

California Fish and Game Commission Tribal Committee

Meeting Materials

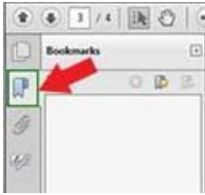


August 13, 2024

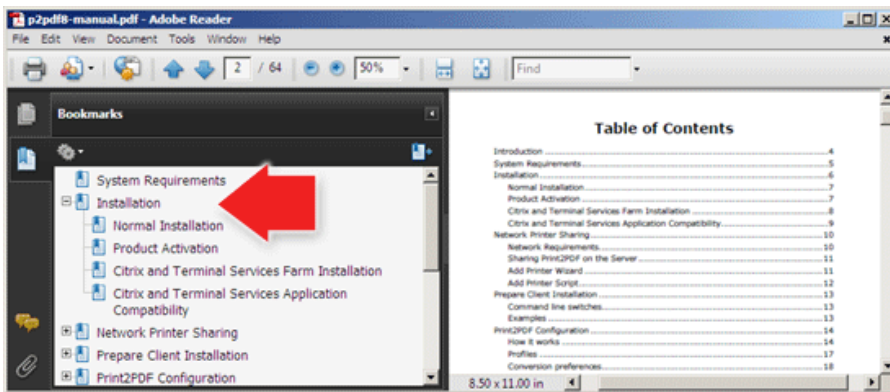
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
EASY GUIDE TO USING THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and numerous supporting documents in the binder. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line  located between the panels and using a long click /tap to move in either direction.
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Upon locating a staff summary for an agenda item, notice that you can obtain more information by clicking/tapping on any item underlined in blue.
8. Return to the staff summary by simply clicking/tapping on the item in the bookmark panel.
9. Do not hesitate to contact staff if you have any questions or would like assistance.

Overview of the California Fish and Game Commission Tribal Committee Meeting

- Welcome to this meeting of the California Fish and Game Commission Tribal Committee. The Committee is comprised of up to two Commissioners who co-chair each meeting; members are assigned annually by the Commission. Currently the Tribal Committee is chaired by Commissioner Jacque Hostler-Carmesin.
- Our goal today is informed discussion to guide future decision making and we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under Bagley-Keene Open Meeting Act, but it is important to note that the Committee chair cannot take action independent of the full Commission; instead, the chair makes recommendations to the full Commission at regularly scheduled meetings.
- These proceedings are being recorded and will be posted to our website for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the committee chair.
- Requests for regulatory change must be directed to the full Commission and submitted on the required petition form, FGC 1, available on the Commission website and from staff. However, at the Committee's discretion, it may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.
- Committee meetings operate informally and provide an opportunity for everyone to provide input on agenda items. If you wish to contribute to an agenda item, please follow these guidelines:
 1. Raise your hand and wait to be recognized by the Committee chair.
 2. Provide your name, affiliation (if any), and the number of people you represent.
 3. Time is limited; please keep your contribution precise to give others time to speak.
 4. If several speakers have similar ideas or concerns, please appoint a group spokesperson.
 5. If speaking during general public comment, the subject matter you present should not be related to any item on the current agenda (public input on agenda items will be taken at the time the Committee discusses each item).

Introductions for the California Fish and Game Commission Tribal Committee Meeting

Commissioners

Jacque Hostler-Carmesin Chair

Commission Staff

Melissa Miller-Henson Executive Director
Sam Blacklock Tribal Advisor and Liaison
Susan Ashcraft Marine Advisor
Ari Cornman Wildlife Advisor
David Haug Regulatory Analyst

California Department of Fish and Wildlife

Scott Gardner Branch Chief, Wildlife Branch
Jay Rowan Branch Chief, Fisheries Branch
Craig Shuman Regional Manager, Marine Region
Sarah Fonseca Department Tribal Liaison, Office of Justice, Equity, Diversity
and Inclusion
Chris Stoots Captain, Law Enforcement Division
Samara Maxey Marine Region Tribal Coordinator and Liaison

Commissioners

Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
McKinleyville
Eric Sklar, Member
Saint Helena
Darius W. Anderson, Member
Kenwood

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

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Tribal Committee

Committee Chair: Commissioner Hostler-Carmesin

Meeting Agenda

August 13, 2024; 1:30 p.m.

**River Lodge Conference Center
1800 Riverwalk Drive
Fortuna, CA 95540**

and

Webinar and Phone

To participate in the meeting remotely, you may join the webinar directly at <https://wildlife-ca-gov.zoom.us/j/82097580686>. For complete instructions on how to join via Zoom or telephone, [click here](#) or visit fgc.ca.gov/meetings/2024.

- Notes:** (1) See important meeting deadlines and procedures, including written public comment deadlines, starting on page 5.
- (2) Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department.
- (3) All agenda items are informational and/or discussion only. The Committee develops recommendations to the Commission but does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to Order

1. Approve agenda and order of items

2. Co-management roundtable

Discuss tribal co-management initiatives and projects planned or underway in collaboration with public agencies and California tribes. Tribal representatives are invited to share their co-management interests and experiences.

Exhibit 2.1: Adopted co-management vision statement and definition

3. Commission policies review

Receive update on planning and coordination for review of Commission policies, with five policies under review (code of conduct, fish planting in youth camps, youth fishing programs, research, and naming installations).

Exhibit 3.1: Naming installations policy with potential edits, dated December 2023

Exhibit 3.2: Commission policies on code of conduct, fish planting in youth camps, youth fishing programs, and research

4. Tribal subsistence definition and related management mechanisms

Receive and discuss outcomes from the December 2023 Tribal Committee and Commission meetings discussions about how the tribal subsistence definition workgroup will advance its efforts in the near future.

5. Marine protected area (MPA) regulation change petition evaluation process

Discuss the approach to reviewing and evaluating public petitions for MPA regulation changes following the decadal management review of the MPA network and management program, as underway by the Commission Marine Resources Committee.

Exhibit 5.1: MPA decadal management review recommendations table, dated July 20, 2024

Exhibit 5.2: Department memo with proposed MPA petition evaluation framework memo, received April 4, 2024

Exhibit 5.3: Department presentation of proposed MPA petition evaluation framework, dated March 19, 2024

Exhibit 5.4: Department memo with draft proposed phase 1 categorization of MPA petitions, dated June 27, 2024

Exhibit 5.5: Department presentation of draft phase 1 proposed “bins” for MPA petitions, dated July 27, 2024

6. Annual tribal planning meeting

Discuss timing and format of next annual tribal planning meeting.

Exhibit 6.1: Summary of July 20, 2022 Commission Annual Tribal Planning meeting

Exhibit 6.2: *Commission Tribal Consultation Policy*

7. Staff and agency updates

Receive updates from staff and other agencies, including current topics on the work plan for which the Committee has requested an update.

(A) ***Department***

I. *Department Tribal Liaison*

a. Western Joshua Tree Conservation Act implementation

b. Grant opportunities

Exhibit 7.1: *Informational item*, update from the Department Tribal Liaison on the Western Joshua Tree Conservation Act implementation, draft bighorn sheep conservation and management plan, and grant funding opportunities.

- II. *Law Enforcement Division*
- III. *Wildlife and Fisheries Division*
- IV. *Marine Region*
 - a. Red abalone recovery plan
 - b. Commercial harvest of sea palm

Exhibit 7.2: *Informational item*, update on the status of recreational barred sand bass regulations and commercial red sea urchin regulations.

(B) **Staff**

- I. Wildlife Resources Committee
Exhibit 7.3: WRC work plan, revised August 2, 2024
- II. Marine Resources Committee
Exhibit 7.4: MRC work plan, revised August 7, 2024
- III. Justice, equity, diversity and inclusion plan
- IV. Commission rulemakings, petitions and other pending actions
Exhibit 7.5: Commission perpetual timetable for rulemaking, dated August 5, 2024
Exhibit 7.6: Commission August 14-15, 2024 meeting agenda

8. **Future agenda items**

(A) ***Review work plan agenda topics and timeline***

Exhibit 8.1: TC work plan, revised June 20, 2024

(B) ***Potential new agenda topics for Commission consideration***

9. **General public comment for items not on the agenda**

Receive public comment regarding topics within the Commission's authority that are not included on the agenda. Note: The Commission may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting (sections 11125 and 11125.7(a), Government Code).

Adjourn

California Fish and Game Commission Meeting Schedule

Note: As meeting dates and locations can change, visit www.fgc.ca.gov/meetings for the most current list of dates and locations.

Meeting Date	Commission Meeting	Committee Meeting
August 14-15, 2024	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540	
September 12, 2024		Wildlife Resources Sacramento area
October 9-10, 2024	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
November 7, 2024		Marine Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 10, 2024		Tribal Sacramento area
December 11-12, 2024	Sacramento area	
January 15, 2025		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
February 12-13, 2025	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
March 13, 2025		Marine Resources Sacramento area
April 15, 2025		Tribal California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
April 16-17, 2025	Sacramento area	
May 14, 2025	Teleconference	

Meeting Date	Commission Meeting	Committee Meeting
May 15, 2025		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
June 18-19, 2025	California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	

Other Meetings of Interest

Meetings listed in this section are organizations for which the Commission: (1) is a member, or (2) takes action based upon regulations developed by that organization.

[Association of Fish and Wildlife Agencies](#)

- September 22-25, 2024 – Madison, WI

[Pacific Fishery Management Council](#)

- September 18-24, 2024 – Spokane, WA
- November 13-19, 2024 – Costa Mesa, CA
- March 5-11, 2025 – Vancouver, WA
- April 9-15, 2025 – San Jose, CA

[Pacific Flyway Council](#)

- August 30, 2024 – Jackson, WY

[Western Association of Fish and Wildlife Agencies](#)

- December 3-5, 2024 – WY
- June 2-6, 2025 – Provo, UT

[Wildlife Conservation Board](#)

- August 22, 2024 – Sacramento, CA
- November 21, 2024 – Sacramento, CA

Important Committee Meeting Procedures Information

Welcome to a meeting of the California Fish and Game Commission Tribal Committee!

The committee is composed of and chaired by up to two commissioners; these assignments are made by the Commission each year.

The goal of the Tribal Committee is to allow greater time to investigate issues before the Commission than would otherwise be possible. Committee meetings are less formal in nature and provide for additional access to the Commission. The committee follows the noticing requirements of the Bagley-Keene Open Meeting Act. It is important to note that the committee chairs cannot take action independent of the full Commission; instead, the chairs make recommendations to the Commission at regularly scheduled meetings.

