

COMMITTEE STAFF SUMMARY FOR NOVEMBER 16, 2023 MRC

5. STAFF AND AGENCY UPDATES**Today's Item****Information** ☒**Action** ☐

Receive verbal and written updates from Commission staff and other agencies, including California Ocean Protection Council (OPC) and the Department.

Summary of Previous/Future Actions (N/A)**Background**

This is a standing agenda item for staff and agencies to provide an update on marine-related activities of interest. Updates related to current work plan topics are generally provided in writing. Members of the public will have an opportunity to share their thoughts, although the level of in-meeting discussion will be at the discretion of the MRC co-chairs.

(A) OPC

OPC staff will provide a verbal update on topics of interest to the Committee.

(B) Department**I. Law Enforcement Division (LED)**

Marine protected areas (MPAs): Marine law enforcement staff will highlight MPA-related enforcement actions and statistics from 2022 (Exhibit B1).

II. Marine Region

Market squid fishery management and fishery management plan review: In July, Marine Region staff provided an overview of the Department Squid Fishery Advisory Committee (SFAC) process and timeline (Exhibit B2). For today's meeting, Marine Region has provided a written update on progress, including a summary of the first six SFAC meetings, and a timeline for completing the SFAC process and resulting management recommendations for MRC and Commission consideration (Exhibit B3).

(C) Commission Staff**I. State Water Bottom Leases for Aquaculture Purposes**

Next steps in considering applications for new leases: In August 2023, the Commission approved the criteria and evaluation framework for evaluating if a new state water bottom lease for aquaculture is in the public interest and approved an overall enhanced leasing process. The Commission directed staff to work with the Department and agency partners to implement the enhanced process. Following the August meeting, staff released an announcement via the electronic mailing list to notify stakeholders about the outcomes of Commission action (Exhibit C1). Staff has prepared a written update on efforts to implement the enhanced leasing process and approved public interest criteria and evaluation framework, which include engaging agencies of jurisdiction and developing next steps for the three existing lease applications (Exhibit C2).

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II. Commission Policies Review

Naming Installations Policy: In December 2022, the Commission directed staff to conduct an initial assessment of the Commission's policies and recommend a path forward for reviewing and recommending any changes to the over 60 policies. In June 2023, the Commission endorsed a plan developed by staff in collaboration with Department leadership for a comprehensive assessment of all policies; the Commission provided specific direction to review the policies through a tribal and a justice, equity, diversity and inclusion (JEDI) lens (see Exhibit C3 for additional information).

The Commission [Naming Installations Policy](#) (Exhibit C4) is one of the first three policies recommended for further review and revision. The policy states that "No fish hatchery, game refuge, wildlife area or any installation...shall be named for any person, living or dead"; however, it provides a specific exception for MPAs so that "The Commission may commemorate an individual by including that individual's name after the geographic name of an MPA..." if all of the specified criteria are met.

In light of concerns expressed by the Commission regarding the MPA exception and the importance of tribal and JEDI values, potential revisions to the policy may include: (1) removing the MPA naming exception, and (2) adding a provision to consider tribal placenames when naming installations, including MPAs, in collaboration with local tribal leaders. Suggestions for potential revisions will be presented at the December 2023 Commission meeting.

III. Considering Changes to the State's MPA Network

Regulation Change Petition Process: At its August 2023 meeting, the Commission approved an MRC recommendation to initiate a process and timeline for considering proposals for MPA changes as part of the [prioritized adaptive management recommendations](#) from the decadal management review. The Commission indicated a priority deadline of November 30, 2023 for MPA petitions to be submitted for receipt at the December Commission meeting.

To support the process, the Commission requested that staff share MPA information with stakeholders, the public, and other agencies to assist in developing MPA petitions for Commission consideration. Importantly, historical documents would need to be compiled from the regional MPA planning, design, and adoption processes and made available to interested stakeholders upon request; the Commission asked staff to make materials available by September to give petitioners 90 days with the materials before the recommended deadline of November 30, 2023.

Following the August meeting, staff assembled numerous historic materials and uploaded them to a site that the public could access upon request. Staff also developed a guidance document explaining the process to consider potential changes to the MPA network, specific details about the regulation change petition process, the Commission's timeline, and availability of historical documents to

COMMITTEE STAFF SUMMARY FOR NOVEMBER 16, 2023 MRC

provide context about original design considerations for regional MPAs (Exhibit C5). In early October, a public announcement about the MPA petition process was released via the Commission's electronic mailing list with links to the guidance document (Exhibit C6). Staff also presented the process to the MPA Statewide Leadership Team meeting on October 25 (Exhibit C6). Commission staff recognizes that the materials were released later than anticipated, providing approximately 60 days for public use before the December meeting.

IV. *California Sea Grant State Fellowship:*

Sea Grant State fellow for 2024: Commission staff are pleased to announce the selection of our 2024-2025 California Sea Grant state fellow, Devon Rossi! Devon just finished her master's degree at Bren School of Environmental Science and Management at the University of California Santa Barbara. Staff look forward to introducing her at future MRC meetings after she begins in early 2024.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

- B1. [LED presentation on marine law enforcement in MPAs](#)
- B2. [Department Squid Fishery Advisory Committee report to MRC, July 20, 2023](#)
- B3. [Department document: Squid Fishery Advisory Committee Update, received October 31, 2023](#)
- C1. [Commission mailing list announcement of adopted process for state water bottom leasing for aquaculture and public interest criteria](#)
- C2. [Commission staff document: Update on state water bottom leases for aquaculture purposes – Next steps in considering applications for new leases](#)
- C3. *Background document, available online:* [Staff summary for Agenda Item 24, Commission Policies, June 14-15, 2023](#)
- C4. [Commission Naming Installations Policy](#)
- C5. [Commission staff document: Overview of process to consider potential changes to California's MPA network: Regulation change petition process, timeline and historical documents](#)
- C6. [Commission mailing list announcement on prioritization of MPA decadal management review recommendations and Commission initiation of MPA petition process](#)
- C7. [Commission staff presentation to the MPA Statewide Leadership Team regarding MPA petition process](#)

Committee Direction/Recommendation (N/A)

MPA Enforcement Report

July 2023

Assistant Chief Eric Kord
Marine Enforcement District



MPA Enforcement Stats 2022 Totals

2022

- Patrol Hours – 15,143 Hrs.
- Contacts – 25,845
- Warnings Given – 889
- Citations issued- 612
- MPA Citations Issued – 602
- Total MPA violations – 825
- Title 14 section 632 violations – 422
- ***Change to RMS in tracking all MPA citations and violation***

MPA Enforcement Stats 2022 and 2021 Totals in Comparison

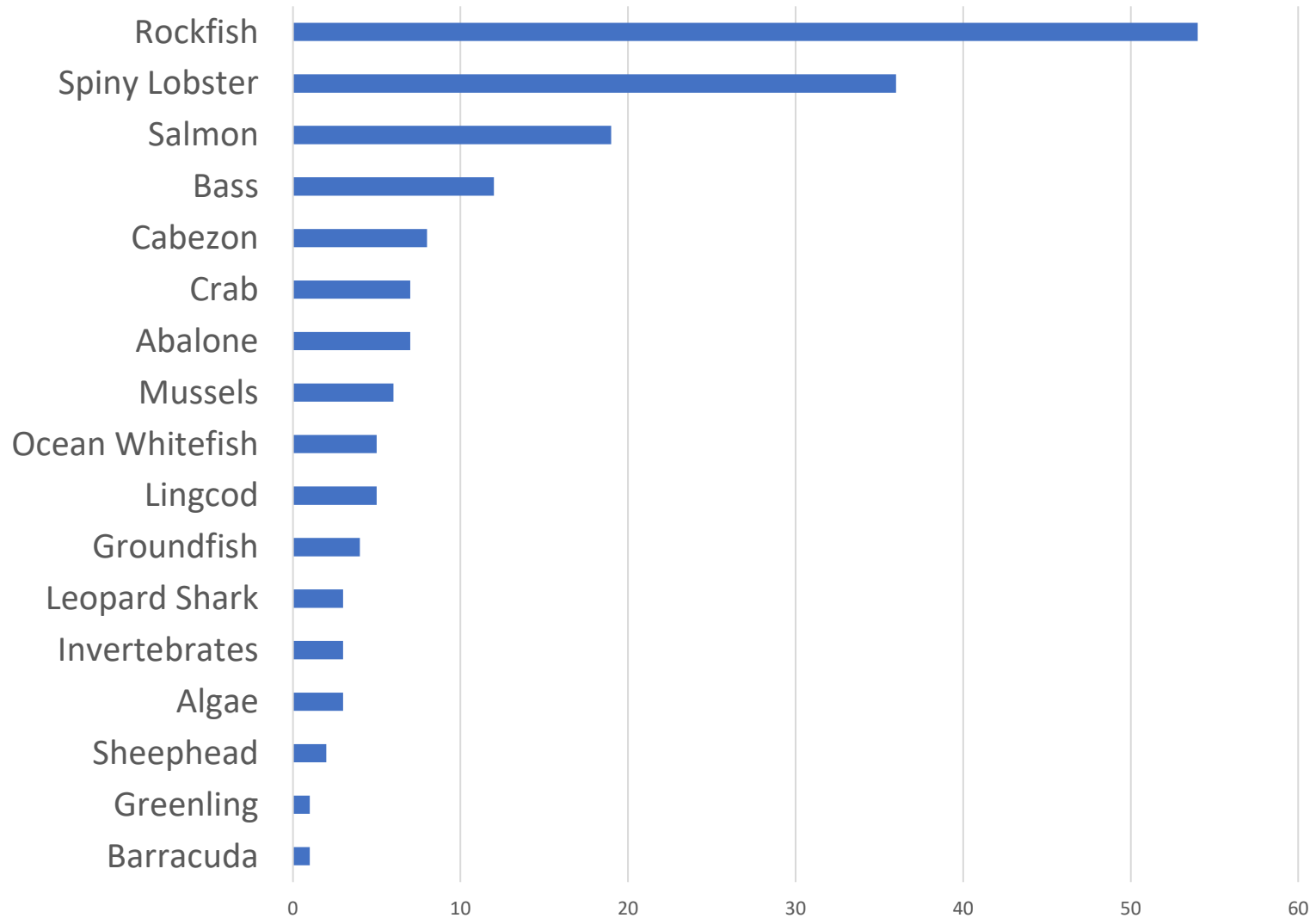
2022 (post RMS change)

