



Tracking Number: (2022-04)

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: Dean Albro, City Manager

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: The Commission has authority over most hunting and fishing regulations in California. 200, 205 (c), 265,1590,1591, 2860, 2861, 6750

3. Overview (Required) - Summarize the proposed changes to regulations: [Click here to enter text.](#)

The City of Lompoc, formally requests a minor modification to the area of Surf Beach known as the Vandenberg Marine Preserve. This Preserve is located adjacent to Vandenberg Air Force Base, which itself is located directly adjacent to the City of Lompoc.

From the time of the earliest inhabitants, the Santa Ynez Band of Chumash Indians, to many generations of settlers thereafter, and to the citizens of Lompoc (established in 1888), Surf Beach has been used as a resource by many. Not only was the beach used for fishing to provide food to eat for their families, fishing was also enjoyed by many for its simple enjoyment and relaxation.

The opportunity to fish at Surf Beach was available until 2007, when the Vandenberg Marine Preserve was created. This preservation area, encompassing approximately 33 square miles of marine protection, has had a detrimental impact on the City of Lompoc and its surrounding areas. Unfortunately, the creation of the Preserve removed any opportunity for fishing from the beach, located at what is known as Surf Beach. As mentioned earlier, this new preserve designation, implemented with little to no true input from the citizens or City of Lompoc, has placed a great hardship upon the City, in terms of family



subsistence, as well as creating a negative financial impact on the City of Lompoc due to a reduction in tourism related revenues.

The City of Lompoc is a regionally isolated community, and is also recognized as a disadvantaged community by the State of California. The residents of the City and surrounding areas are limited in many areas including recreational activities, particularly those offered at a low or no-cost level of participation. Surf Beach fishing is one of the activities that was eliminated by the creation of the marine preserve.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: [Click here to enter text.](#)

The City's formal request for consideration by the California Department of Fish & Wildlife is a small modification to the existing marine preserve restrictions. This request would be to allow fishing on the one-half mile stretch of beach known as Surf Beach. The City sees this modification as a minor request considering that the entire preserve is approximately 33 square miles. However small, the modification would allow for families to once again fish for subsistence, and/or provide a low cost/no-cost recreational alternative for the residents of Lompoc and the surrounding area.

The City's belief is that there will be, on average, no more than three or four individuals fishing at any given time. This level of 'take' from the Preserve should pose no harm to the Preserve as the act of fishing has been going on for centuries, but at least from the 1800's when Lompoc was settled, with no true harm to the volume of marine life.

Should the Department of Fish & Wildlife decide to modify the restrictions to allow surf fishing, but impose a limit on the number of fish that could be caught by a single, licensed individual, the City of Lompoc requests that a minimum of four (4) fish caught be allowed, such that families using fishing for subsistence can survive on the limit.

SECTION II: Optional Information

5. Date of Petition: Originally on 1/22/2020 – Reiterated on 2/8/2022.

6. Category of Proposed Change

☒ Sport Fishing

☐ Commercial Fishing

☐ Hunting

☐ Other, please specify: [Click here to enter text.](#)

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

☐ 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: [Click here to enter text.](#)
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: [See attached letter dated 1/22/2020.](#)
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: [Click here to enter text.](#)
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: **03/04/22**

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: 3/14/22

Meeting date for FGC consideration: _____

FGC action:

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



January 22, 2020

Mr. Charlton H. Bonham, Director
California Department of Fish & Wildlife
P.O. Box 944209
Sacramento, CA 94244-2090

SUBJECT: Surf Fishing at Surf Beach, Lompoc, Ca

Dear Mr. Bonham:

This letter is being sent to you to by the City of Lompoc, to formally request a minor modification to the area of Surf Beach known as the Vandenberg Marine Preserve. This Preserve is located adjacent to Vandenberg Air Force Base, which itself is located directly adjacent to the City of Lompoc.

From the time of the earliest inhabitants, the Santa Ynez Band of Chumash Indians, to many generations of settlers thereafter, and to the citizens of Lompoc (established in 1888), Surf Beach has been used as a resource by many. Not only was the beach used for fishing to provide food to eat for their families, fishing was also enjoyed by many for its simple enjoyment and relaxation.

The opportunity to fish at Surf Beach was available until 2007, when the Vandenberg Marine Preserve was created. This preservation area, encompassing approximately 33 square miles of marine protection, has had a detrimental impact on the City of Lompoc and its surrounding areas. Unfortunately, the creation of the Preserve removed any opportunity for fishing from the beach, located at what is known as Surf Beach. As mentioned earlier, this new preserve designation, implemented with little to no true input from the citizens or City of Lompoc, has placed a great hardship upon the City, in terms of family subsistence, as well as creating a negative financial impact on the City of Lompoc due to a reduction in tourism related revenues.