The Commission's goal is preserving our outdoor heritage and conserving our natural resources through informed decision-making; committee meetings are vital in developing recommendations to help the Commission achieve that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

Persons with Disabilities

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Department's Civil Rights Office (CRO) [formerly the Equal Employment Opportunity Office] at (916) 653-9089 or CRO@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility and requests for American Sign Language Interpreters should be submitted at least two weeks prior to the event. Requests for real-time captioners should be submitted at least four weeks prior to the event. The timeframes are to help ensure that the requested accommodation is met. If a request for an accommodation has been submitted but is no longer needed, please contact the CRO Office immediately.

Stay Informed

To receive meeting agendas about those subjects of interest to you, visit the Commission's website, www.fgc.ca.gov, to sign up on our electronic mailing lists.

Submitting Written Comments

The public is encouraged to attend committee meetings and engage in the discussion about items on the agenda; the public is also welcome to comment on agenda items in writing. You may submit your written comments by one of four methods (only one is necessary): **Email** to fgc@fgc.ca.gov; **mail** to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; **deliver** to California Fish and Game Commission, 715 P Street, 16th floor, Sacramento, CA 95814; or **hand-deliver** to a committee meeting.

Comment Deadlines

The ***Written Comment Deadline*** for this meeting is **5:00 p.m. on Wednesday, August 31, 2024**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The ***Supplemental Comment Deadline*** for this meeting is **noon on Thursday, August 8, 2024**. Comments received by the deadline will be made available to commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting. Please bring **six** copies of written comments to the meeting and give them to the designated staff member just prior to speaking.

*The Committee **will not** consider comments regarding proposed changes to regulations that have been noticed by the Commission. If you wish to provide comment on a noticed item, please provide your comments during Commission business meetings, via email, or deliver to the Commission office.*

Note: Materials provided to the committee may be made available to the general public.

Petitions for Regulation Change

As a general rule, requests for regulation changes must be directed to the Commission and submitted on the required petition form, FGC 1, *Petition to the California Fish and Game Commission for Regulation Change* (Section 662, Title 14, California Code of Regulations). However, at the committee's discretion, the committee may request that staff follow up on items of potential interest to the committee and possible recommendation to the Commission.

Speaking at the Meeting

Committee meetings operate informally and provide opportunity for everyone to engage in the dialogue on agenda items. If you wish to speak about an item, please follow these guidelines:

- You will be given instructions during the meeting for how to be recognized by the committee co-chair(s) to speak.
- Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
- Time is limited; please keep your contributions concise so that everyone has an opportunity to speak.
- If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive dialogue.
- If speaking during general public comment for items not on the agenda, the subject matter you present should not be related to any item on the current agenda (discussion of agenda items will take place at the time the committee members consider that item). As a general rule, general public comment is an opportunity to bring matters to the attention of the committee, but you may also do so via email, standard mail, or delivery to the Commission office. At the discretion of the committee, staff may be requested to follow up on the subject you raise.

Visual Presentations/Materials

All electronic presentations must be submitted by the **Written Comment Deadline** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email to fgc@fgc.ca.gov. If you cannot send your presentation via email due to size, please contact Commission staff to arrange another method.
2. All electronic formats must be Windows PC compatible.

California Fish and Game Commission
Co-Management Vision Statement and Definition

February 2020

Vision Statement

The vision of tribes, the California Fish and Game Commission, and the California Department of Fish and Wildlife is to engage in a collaborative effort between sovereigns to jointly achieve and implement mutually agreed upon and compatible governance and management objectives to ensure the health and sustainable use of fish and wildlife.

Definition

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.

California Fish and Game Commission

Potential Modifications to the Commission Naming Installations Policy

December 10, 2023

The Commission Naming Installations Policy is numbered 4.13 for tracking during the 2023-24 Commission policies review process. This document proposes changes to the policy for discussion and feedback at the December 2023 Commission meeting.

The Commission has expressed concerns regarding its existing Naming Installations Policy providing an exception for naming a marine protected area (MPA) after an individual; the over 70-year-old policy was amended in 2012 to allow the exception. Currently, there are three MPAs named after individuals: Lovers Point-Julia Platt State Marine Reserve, Edward F. Ricketts State Marine Conservation Area, and Robert W. Crown State Marine Conservation Area.

Additionally, the Commission has stated the importance of its policies taking into consideration tribal and justice, equity, diversity and inclusion values. The Naming Installations Policy currently does not recognize that, when Europeans arrived, specific geographies already had names established by Native Americans in what is now known as California and off its shores.

For naming purposes, the Commission is directly involved in naming protected areas when it designates such areas: state wildlife areas, ecological reserves, and marine protected areas. The Commission does not have a direct role in establishing, purchasing or naming refuges (established by the California State Legislature), fish hatcheries, vessels, and other installations owned or managed by the Department.

Potential revisions to the policy could include: (1) removing the MPA naming exception; (2) adding a provision to consider, in collaboration with local tribes, tribal placenames when naming or renaming installations, including MPAs; and (3) revising the policy title to reflect proposed policy language focused on protected areas.

If the Commission moves forward with removing the option to name MPAs after individuals, the Commission may wish to specify how to address the three MPAs currently named after an individual. For example, they could be renamed immediately, allowed to remain named as they are, or, if the MPA is renamed, a nearby structure or facility could be named in honor of the individual.

If the Commission moves forward with using tribal placenames, the Commission may wish to consider whether or not a western geographic name might also be referenced to maximize public understanding of where the MPA is located. If a western name is included, the Commission may wish to provide direction regarding a standardized format (e.g., tribal name MPA at western geographic location) and whether to apply the same standard to Kashtayit State Marine Conservation Area and Matlahuayl State Marine Reserve.

Potential revisions are being presented at this meeting for discussion purposes; proposed policy revisions based on Commission and public input are expected to be presented at the February 2024 Commission meeting for potential adoption.

Naming Installations Policy with Draft Potential Revisions

Naming Protected Areas Installations Policy

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

- I. ~~No fish hatchery, game refuge, wildlife area, ecological reserve, or marine protected area (MPA) or any installation, other than Marine Protected Areas (MPAs), shall be named for any person, living or dead. Installations-Protected areas 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. Traditional tribal placenames for a geographic location shall be considered in collaboration and collaboration with local tribes when naming or renaming any protected area, including MPAs.
- I. ~~The Commission may commemorate an individual by including that individual's name after the geographic name of an 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 wildlife area, ecological reserve, or MPA or any installation of the facilities mentioned above. The Department and the Commission staff shall coordinate their work and efforts in ~~setting up or arranging~~ such dedication ceremonies programs.

(Amended 4/7/1994, and 5/23/2012, 2/xx/2024)

California Fish and Game Commission

Commission Policies Under Review for Potential Revisions

April 5, 2024

The California Fish and Game Commission is inviting comments on, and proposed revisions to, four policies currently under review: *Code of Conduct*, *Planting Fish in Youth Camps*, *Youth Fishing Programs*, and *Research*. The policies are being reviewed as part of a broader, multi-year effort initiated in December 2022 to review and consider revisions to all the Commission's policies, including "with a justice, equity, diversity and inclusion lens and a tribal lens."

This document contains existing language for the four policies currently under review. A fifth policy (*Naming Installations*) was previously identified for review; Commission staff, with input from the California Department of Fish and Wildlife, has identified potential revisions to the policy, which are available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=222127>. The Commission also seeks input on the proposed revisions to the *Naming Installations Policy*.

Additional details about the Commission's policy review process is available on the Commission website at <https://fgc.ca.gov/meetings/2024> in the meeting documents for the April 2024 (Agenda Item 6) and February 2024 (Agenda Item 12) Commission meetings.

Comments, suggestions and questions may be sent to fgc@fgc.ca.gov or to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090.

Code of Conduct

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

1. A commissioner shall faithfully discharge the duties, responsibilities, and quasi-judicial actions of the commission.
2. A commissioner shall conduct his or her affairs in the public's best interest, following principles of fundamental fairness and due process of law.
3. A commissioner shall conduct his or her affairs in an open, objective, and impartial manner, free of undue influence and the abuse of power and authority.
4. A commissioner understands that California's wildlife and natural resources programs require public awareness, understanding, and support of, and participation and confidence in, the commission and its practices and procedures.
5. A commissioner shall preserve the public's welfare and the integrity of the commission, and act to maintain the public's trust in the commission and the implementation of its regulations and policies.
6. A commissioner shall not conduct himself or herself in a manner that reflects discredit upon state laws or policies, regulations, and principles of the commission.
7. A commissioner shall not make, participate in making, or in any other way attempt to use his or her official position to influence a commission decision in which the member has a financial interest.

(Adopted 3/6/2013)

Planting Fish in Youth Camps

It is the policy of the Fish and Game Commission that: The Department may plant fish in suitable waters at certain youth camps. Such camps must be operated primarily for underprivileged or disabled children or youth, with most costs of supporting a child at camp not paid by the children or their families. The Department shall report in writing annually to the Commission on the program. If a conflict exists between this policy and the salmon and steelhead or trout policies, the latter policies prevail.

(Amended 5/4/04)

Youth Fishing Programs

The Department is supportive of youth fishing programs sponsored by city, county or other public entities. Through its urban fishing program, the Department will combine fisheries resource management with educational services to develop healthy urban fisheries, and provide young people with an opportunity to fish close to home. Fish planted for such programs may be obtained from State hatcheries.

(Amended 5/14/93)

Research

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

1. Research, including the investigation of disease, shall be performed to provide scientific and management data necessary to promote the protection, propagation, conservation, management or administration of fish and wildlife resources of this state when such data is not available by other means.
2. Whenever possible and advantageous, the services of the University of California or other academic or research institutions, or federal, state or local agencies shall be used.
3. The Department shall review the following information, which must be clearly stated in any proposed research programs: (a) goals and objectives of proposed research, including benefits to be derived from such research; (b) pertinent background information, including a literature review which supports this research; (c) experimental design, including methods of data collection and analysis; (d) estimated cost of program; (e) its estimated duration; and (f) how results will be presented to the Department. The provisions of this paragraph shall not extend to emergency investigations of disease.
4. The Department shall report regularly to the Commission on the status of major research programs in progress.

(Amended 6/16/1994)



Marine Protected Area Decadal Management Review Report: Prioritized Recommendations

The [first comprehensive decadal management review](#) (Review) of California's Marine Protected Area (MPA) Network and Management Program included a suite of 28 recommendations ([Table 6.1](#)) to guide adaptive management of the MPA Network. The recommendations were developed from a wide range of sources, including California Native American Tribes, core partners, the fishing community, the public, and existing reports. Following the release of the Review in January 2023, the California Department of Fish and Wildlife (CDFW) and the California Fish and Game Commission (CFGC) hosted several public meetings from March through April 20, 2023, to discuss the adaptive management recommendations included in the Review. More than 100 entities or individuals provided several hundred distinct comments over that period. The comments were carefully reviewed and linked to the 28 recommendations and their associated action items. Feedback was provided by a diverse suite of voices, including California Native American Tribes, government agencies, the fishing community, non-governmental organizations, MPA researchers, and individual members of the public.