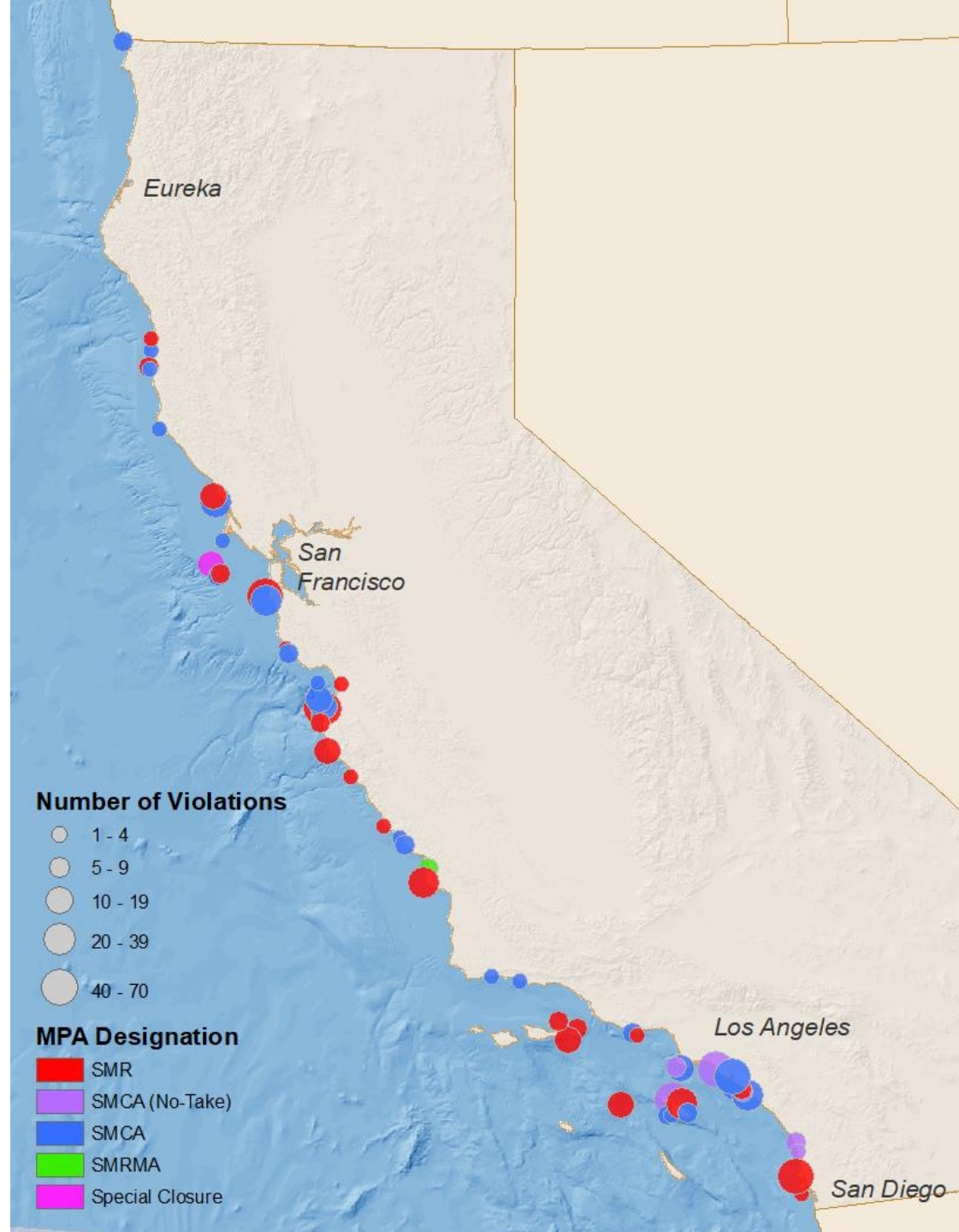
- Patrol Hours – 15,143 Hrs.
- Contacts – 25,845
- Warnings Given – 889
- Citations issued- **612**
- MPA Citations Issued – **602**
- Total MPA violations – **825**
- Title 14 section 632 violations – **422**

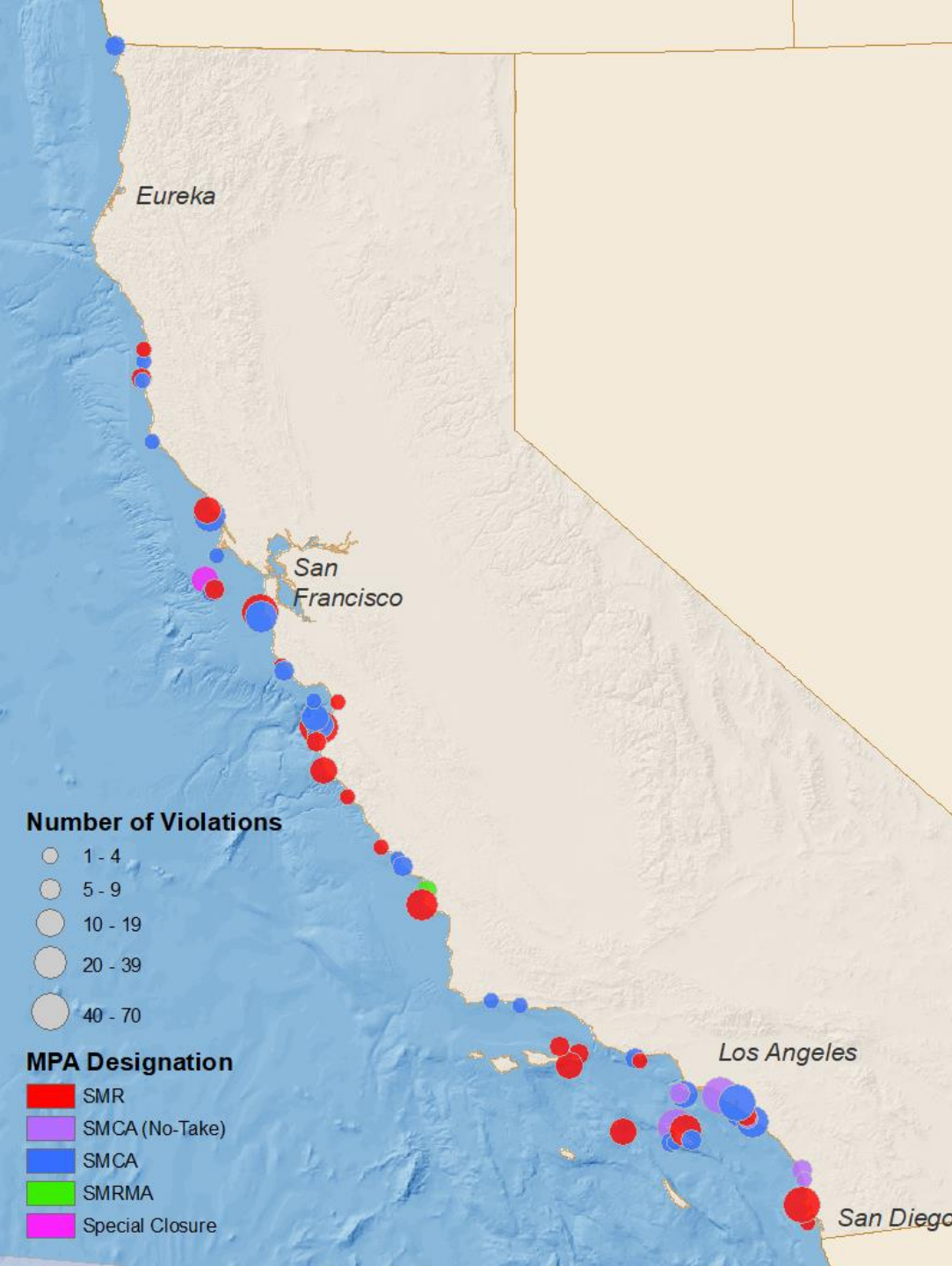
2021 (pre RMS change)

- Patrol Hours – 16,363 Hrs.
- Contacts – 32,441
- Warnings Given – 1,366
- Citations Issued – **665**
- MPA Title 14 632 violations- **271**

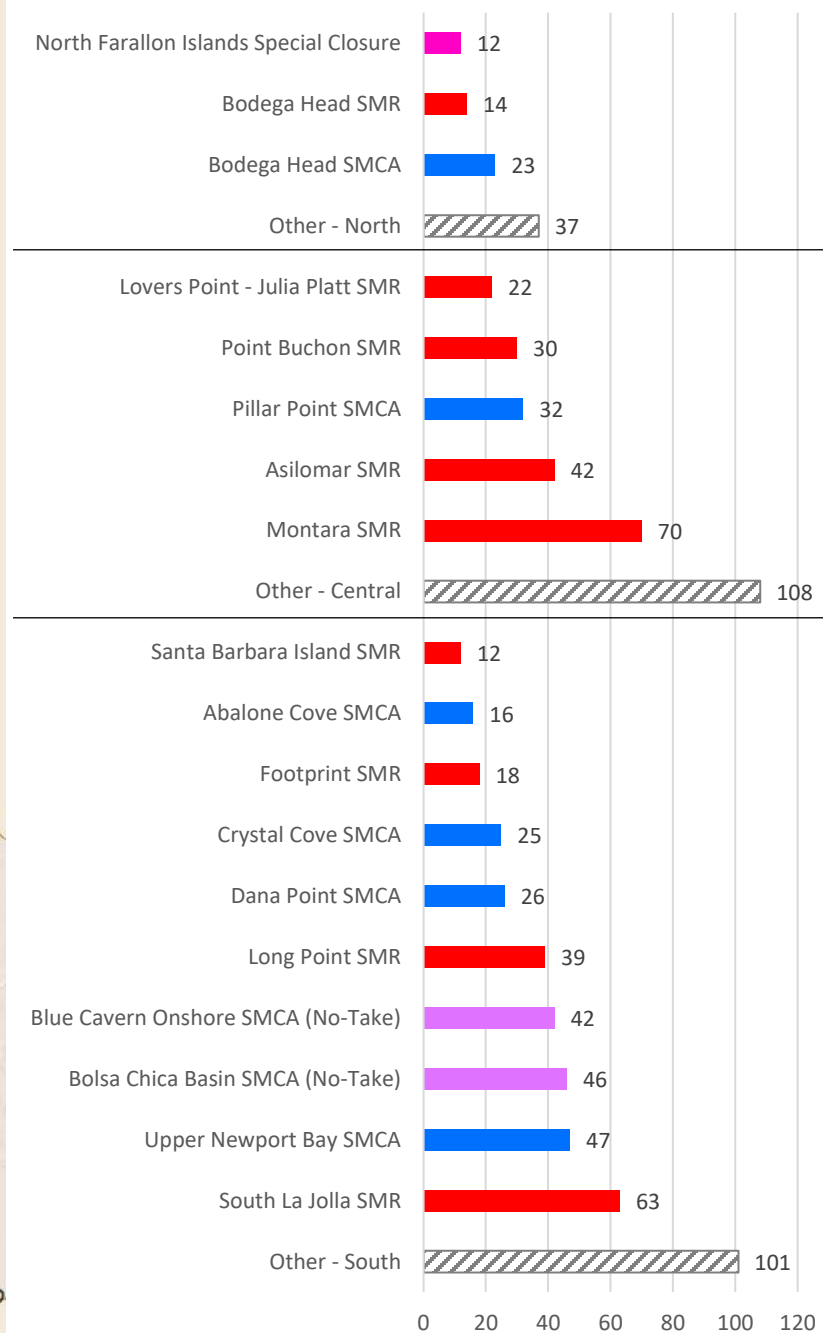
Violations by Species and Species Groupings in MPAs



