing access, coastal economies, and California's domestic seafood production. Therefore, we respectfully but firmly request immediate public clarification on the following:

1. What specific standards will the Commission apply in determining whether any MPA petition advances? Will this process follow the size and space guidelines adopted during the MLPA Initiative process?
2. How will the Commission weigh CDFW's scientific and technical recommendations against OPC policy recommendations, petitioner revisions, public testimony, and other outside input?
3. Are tribal and non-tribal petitions being evaluated under the same scientific, policy, and procedural standards? If not, what differs, under what authority, and why?

4. Is OPC acting in an advisory capacity, a policy-setting capacity, a recommending body, or as an entity shaping petition-specific MPA outcomes before the Commission?
5. What role does the Commission intend public testimony to play in final decision making, and how is that testimony being weighed against technical analysis and directly affected stakeholder input?
6. What socioeconomic analysis will be required before any petition resulting in additional commercial or recreational fishing restrictions advances?
7. How will fishery displacement, habitat-specific access loss, port-level impacts, seafood supply chain effects, and cumulative regulatory burdens be evaluated in that analysis?
8. Will adding new MPAs to California's existing network further dilute the collection of data needed to evaluate MPA performance, and how will the Commission determine whether observed changes reflect actual impacts to the resource or simply displaced fishing effort resulting in larger populations within MPAs and smaller populations outside them?

Before any additional petitions advance, whether tribal or non-tribal, the Commission must clearly identify the governing standards for necessity, effectiveness, and consistency with existing fishery management tools already in place. This process carries permanent consequences for fishing access, coastal economies, and California's domestic seafood supply. It must be grounded in transparent standards, meaningful analysis, and direct engagement with affected fishing communities.

We respectfully request written responses to these questions before any further Commission action advancing additional MPA closures or restrictions.

Sincerely,

Lisa Damrosch, Executive Director, PCFFA

Peter Halmay
San Diego Fishermen's Working Group

Chris Voss
Commercial Fishermen of Santa Barbara

Dave Colker
Ventura County Commercial Fishermen's Association

Tom Hafer
Morro Bay Commercial Fishermen's Association

Dick Ogg
Bodega Bay Fishermen's Marketing Association

John Barnett
Crab Boat Owners Association, San Francisco

Steve Scheiblauer
Alliance of Communities for Sustainable Fisheries

Ken Bates
California Fishermen's Resiliency Association

FGC**@FGC**

From:	Rikki Eriksen
Sent:	Thursday, July 30, 2026 3:35 AM
To:	FGC
Cc:	Ashcraft, Susan; Miller-Henson, Melissa
Subject:	Re: Transmittal Letter: Expert Scientific Guidance on Climate-Smart MPA Design for California's Marine Protected Area Network
Attachments:	MPA Scientist Letter – Climate-Smart MPAs 7_2026.pdf

Dear President Sklar and Honorable Commissioners:

We write to transmit the enclosed letter, signed by an independent group of marine scientists with deep and direct expertise in California's Marine Protected Area network. We respectfully request that the Commission give careful consideration to the scientific guidance it contains as you undertake the first adaptive management review of the California MPA network.

The signatories to the enclosed letter represent some of the most accomplished marine ecologists and conservation scientists in the world, including researchers who have spent decades studying California's kelp forests, rocky reefs, intertidal communities, and estuaries. Many were directly involved in the original science that informed the design of the California MPA network under the Marine Life Protection Act, and several have continued to generate the peer-reviewed research that now forms the scientific foundation for evaluating the network's performance. Collectively, their work spans MPA ecology, larval connectivity, climate resilience, fisheries science, trophic dynamics, biodiversity monitoring, and ocean modeling. This is not a general statement of concern; it is a synthesis of the best available science, offered by the scientists who produced it.

The timing of this letter reflects a shared sense of scientific urgency. California's ocean is changing rapidly, and in ways that were not fully anticipated when the MPA network was designed. Marine heatwaves, ocean acidification, deoxygenation, species range shifts, and the ongoing collapse of key trophic structures are no longer projected future conditions; they are present realities with documented, measurable effects on the ecosystems the network was established to protect. The Decadal Management Review represents a pivotal and time-sensitive opportunity to embed climate resilience into the network's design and adaptive management framework before the next decade of accelerating change makes course correction significantly more difficult and costly.

The enclosed letter offers the Commission specific, science-based recommendations across six priority areas: protecting climate refugia, preserving trophic cascades and community stability, incorporating environmental gradients, building habitat redundancy, strengthening ecological connectivity, and establishing genuine adaptive management with quantitative biological thresholds and pre-agreed management responses. Each recommendation is grounded in peer-reviewed literature and is offered with the practical intent of helping the Commission make decisions that will serve California's ocean, its fisheries, and its coastal communities for decades to come.