To forge a path forward, the CFGC requested at their April meeting that CDFW review the recommendations and corresponding management actions in [Table 6.1](#) of the Review, along with public recommendations submitted and presented, to propose near- and long-term priorities and associated tradeoffs, for discussion and guidance for next steps at the July 20 Marine Resources Committee (MRC) meeting. While all 28 recommendations in [Table 6.1](#) remain important, the tables below prioritize recommendations based on 1) identified need, 2) expected timeframe, 3) input received, and 4) level of information and resources that are available to advance recommendations. This approach will help focus the work of CDFW, CFGC, Tribes, and partners to implement the recommendations to achieve near-term, mid-term, and long-term priorities.

The MRC discussed and finalized the prioritized list of recommendations in [Table 6.1](#) at their [July 20, meeting](#). Recommendation 25 was moved from mid-term to near-term, and CFGC requested CDFW place initial focus on developing a proposed petition review process for implementing Recommendation 4. For more information about upcoming CFGC meetings, [visit this webpage](#).

Prioritization tables in order of expected timeframe: 1) Near-term Priorities, 2) Mid-term Priorities, and 3) Long-term Priorities.

1) Near-term Priorities (Ongoing – 2 Years)

Cornerstone	Category	Recommendation
Governance	Tribal Coordination	01. Improve state agencies' tribal engagement and relationship building efforts
Governance	Regulatory and Review Framework	04. Apply what is learned from the first Decadal Management Review to support proposed changes to the MPA Network and Management Program
Governance	Justice, Equity, Diversity, and Inclusion	07. Expand targeted outreach and education materials and events to under-represented user groups.
Governance	MPA Statewide Leadership Team and Partner Coordination	09. Continue to coordinate and collaborate with OPC and other agencies on California's ocean and coastal priorities to enhance coastal biodiversity, climate resiliency, human access and use, and a sustainable blue economy.
Governance	MPA Statewide Leadership Team and Partner Coordination	10. Improve partnership coordination across the four pillars of the MPA Management Program.
Management Program	Research and Monitoring	11. Update the MPA Monitoring Action Plan framework to improve and sustain a cost-effective long-term monitoring program, including guidelines to ensure monitoring consistency and sustainable funding.
Management Program	Outreach and Education	16. Conduct more targeted outreach to specific audiences to connect stakeholders with coastal resources and to encourage stewardship and compliance with regulations.

Management Program	Policy and Permitting	17. Improve the application and approval process for scientific collecting permits.
Management Program	Policy and Permitting	18. Utilize OPC's Restoration and Mitigation Policy to develop a framework to evaluate and approve appropriate restoration and mitigation actions within MPAs and MMAs.
Management Program	Enforcement and Compliance	20. Increase enforcement capacity.
Management Program	Enforcement and Compliance	21. Enhance MPA citation record keeping and data management.
Network Performance	Climate Resilience and Adaptation	25. Develop and implement climate change research and monitoring priorities and metrics for California's MPA Network.
Network Performance	Fisheries Integration and Other Influencing Factors	27. Improve understanding of MPA Network effects on fisheries and fish stock sustainability and further integrate MPA monitoring data into fisheries management.

2) Mid-term Priorities (2 – 5 years)

Cornerstone	Category	Recommendation
Governance	Tribal Coordination	02. Create a clear pathway to tribal MPA management
Governance	Tribal Coordination	03. Build tribal capacity to participate in MPA management activities
Governance	Justice, Equity, Diversity, and Inclusion	06. Include and fund more diverse researchers and stakeholders in research and monitoring projects that directly contribute to the MPA Monitoring Program.
Governance	Justice, Equity, Diversity, and Inclusion	08. Evaluate the accessibility of MPAs to various community groups.

Management Program	Research and Monitoring	12. Invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda.
Management Program	Research and Monitoring	13. Explore the use of innovative technologies such as remote sensing, drones, and eDNA, to enhance and streamline traditional monitoring projects.
Management Program	Research and Monitoring	14. Develop a comprehensive community science strategy for MPAs and better utilize community science to supplement core monitoring programs.
Management Program	Outreach and Education	15. Evaluate outreach needs, assess effectiveness of resources, identify, and pursue the most impactful and cost-efficient outreach tools for increasing MPA awareness and compliance.
Management Program	Enforcement and Compliance	22. Increase information gathering regarding MPA violation prosecutions and judicial outcomes.
Network Performance	MPA Network Design	23. Expand and target monitoring and research efforts to examine the design attributes of the MPA Network more effectively.
Network Performance	Climate Resilience and Adaptation	26. Consider climate change impacts from the outset of planning for monitoring MPA human dimensions.
Network Performance	Fisheries Integration and Other Influencing Factors	28. Further integrate influencing factors into ecological and human study designs and interpretations of MPA performance.

3) Long-term Priorities (5 – 10 years)

Cornerstone	Category	Recommendation
Governance	Regulatory and Review Framework	05. Establish targets for meeting the goals of the MLPA and how the Management Program and Network will evolve as targets are met
Management Program	Enforcement and Compliance	19. Create and implement a cohesive and actionable MPA Enforcement Plan.
Network Performance	MPA Network Design	24. Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

Memorandum

Date: April 2, 2024

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

From: Charlton H. Bonham
Director

Subject: Proposed Marine Protected Area Petition Evaluation Process and Timeline

At their February 14-15, 2024, meeting, the California Fish and Game Commission (CFGF) referred 20 Marine Protected Area (MPA) regulation change petitions to the California Department of Fish and Wildlife (CDFW) for review, evaluation, and recommendation. In addition, the CFGF requested CDFW develop a proposed approach to evaluate the petitions to discuss at the Marine Resources Committee (MRC) meeting on March 19, 2024. After discussion and input from interested stakeholders, the MRC recommended approval of CDFW's proposed 3-phase approach to evaluate MPA petitions. The proposed approach is briefly described below and in the enclosed presentation that was provided to the MRC on March 19, 2024.

Proposed 3-Phase Approach to MPA Petition Evaluation

Phase 1: Petitions will be categorized into two bins using the criteria outlined below to determine which petitions can be evaluated in the near-term and which petitions will require additional policy guidance, information, and/or resources prior to evaluation.

- **Bin 1 petitions:** Petitions that can be evaluated in the *near-term* must meet all the following criteria:
 - Policy direction not needed for next phases.
 - Within CFGF authority.
 - Immediate evaluation possible.
 - Limited clarification needed from petitioner.
 - Limited controversy anticipated.

- **Bin 2 petitions:** Petitions that do not meet all the above criteria will be categorized into Bin 2. The analysis of these petitions will be more complex as they will require additional policy guidance, information, and/or resources before they can be evaluated. Due to the complexity of these petitions, these will be evaluated in the *longer term*.

Melissa Miller-Henson, Executive Director
Fish and Game Commission
April 2, 2024
Page 2

Phase 2: Separate all Bin 1 petitions into individual actions and proceed to phase 3. Separate Bin 2 petitions into individual actions and identify additional policy guidance, information, and/or resources that are necessary to advance individual actions to phase 3.

Phase 3: Adaptive management evaluation and recommendations. Apply the evaluation framework approved by the CFGC to each petition action. The process will identify which petitions, and/or actions within each petition, would be recommended to be granted, denied, or considered through an alternative pathway.

Proposed MPA Petition Evaluation Anticipated Timeline

- **March-April 2024: Development of Evaluation Framework**
 - Receive and discuss proposed 3-phase evaluation process at the March 19 MRC and April 17 CFGC meetings.
- **April-August 2024: Phase 1— CDFW Sort Petitions into 2 Bins**
 - Discuss proposed bins at the July 18 MRC and August 14 CFGC meetings.
- **August 2024 and beyond: Phases 2 and 3—Separate petitions into individual actions**
 - Receive guidance on Bin 2 actions as needed.
 - Move forward with evaluation on both Bin 1 and 2 actions. Evaluation timelines for Bin 1 and Bin 2 actions will vary.

If you have any questions or need more information, please contact Dr. Craig Shuman, Marine Regional Manager, at (805) 568-1246.

Attachment 1: Proposed Marine Protected Area Petition Evaluation presentation.

Attachment 2: Evaluation Framework

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

Craig Shuman, D. Env., Region Manager
Marine Region

Becky Ota, Environmental Program Manager
Marine Region

Stephen Wertz, Senior Environmental Scientist
Marine Region

Sara Worden, Environmental Scientist
Marine Region

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.

The MRC also received input organized by cornerstone as follows:

- MPA Governance:
 - Simplifies regulatory language or enhances public understanding
 - Addresses inaccuracies or discrepancies in regulations
 - Accounts for regional stakeholder group intent identified during the regional MLPA planning process (including MPA-specific goals/objectives and design considerations)
 - Accounts for CDFW's [MPA design and management feasibility guidelines](#)
 - Advances tribal stewardship and co-management, consistent with the CFGF [Co-Management Vision Statement and Definition](#)
 - Improves access for traditionally underserved or marginalized communities, consistent with the [CFGF Policy on Justice Equity, Diversity and Inclusion](#)
 - Acknowledges socio-economic implications, such as access for consumptive or non-consumptive users
- MPA Management Program Activities:
 - Clearly addresses or identifies scientific need for MPA Network based on best available science and scientific advancement since Network completion
 - Improves compliance and/or enforceability
- MPA Network Performance:
 - Maintains or enhances the protections and integrity of the MPA Network
 - Maintains or enhances habitat and species connectivity
 - Adheres to science guidelines, such as maintaining minimum size and spacing, and protection of diverse habitats
 - Enhances climate resilience and/or helps mitigate climate impacts



Proposed Marine Protected Area Petition Evaluation and Timeline

19 March 2024

Presented to:

Marine Resources Committee
California Fish and Game Commission

Presented by:

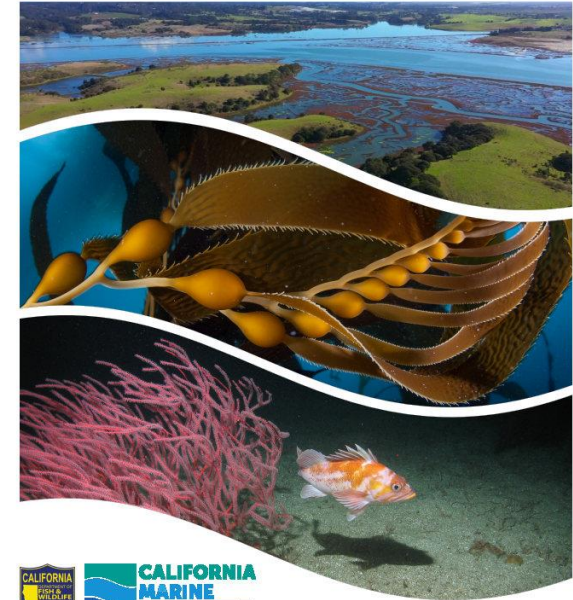
Dr. Craig Shuman
Marine Regional Manager