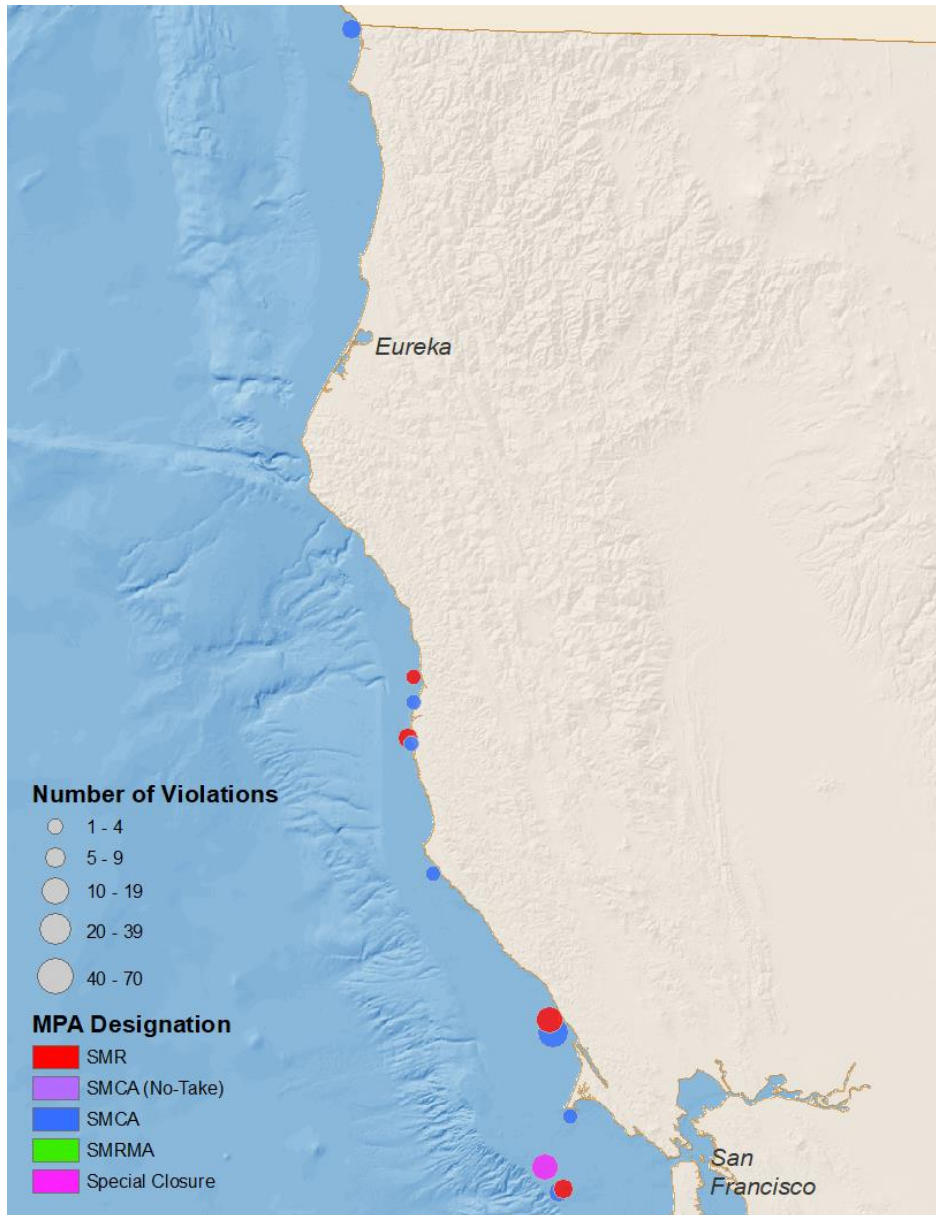




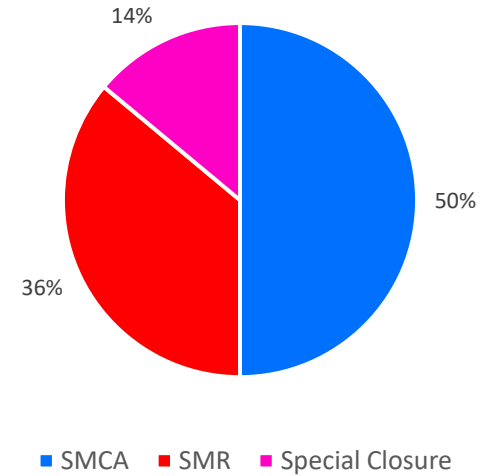
Most violations by MPA per bioregion



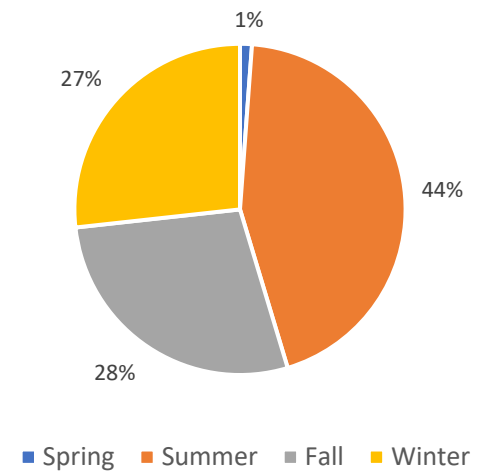
North Coast Bioregion



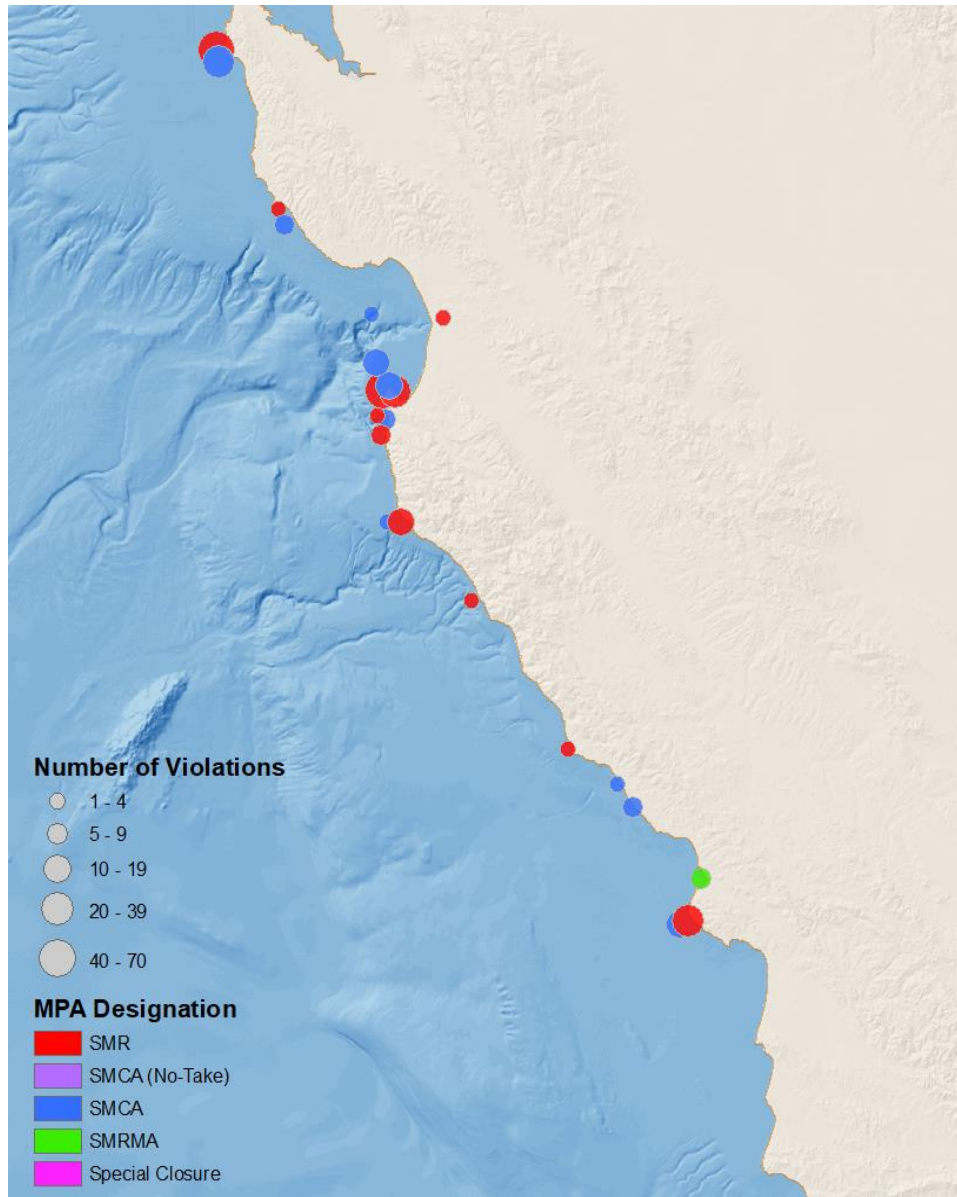
North – Designation Violations



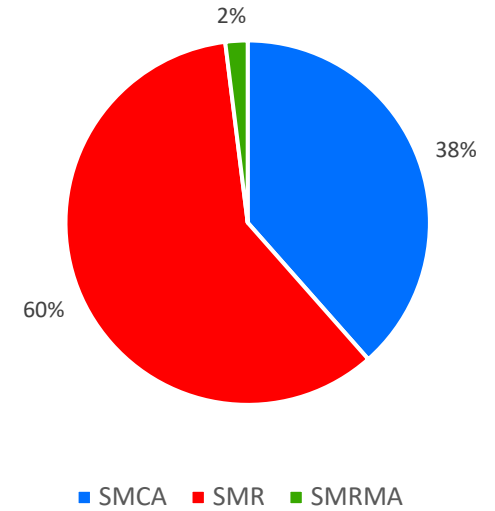
North – Seasonal Violations



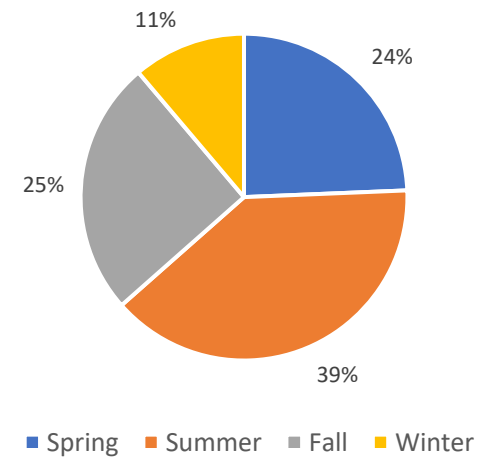
Central Coast Bioregion



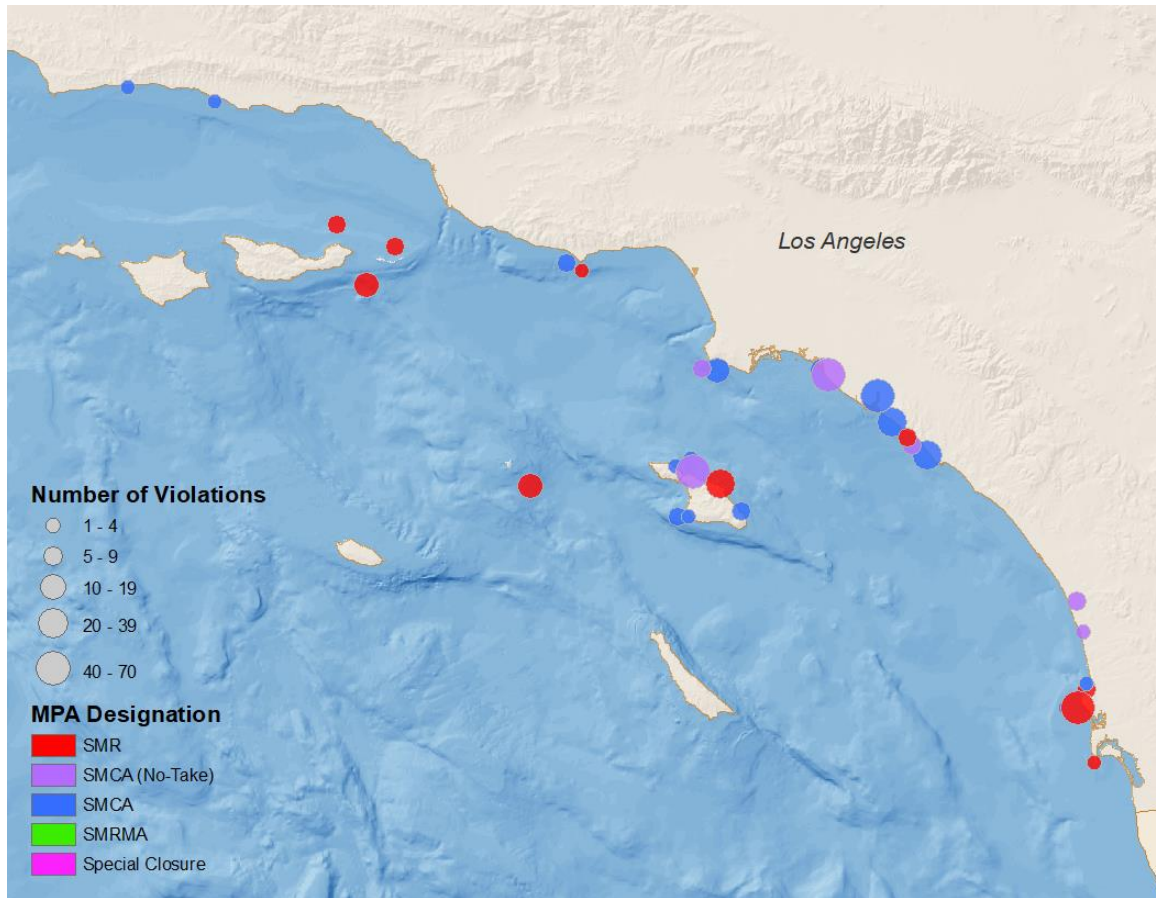
Central – Designation Violations



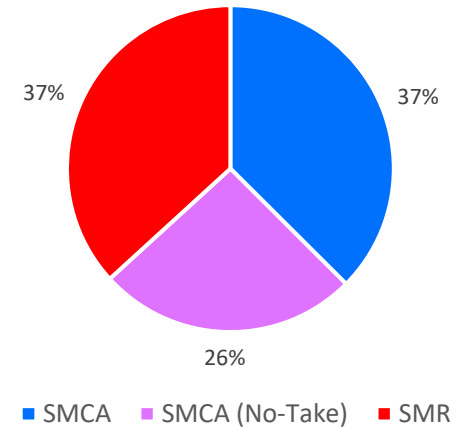
Central – Seasonal Violations



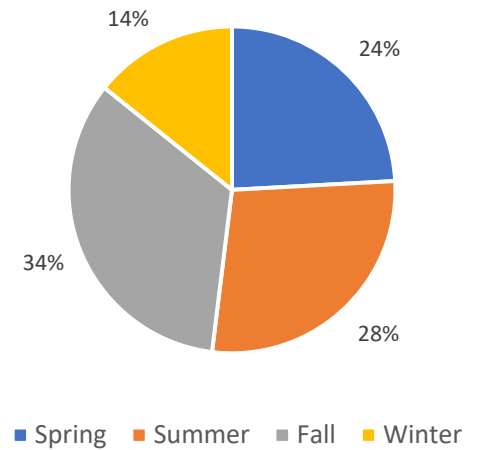
South Coast Bioregion



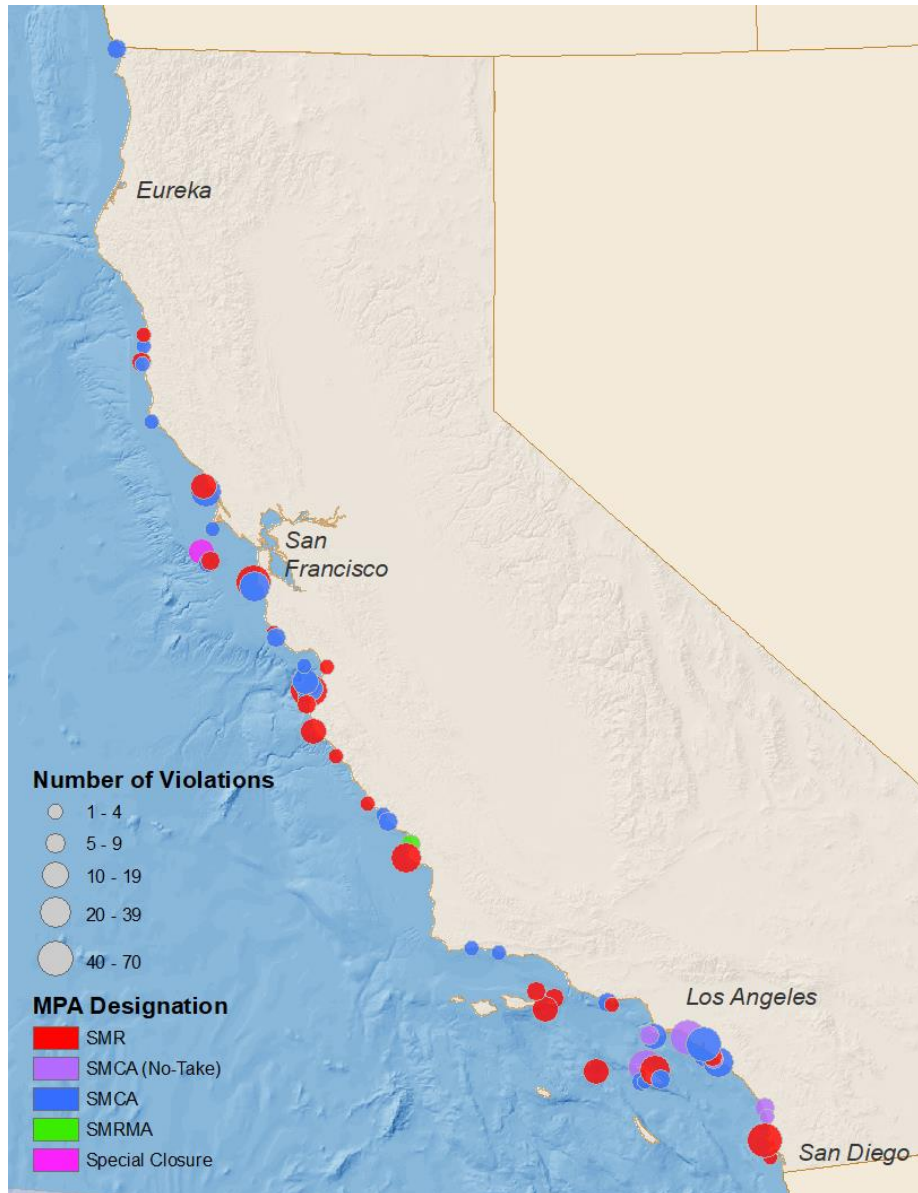
South – Designation Violations



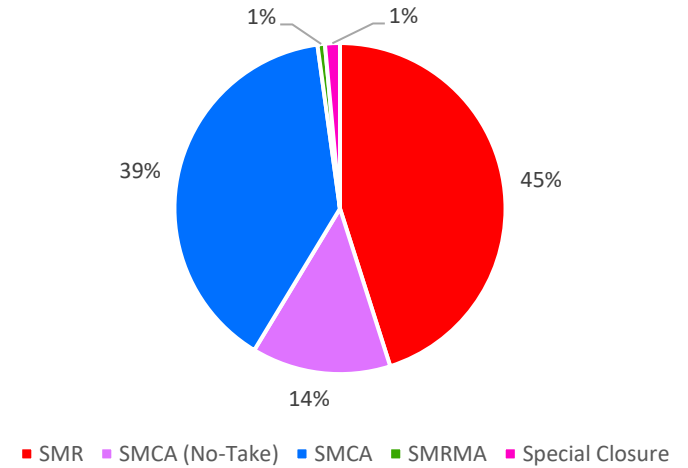
South – Seasonal Violations



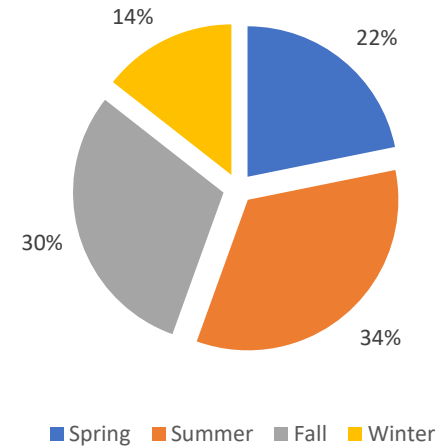
Statewide Summary, 2022



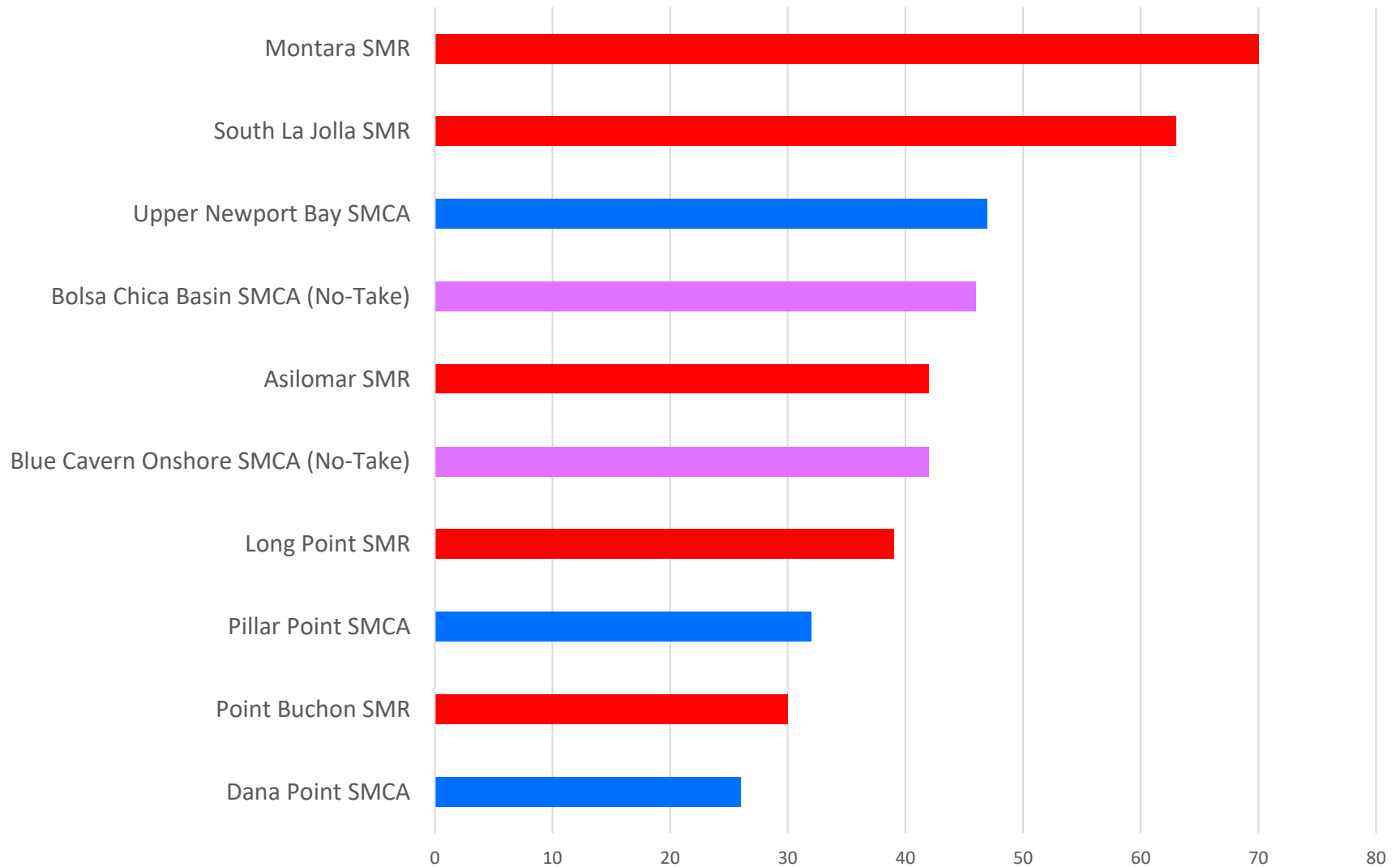
Statewide – Designation Violations



Statewide – Seasonal Violations

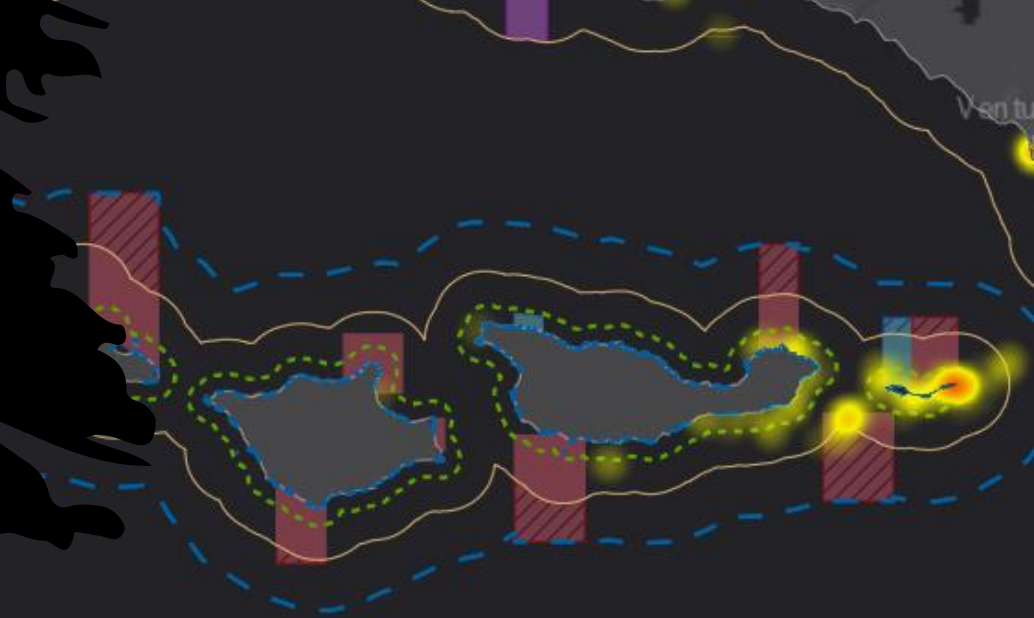


Top 10 MPAs for Violations in 2022



Improvements to RMS for 2023

- For 2023, RMS has been modified to track all ocean related violations in addition to MPA violations and violations.
- Will be able to look at percentage of MPA violations in relation to all ocean violations
- LED is committed to using technology for predictive policing. This may include increased use or expansion of other technologies.





Questions?

**Squid Fishery Advisory Committee
California Department of Fish and Wildlife**

**Report to the Marine Resources Committee
of the California Fish and Game Commission
July 20, 2023 Meeting**

The CDFW Squid Fishery Advisory Committee (SFAC) consists of a cross section of stakeholders tasked with reviewing market squid fishery management and advising CDFW on potential management changes. The market squid fishery is routinely the largest in the State, both in revenue and landings, and includes one of California's earliest Fishery Management Plans. The SFAC completed its third meeting on May 16th to discuss changes in fishing effort dynamics and collaborate with researchers to build a forecast model to test the performance of fishery management controls under climate change. The SFAC's next meeting is scheduled for July 12th where discussions will shift to review of the market squid fishery logbook program and strategies to modernize data collection methods. The SFAC is expected to have its final meeting in spring of 2024. The Department currently anticipates bringing final recommendations to the Commission during the summer of 2024 in order to determine next steps. The roster and meeting schedule is included in supporting documents.

CDFW Squid Fishery Advisory Committee Roster	
Name	Affiliation
Mark Fina	Trade Association
Ken Towsley	Dealer/Processor
Joe Cappuccio	Dealer/Processor
Anthony Vuoso	Dealer/Processor
Ryan Augello	Dealer/Processor
Corbin Hanson	Commercial Squid Fishing - Seine
John Barry	Commercial Squid Fishing - Seine
Porter McHenry	Commercial Squid Fishing - Seine
Tom Noto	Commercial Squid Fishing - Seine
David Crabbe	Commercial Squid Fishing - Light/Brail
Joe Villareal	Commercial Squid Fishing - Light/Brail
Brian Susi-Blair	Commercial Squid Fishing - Light/Brail
Richie Ashley	Commercial/Recreational - Bait
Ken Bates	Commercial Fishing - Access
Dan Yoakum	Commercial Fishing - Access
Caitlin Allen Akselrud	Government Agency
Russell Galipeau	Non-Consumptive
Greg Helms	Non-Governmental Organization
Anna Weinstein	Non-Governmental Organization

Squid Fishery Advisory Committee (SFAC) Meeting Schedule 2023-2024

4/18/23

Monterey Bay – Effort/EDM

5/16/23

Virtual – Effort/EDM

7/12/23

Virtual – Monitoring

8/15/23

Los Angeles – Monitoring

10/6/23