The signatories share a commitment to California's leadership in evidence-based marine conservation. We offer this guidance in that spirit; not as advocates for any particular petition outcome, but as scientists who believe that the Commission deserves access to the clearest and most current scientific understanding available as it faces consequential decisions about the future of one of the world's most significant marine protected area networks.

We welcome the opportunity to present these findings directly to the Commission, answer questions, or provide additional information. Please do not hesitate to contact us.

Respectfully submitted,

Rikki Eriksen, Ph.D.
On behalf of the undersigned scientists

Enclosure: Letter to the California Fish and Game Commission on Climate-Smart MPA Design, with signatories

Rikki Eriksen, Ph.D.

July 29, 2026

President Eric Sklar
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Submitted electronically to: fgc@fgc.ca.gov

Re: Climate-Smart MPA Design for California's Marine Protected Area Network

Dear President Sklar and Honorable Commissioners:

We, the undersigned scientists, respectfully submit this letter to inform your decision-making regarding the first adaptive management process of California's Marine Protected Area (MPA) network. As we face intensifying environmental stressors, we urge the Commission to incorporate climate-smart MPA design and apply the precautionary principle to evaluate MPA petitions that strategically strengthen or expand the network, and reject proposals that would weaken protections absent compelling scientific justification.

Climate Change is Exacerbating Ocean Threats

The California Current Ecosystem is already undergoing rapid, foundational shifts, including ocean warming, heatwaves, acidification, and deoxygenation, which are altering the distribution of marine life and destabilizing ecosystem functions (NOAA, 2025). An impending Super El Niño coupled with a persistent marine heat wave comparable to the 2014-2016 "Blob" threatens to push California's ocean even further from its previous natural state. Such warming has been shown to shift species distributions and habitat use, contributing to malnourished sea lion pups, increased whale entanglement from habitat compression, degraded coastal habitats and biological communities, decreased juvenile salmon survival, more frequent and intense harmful algal blooms, and decimated seabird populations. The current marine heatwave has already been linked to a starvation-induced seabird mortality event, and the impacts are likely to worsen as this El Niño event strengthens.

MPAs are Tools for Climate Resilience, Though Their Benefits are Nuanced

Protected areas cannot prevent changes in ocean conditions driven by global climate change. However, well-managed MPAs have been shown to help ecosystems adapt to acidification, sea-level rise, intensification of storms, shifts in species distribution, and decreased productivity and oxygen availability (Roberts et al., 2017, Jacquemont et al. 2022) by providing the critical structural, ecological, and evolutionary resilience that allows marine populations to withstand and recover from climate shocks. Recent research shows that:

- Fully and highly protected MPAs, as assessed using the MPA Guide, safeguard key local predators (e.g., California sheephead, sea otters, spiny lobsters) that control sea urchin populations, preventing overgrazing of critical kelp forests (one of the ocean's most critical climate refugia and carbon-sequestering ecosystems) (Hamilton et al., 2007; Kumagai et al. 2024; Selgrath et al. 2024; Spiecker et al., 2025) into barren

urchin-dominated states that are both ecologically impoverished and highly resistant to recovery even as ocean conditions temporarily improve;
- Kelp forests and rocky intertidal communities within MPAs show significantly greater post-heatwave recovery and overall community stability compared to unprotected reference areas (Caselle et al., 2023; Ziegler et al., 2023; Ortiz-Villa et al., 2025; Kumagai et al. 2024);
- Reducing harvest allows fish and invertebrates to reach large body sizes, or "superspawner status," exponentially increasing reproductive output and creating local larval seed banks that drive rapid recolonization (Raimondi et al., 2019; Smith et al., 2023) to disturbed sites;
- Protecting persistent kelp forests, which historically withstand extreme thermal events, safeguards essential climate refugia and disproportionately valuable larval sources for regional recovery (Arafeh-Dalmau et al., 2021, Arafeh-Dalmau et al., 2023, Cavanaugh et al., 2025);
- Connected MPA networks act as both sources and receivers of larvae, sustaining fish populations, supporting fisheries outside boundaries, and aiding regional recovery (Botsford et al 2023; Yeager et al. 2023; Gleason et al., 2013; Nickols et al., 2015);
- Interconnected networks facilitate range shifts, demographic rescue, and stepping-stone pathways as species adapt to warming waters (Carr et al., 2017; Roberts et al., 2017; Pinsky et al. 2020; Yeager et al. 2023; Buenafe et al. 2023); and
- MPAs can enhance a stock's capacity to adapt to a changing climate by removing fishing pressure that restricts species' ability to colonize new areas and accelerates local extinctions (Pinsky and Mantua, 2015; Stram and Evans, 2009).

