



Tracking Number: (2023-25MPA)

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: Burton Miller, Catalina MPA Collaborative Co-Chair

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: Authority cited: 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.

3. Overview (Required) - Summarize the proposed changes to regulations: The following proposed changes are regarding MPAs on Catalina Island:

- a. **Blue Cavern Onshore SMCA.** The proposal is to change the current SMCA (No-Take) purple color coding to match the SMR red color coding for simplicity and reduced confusion for public outreach and education regarding no-take zones. The proposed change received full consensus at the Catalina MPA Collaborative meeting on June 30, 2023 (provided that all current maintenance and access activities remain allowed) and can be found on the MPA Collaborative Vetted Regulation Recommendations document [here](#) in Row 139.
- b. **Casino Point SMCA (1):** The proposal is to remove the allowance for feeding fish. The proposed change received full consensus at the Catalina MPA Collaborative meeting on June 30, 2023 and can be found on the MPA Collaborative Vetted Regulation Recommendations document [here](#) in Row 143.



- c. **Casino Point SMCA (2):** The proposal is to change the current SMCA (No-Take) purple color coding to match the SMR red color coding for simplicity and reduced confusion for public outreach and education regarding no-take zones. The proposed change received full consensus at the Catalina MPA Collaborative meeting on June 30, 2023 and can be found on the MPA Collaborative Vetted Regulation Recommendations document [here](#) in Row 144.
- d. **Long Point SMR:** The proposal is to change the type of boundary from a latitude and longitude line to being a certain, specified distance from shore. To maintain overall size, the northeast corner could be trimmed and fitted to the western edge of the offshore boundary to create a standard distance from shore (in a similar fashion to the Arrow Point to Lion Head SMCA). The proposed change received full consensus at the Catalina MPA Collaborative meeting on June 30, 2023 and can be found on the MPA Collaborative Vetted Regulation Recommendations document [here](#) in Row 141.
- e. **Lover's Cove SMCA:** The proposed change is regarding the Lover's Cove SMCA. The proposal is to remove the allowance for feeding fish. The proposed change received full consensus at the Catalina MPA Collaborative meeting on June 30, 2023 and can be found on the MPA Collaborative Vetted Regulation Recommendations document [here](#) in Row 142.

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

- a. **Blue Cavern Onshore SMCA.** MPA Collaborative members witness the use of fishing and use of hoop nets close to shore at Big Fisherman Cove, as well as poaching at Yellowtail Point and Bird Rock. The change in color-coding would create consistency with the red no-take zone labels already in place for the SMR and assist with simplified public outreach and education. As stated above, the color change has consensus from the Catalina MPA Collaborative provided that all current maintenance and access activities remain allowed.
- b. **Casino Point SMCA (1):** The recreational feeding of fish in the SMCA goes against the intent of the MLPA. Fish become acclimated to the availability of food in this particular habitat which affects their behavior. Fish are prone to becoming more aggressive which presents a public safety issue as fish can bite. As stated above and as outlined in the MPA Collaborative Regulation Recommendations document, the recommendation achieved consensus from the Catalina MPA Collaborative.
- c. **Casino Point SMCA (2):** The change in color-coding would create consistency with the red no-take zone labels already in place for the SMR and will assist with simplified public outreach and education. As stated above, the color change has consensus from the Catalina MPA Collaborative.
- d. **Long Point SMR:** Trolling through the MPA occurs and it is a misconception of the fishing community that the MPA only occurs close to shore. The outreach to trollers would be simplified and clarified if the boundary was a specified distance that would not



require advanced navigation techniques such as referencing latitude and longitude. As stated above, the change achieved consensus from the Catalina MPA Collaborative.

- e. **Lover’s Cove SMCA:** The recreational feeding of fish in the SMCA goes against the intent of the MLPA. Fish become acclimated to the availability of food in this particular habitat which affects their behavior. Fish are prone to becoming more aggressive which presents a public safety issue as fish can bite. As stated above and as outlined in the MPA Collaborative Regulation Recommendations document, the recommendation achieved consensus from the Catalina MPA Collaborative.

SECTION II: Optional Information

5. **Date of Petition:** 11/30/2023
6. **Category of Proposed Change**
- Sport Fishing
 - Commercial Fishing
 - Hunting
 - Other, please specify: MPAs, Section 632.
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): [Westlaw regulations](#).
 - 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: Although not urgent, the requested changes should be implemented as soon as reasonably practicable.
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: No additional documentation.
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:
- a. **Blue Cavern Onshore SMCA:** It is not believed that this change will have any economic or fiscal impact.



- b. **Casino Point SMCA (1):** Snorkeling and SCUBA diving are robust recreational activities in the Casino Point SMCA and it is believed that there would not be an impact to these activities, as people will enjoy wildlife viewing whether or not they are able to feed fish.
- c. **Casino Point SMCA (2):** It is not believed that the proposed change would have any economic or fiscal impact.
- d. **Long Point SMR:** It is not believed that there would be an economic or fiscal impact as a result of this change.
- e. **Lover’s Cove SMCA:** Multiple passenger vessels used for tourism purposes sell fish food in the form of “food torpedoes” or other feeding methods. Passengers can purchase the food torpedoes with cash as an upcharge to their wildlife viewing excursion. The fish food torpedo is then triggered by the passenger via button and the food attracts fish to their underwater viewing window. A common line by tour guides is that “the fish you see are larger than others because they are fed all day.” There would be an economic impact in the form of passenger vessels no longer being able to sell this upcharge.

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

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 _____
- Tracking Number
- Granted for consideration of regulation change