Virtual – Gear

11/15/23

Virtual – Gear

1/25/24

San Francisco Bay Area – Access

The SFAC will conclude with a one-to-two-day meeting in Southern California in early 2024.

Squid Fishery Advisory Committee Update
California Fish and Game Commission
Marine Resources Committee
November 16, 2023

The Squid Fishery Advisory Committee (SFAC) consists of a cross section of stakeholders tasked with reviewing market squid fishery management and advising the California Department of Fish and Wildlife (CDFW) on potential management changes. The market squid fishery is routinely the largest in the State, both in revenue and landings, and includes one of California's earliest adopted Fishery Management Plans.

During its first six meetings, the SFAC explored and discussed the following topics:

- Fishing effort, dynamics, and climate readiness
 - These discussions are being supported by empirical dynamic modeling (EDM). EDM provides a novel method to look at past performance and gauge potential outcomes of future climate and fishery management scenarios. It is being developed as a potential tool to assist with analyzing management options and, if successful, help to predict future fishery success.
- Modernizing monitoring efforts including updates to the market squid logbook
 - General SFAC consensus is that the logbook could benefit from being converted to an electronic platform. Some SFAC members have volunteered to assist with development and testing, in advance of a future transition from paper logs.
- Fishing gear, bycatch, habitat, and wildlife interactions
 - SFAC discussions on these topics are just beginning. The group will provide input on potential changes, if necessary, to existing management to address any issues that are identified.

The SFAC completed its seventh meeting on November 15th, where they continued discussions on habitat and introduced the topic of small-scale fishery access. The SFAC's next meeting is scheduled for January 25th where discussions on these topics will continue.

The SFAC is currently scheduled to have a final meeting in spring of 2024, to conclude the advisory process and finalize recommendations to the Department. With each SFAC meeting, discussions have become more detailed and in-depth, particularly with in-person engagement. The Department is considering options to increase the number of in-person meetings to provide the most comprehensive and complete recommendation to the commission. The Department will seek additional funding in order to allow the upcoming meetings to all be in-person.

The Department anticipates bringing final recommendations and proposed next steps to the Commission during the summer or fall of 2024.



California Fish and Game Commission

Wildlife Heritage and Conservation Since 1870

Commission-approved aquaculture public interest criteria

In short: Following a recommendation from its Marine Resources Committee (MRC), the California Fish and Game Commission has approved public interest criteria and a framework for evaluating if a new state water bottom lease for aquaculture purposes is in the public interest. The Commission also approved an enhanced application review process for new state water bottom lease applications for aquaculture purposes.

More details: After discussions at multiple MRC meetings and various iterations of public documents, MRC developed its recommendations in July 2023 for the Commission to support advancing the proposed public interest criteria evaluation framework and an enhanced lease application review and approval process.

At its August meeting, the Commission approved MRC's recommendation and directed staff to work with the California

