



Tracking Number: 2020-012 AM1

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission’s authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: HARRY RABIN

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: **Request for MPA expansion** Added per Mr. Rabin’s authorization: 200, 205(c), 1590, 2860, 2861, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code

3. Overview (Required) - Summarize the proposed changes to regulations: Create a protected area for Padaro Beach, Carpinteria, CA white shark nursery.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: [REDACTED]

Padaro Beach is a proven habitat for white shark juveniles, YOY. They returned in April of 2014 and they continue to return each year. In August of this year an unprecedented population was documented at over 24 animals. Also new was the amount of injury done to these white sharks by boaters and fishermen. We have pictures and video to back up these claims and can submit the media if requested. We are proposing the following changes regarding boating and fishing which are listed below. In addition we have made educational safety and shark etiquette information available to the general public. Interactions occur daily in this area between the white sharks and prey and also with human activity. So it was essential to create and educational outreach for the public to protect both beach goers and sharks alike.

Boating regulations for this area:

Boaters are chumming to attract white sharks to their boats altering the normal behavior and hunting patterns of these juvenile sharks. Reef Guardians has observed and filmed these sharks approaching and remaining in close proximity to vessels entering the area. We have monitored these sharks since 2014 and this is new behavior.



Any boat entering this area (See attached map) should be required to have a propeller guard. We have seen 3 prop strikes on the white sharks and a very serious one on 8/26/2020 where the left pectoral fin was partially severed from underneath and is now bent vertically up against the shark's body. This was a Documented 7' healthy white shark ID: "Arrow" who spent his 3rd and now last season at this location. We searched for him for 6 days but never found him.

Fishing regulations:

We have also observed several torpedo sinkers and possibly non corrosive hooks on 3 of these sharks. Fishing rules and regs need to be posted and maintained in the area to keep these sharks safe.]

SECTION II: Optional Information

5. **Date of Petition:** [Click here to enter text.]

6. **Category of Proposed Change**

Sport Fishing

Commercial Fishing

Hunting

Other, please specify: [Marine protected area for white shark nursery.]

7. **The proposal is to:** (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)

COULD NOT FIND SECTIONS THAT APPLY TO MPA.

Amend Title 14 Section(s): [Click here to enter text.]

Add New Title 14 Section(s): [Click here to enter text.]

Repeal Title 14 Section(s): [Click here to enter text.]

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.]

Or Not applicable.

9. **Effective date:** If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency: **APRIL 2021. They arrive mid-April each year and begin departing Nov-Dec of the same year**

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

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11. 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: [Beneficial to CDFW, Tourism, Santa Barbara Department of Aquatics, Health and Safety.]

12. Forms: If applicable, list any forms to be created, amended or repealed:

[Click here to enter text.]

SECTION 3: FGC Staff Only

Date received: [Click here to enter text.]

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- Denied by FGC
- Denied - same as petition _____
- Granted for consideration of regulation change

Tracking Number