The City of Lompoc is a regionally isolated community, and is also recognized as a disadvantaged community by the State of California. The residents of the City and surrounding areas are limited in many areas including recreational activities, particularly those offered at a low or no-cost level of participation. Surf Beach fishing is one of the activities that was eliminated by the creation of the marine preserve.

The City's formal request for consideration by the California Department of Fish & Wildlife is a small modification to the existing marine preserve restrictions. This request would be to allow fishing on the one-half mile stretch of beach known as Surf Beach. The City sees this modification as a minor request considering that the entire preserve is approximately 33 square miles., However small, the modification would allow for families to once again fish for subsistence, and/or provide a low cost/no-cost recreational alternative for the residents of Lompoc and the surrounding area.

Mr. Charlton H. Bonham, Director
January 8, 2020
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The City's belief is that there will be, on average, no more than three or four individuals fishing at any given time. This level of 'take' from the Preserve should pose no harm to the Preserve as the act of fishing has been going on for centuries, but at least from the 1800's when Lompoc was settled, with no true harm to the volume of marine life. In addition, the City would suggest that the change for surf/beach fishing be changed from a Preserve designation, to a 'Conservation' designation, such that fishing would be limited to the taking of Sand Perch, and/or similar species, and Sand Crabs, which are commonly used as bait.

The City is requesting a response from the Department of Fish & Wildlife by February 28, 2020, such that there will be a modification to the existing marine preserve restrictions, or a response informing the City of Lompoc on the proper procedures to follow to request a modification.

Thank you for your consideration and assistance in this matter.

Sincerely,



Jim Throop
City Manager

Cc: Gavin Newsom, Governor
Wade Crowfoot, Secretary of Natural Resources
Jenelle Osborne, Mayor
Dirk Starbuck, Mayor Pro-tem
Victor Vega, Council Member
Jim Mosby, Council Member
Gilda Cordova, Council Member



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Marine Region
1933 Cliff Drive, Suite 9
Santa Barbara, CA 93109
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 4, 2020

Mr. Jim Throop
Lompoc City Manager
100 Civic Center Plaza
Lompoc, CA 93436

RECEIVED
MAY 08 2020
City Manager's Office

SUBJECT: Response to Request for Amending Vandenberg State Marine Reserve Area Regulations

Dear Mr. Throop:

Thank you for your inquiry regarding the Vandenberg State Marine Reserve. I apologize for the delayed response to your inquiry. The California Department of Fish and Wildlife (Department) has reviewed your request to allow shore fishing at Surf Beach within the Vandenberg State Marine Reserve (SMR). This letter provides a brief background of the establishment of the Vandenberg SMR, a summary of the adaptive management framework that governs the management of State's Marine Protected Area network, and guidance for advancing your request, if so desired, to the California Fish and Game Commission (Commission) for consideration.

In 1999, the State Legislature approved, and the Governor signed into law the Marine Life Protection Act (MLPA). The MLPA required the Department to redesign California's existing patchwork of marine protected areas (MPAs) into a science-based, cohesive, ecologically connected network. From 2005 to 2012, a very extensive public planning process took place sequentially across four coastal regions resulting in 124 MPAs and 15 special closures along California's 1100-mile coastline and offshore islands.

The public planning process for the central coast region took place from 2005 to 2007. Following planning, the Commission took action to adopt regulations for 28 central coast MPAs, including the Vandenberg SMR. The SMR designation prohibits any type of take, thus it is considered the backbone of the MPA network. The Vandenberg SMR was intended to protect unique and diverse habitats and species in an area where vessel traffic/extensive human use was already limited due to the Vandenberg Air Force Base.

The Commission has authority over most hunting and fishing regulations in California and oversees the establishment of wildlife areas, ecological reserves, and the designation of MPAs under the MLPA. As part of the adaptive management process, the Commission will be conducting a decadal review of the statewide MPA network in 2022. As part of this review, the Commission will receive information on the four focal

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Mr. Throop, Lompoc City Manager
May 4, 2020
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areas of MPA Program: 1) policy and permitting; 2) enforcement and compliance; 3) outreach and education; and 4) monitoring and research. The Commission will also receive recommendations, if any, for future management actions utilizing all available sources of information. In addition to the decadal review, the Commission may consider amendments to the MPA network in response to petitions for regulatory change. Every person or agency recommending that a regulation be added, amended, or repealed must submit a petition to the Commission. Details regarding the regulatory petition process can be found on the Commission's website at www.fgc.ca.gov.

If you need additional information please do not hesitate to contact Stephen Wertz, Senior Environmental Scientist at (562) 342-7184 or at [REDACTED]

Sincerely,



Craig Shuman, D. Env.
Regional Manager, Marine Region
[REDACTED]

cc: Melissa Miller-Henson, Executive Director
Fish and Game Commission
[REDACTED]

Becky Ota, Program Manager
Marine Region
[REDACTED]

Stephen Wertz, Senior Environmental Scientist
Marine Region
[REDACTED]