Recommendations for Incorporating Climate-Smart MPA Design into California's Adaptive Management

California's MPAs have produced climate-resilient benefits; however, these were unintended, though welcome, consequences of a network not originally designed with climate change in mind. As climate change intensifies, MPAs must be designed, *or adapted*, with climate considerations deeply embedded in their design, management, and governance to achieve long-term effectiveness (Arafeh-Dalmau et al. 2023; Fuchs et al., 2026). Priorities for climate-smart MPA adaptation include:

1. **Protect Climate Refugia**

   Marine climate refugia are localized areas where species persist and ecosystem functioning is maintained, whether through environmental stability that buffers against the most severe expressions of climate change, or through high environmental variability that pre-conditions organisms to tolerate a wider range of conditions. Both pathways confer disproportionate resistance and resilience relative to surrounding areas (Bates et al. 2019; Sanz-Martín et al., 2026). Climate refugia can be identified as areas that 1) are associated with low climate exposure, 2) demonstrate ecological persistence or recovery despite exposure, and 3) are identified through models of habitat suitability or environmental conditions to remain favorable for species persistence (Sanz-Martín et al., 2026). Protecting refugia is the single highest-return conservation investment available

as climate change intensifies, because these areas will continue to function ecologically when non-refugia areas are periodically devastated by thermal events (Keppel et al., 2012; Arafeh-Dalmau et al., 2023).

2. **Preserve and Restore Intact, Functional Ecological Communities**

   By maintaining intact trophic structures and robust predator populations, fully and highly protected MPAs (SMRs/SMCAs) can help buffer ecosystems against environmental shocks and support recovery following disturbance. Higher predator abundances maintain ecological communities and support post-heatwave recovery in kelp forests (Kumagai et al., 2024; Ortiz-Villa et al., 2025; Hopf et al. 2025). Beyond predator-prey dynamics, MPAs also preserve the border community diversity that underpins ecosystem stability; rocky reef fish communities inside MPAs have been shown to recover significantly (75%) faster from marine heat waves than those in fished areas (Ziegler et al., 2023).

3. **Incorporate Environmental Gradients**

   A climate-smart MPA network must span the full range of environmental conditions that species will need as they shift their distributions poleward and into deeper water at accelerated rates in response to warming (Fredsten et al., 2021). MPAs distributed across latitudinal, depth, and oceanographic gradients facilitate protected range shifts of species driven by climate change (Arafeh-Dalmau et al., 2023). Inferring where species' distributions will shift and protecting those areas preemptively will also help maintain their climate refugia capacity (McLeod et al. 2009; Sanz-Martín et al., 2026).

4. **Build Redundancy**

   Adequate habitat replication spreads the risk of losing an entire habitat type to climate impacts (McLeod et al. 2009). Habitat replication also helps ensure that habitats are represented across the network, providing broad protections for different species that segregate by habitat type (Gaines et al., 2010; Green et al., 2014; Arafeh-Dalmau et al. 2023, Munguia-Vega et al. 2018). Though California's current MPA network was not designed with redundancy for climate resilience as an explicit criterion, the current petition evaluation based on the Decadal Management Review provides the first systematic opportunity to address this gap (California MLPA Master Plan Science Advisory Team, 2008; Decadal Management Review, 2022).

5. **Incorporate Connectivity and Migratory Corridors**

   Habitat replication and redundancy are moot without connectivity. As species' ranges shift poleward to track changing environmental conditions, connectivity pathways that facilitate colonization of newly suitable habitats become critical (Assis et al., 2026; Fredsten et al., 2021). A climate-smart MPA network must therefore be designed with connectivity as an explicit organizing principle, not an afterthought, spanning the full range of depths, latitudes, and oceanographic conditions that species will need to access as ocean temperatures continue to rise, and protecting the stepping-stone

locations that link today's climate refugia to the cooler, suitable waters species will depend on tomorrow (Arafeh-Dalmau et al., 2023). Larval connectivity models demonstrate that the spatial arrangement of MPAs relative to prevailing current patterns determines whether a network functions as a source of recruits for surrounding areas or simply retains benefits internally (Gaines et al. 2010; White et al. 2019).

Land-sea connectivity is not peripheral to MPA effectiveness, it is foundational to it. Land uses adjacent to MPAs determine the water quality, sediment loads, and nutrient inputs that shape MPA ecological conditions within reserve boundaries; poor water quality has been shown to negate protective benefits (Tuholske,et al. 2021; Begin et al. 2016; Ricart et. al 2025). For California's kelp forests specifically, Ricart et al. (2025) demonstrated that proximity to freshwater sources, determined entirely by watershed conditions on land, was a significant predictor of bull kelp persistence during the North Coast collapse, because freshwater influxes suppress urchin feeding behavior and survival, creating conditions where kelp can persist even when urchin densities are otherwise overwhelming. This finding underscores that drivers of MPA resilience often originate far from the ocean, and that MPA networks will underperform unless land-use planning, watershed management, and water quality programs are explicitly coordinated with marine protection.

Networks must also protect connectivity via migratory corridors. Marine megafauna do not respect MPA boundaries and the vast majority (80%) of their ecologically critical movements occur outside protected areas (Sequeira et al. 2025). A network that protects only core habitat while leaving corridors unmanaged fails to conserve the full ecological role of wide-ranging species (including top-down trophic functions underpinning MPA resilience benefits).