Department of Fish and Wildlife and other agency partners to implement the proposed enhanced lease application process.

Commission staff offers its most sincere thanks to everyone who contributed to the process to develop the public interest criteria and enhanced lease process. We are grateful for your contributions and support as we navigated the complexities and challenges associated with the project.

Additional details are available in the [approved public interest criteria evaluation framework](#) document and the [figures depicting the enhanced leasing process](#). Please reach out to staff at fgc@fgc.ca.gov if you have any questions.

Sincerely,

Susan Ashcraft
Marine Advisor
California Fish and Game Commission

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California Fish and Game Commission

State Water Bottom Leases for Aquaculture Purposes – Next Steps in Considering Applications for New Leases

November 16, 2023 Staff Report to the Marine Resources Committee

Commission staff has prepared this written update on efforts to implement the enhanced aquaculture leasing process (pages 3-6 below) and [public interest criteria and evaluation framework](#), both of which were approved by the Commission in August 2023. Following the Commission's approval, staff released a public notice to communicate the outcomes of the Commission action. Staff has also worked closely with the California Department of Fish and Wildlife's (Department) state aquaculture coordinator and Marine Region staff to begin implementing the enhanced aquaculture lease application process and ensure coordination on internal efforts.

Two main components for the initial phase of implementation include engaging agencies of jurisdiction and developing next steps for integrating existing new lease applications into the enhanced process.

Engaging Agencies of Jurisdiction

Phase 0 of the approved leasing process envisions enhanced pre-application agency coordination and input on project designs. Within this phase, Commission and Department staff will notify and convene interested agencies of jurisdiction to facilitate an opportunity for agencies to (1) highlight and discuss areas of concern and (2) help applicants refine their project design for the lease application and subsequent agency permitting. Many design considerations are reflected in the approved public interest criteria, which will be shared with prospective applicants. Staff is working in close coordination with Department staff to operationalize phase 0 in two steps, through outreach to other agencies and an initial interagency meeting.

- ***Outreach to agencies:*** In close coordination with the Department, the Commission's new environmental scientist is reaching out to agencies of jurisdiction to share with them the new leasing process and public interest criteria the Commission approved, and to invite their participation, beginning with an initial coordination meeting.
- ***Initial interagency meeting:*** Commission and Department staff are preparing to schedule and facilitate an initial interagency coordination meeting that will help lay the groundwork for future interagency and lease applicant meetings. The prospective meeting with sister agencies of jurisdiction will serve to orient them to the Commission's enhanced leasing pre-application process, identify shared agency goals, and explore both interest and coordination strategies for their participation as new lease applications are received. At a recent informal interagency workgroup meeting, staff communicated with the California Ocean Protection Council about integrating this concept into the workgroup and for potential integration into the anticipated state aquaculture action plan.