Petitions for Proposed MPA Network Changes

- CFGC received **20 petitions** to change MPAs at the December 2023 meeting
- At the February 2024 meeting, CFGC **referred all petitions** to CDFW
- **16 individual organizations** submitted petitions
- Petitions include **80+ proposed petition actions**
- **49+ MPAs and special closures affected** by proposals

California's Marine Protected Area Network **DECADAL MANAGEMENT REVIEW**

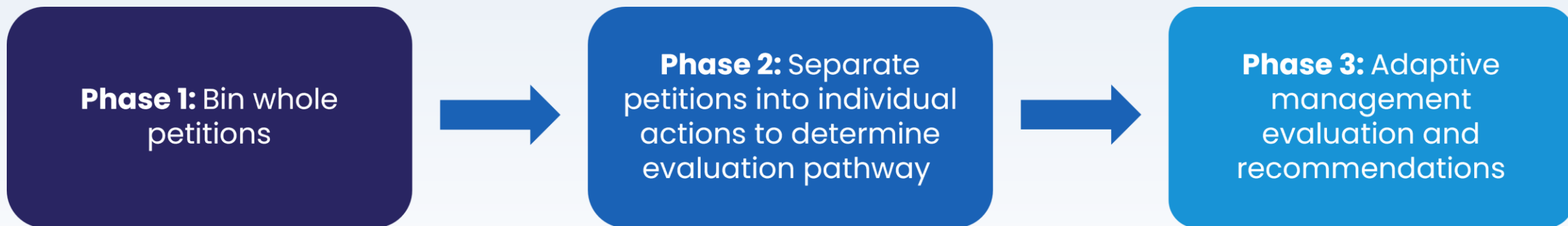


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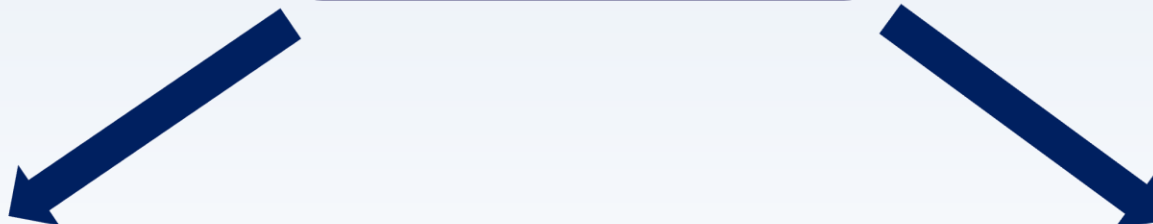
Proposed Petition Evaluation Framework: 3-phase Approach





Phase 1: Bin Whole Petitions

Phase 1:
Bin whole petitions



Bin 1

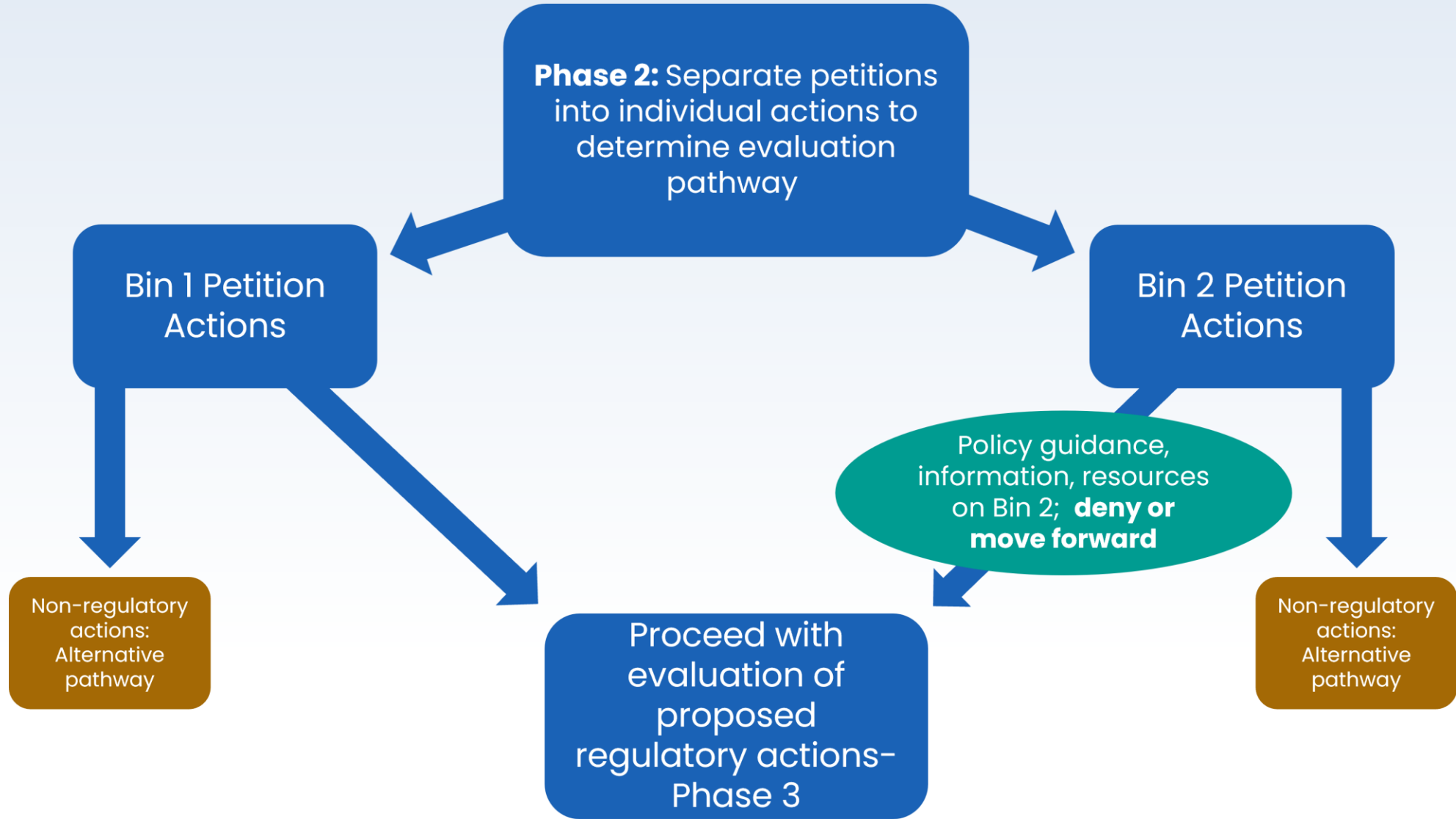
- Policy direction not needed for next phases
- Within CFGC authority
- Immediate evaluation possible
- Limited clarification needed from petitioner
- Limited controversy anticipated