6. **Employ Genuine Adaptive Management**

Due to the inherent uncertainty of climate impacts, adaptive management is essential-providing an iterative, structured decision-making framework capable of evolving alongside changing ocean conditions (Wilson et al., 2020). For adaptive management to function in practice, rather than in name only, frameworks must include quantitative biological triggers, thresholds for kelp density, fish biomass, or water quality, that automatically initiate pre-agreed management responses, rather than triggering years of process and deliberation before action is taken (Grafton et al., 2019). Addressing local, controllable stressors is a critical complement to this adaptive approach; improving water quality, reducing overfishing, limiting habitat destruction, and curbing vessel impacts all help protect marine environments and may improve resilience to climate events (White et al. 2025; Hughes et al., 2017). The infrastructure to support adaptive management already exists; monitoring already exists to adaptively manage California's MPA network (e.g, White et al. 2025; CCFRP and MPA Monitoring Programs), but management currently lacks the formal biological thresholds and pre-agreed adaptive responses necessary to realize the network's adaptive management potential (CDFW 2018; OPC Strategic Plan 2026). Establishing those thresholds is a crucial first step towards realizing the network's full adaptive management potential.

The precise mechanisms behind MPA effectiveness are not fully understood, much as the full trajectory and cumulative impacts of climate change remain uncertain. Yet in both cases, the uncertainty argues for action, not delay: a precautionary approach grounded in the best available science is the responsible path forward. Marine protected areas have already proven their utility in combating climate change and represent a powerful ally in ocean conservation. The Decadal Management Review offers a timely opportunity to embed climate resilience into California's MPA network and adaptive management framework in anticipation of the next decade of climate change.

Respectfully submitted,

[Signatories listed alphabetically]

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Benjamin Ruttenberg, Ph.D. Professor and Director, Center for Coastal Marine Sciences, Cal Poly State University

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FGC**@FGC**

From: Brad Berch
Sent: Thursday, July 9, 2026 5:06 PM
To: FGC
Subject: Opposition to MPA Petition 2023-19MPA (and/or Petition 2023-33MPA)

I am a native Californian and of the Central Coast.

Restricting access to my life-long fishing and diving grounds removes from my life and the lives of my grandchildren and many other central Coast locals, The opportunity to fish, harvest food, and enjoy outdoor recreation in environment that is safer than many other options.

At the age of 65 I am retired and disabled. Restricting access to Morro Bay area fishing, removes one more safe place to fish and to teach my family our fishing and diving traditions.

Fishing the breakwater, is a life-long tradition, where our families money has brought regular income into bait and tackle, resteraunts, hotels, fishing chargers and etc.

As a Cal Poly student in the 1970s, we legally harvested fish and abundant black abalone, from the breakwater.

I personally learned to scuba dive and spearfish from the Morro Bay breakwater.

Young and old CA residents and tourists have an increasing need for safe places to fish and to dive.

Some group at DFG or harbor management closed spearfishing on the safe, harbor side of the breakwater, some years ago, forcing divers to risk rougher seas on the ocean side of Morro Rock and breakwater...

Divers, boats and dive boats can be compatible and easily co-exist with normal safety gear and dive floats and flags.

Thank you for your consideration.

If possible, Please forward my concerns to appropriate forums/surveys and public input opportunities.

Brad Berch

Retired Scuba Diver (Space Shuttle Booster Retrieval Teams)
Arroyo Grande, CA

Sent from Yahoo Mail for iPhone

FGC@**FGC**

From:
Sent: Sunday, June 21, 2026 2:19 PM
To: FGC
Subject: Propsed Chumash MPA's

Melissa Miller-Henson.

The Santa Ynez band of Indians are attempting to extend and develop additional and new MPA's within the coastal waters of California. These recommendations and requests are not based on any science and will become private fishing grounds for their tribe.

This request for the take of publicly owned resources that belongs to ALL of us, will create animosity between tribal and non-tribal citizens of our state. Trust and honesty are an important part of fisheries regulations and should always be based on best science available. These petitions submitted by the Chumash Indians are nothing less than a resource GRAB.

The promise that the Indians would not actively pursue fishery regulations if granted a sanctuary is the same promise the Monterey Bay Marine Sanctuary made to both commercial and recreational fishers years ago upon it's designation. Something that has proven to be false.

The take of these areas will create large economic losses to commercial fishers. The Morro Bay petition area has generated thousands of pounds of troll King Salmon this year alone. It's a area that over the years salmon are historically attracted to. Case in point, on June 15, and 16th of this year I caught 86 King Salmon averaging 11.1 pounds apiece in the proposed Morro Bay Chumash MPA. The ex vessel price was over $10,000. I would be happy to provide my fish ticket to prove it. Not only do King salmon congregate in this location of Estero Bay but a California Fish and Wildlife records research will show that hundreds of tons of squid have also been harvested from this area. These is just a small example of economic importance of one of these areas.