Developing Next Steps for Existing New Lease Applications

The Commission has three lease applications that were received prior to approving the enhanced leasing process and public interest criteria. While each lease has passed the pre-application stage

and the Commission has made a public interest determination for two of the three, the applications will be integrated into the new leasing process, beginning with interagency review and input and with vetting at committee meetings.

- *Opportunity for interagency review and input:* Consistent with the intent of the pre-application stage, staff will engage agencies of jurisdiction to support an interagency dialogue about each proposed lease project, and to identify any issues of concern that may help refine the proposed projects and/or be addressed through the California Environmental Quality Act review process. Staff will invite agencies to a meeting with each applicant.
- *Vetting at Marine Resources Committee and Tribal Committee meetings:* Consistent with phase 1 of the enhanced process, staff recommends referring the lease applications to the committees for public vetting. Staff is in the process of contacting applicants to confirm timing and process, and suggests that vetting could be scheduled for the March 2024 Marine Resources Committee meeting and the April 2024 Tribal Committee meeting.

California Fish and Game Commission

**Figures Displaying Steps in the Aquaculture Leasing Process for
New State Water Bottom Lease Applications, including Public Interest Determination
November 9, 2023**

- Figure 1** *Phases 0 through 3*
- Figure 2** *Phases 0 and 1, Detailed*
- Figure 3** *Phases 2 and 3, Detailed*

Figure 1. Phases 0 through 3. Overview of Commission-approved consideration of new state water bottom aquaculture lease applications, including public interest determination. Includes an enhanced and formalized pre-application phase (Phase 0) facilitated by CDFW and including interagency consultation, followed by a three-phase Commission process (phases 1-3) (see figures 5 and 6 for close-up images of each phase with written descriptions below steps in the corresponding phase).

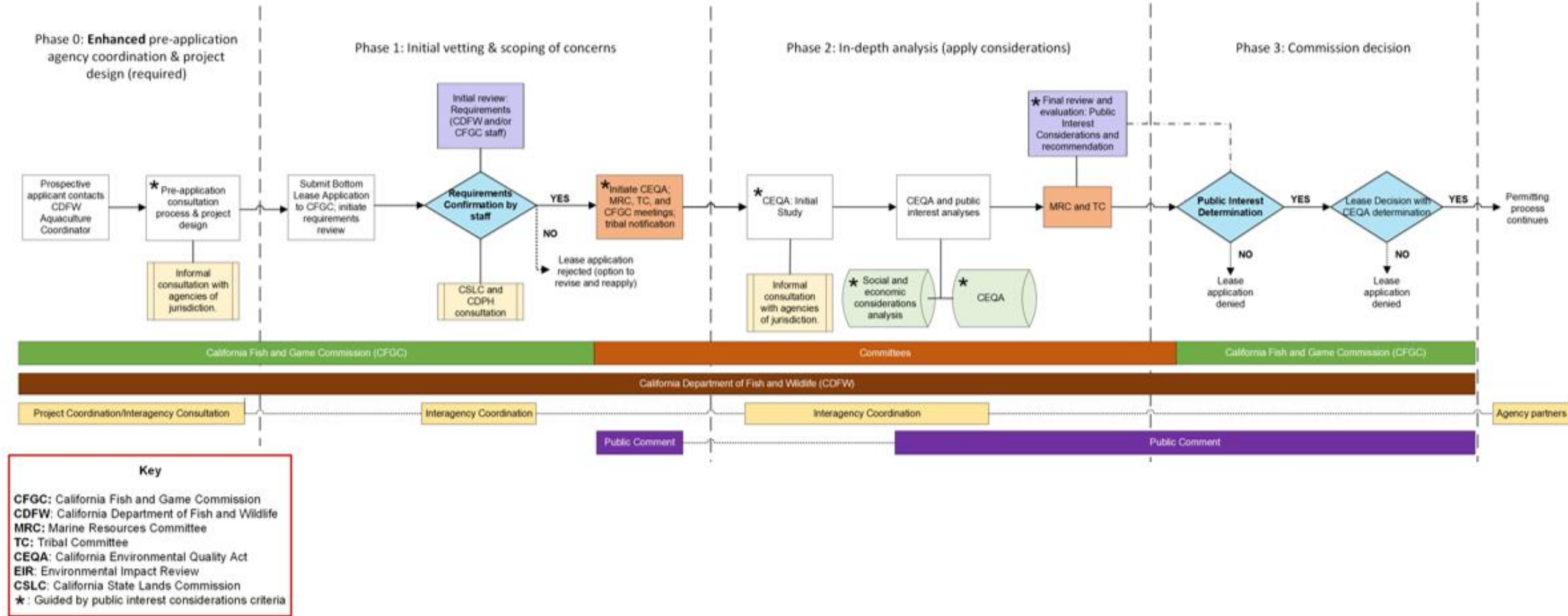


Figure 2. Phases 0 and 1, Detailed. Enlarged image of phases 0 and 1 with written descriptions below steps in the corresponding phase.

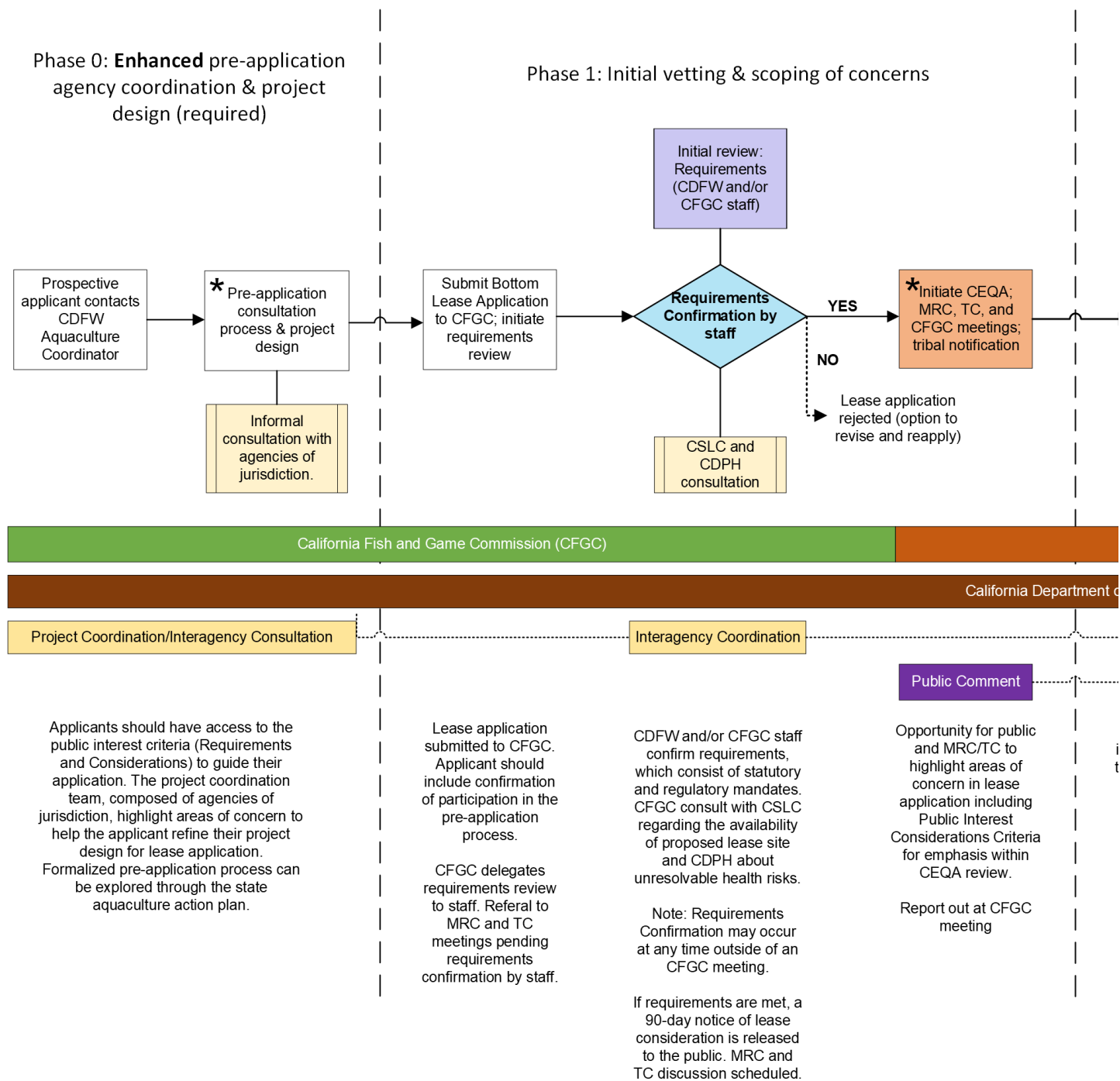
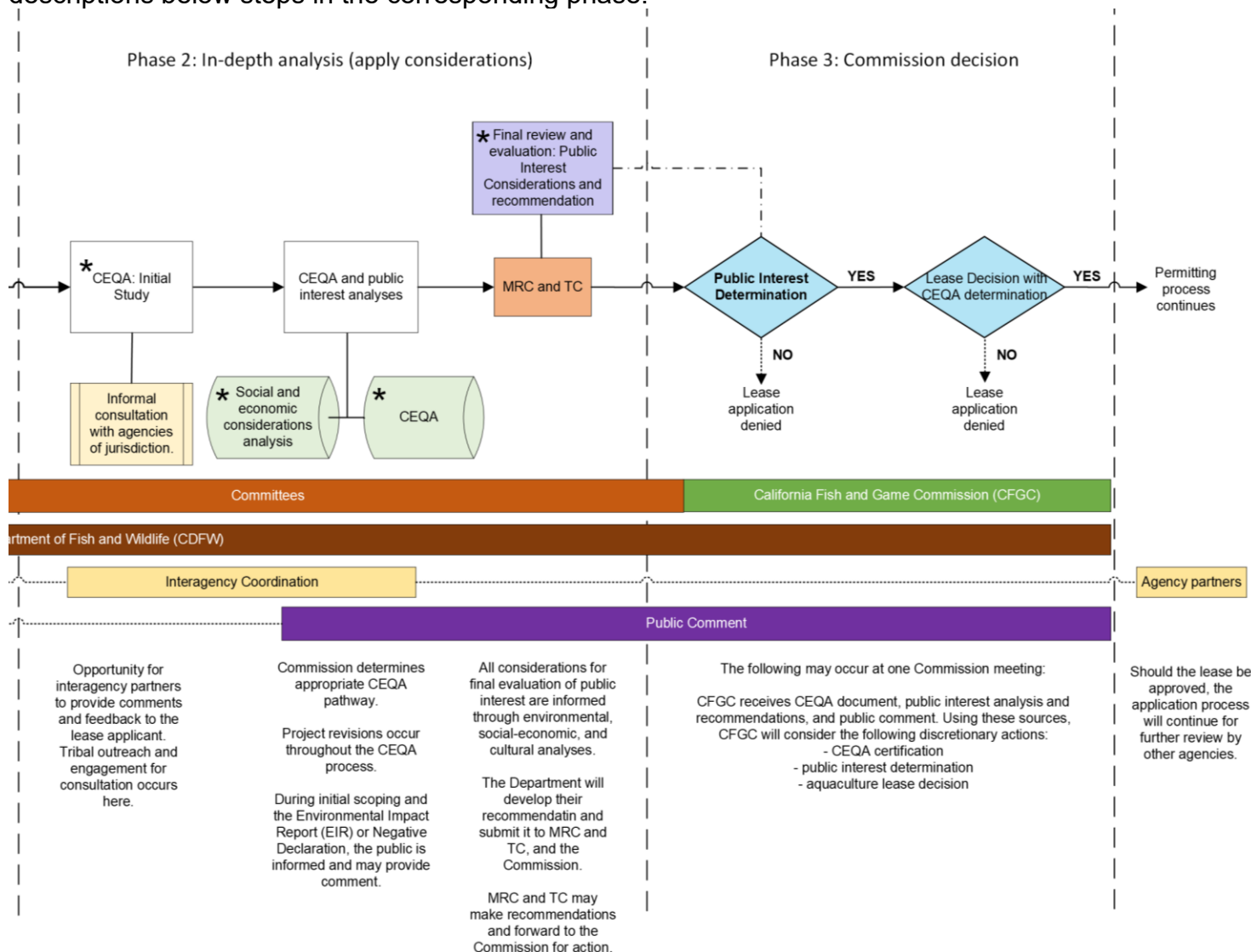


Figure 3. Phases 2 and 3, Detailed. Enlarged image of phases 2 and 3 with written descriptions below steps in the corresponding phase.