Bin 2

Do not meet criteria for Bin 1

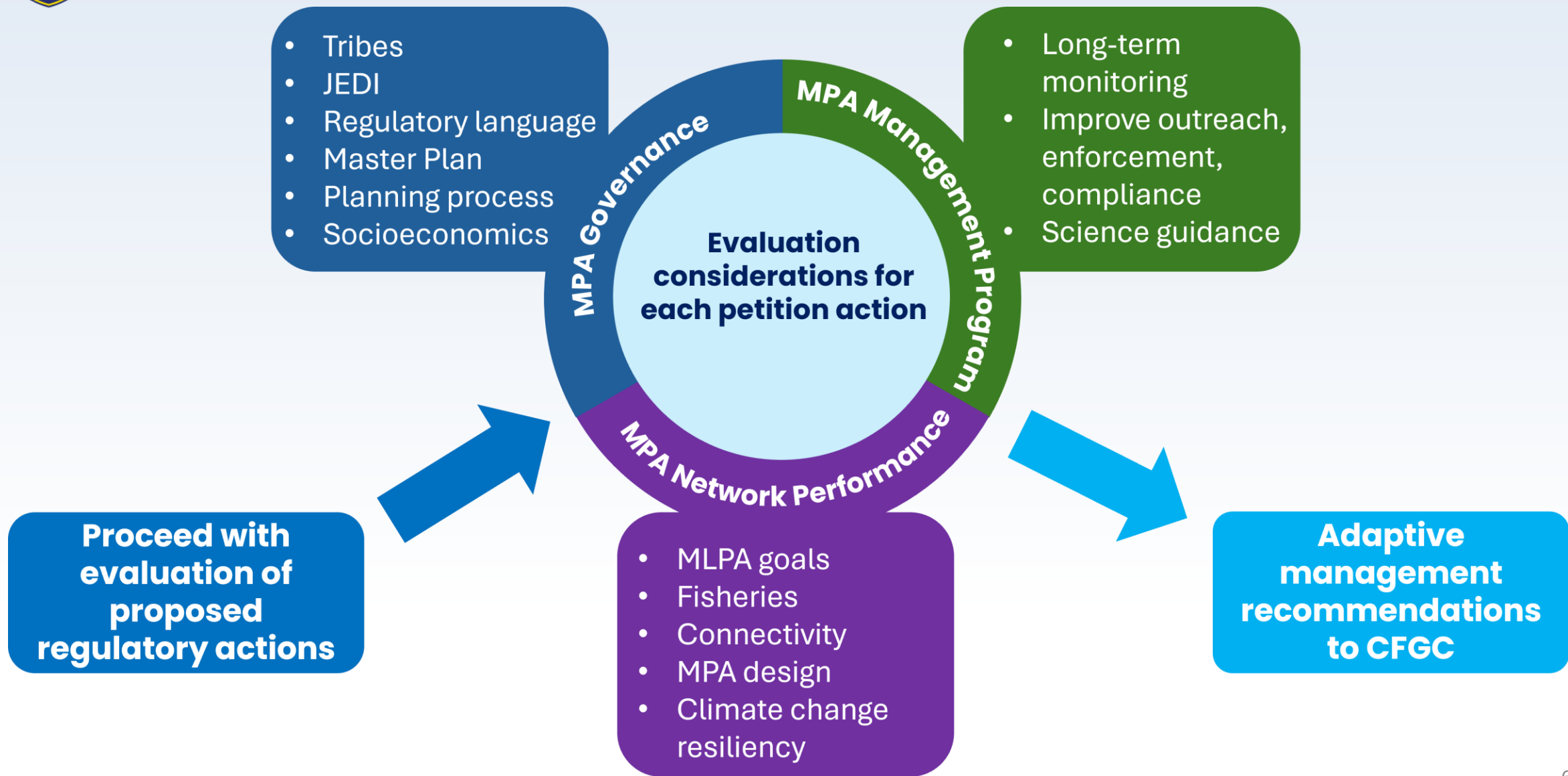


Phase 2: Actions and Evaluation Pathway



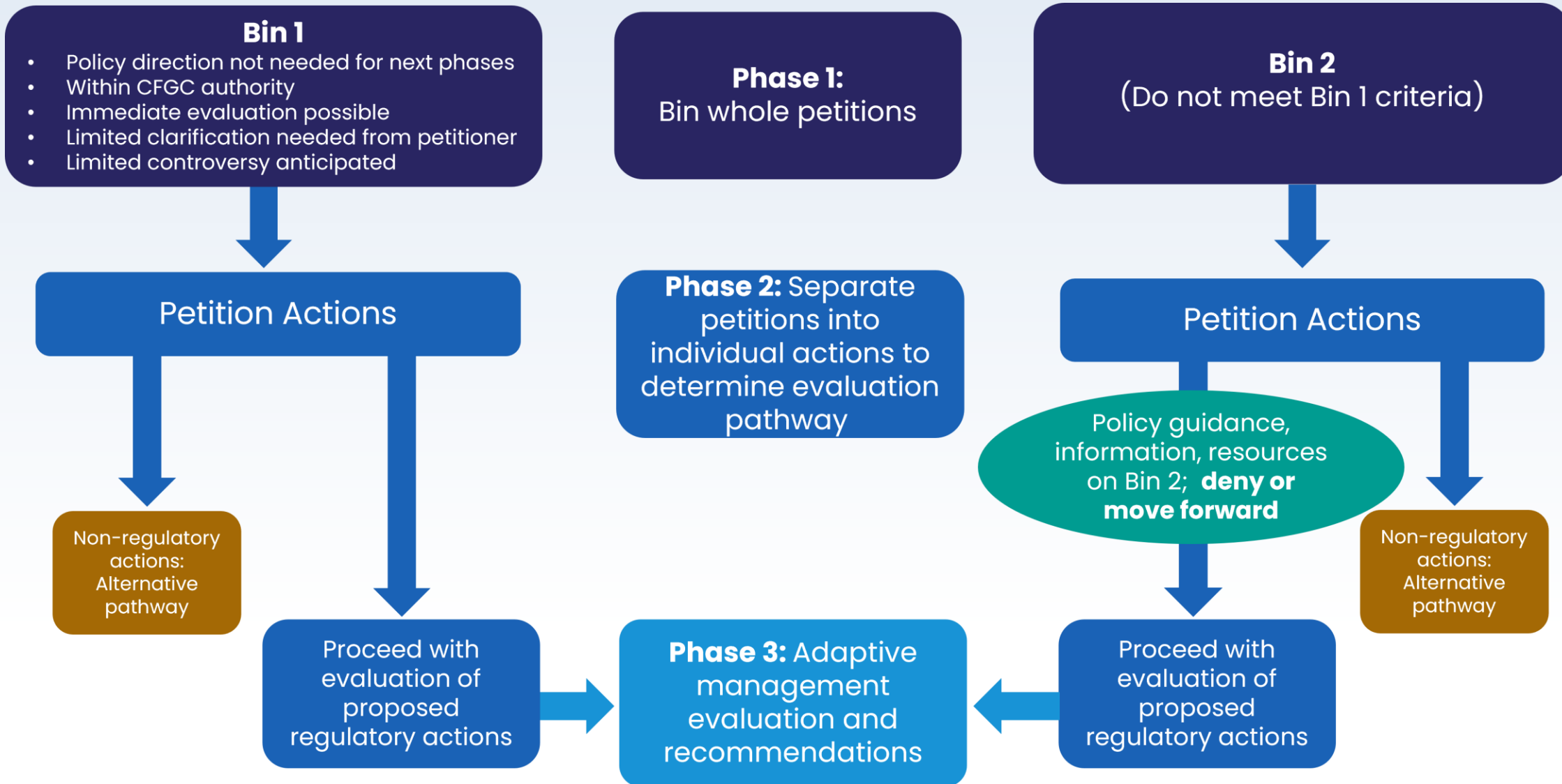


Phase 3: Evaluation Considerations and Recommendations





Proposed Petition Evaluation Framework: Detailed 3-Phase Approach





Proposed MPA Petition Evaluation: Anticipated Timeline

Development of evaluation framework

- MRC and FGC receive and discuss 3-phase evaluation process.
 - MRC: March 19
 - CFGC: April 17

Phase 1: Sort petitions into 2 Bins

- Sort petitions and discuss petitions in Bin 1 and Bin 2.
- MRC July 18
- FGC August 14

Phases 2 and 3: Separate petitions into individual actions, receive guidance on Bin 2 actions as needed, move forward with evaluation.

- Anticipate Bin 1 and 2 evaluation timelines will vary.



Thank You

Questions?

mpamanagementreview@wildlife.ca.gov



Memorandum

Date: June 27, 2024

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

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

Subject: **Draft Proposed Phase 1 Categorization of Marine Protected Area Petitions**

At their February 14-15, 2024 meeting, the California Fish and Game Commission (CFGC) referred 20 MPA petitions received to the California Department of Fish and Wildlife (CDFW) for review, evaluation, and recommendation. In addition, they requested CDFW provide an administrative update at their March 19 Marine Resources Committee (MRC) meeting on the approach to evaluate the petitions. After discussion and input from interested stakeholders, the MRC recommended approval of CDFW's proposed 3-phase approach to evaluate petitions, and the CFGC approved the approach at their April 17 meeting. CDFW has completed Phase 1 of the 3-phase approach and will present the proposed draft binning at the July 17, 2024, MRC meeting.

Phase 1 petitions are categorized into two bins using the criteria outlined in the 3-phase approach to determine which petitions can be evaluated in the near-term (Bin 1) and which petitions will require additional policy guidance, information, and/or resources prior to evaluation (Bin 2). CDFW released the draft Phase 1 outcomes to California Native American tribes and the public on May 31, which includes tables that outline the proposed Bin 1 and Bin 2 petitions with brief justifications that describe why petitions are categorized into each bin.

If you have any questions or need more information, please contact Dr. Craig Shuman, Marine Regional Manager, at (805) 568-1246.

Attachment 1: 3-phase approach for MPA Petition review and evaluation

Attachment 2: Draft Proposed Phase 1 Categorization of Marine Protected Area Petition background, Bin 1 and Bin 2 tables, and brief justifications

Attachment 3: Power Point presentation outlining process, proposed binning, and next steps

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

Stephen Wertz, Senior Environmental Scientist Supervisor
Marine Region

Memorandum

Date: April 2, 2024

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

From: Charlton H. Bonham
Director

Subject: Proposed Marine Protected Area Petition Evaluation Process and Timeline

At their February 14-15, 2024, meeting, the California Fish and Game Commission (CFGC) referred 20 Marine Protected Area (MPA) regulation change petitions to the California Department of Fish and Wildlife (CDFW) for review, evaluation, and recommendation. In addition, the CFGC requested CDFW develop a proposed approach to evaluate the petitions to discuss at the Marine Resources Committee (MRC) meeting on March 19, 2024. After discussion and input from interested stakeholders, the MRC recommended approval of CDFW's proposed 3-phase approach to evaluate MPA petitions. The proposed approach is briefly described below and in the enclosed presentation that was provided to the MRC on March 19, 2024.

Proposed 3-Phase Approach to MPA Petition Evaluation

Phase 1: Petitions will be categorized into two bins using the criteria outlined below to determine which petitions can be evaluated in the near-term and which petitions will require additional policy guidance, information, and/or resources prior to evaluation.

- **Bin 1 petitions:** Petitions that can be evaluated in the *near-term* must meet all the following criteria:
 - Policy direction not needed for next phases.
 - Within CFGC authority.
 - Immediate evaluation possible.
 - Limited clarification needed from petitioner.
 - Limited controversy anticipated.
- **Bin 2 petitions:** Petitions that do not meet all the above criteria will be categorized into Bin 2. The analysis of these petitions will be more complex as they will require additional policy guidance, information, and/or resources before they can be evaluated. Due to the complexity of these petitions, these will be evaluated in the *longer term*.

Melissa Miller-Henson, Executive Director
Fish and Game Commission
April 2, 2024
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Phase 2: Separate all Bin 1 petitions into individual actions and proceed to phase 3. Separate Bin 2 petitions into individual actions and identify additional policy guidance, information, and/or resources that are necessary to advance individual actions to phase 3.

Phase 3: Adaptive management evaluation and recommendations. Apply the evaluation framework approved by the CFGC to each petition action. The process will identify which petitions, and/or actions within each petition, would be recommended to be granted, denied, or considered through an alternative pathway.

Proposed MPA Petition Evaluation Anticipated Timeline

- **March-April 2024: Development of Evaluation Framework**
 - Receive and discuss proposed 3-phase evaluation process at the March 19 MRC and April 17 CFGC meetings.
- **April-August 2024: Phase 1— CDFW Sort Petitions into 2 Bins**
 - Discuss proposed bins at the July 18 MRC and August 14 CFGC meetings.
- **August 2024 and beyond: Phases 2 and 3—Separate petitions into individual actions**
 - Receive guidance on Bin 2 actions as needed.
 - Move forward with evaluation on both Bin 1 and 2 actions. Evaluation timelines for Bin 1 and Bin 2 actions will vary.

If you have any questions or need more information, please contact Dr. Craig Shuman, Marine Regional Manager, at (805) 568-1246.

Attachment 1: Proposed Marine Protected Area Petition Evaluation presentation.

Attachment 2: Evaluation Framework

cc: Jenn Eckerle, Deputy Secretary for Ocean and Coastal Policy
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Sara Worden, Environmental Scientist
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Draft Proposed Phase 1 Categorization of Marine Protected Area Petitions

In 2023, the California Department of Fish and Wildlife (CDFW) publicly released the first 10-year [comprehensive review](#) of California's Marine Protected Area (MPA) Network that included [28 adaptive management recommendations](#) prioritizing strategies for the next decade of MPA management. One of the near-term priority recommendations called for applying what was learned from the comprehensive management review to support proposed changes to the MPA Network and Management Program. To advance this recommendation, the California Fish and Game Commission (CFGC) requested that MPA regulation change petitions be submitted for their December 2023 meeting. CFGC received [20 petitions](#) with over 80 unique requests for changes to the MPA Network.