It may not be politically correct to say but how can the state even entertain the thought of how so much can be given to so few. As a commercial fisher in my 56 year as a commercial fisher the fish I catch have never been mine. They have always belong to ALL the people, and I am just a way to access them for those you own them.

Please deny these shelf serving petitions. They are not based on science or need. Fishery regulations should never be based on politics or emotionalism. We can never make up for injustices that those before us may have done to the tribes.

Regards,

Mark Tognazzini

Morro Bay, CA

Received on June 22, 2026

MORRO BAY COMMERCIAL FISHERMEN'S ORGANIZATION, INC.

P.O. Box 450 Morro Bay, CA. 93443
Website: mbcfo.org
Email: mbcfo1972@gmail.com

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Dear Fish and Game Commission,

The Morro Bay Commercial Fishermen's Organization is a 501c begun in 1972 and currently has ~ 90 members. We represent the working men and women of Morro Bay, California's waterfront. The MBCFO works closely with governmental organizations, NGO's, business groups and other stakeholders on several issues every year to support commercial fisheries, improve marine environments, and strengthen the social and economic health of our community.

RE: Petition 2023-19 Chitqawi SMCA Near Morro Bay:

This petition was discussed exclusively within the tribal community. The fishing community was completely excluded from any meaningful outreach in designing this petition. If the fishermen would have been consulted, they would have said absolutely not here.

This area is very important for multiple commercial fisheries and small boat fishermen. There is a salmon tack inside this area that has been utilized every year it was open for the last 75 years. Boats from all over the west coast are fishing salmon there now. It has also been highly utilized by the Dungeness crab, rock crab, and squid fisherman. Millions of dollars in landings have been taken out of this area over the years. The small boat fishermen fish the rocks here, especially when weather doesn't permit

travelling farther. It is rich in marine life, full of bait, and continues to this day to be an important local resource for many fishermen.

This will have significant negative impacts on the local seafood markets, marine tackle and supply shops, fuel dock, ice and bait supplies, and to the harbor department revenues. Before any decision is made, the socio-economic impacts need to be studied on such an important area so close to Morro Bay's harbor and so important to many fisheries – especially salmon.

It is a safety risk to take away Estero Bay for small boat fishermen. This will cause people to travel farther in unsafe conditions and will ultimately discourage people from going all together.

There are MPAs fairly close to the proposed Chitqawi SMCA at Piedras Blancas, Cambria, and Point Buchon so that further withdraw of fishing opportunity would be redundant and excessive.

It will increase fossil fuel consumption for fishermen that could be travelling only a few miles, now having to go several miles to fish.

This proposed tribal MPA area has been heavily fished without discrimination the last century, so there will be animosity towards the few tribal people allowed to fish there. And as a matter of fact, we have seen very few tribal people fishing. Very few tribes people, if any, do sustenance fishing around here – that is more in Northern California. And as a matter of another fact, the Santa Ynez band of Chumash are not local to Morro Bay.

RE: Petition 2023-20 Point Buchon SMCA

The area proposed in the northern expansion is an important area to local small boat nearshore fishermen. It is one of the few remaining reefs within 5 miles of Morro Bay. And again, allowing exemptions for only the Santa Ynez band of Chumash, is asking for division and animosity among fishermen. It also will be difficult to patrol. How are they going to discern who is legal and who is not? Does the Dept. of Fish and Wildlife really want to have to decide who is a legitimate tribe's person to fish? Any system has the potential to be ripe with fraud and very difficult to implement.

RE: Petition 2023-28 Point Sal SMR

This area is vital to multiple important commercial fisheries including salmon, Dungeness crab, rockfish, rock crab, squid, and halibut. Especially since it is one of the few reefs remaining open to fishing between Port San Luis and Point Conception. It would take away significant fishing opportunity from the Morro Bay, Port San Luis and Santa Barbara commercial fishing fleets - squeezing fishermen into ever smaller areas. It is also an important anchorage for fishermen making this a significant safety risk if this anchorage was not available. Vandenburg SMR is a large area covering over 32 square miles including Purisma which is another large reef now closed to fishing with the 2007 MPLA implementation. Adding another MPA at Pt. Sal is excessive, redundant, and unnecessary.

Dr. Ray Hilborn and Dr. Mark Carr, leading authorities on MPAs, agree that further evaluation of the effectiveness of the current MPAs needs to be done before adding more. Here is a link to their interview regarding MPAs: https://www.youtube.com/watch?v=4nnNZ2gcZQs&t=96s

Studies of California MPAs are revealing they are less effective than speculated. The following studies demonstrate MPAs are not increasing net biomass, not increasing biodiversity, and not increasing resilience to heat waves.

1. "A Synthesis of Ecological and Social outcomes from the California Marine Protected Area Network" January 2023 Caselle, Smith, Nickols, Lopazanski.