California Fish and Game Commission Naming Installations Policy

It is the policy of the Fish and Game Commission that:

- I. No fish hatchery, game refuge, wildlife area or any installation, other than Marine Protected Areas (MPAs), shall be named for any person, living or dead. Installations shall be named in a manner which will indicate their geographical location, avoiding as far as possible the names of local political units. Vessels shall be named for fish.
- II. The Commission may commemorate an individual by including that individual's name after the geographic name of a MPA if all of the following criteria are met:
 1. The individual has been deceased for a minimum of 5 years;
 2. It has been determined the individual has made an extraordinary, unique, and long-lasting contribution to the conservation, use and/or enjoyment of California's living marine resources;
 3. It has been determined with reasonable care and consideration that the individual's merit and/or contribution can stand the test of time;
 4. The individual and/or their efforts have a direct connection with the geographic location of the MPA or immediate vicinity.
- III. The Commission shall be represented at and may participate in all ceremonies dedicating the launching or inauguration of any of the facilities mentioned above. The Department and the Commission staff shall coordinate their work and efforts in setting up or arranging such programs.

(Amended: 04/07/94; 05/23/12)

California Fish and Game Commission
Overview of Process to Consider Potential Changes to
California's Marine Protected Area Network:
Regulation Change Petition Process, Timeline and Historical Documents
October 11, 2023

The California Fish and Game Commission (Commission) is engaged in an adaptive management process for California's marine protected area (MPA) network and management program based on [adaptive management recommendations](#) from the first comprehensive [decadal management review](#) (DMR) of the network and management program. This document provides updates related to prioritizing adaptive management recommendations and recent Commission action to **initiate a process to receive and consider public petitions for changes to the MPA network** for this adaptive management cycle.

At its August 22-23, 2023 meeting, the Commission acted on recommendations from its Marine Resources Committee (MRC) and provided guidance relative to prioritizing the adaptive management recommendations from the DMR. The Commission approved a MRC recommendation to support the California Department of Fish and Wildlife's (Department's) [prioritized recommendations from the MPA DMR report](#) for near-, mid-, and long-term focus.

In addition, the Commission approved an MRC recommendation to move forward with the near-term priority recommendation to *apply what is learned from the first decadal management review to support proposed changes to the MPA network*. The Commission initiated a process and timeline – beginning with the December 2023 meeting – for considering proposals for MPA changes as part of this adaptive management cycle. Information in this document is intended to guide you through the process.

The process for submitting proposed changes to the MPA network includes three elements: Timeline, format, and supplemental information to consider in developing a petition.

Timeline

All petitions received by the *December 2023 Commission meeting deadlines* will be considered during this adaptive management review cycle. This will allow review and evaluation of petitions not only individually, but also holistically in the context of the MPA network.

Receipt of Petitions

The standard public comment deadlines specified for the December 2023 Commission meeting apply.

- a. *November 30 at 5:00 p.m. (strongly preferred)* – Written Comment Deadline. Submitting MPA petitions before this deadline is strongly encouraged; petitions will be made available to the Commission before the meeting, and posted online with meeting materials.
- b. Petitions submitted by the Supplemental Comment Deadline (*December 8 at noon*) or in person at the Commission meeting in San Diego (*December 12-13*) will be received by the Commission at the meeting, but will be processed after those received by the November 30 comment deadline and not initially posted online.

- c. *Submittals after December Commission meeting:* Petitions received after the December meeting deadlines will be received by the Commission at a subsequent meeting and will be considered, consistent with the Commission’s petitions regulations ([Section 662, Title 14, California Code of Regulations](#)). However, the Commission will determine at that time whether to include later submittals in this management review cycle or to hold them for a subsequent MPA review cycle.

Action on Petitions (Grant, Deny or Refer for Evaluation)

Petitions received for the December meeting will be scheduled for initial consideration at the next regularly-scheduled business meeting (February 14-15, 2024), unless the petition is rejected under staff review, pursuant to Section 662.

The Commission will take action to grant or deny each petition, or may refer petitions to the Department to consider, evaluate and make a recommendation (individually and collectively) before the Commission takes final action. The Commission plans to schedule MRC discussion and potential recommendations when Department evaluations are ready (timing to be determined) to support final action by the Commission to grant or deny referred petitions.

Format: Required Petition Submittal Form

Every person, agency or organization recommending that a regulation be added, amended, or repealed must submit a petition to the Commission using the authorized petition form:

Form FGC 1 – Petition to Commission for Regulation Change

Commission regulations require using Form FGC-1, which is available on the Commission website at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>; see the webpage for more information, including options for how to submit your petition.

There are four “required information” fields specified in Section 1 of the form; be sure to complete all required fields. The second required field is called “Rulemaking Authority,” which is the statutory or constitutional authority of the Commission to take the action requested. The information to add in the field is: “Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.” The authorities listed are for the MPA regulations found at [California Code of Regulations, Section 632](#).

Supplemental Information to Consider in Developing a Petition (voluntary)

Additional MPA information is available for prospective petitioners as a reference while developing petitions. The two types of information are Department-summarized “considerations” for evaluating referred MPA petitions and historical background documents from the regional MPA network planning processes.

Department-Summarized “Considerations” for Evaluating Referred MPA Petitions

Regulation change petitions submitted to the Commission are evaluated on a case-by-case basis to help inform Commission action and are commonly referred to the Department. In July 2023, MRC received input and discussed a potential framework of “considerations” *that may assist in evaluating petitions the Commission receives related to changes to the MPA network*. The Department summarized the considerations and provided them to the Commission in

August 2023. The Department and individual commissioners generally supported the considerations to help guide development of MPA-specific petitions prior to submitting them to the Commission for review and may guide subsequent evaluation by the Department. A summary document, Potential framework to assist in evaluation of petitions the Commission may receive related to changes to the MPA network and management program, is available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=216395&inline>.

- ***Petitioners are encouraged (but not required) to review the summarized considerations to assist them in preparing their petition and communicating the intent, and to highlight in the submitted materials any considerations that are relevant to the petition.***

Historical Background Documents from the Regional MPA Network Planning Processes

Historical documents from the regional MPA planning, design, and adoption processes are available as resources to assist in developing MPA petitions. Historical documents include the 2016 master plan for MPAs, regional planning process intent documents, and regional planning process evaluation documents.

Some historical documents are no longer posted online; however, they are available upon request. To request copies of a document, or if you need an accessible version, please submit a request to fgc@fgc.ca.gov or call (916) 653-4899.

- ***Petitioners are encouraged (but not required) to familiarize themselves with the history and intent of the relevant MPA planning, design, and adoption processes, and to highlight how any proposed changes might align with or strengthen the original intent or objectives of the MPA.***

[2016 Master Plan for MPAs Appendices](#) (available online)*

Six appendices provide documentation from the regional MPA planning and redesign processes conducted under the Marine Life Protection Act (MLPA) goals and guidelines.

- a. Appendix A: MPA planning through the MLPA Initiative.
Includes scientific foundation for MPA and network design and planning, design guidelines, and management considerations. Key documents include:
 - MLPA goals and guidelines
 - Science guidance for MPA and network design
 - Department MPA design and feasibility guidance with criteria
- b. Appendix B: Records communication and consultation with California tribes and tribal governments during planning.
- c. Appendices C-F: One appendix for each of the four planning regions, provides regional goals and objectives, background and priorities for MPAs, and regional design considerations.

* Appendices include footnotes with links to other historic documents; many links are “broken.” Contact Commission staff to obtain any specific document not available online.

Regional Planning Process Intent Documents (available on request)

Separate documents for each planning region with table(s) of regional MPAs developed through the planning process. Lists each MPA and its specific goals, objectives, and design

considerations for MPAs adopted in each region. Most regions also include multiple regional MPA proposals brought forth by regional stakeholder group teams, and an integrated preferred alternative recommended to the Commission. *Contact Commission staff for a link to access documents.*

Regional Planning Process Evaluation Documents (available on request)

Other historic documents include original evaluations conducted for regional MPAs and regional network components (MPA size, habitat spacing, habitat coverage, feasibility, socioeconomic impact, goal 3 opportunities, and more). *Contact Commission staff for more information.*



California Fish and Game Commission

Wildlife Heritage and Conservation Since 1870

Petitions for changes to marine protected areas (MPAs) and priorities for adaptive management

Following recommendations from its Marine Resources Committee (MRC), the California Fish and Game Commission (Commission) has provided guidance relative to [adaptive management recommendations](#) from the first comprehensive [decadal management review](#) of the MPA network and management program, and initiated a process to consider potential changes to the MPA network.

At its August 22-23, 2023 meeting, the Commission supported the California Department of Fish and Wildlife's [prioritized recommendations](#) from the MPA decadal management review report for near-, mid-, and long-term focus.

The Commission also approved moving forward with the near-term priority recommendation to *apply what is learned from the first decadal management review to support proposed changes to the MPA*

network. The Commission initiated a process and timeline – to begin with its December 2023 meeting – for considering potential MPA changes proposed by the public, agencies and organizations as part of this adaptive management cycle.

Information and resources intended to provide guidance for preparing and submitting an MPA regulation change petition to the Commission are available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=216577>.

Please reach out to staff at fgc@fgc.ca.gov with any questions.