At their February 14-15, 2024 meeting, CFGC referred the 20 MPA petitions received to CDFW for review, evaluation, and recommendation. In addition, they requested CDFW provide an administrative update at their March 19 Marine Resources Committee (MRC) meeting on the approach they would take to evaluate the petitions. After discussion and input from interested stakeholders, the MRC recommended approval of CDFW's [proposed 3-phase approach](#) to evaluate MPA petitions, and the CFGC approved the approach at their April 17 meeting. CDFW has completed Phase 1 of the 3-phase approach and will present the proposed binning of petitions for discussion and consideration at the July MRC meeting. In addition to the MRC's regularly scheduled July 18 meeting, the CFGC approved a separate day on July 17 be added to the meeting for this discussion. There will be an update about the outcomes from this meeting at the August 14-15 CFGC meeting.

Petitions are categorized into two bins (Tables 1 and 2) using the criteria outlined below to determine which petitions can be evaluated in the near-term (Bin 1) and which petitions will require additional policy guidance, information, and/or resources prior to evaluation (Bin 2). The proposed binning of petitions by CDFW are recommendations for the MRC to consider at their July 17 meeting. It is anticipated the MRC will make a recommendation on the binning of petitions for the CFGC to consider at their August meeting. ***Inclusion in Bin 1 does not automatically mean the requests in any given petition will be granted.*** Following approval of the binning of petitions by CFGC, CDFW will move forward with the evaluation of Bin 1 petitions for subsequent discussion and consideration by the MRC and CFGC.

Bin 1: Petitions that can be evaluated in the ***near-term*** must meet all the following criteria:

- Policy direction not needed for next phases: The requested changes are consistent with existing policies regarding the MPA Network.
- Within CFGC authority: CFGC has clear regulatory authority over the changes requested in the MPA petitions.
- Immediate evaluation possible: Information and resources are available to evaluate petitions in the near-term
- Limited clarification needed from petitioner: The changes requested in the petitions are clear and understandable.
- Limited controversy anticipated: Changes that have limited impact on human uses and network design, such as minor boundary changes and/or updating regulatory language, are expected to cause limited controversy.



Bin 2: Petitions that do not meet all the above criteria are categorized into Bin 2. The analysis of these petitions will be more complex as they will likely require additional policy guidance, information, and/or resources *before* they move forward into the evaluation phase. Bin 2 petitions that could move forward based on CFGC guidance will be evaluated in the ***longer-term***. In addition, due to the larger breadth and scope of these petitions, they will likely require more extensive coordination with California Native American Tribes, other government agencies, partners, and stakeholders.

The tables below outline the proposed Bin 1 and Bin 2 petitions. There are brief justifications following each table that describe why a metric was met or not, and why petitions are categorized into Bin 1 or Bin 2. CFGC is seeking feedback on the draft proposed binning of petitions into either Bin 1 or Bin 2. Comments should be sent directly to CFGC to inform the discussions scheduled for July 17, 2024 at the MRC meeting. Written comments must be received by CFGC by July 5 to be included in the July MRC meeting materials. The CFGC website includes [instructions for how to submit written comments](#) and a [schedule of upcoming Commission meetings](#).



Table 1: Proposed Bin 1 Petitions. N=No, Y=Yes. Y/N in the “Within CFGC Authority?” column indicates that some of the actions proposed in the petition do fall within the regulatory authority of the CFGC, while others are non-regulatory requests. MPA designations state marine reserve (SMR), state marine conservation area (SMCA).

CFGC Tracking No.	Name of Petitioner	Short Description	Policy guidance needed?	Within CFGC Authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-22MPA	Wendy Berube, Orange County Coast Keeper	Change color coding on outreach maps, add language to tidepool take prohibitions, modify definition of tidepools, and allow research, monitoring, restoration, and education in Orange County MPAs, with the exception of Upper Newport Bay (Bolsa Chica, Laguna Beach, Crystal Cove, and Dana Point)	N	Y/N	Y	N	Y
2023-25MPA	Burton Miller	Change color designation of Blue Cavern Onshore and Casino Point SMCAs, change boundary of Long Point SMR, and remove allowance for feeding fish and Lover's Cove and Casino Point SMCAs.	N	Y/N	Y	N	Y
2023-26MPA	Lisa Gilfilan, WILD Coast	Shift Swami's SMCA south from the lifeguard tower to the State/Solana Beach line to cover tidepools on the south side and change map color of no-take SMCAs at Batiquitos Lagoon, San Elijo Lagoon, and Famosa Slough from purple to red.	N	Y/N	Y	N	Y
2023-30MPA_1	Robert Jamgochian	Change gear restrictions within Big River SMCA to only allow Type A hoop nets that are compatible and eliminate the hoop net Type B option (rigid frame) from general provisions, reduce the number of set traps allowed from 10 to 5, and reduce the bag and possession limit for recreational take of crabs from 10 to 5.	N	Y	Y	N	Y
2023-31MPA_1	Ashley Eagle-Gibbs, Environmental Action Committee of West Marin	Subsume Drake's Estero SMCA into Estero de Limantour SMR to create a single SMR.	N	Y	Y	N	Y



Justifications for Proposed Bin 1 Petitions

Proposed Bin 1 petitions do not need policy direction from the CFGC to move forward with evaluation, are within CFGC regulatory authority, can be evaluated in the near-term, require minimal follow-up with the petitioner, and limited controversy is anticipated regarding petition requests. Justifications for each criterion are outlined below.

Petition Number: 2023-22MPA

Petitioner: Wendy Berube, Orange County Coastkeeper

- **Is policy guidance needed for the next phase of evaluation? (N):** Changes requested do not require policy guidance from CFGC.
- **Does the petition fall within CFGC regulatory authority? (Y/N):**
 - Modifying the descriptions of specific MPAs and updating regulatory language are within CFGC authority.
 - Changing the color of a purple no-take SMCA to red *on outreach materials only* is a non-regulatory request. However, alternative pathways for this and other similar non-regulatory requests may be explored as a part of the 3-phase approach to evaluate petitions.
- **Is immediate evaluation possible? (Y):** Related information and data needed to evaluate petition are currently available.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (Y):** Limited controversy anticipated because the requested changes are to simplify and clarify regulatory language.

Petition Number: 2023-25MPA

Petitioner: Burton Miller

- **Is policy guidance needed for the next phase of evaluation? (N):** Changes requested do not require policy guidance from CFGC.
- **Does the petition fall within CFGC regulatory authority? (Y/N):**
 - Boundary clarification at Long Point SMR, and the proposed removal of fish feeding from the regulations all fall within the CFGC's authority.
 - Changing the color of a purple no-take SMCA to red *on outreach materials only* is a non-regulatory request. However, alternative pathways for this and other similar non-regulatory requests may be explored as a part of the 3-phase approach to evaluate petitions.
- **Is immediate evaluation possible? (Y):** Related information and data needed to evaluate petition are currently available.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (Y):** Limited local controversy is anticipated regarding the request to end fish feeding within the Lover's Cove and Casino Point SMCAs.



Petition Number: 2023-26MPA

Petitioner: Lisa Gilfillan, WILDCOAST

- **Is policy guidance needed for the next phase of evaluation? (N):** Changes requested do not require policy guidance from CFGC.
- **Does the petition fall within CFGC regulatory authority? (Y/N):**
 - Changing the boundaries of an MPA is within CFGC authority.
 - Changing the color of a purple no-take SMCA to red *on outreach materials only* is a non-regulatory request. However, alternative pathways for this and other similar non-regulatory requests may be explored as a part of the 3-phase approach to evaluate petitions.
- **Is immediate evaluation possible? (Y):** Related information and data needed to evaluate petition are currently available.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (Y):** Limited local controversy is anticipated regarding the proposed boundary shift.

Petition Number: 2023-30MPA

Petitioner: Robert Jamgochian

- **Is policy guidance needed for the next phase of evaluation? (N):** Changes requested do not require policy guidance from CFGC.
- **Does the petition fall within CFGC regulatory authority? (Y):** The proposed amendments to the allowed take and gear type are within CFGC authority.
- **Is immediate evaluation possible? (Y):** Related information and data needed to evaluate petition are currently available.
- **Is clarification needed from the petitioner? (N):** Limited clarification with the petitioner may be necessary to determine the request for Type A hoop nets only.
- **Is limited controversy anticipated? (Y):** Limited local controversy is anticipated regarding proposed change in Dungeness crab take regulations.

Petition Number: 2023-31MPA

Petitioner: Ashley-Eagle Gibbs, Environmental Action Committee of West Marin

- **Is policy guidance needed for the next phase of evaluation? (N):** Changes requested do not require policy guidance from the CFGC. The requested redesignation aligns with the intent of this MPA identified during the north central coast marine life protection act (MLPA) Initiative design and siting process to redesignate as an SMR once the pre-existing aquaculture lease was terminated.
- **Does the petition fall within CFGC regulatory authority? (Y):** The proposed amendments to the allowed take and gear type are within CFGC authority.
- **Is immediate evaluation possible? (Y):** Related information and data needed to evaluate petition are currently available.



- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (Y):** Limited local controversy regarding ending recreational clamming. This petition is consistent with the recommendation of the northcentral coast MLPA regional stakeholder group at the end of the MLPA Initiative design and siting process.



Table 2: Proposed Bin 2 Petitions. N=No, Y=Yes. Y/N in the “Within CFGC Authority?” column indicates that some of the actions proposed in the petition do fall within the regulatory authority of the CFGC, while others are non-regulatory requests. MPA designations state marine reserve (SMR), state marine conservation area (SMCA).