2. "Assessing the Population-level conservation effects of marine protected areas" March 2023 Ovando, Caselle, Costello, Deschenes, Gaines, Hilborn, Liu.

3. "A marine protected area network does not confer community structure resilience to a marine heatwave across coastal ecosystems" April 2023 Carr, Starr, Caselle, Smith, Free, Lopazanski, Brun, Anderson, Claudet, Dugan, Eurich, Francis, Hamilton, Mouillot, Raimondi, Ziegler, Nickols.

These petitions were proposed without scientific foundation, without socio-economic considerations, and without meaningful communications with the fishing community. They seem a long way from a “final evaluation” by Department of Fish and Wildlife.

The Chumash tribes were just given a huge National Marine Sanctuary to manage, isn’t that enough? A more reasonable approach would be to rename the existing MPAs with tribal names and include the tribes in management, rather than add more MPAs.

Sincerely,

Morro Bay Commercial Fishermen’s Organization

6/23/2026

To Whom it may concern,

I am opposed to a proposed MPA marine protected area that is before the Dept. of Fish and Wildlife Commission now. Chitqawi SMCA stretches from Morro Rock to Dog Beach. (Approximately) It's a three mile by three mile out. The only exemption for fishing of any kind is for the Santa Ynez Chumash.

Please do not allow petitions 2023-19, 2023-20 & 2023-28. This will have a dramatic financial impact on businesses in Morro Bay and surrounding areas.

What is the science and purpose for such a MPA in these areas?

My residence is on Morro Bay.

Please accept my letter in opposition.

Thank you,

Chris Spiros

FGC**@FGC**

From: Jeff N
Sent: Tuesday, May 19, 2026 9:31 AM
To: FGC
Subject: Re: Opposition to Additional Marine Protected Area Expansions and Restrictions

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Re: Opposition to Additional Marine Protected Area Expansions and Restrictions

Dear President and Commissioners:

I respectfully submit this letter in opposition to the pending Marine Protected Area (MPA) regulation-change petitions currently under review by the California Fish and Game Commission.

The Commission's public notice identifies multiple petitions affecting Southern California waters, including Laguna Beach SMCA, Point Vicente SMCA, Swami's SMCA, Point Dume SMCA, Cabrillo SMR, and Farnsworth Onshore/Offshore SMCAs. Public comments are currently being accepted regarding these proposed actions.

My opposition is centered on the continued expansion of fixed coastal MPAs where the stated justification involves broad claims regarding pelagic or highly migratory fish conservation. The available scientific literature does not support the conclusion that additional static MPAs are an effective primary management tool for highly migratory pelagic species such as tuna, yellowtail, dorado, bonito, and other wide-ranging fish.

Peer-reviewed studies consistently show that MPA effectiveness is highly dependent on species movement behavior and residency patterns. Roberts et al. found that reserve effectiveness declines significantly for species with high adult and juvenile movement because those species spend limited time inside reserve boundaries. This directly applies to pelagic fish populations that migrate across vast ranges well beyond localized coastal closures.

Likewise, Gilman, Kaiser, and Chaloupka concluded that there remains limited empirical evidence demonstrating that static pelagic fishing closures produce measurable ecological benefits for highly

migratory species. Additional reviews similarly caution that spatial closures alone are often insufficient for migratory fisheries and should not substitute for targeted fisheries management.

California already maintains one of the largest and most restrictive MPA networks in the world. Despite this, there has not been sufficient long-term, transparent, species-specific evaluation demonstrating that additional closures are necessary to achieve measurable pelagic stock improvements. The science does not presently establish a clear need for continual expansion of coastal no-take areas under broad "30x30" conservation targets. Many scientists and fisheries experts have criticized simplistic acreage-based conservation goals because protecting arbitrary percentages of ocean area does not automatically translate into improved ecological outcomes, especially for highly migratory species that spend little time within fixed reserve boundaries.

Rather than expanding additional MPAs, the State should prioritize comprehensive evaluation of the effectiveness of existing MPAs before imposing further access restrictions on the public. Existing closures should be studied more extensively using measurable biological objectives, transparent stock assessments, enforcement metrics, and independent scientific review.

I also wish to make clear that I support targeted conservation measures where science demonstrates they are appropriate and effective. Areas protecting relatively non-migratory or rebuilding species — such as the Cowcod Conservation Areas, which were specifically designed around species with limited movement patterns and documented stock concerns — are a far more scientifically defensible application of spatial fishery management than broad closures targeting pelagic fisheries.

In addition, I strongly support increased enforcement against illegal and unreported commercial and for-profit fishing activity. Rather than creating more closures for compliant recreational anglers, California should focus additional resources on enforcement and monitoring of commercial passenger fishing vessels, charter operations, and other for-profit fishing activity through AIS monitoring and vessel tracking compliance.