Sincerely,

Susan Ashcraft
Marine Advisor
California Fish and Game Commission

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[California Fish and Game Commission](#)
715 P Street, Sacramento, CA 95814

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MPA Petition Process

Following the Decadal Management Review (DMR)

Presented to the MPA Statewide Leadership Team
Susan Ashcraft, Marine Advisor
October 25, 2023

Outline

- Commission Action
- Commission Guidance
 - MPA Petition Process
- Timeline

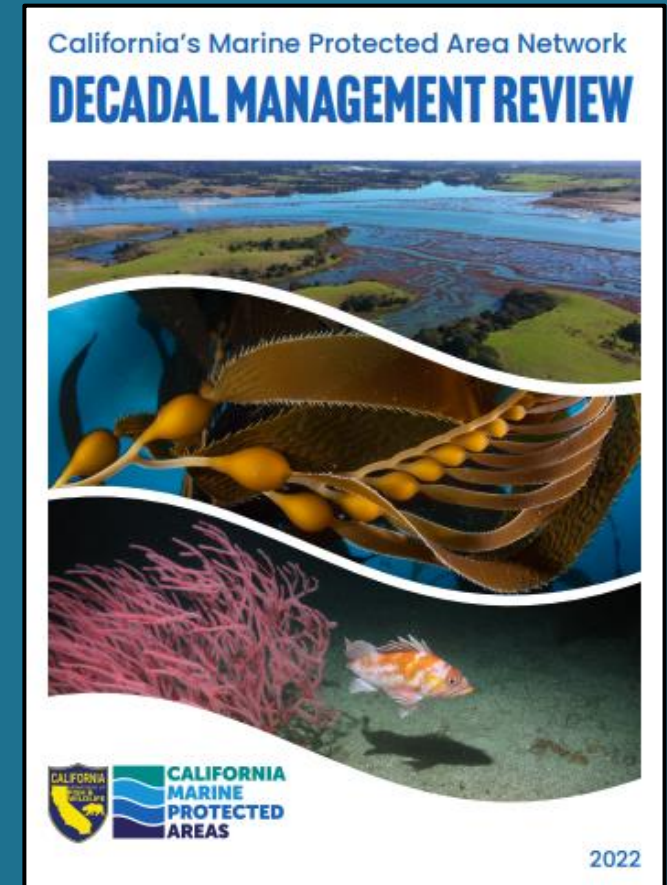


Jake Faulstich



Commission Action: August Meeting

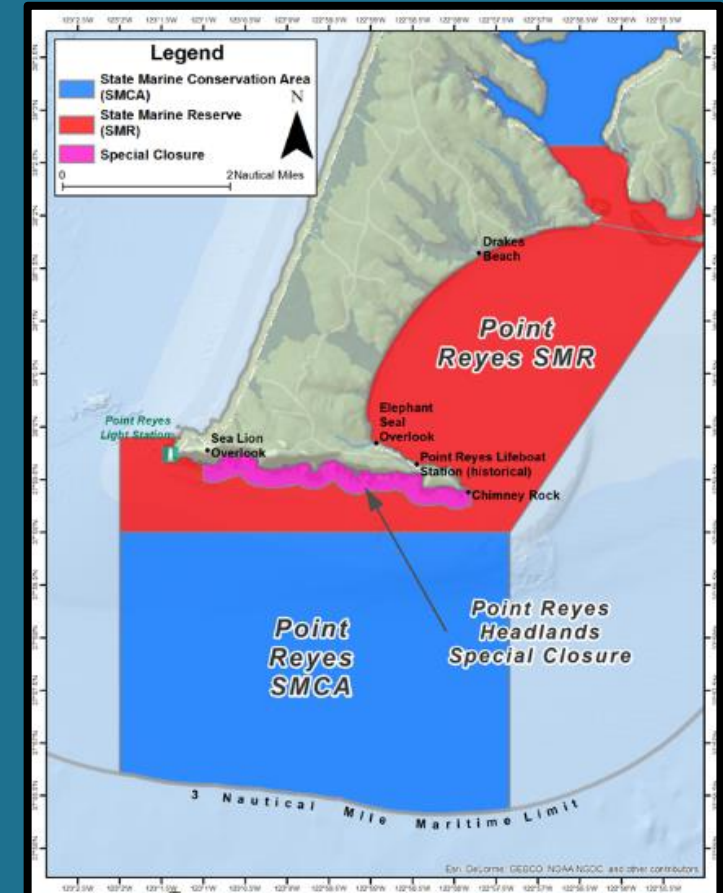
- Supported CDFW-prioritized recommendations from DMR into near-, mid-, and long-term priorities
- Initiated near term recommendation 4:
“Apply what is learned from the first DMR to support proposed changes to the MPA network...”



Commission Guidance – MPA Proposals



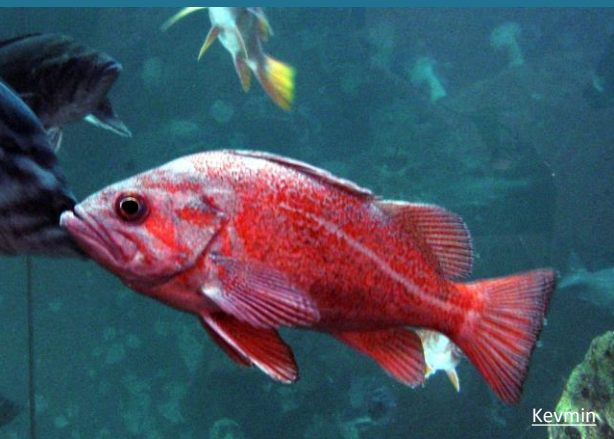
1. Use **existing** petition process for regulation changes
2. Include **consideration** of DMR results, MLPA goals, MPA design history
3. Provide **historical documents**
4. **Evaluate petitions** collectively re: MPA network





1. Use Existing Petition Process

- Process for regulation change petitions (Section 662, T14)
 - Two-meeting process
 - Receipt
 - Action (*approve, deny, or refer*)
- Required Petition Submittal Form FGC-1



Form FGC-1



- Found on Commission website



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California Fish and Game Commission

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Petitions for Regulation Change

Submitting a Petition for Regulation Change

Beginning October 1, 2015, every person or agency recommending that a regulation be added, amended, or repealed must submit a petition to the commission using the authorized petition form: **FGC 1 Petition to the California Fish and Game Commission for Regulation Change** (Word).

Please complete the form and submit it to the Commission.



State of California – Fish and Game Commission
PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE
FGC 1 (Rev 06/19) Page 1 of 2

Tracking Number: []

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: [Click here to enter text]
Address: [Click here to enter text]
Telephone number: [Click here to enter text]
Email address: [Click here to enter text]
- 2. Rulemaking Authority (Required)** - Reference to the statutory or constitutional authority of the Commission to take the action requested: [Click here to enter text]
- 3. Overview (Required)** - Summarize the proposed changes to regulations: [Click here to enter text]



2. Include Considerations ...

Department of Fish and Wildlife: Summary of Marine Protected Area (MPA) Regulation Change Petition Framework Discussion

(07/27/23) Revised 08/10/23; Revised 8/17/23

At the California Fish and Game Commission's (CFGF) July 20, 2023 Marine Resources Committee (MRC) meeting, MRC, CFGF staff, California Department of Fish and Wildlife (CDFW) staff, and stakeholders discussed potential next steps in pursuing the MPA Decadal Management Review (DMR) report recommendations and goals. The discussion included a potential framework to assist in evaluation of petitions the CFGF may receive related to changes to the MPA network and management program. At the request of MRC, staff from CDFW summarized the input received at the July 20, 2023 MRC meeting regarding these MPA petition framework considerations.


Broadly, petitions submitted to the CFGF are evaluated on a case by case by basis. To help guide petition development and subsequent review by CDFW, the MRC received the following input for evaluating petitions related to MPAs:

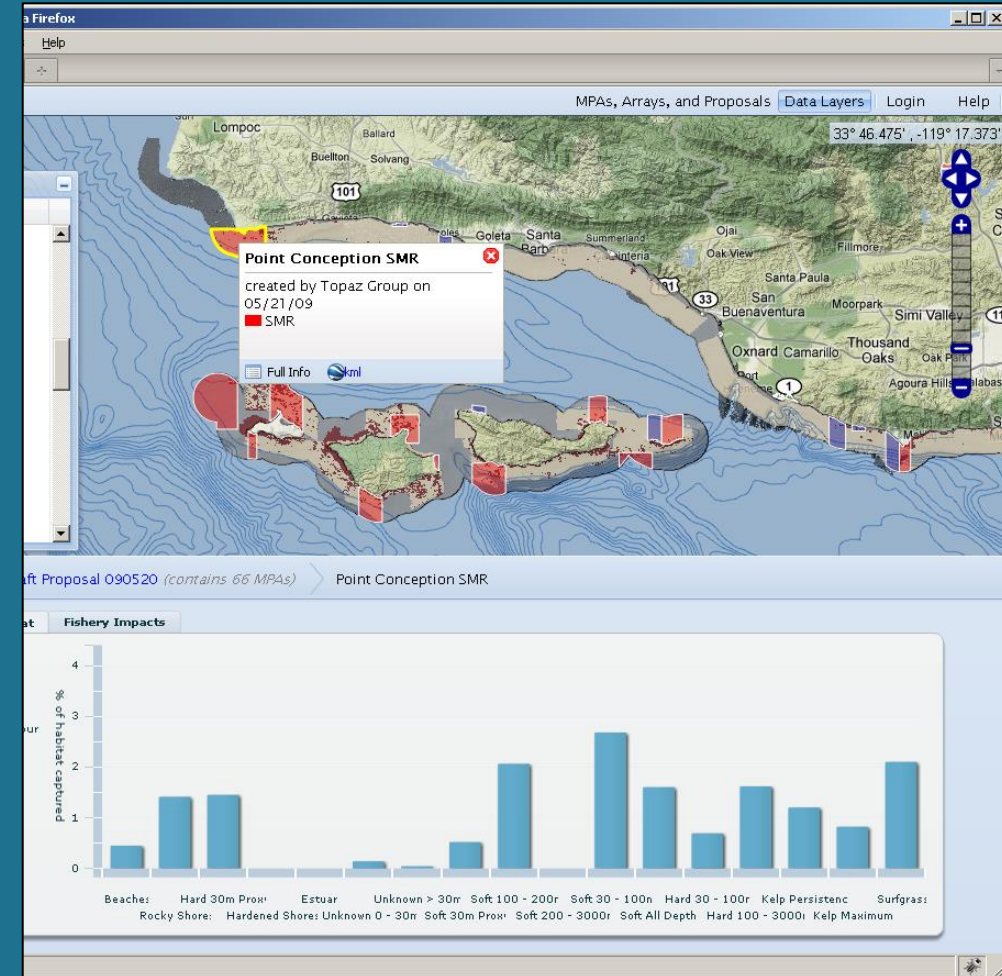
- Compatible with the goals and guidelines of the Marine Life Protection Act (MLPA);
- Help advance one or more of the [six goals](#) of the MLPA;
- Garner strong community support; and/or
- Advance adaptive management recommendations under the cornerstones of MPA governance, MPA Management Program activities, and MPA Network Performance outlined in [DMR Table 6.1](#) to ensure that petitions meet MPA management priorities.

- Considerations to help guide:
 - (1) petition development and
 - (2) CDFW review
- e.g.
 - Support MLPA goal(s)
 - Advance DMR recommendations
 - Account for original design considerations



3. Provide Historical Documents

- Regional MPA planning process records
- Available upon request
-  NGO re-uploaded to Google Drive
- Petitioners: Highlight how proposed changes relate to MPA's original intent/objectives





4. Evaluate Petitions - Approach

- CDFW will evaluate referred petitions
 - Assisted by Considerations
 - Evaluate collectively
- CDFW recommendations discussed at Marine Resources Committee (MRC)



Wonderlane

MPA Petition Process



Timeline for MPA Petitions

November 30, 2023	SUBMIT PETITIONS: Written comments deadline is *preferred* due date
December 12-13, 2023	RECEIPT at Commission meeting
February 14-15, 2024	ACTION at Commission meeting – Commission may <i>grant</i> , <i>deny</i> , or <i>refer</i> for CDFW review
March, July, and/or November 2024 (TBD)	MRC discussion when CDFW evaluations are ready
TBD	Commission receipt/action of MRC and CDFW recommendations

Final Notes...



- Commission will consider all petitions received after December 2023 meeting, but timing is TBD
- Staff is exploring options for tribal outreach beyond Commission's Tribal Committee



Jen Savage

Questions??