CFGC Tracking No.	Name of Petitioner	Short Description	Policy guidance needed?	Within FGC Authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-14MPA	David Goldberg, California Sea Urchin Commission	Allow commercial take of sea urchins in 9 SMCAs.	Y	Y	N	N	N
2023-15MPA	Blake Hermann	Reclassify three SMRs in the northern Channel Islands, Santa Barbara County, as SMCAs and allow either the limited take of highly migratory species and possession of coastal pelagic species, or allow the take of pelagic finfish.	Y	Y	N	N	N
2023-16MPA	Richard Ogg	Reclassify Stewarts Point and Bodega Head SMRs and SMCAs to allow commercial take of salmon by trolling.	Y	Y	N	N	N
2023-18MPA	Greg Helms	Create small SMCA within Vandenberg SMR; modify multiple MPAs within the Santa Barbara Channel to allow range of activities, from changes to take of natural resources restrictions to vessel landing requirements.	Y	Y/N	N	N	N
2023-19MPA	Sam Cohen, Santa Ynez Band of Chumash Mission Indians	Designate new Chitaqwi SMCA with a tribal take-exemption for the Santa Ynez Band of Chumash Indians along the central coast.	Y	Y	N	Y	N
2023-20MPA	Sam Cohen, Santa Ynez Band of Chumash Mission Indians	Add a tribal take exemption to Point Buchon SMCA for co-management with Santa Ynez Band of Chumash Indians, and modify northern boundary of the Point Buchon SMR.	Y	Y	N	Y	N
2023-21MPA	Rosa Laucci, Tolowa Dee-ni' Nation	Modify take allowances in Pyramid Point SMCA to no-take with tribal exemption and change northern boundary to align with California/Oregon border.	Y	Y	N	Y	N



CFGC Tracking No.	Name of Petitioner	Short Description	Policy guidance needed?	Within FGC Authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-23MPA	Keith Rootsart, Giant Giant Kelp	Reclassify three SMCAs as SMRs, designate Tanker's Reef as an SMR, allow kelp restoration in these four MPAs as follows: allow unlimited urchin take, allow outplanting of kelp, kelp spore dispersal, and kelp canopy pruning without a DFW scientific collecting permit (SCP). Proposes several actions to support kelp restoration such as placement of buoys at restoration sites, establishing a new process for restoration permits in DFW SCP program, designating "adopted reefs," and others.	Y	Y/N	N	Y	N
2023-24MPA	Mike Beanan, Laguna Bluebelt Coalition	Extend Laguna no-take SMCA southern boundary to the southern border of City of Laguna Beach, which will require modification of northern boundary of Dana Point SMCA.	N	Y	N	N	N
2023-27MPA	Azsha Hudson, Environmental Defense Center	Reclassify Anacapa SMCA as an SMR or reclassify the portion of the SMCA from shore to at least 30 meters deep.	Y	Y	N	N	N
2023-28MPA	Lisa Suatoni, Natural Resources Defense Council	Designate a new SMR around Point Sal in central California and consult with tribes first to determine whether an SMCA with exemptions for cultural and subsistence purposes.	Y	Y	N	N	N
2023-29MPA_1	Lisa Suatoni, Natural Resources Defense Council	Designate Mishopshno SMCA, a California-Chumash co-management MPA that allows take by members of Santa Ynez Band of Chumash Indians for traditional, ceremonial, cultural, and subsistence purposes.	Y	Y	N	Y	N
2023-32MPA_1	Ashley Eagle-Gibbs, Environmental Action Committee of West Marin	Change Duxbury Reef SMCA to an SMR, extend the southern boundary further south, and extend the northern boundary to the Double Point Special Closure.	Y	Y	N	N	N
2023-33MPA_1	Laura Deehan, Environmental California Research and Policy Center and Azul	Expand boundaries of SMCAs and SMRs, and designate new MPA.	Y	Y	N	N	N



CFGC Tracking No.	Name of Petitioner	Short Description	Policy guidance needed?	Within FGC Authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-34MPA_1	Laura Deehan, Environmental California Research and Policy Center and Azul	Reclassify Point Buchon SMCA as an SMR, and modify regulations of Farnsworth Onshore and Offshore SMCAs to allow only recreational spearfishing.	Y	Y	N	N	N



Justifications for Proposed Bin 2 Petitions

Petitions that do not meet the above criteria for Bin 1 petitions are categorized into Bin 2. The analysis of these petitions will be more complex as they will likely require additional policy guidance, information, and/or resources, before they can be evaluated. Below are brief justifications that describe why a metric was met or not.

Petition Number: 2023-14MPA

Petitioner: David Goldenberg, California Sea Urchin Commission

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding changing take regulations in SMCAs over a large geographic scale.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):**
 - Requested changes will require coordination with other management priorities such as the Kelp Restoration, Recovery, and Management Plan (KRMP) and updates to invertebrate take regulations.
 - A more in-depth examination of the original MPA design guidance will be needed for this petition before staff can analyze the proposed change.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Changing take regulations in several MPAs statewide is likely to be controversial.

Petition Number: 2023-15MPA

Petitioner: Blake Hermann

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding re-designation of entire SMRs into SMCAs.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Requested changes will require in-depth analysis of many resources and extensive coordination with external partners, including but not limited to the Channel Islands National Marine Sanctuaries, National Parks Service, and National Marine Fisheries Service.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Redesignating SMRs to SMCAs is likely to be controversial.

Petition Number: 2023-16MPA

Petitioner: Richard Ogg

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding re-designation of entire SMRs to SMCAs.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.



- **Is immediate evaluation possible? (N):** Requested changes will require coordination with other management efforts regarding the ocean salmon fishery.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Redesignating SMRs to SMCA is likely to be controversial.

Petition Number: 2023-18MPA

Petitioner: Greg Helms

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding partial designation change of an SMR to an SMCA and modifications to special closures.
- **Does the petition fall within CFGC regulatory authority? (Y/N):**
 - Creation of an SMCA and modifications to, or removal of, an existing state MPA or special closure are within CFGC authority.
 - Continued support of M2 radar is a non-regulatory request. Changing the color of a purple, no-take SMCA to red *on outreach materials only* is a non-regulatory request. However, alternative pathways for this and other similar non-regulatory requests may be explored as a part of the 3-phase approach to evaluate petitions.
- **Is immediate evaluation possible? (N):** Evaluation of this petition will require coordination with many external partners including National Marine Sanctuaries and the National Park Service. A more in-depth examination of the original MPA design guidance will also be needed to analyze the proposed changes.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** The partial redesignation and changes to special closures around the Channel Islands are likely to be controversial.

Petition Number: 2023-19MPA

Petitioner: Sam Cohen, Santa Ynez Band of Chumash Mission Indians

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding approach to co-management of MPAs with California Native American Tribes and creation of new MPAs.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Requested changes will require coordination with the California Natural Resources Agency, other state and federal agencies, local jurisdictions, and other partners regarding policies for co-management of the state's natural resources with California Native American Tribes.
- **Is clarification needed from the petitioner? (Y):** Additional clarification needed from the petitioner regarding the definition of tribal co-management in the context of this petition and proposed regulation changes.
- **Is limited controversy anticipated? (N):** Establishing a new MPA is likely to be controversial.



Petition Number: 2023-20MPA**Petitioner:** Sam Cohen, Santa Ynez Band of Chumash Mission Indians

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance on approach to co-management of MPAs with California Native American Tribes and changes in take regulations of an SMCA.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Requested changes will require coordination with the California Natural Resources Agency, other state and federal agencies, local jurisdictions, and other partners regarding policies for co-management of the state's natural resources with California Native American Tribes.
- **Is clarification needed from the petitioner? (Y):** Significant clarification is needed from the petitioner regarding the definition of tribal co-management in the context of this petition.
- **Is limited controversy anticipated? (N):** Decreasing the level of protection of an SMCA and proposed differences in take allowances by diverse sectors are likely to be controversial.

Petition Number: 2023-21MPA**Petitioner:** Rosa Laucci, Tolowa Dee-ni' Nation

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance on approach to co-management of MPAs with California Native American Tribes and the creation of a tribal take-only MPA.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Requested changes will require coordination with the California Natural Resources Agency, other state and federal agencies, local jurisdictions, and other partners regarding policies for co-management of the state's natural resources with California Native American Tribes.
- **Is clarification needed from the petitioner? (Y):** Clarification is needed from the petitioner about the tribal take exemption.
- **Is limited controversy anticipated? (N):** Creating a tribal-take only MPA and proposed differences in take allowances by diverse sectors are likely to be controversial.

Petition Number: 2023-23MPA**Petitioner:** Keith Rootsart, Giant Kelp Restoration

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding redesignation of entire MPAs and creation of new MPAs.
- **Does the petition fall within CFGC regulatory authority? (Y/N):** Several requested changes are within CFGC authority, while many are non-regulatory requests.
- **Is immediate evaluation possible? (N):** Several requested changes will require coordination with other management priorities such as the KRMP and updates to statewide invertebrate take regulations. Evaluation of the requested changes will require in-depth analysis and coordination with many partners including National Marine Sanctuaries and several other state agencies.
- **Is clarification needed from the petitioner? (Y):** The scope of changes requested in this petition are extensive and complex and will require extensive coordination with the petitioner.



- **Is limited controversy anticipated? (N):** Establishment of new MPAs is likely to be controversial. Stakeholders in the Monterey area have consistently provided public comments on prior CFGC actions like those proposed within the petition, indicating a high degree of anticipated controversy on other petition components.

Petition Number: 2023-24MPA

Petitioner: Mike Beanan, Laguna Bluebelt Coalition

- **Is policy guidance needed for the next phase of evaluation? (N):** Changes requested do not require policy guidance from the CFGC.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** A more in-depth examination of the original MPA design guidance will be needed for this petition to analyze the proposed change.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Public comments/letters have already been received by CDFW and CFGC about this petition, indicating a high degree of anticipated controversy.

Petition Number: 2023-27MPA

Petitioner: Azsha Hudson, Environmental Defense Center

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding re-designation of SMCA to SMR. The requested change does not align with the intent of this MPA identified during the Channel Islands planning process and would affect current tribal take allowances.
- **Does the petition fall within CFGC regulatory Authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Evaluation of this petition will require coordination with the Santa Ynez Band of Chumash Mission Indians and many external partners including National Marine Sanctuaries, National Marine Fisheries Service, and the National Park Service. A more in-depth examination of the original MPA design guidance will also be needed to analyze the proposed changes.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Re-designation of entire MPA, effects on tribal take exemptions, and effects of proposed changes to the commercial and recreational lobster fisheries are likely to be controversial.

Petition Number: 2023-28MPA

Petitioner: Lisa Suatoni, Natural Resources Defense Council

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding the creation of new MPAs.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.



- **Is immediate evaluation possible? (N):** Requested changes will require coordination with the California Natural Resources Agency, other state and federal agencies, local jurisdictions, and other partners regarding policies for co-management of the state's natural resources with California Native American Tribes.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Establishment of a new MPA is likely to be controversial.

Petition Number: 2023-29MPA

Petitioner: Lisa Suatoni, Natural Resources Defense Council

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding the creation of new MPAs.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Requested changes will require coordination with the California Natural Resources Agency, other state and federal agencies, local jurisdictions, and other partners regarding policies for co-management of the state's natural resources with California Native American Tribes. A more in-depth examination of the original MPA design guidance will be needed for this petition before staff can analyze the proposed change.
- **Is clarification needed from the petitioner? (Y):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Establishment of a new MPA is likely to be controversial.