Federal law already requires many commercial vessels and inspected passenger vessels to carry and properly operate Automatic Identification System (AIS) equipment under 33 CFR § 164.46. AIS requirements generally apply to self-propelled commercial vessels 65 feet or greater in length, vessels certificated to carry more than 150 passengers, towing vessels of certain sizes, and other regulated commercial operations. AIS systems are intended to improve maritime safety, navigation transparency, and enforcement accountability.

Intentional disabling, manipulation, or improper operation of AIS equipment undermines both fisheries enforcement and maritime safety. There is significant concern within the recreational and commercial fishing communities that some for-hire and commercial operators intentionally turn off or tamper with AIS systems while engaged in fishing activity in order to avoid monitoring or enforcement scrutiny. Existing AIS requirements should be actively enforced before the State considers imposing additional blanket fishing restrictions on the public.

The State should work cooperatively with the United States Coast Guard and federal enforcement agencies to improve compliance with AIS carriage and operational requirements among commercial and passenger-for-hire fishing operations. Effective enforcement of existing regulations would likely provide greater conservation and accountability benefits than expanding additional fixed coastal MPAs targeting lawful recreational anglers.

California anglers are not opposed to conservation. Responsible recreational fishermen have historically supported science-based management, seasonal restrictions, catch limits, habitat protection, and rebuilding efforts where justified by evidence. However, conservation policy must remain grounded in measurable biological outcomes rather than assumptions, acreage targets, or politically driven conservation metrics.

For these reasons, I respectfully request that the Commission reject any proposal expanding or increasing MPA restrictions unless the State can demonstrate clear, species-specific, evidence-based biological necessity supported by transparent scientific review and measurable performance standards.

Respectfully submitted,

Jeff Neubauer

FGC**@FGC**

From: Carla Lalley
Sent: Tuesday, June 23, 2026 3:20 PM
To: FGC
Subject: Petition 2023-19 Chitqawi SMCA by Morro Rock and Petition 2023-20 Pt Buchon SMR

We would like to strongly urge you to **oppose** the wholly unnecessary Petition 2023-19 Chitqawi SMCA by Morro Rock and Petition 2023-20 Pt Buchon SMR.

If these are enacted, they will have a SERIOUS financial impact on Morro Bay. These waters are a sport fishing and commercial fishing area for salmon, rock, squid and Dungeness crab.

There are already 3 MPAs in this area. These additional closures will **severely** affect the livelihood of the Morro Bay fishermen both commercial and sport fishing. The residual effect of the dollars lost by restaurants that serve the locally caught fish and the hotels that host the visitors to Morro Bay to go fishing and dine at the restaurants will be felt by the whole area. Not to mention the property tax dollars from the fisherman that will no longer be able to afford to live here because of this ongoing loss of income.

Please consider the enormous unintended consequences of giving only one small group of people access to these waters.

Oppose Petition 2023-19 and Petition 2023-20.

Thank you for your consideration.

Carla & John Lalley
Los Osos, CA

Salinan Tribe of Monterey & San Luis Obispo Counties

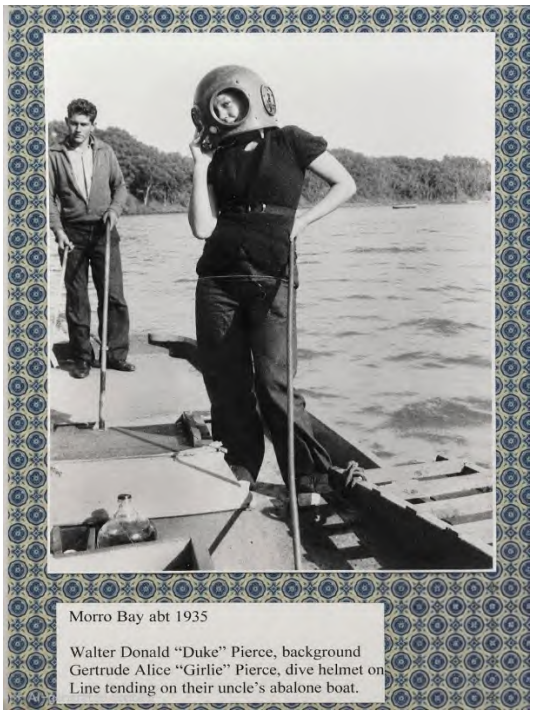
8270 Morro Road, Atascadero, CA 93422
805.464.2650 office 805.464.2651 fax
info@salinantribe.com www.salinantribe.com

July 27, 2026

Regarding Chitqawi Marine Protected Area proposed in Morro Bay, California

To whom it may concern:
My name is Yvonne Davis, council member and enrollment secretary of the Salinan Tribe of Monterey & San Luis Obispo Counties. I myself, descend from multiple generations of Morro Bay natives. My mother and grandmother were each born in the town Morro Bay, CA, which only became a city, in 1964, a year before I was born. Beyond that, we come from ancestors of the Salinan Tribe who have lived, fished, raised families, in their chosen home of Morro Bay, and surrounding areas, from as far back as 15,000 years ago. My family line (in written records) goes back as far 1672 to Agata Maria. Salinans had no written language. This documentation comes from mission records, to where many Central Coast natives were gathered, to build the missions. My grandfathers were commercial fishermen, as well as other tribal family members, out of Morro Bay. Our tribal members continue to recreational fish out of Morro Bay today. Four of my grandmother's brothers, of Pierce Brothers Abalone, are seen here, in this now famous photograph. The next photo is of my grandmother, Gertrude "Girlie" Pierce Montgomery Beech, around 13 years old, donning a diving helmet of the time, while working with her older brother Duke (background) line tending while their uncle dove for abalone.





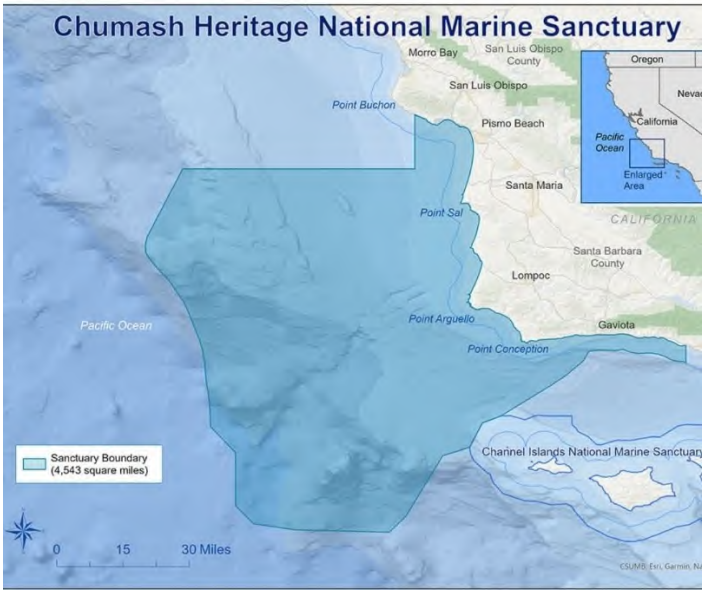
Morro Bay abt 1935

Walter Donald "Duke" Pierce, background
Gertrude Alice "Girlie" Pierce, dive helmet on
Line tending on their uncle's abalone boat.

I, and anyone I've talked to in my family, are opposed to the 3 proposed Marine Protected Areas. The following quote from NOAA, should have stopped this proposal in its tracks, but as you know, that last tidbit, "only the Santa Ynez Band of Chumash Indians, would have access and control of the waters in Salinan Territory", was thrown in at the last minute. Please note, the SYBCI is not the local tribe.

In an exact quote from NOAA, (a Government Agency):

"The National Oceanic and Atmospheric Administration (NOAA), explicitly acknowledges the Pacific coastal waters and ocean areas, just north of the Chumash Heritage National Marine Sanctuary, along the Central California coast, as the native homelands and ancestral waters of the Salinan Peoples."



We Salinans call Morro Rock “Lesa’mo”. This sacred Salinan spiritual location is in a series of volcanic peaks on the Central Coast known today as the Nine Sisters (formerly the 7 Sisters). As the original indigenous people of the area stretching from the Santa Maria River on to the north, from the headwaters of the Salinas River in south San Luis Obispo County, up along the Big Sur coastline, and throughout a large section of the San Joaquin Valley, the people today known as the Salinan Tribe of Monterey and San Luis Obispo Counties, hold ceremonies at Lesa’mo as our ancestors did for thousands and thousands of years. In the ship's log of one of the earliest European expeditions to this area in 1542 led by Juan Cabrillo, it is recorded that they were met by native people on grass (tule) rafts, a Salinan-style boat. Also recorded at Mission San Antonio in 1772, a Salinan woman named Agata Maria, born at Islay in 1672, told the padres that her grandfather's grandfather told a story of men in a giant winged bird that came across the ocean visiting Lesa’mo, and who planned to return someday. When Gaspar De Portola's expedition arrived in 1769, it signaled the start of many unwelcome changes and challenges for the Salinans.

In 2016, a replica of the San Salvador ship entered Morro Bay harbor. The Salinan Tribe hand-built tule boats in the ways of our ancestors, to paddle out in a reenactment of the meeting. Our history, rights, and sacred ceremonies here must be protected.





Morro Bay has been touted as a quaint fishing village, something droves of tourists come to see. No one wants to come have fish ‘n’ chips, with fish sent from other countries. There’s a turn in the country to go back to authentic, local, fresh, organic, time to jump on this wave or be left in the “everything imported” cesspool. Cheaper maybe, but because it’s just that, low quality.

Please listen to our local fisherman, natives of Morro Bay, and those who come here to enjoy what we have to offer by denying these 3 proposed MPAs in San Luis Obispo County.

Thank you,
Yvonne Davis