Petition Number: 2023-32MPA

Petitioner: Ashley Eagle-Gibbs, Environmental Action Committee of West Marin

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding the redesignation of an SMCA to an SMR that does not align with MLPA design process intent of the MPA and expansion of the existing MPA.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** A more in-depth examination of the original MPA science design guidance will be needed to analyze the proposed change.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Due to this site being a popular area for human use, a designation change and boundary expansion are likely to be controversial.

Petition Number: 2023-33MPA

Petitioner: Laura Deehan, Environment California Research and Policy Center and Azul

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance regarding the redesignations of SMCAs to an SMRs that do not align with MLPA design process intent of the MPA, creation of a new MPA, and expansion of existing MPAs.



- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Because this petition's stated intent is to assist in kelp forest recovery, this petition will need to be evaluated in concert with the KRMP, which is not yet complete.
- **Is clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N)** Creation of a new MPA and large expansion of existing MPAs are likely to be controversial. There has already been significant local stakeholder discussion regarding the proposed Pleasure Point MPA in Santa Cruz County.

Petition Number: 2023-34MPA

Petitioner: Laura Deehan, Environment California Research and Policy Center and Azul

- **Is policy guidance needed for the next phase of evaluation? (Y):** Requires guidance on the redesignation of the SMCA to an SMR that does not align with MLPA design process intent of the MPA.
- **Does the petition fall within CFGC regulatory authority? (Y):** All requested regulatory changes are within CFGC authority.
- **Is immediate evaluation possible? (N):** Analysis will require a more in-depth examination of the original MPA design guidance regarding the proposed changes.
- **Is Clarification needed from the petitioner? (N):** Changes requested are straightforward and do not require detailed clarification from petitioner.
- **Is limited controversy anticipated? (N):** Anticipated to be highly controversial with the recreational and commercial fishing communities in the areas of the proposed changes.





Draft Phase 1 Proposed Marine Protected Area Petition Bins

17 July 2024

Presented to:

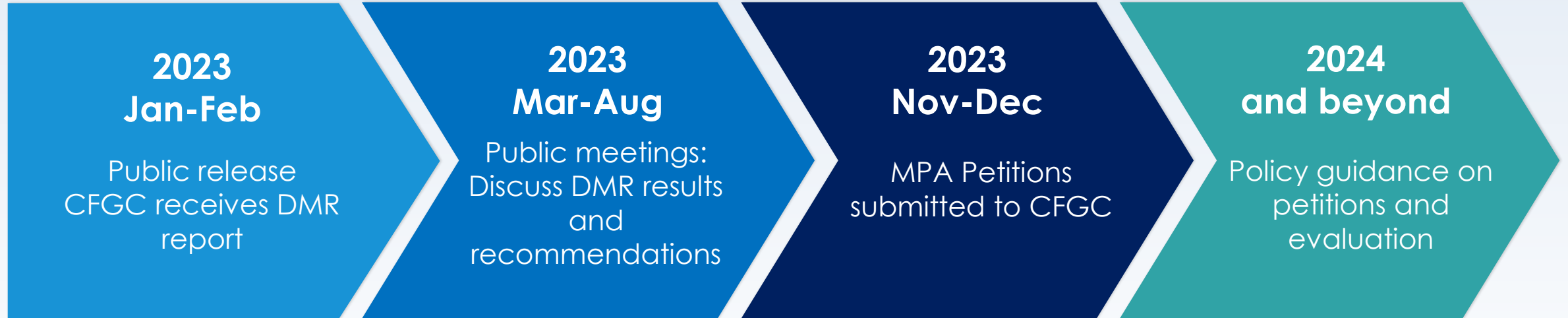
Marine Resources Committee
California Fish and Game Commission

Presented by:

Dr. Craig Shuman
Marine Regional Manager



How We Got Here: DMR Report and Petition Timeline



CFGC=California Fish and Game Commission
CDFW=California Department of Fish and Wildlife
DMR=Decadal Management Review

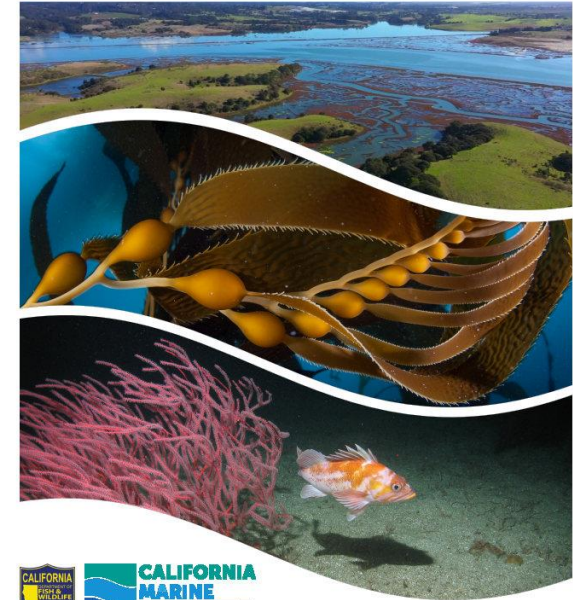




Petitions for Proposed MPA Network Changes

- CFGC received **20 petitions** to change MPAs at the December 2023 meeting
- **16 individual organizations** submitted petitions
- Petitions include **80+ proposed petition actions**
- **49+ MPAs and special closures affected** by proposals

California's Marine Protected Area Network **DECADAL MANAGEMENT REVIEW**



2022





Where We Are: MPA Petition Process 2024

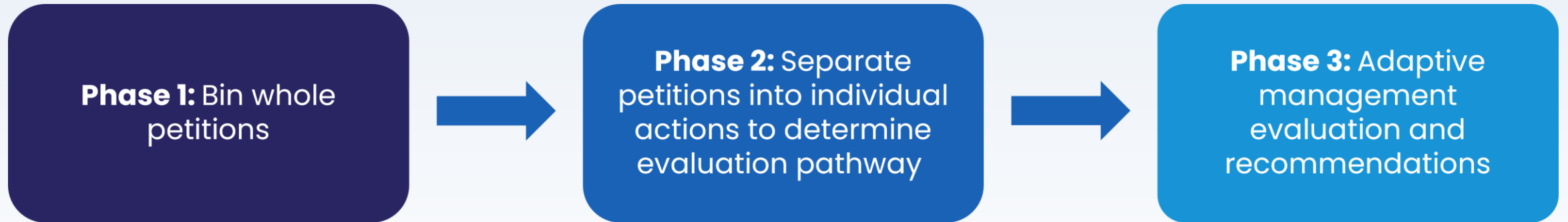
**2024
and beyond**

Policy guidance on
petitions and
evaluation

- **February 2024** - CFGC referred all petitions to CDFW for evaluation
- **March 2024** – CDFW proposed 3-phased approach to petition evaluation process
- **April 2024** – CFGC accepted CDFW's approach
- **May 2024** – CDFW released a blog with the draft petition binning for public review
- **July 2024** - Marine Resources Committee discussion



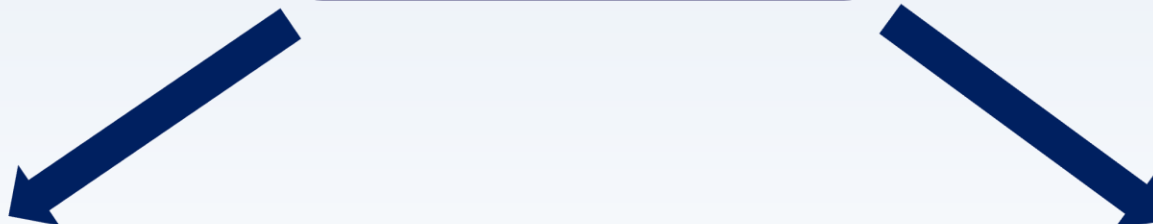
Petition Evaluation Framework: 3-phase Approach





Phase 1: Bin Whole Petitions

Phase 1:
Bin whole petitions



Bin 1

- Policy direction not needed for next phases
- Within CFGC authority
- Immediate evaluation possible
- Limited clarification needed from petitioner
- Limited controversy anticipated

Bin 2

Do not meet criteria for Bin 1



Draft Proposed Bin 1 Petitions

CFGC Tracking No.	Brief description	Policy guidance needed?	Within CFGC authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-22MPA	Orange County MPAs; change color coding on outreach maps, update regulatory language	N	Y/N	Y	N	Y
2023-25MPA	Catalina Island MPAs; change color coding on outreach maps, remove fish feeding; boundary update	N	Y/N	Y	N	Y
2023-26MPA	San Diego County MPAs; change color coding on outreach maps; Swami's SMCA boundary shift	N	Y/N	Y	N	Y
2023-30MPA_1	Big River SMCA; change Dungeness crab gear and take limits	N	Y	Y	N	Y
2023-31MPA_1	Drake's Estero SMCA; subsume into Estero de Limantour SMR	N	Y	Y	N	Y



Draft Proposed Bin 2 Petitions (1 of 3)

CFGC Tracking No.	Brief description	Policy guidance needed?	Within CFGC authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-14MPA	Allow commercial take of sea urchins in 9 SMCAs	Y	Y	N	N	N
2023-15MPA	Northern Channel Island MPAs; allow take of highly migratory species; pelagic finfish	Y	Y	N	N	N
2023-16MPA	Bodega Head and Stewarts Point SMRs; redesignate to SMCAs to allow commercial salmon trolling	Y	Y	N	N	N
2023-18MPA	Santa Barbara County MPAs; modify take allowances; modify special closures; create small SMCA within Vandenberg SMR	Y	Y/N	N	N	N
2023-19MPA	Designate new tribal SMCA with take exemption for the Santa Ynez Band of Chumash Mission Indians	Y	Y	N	Y	N



Draft Proposed Bin 2 Petitions (2 of 3)

CFGC Tracking No.	Brief description	Policy guidance needed?	Within CFGC authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-20MPA	Point Buchon MPAs; tribal take exemption for Santa Ynez Band of Chumash Mission Indians, boundary shift	Y	Y	N	Y	N
2023-21MPA	Pyramid Point SMCA; tribal take only for Tolowa Dee-ni' Nation, boundary adjustment	Y	Y	N	Y	N
2023-23MPA	Monterey County MPAs; designation changes, new permitting process, various other activities	Y	Y/N	N	Y	N
2023-24MPA	Laguna Beach no-take SMCA boundary shift	N	Y	N	N	N
2023-27MPA	Anacapa SMCA; redesignation to SMR, or partial redesignation	Y	Y	N	N	N



Draft Proposed Bin 2 Petitions (3 of 3)

CFGC Tracking No.	Brief description	Policy guidance needed?	Within CFGC authority?	Evaluate in the near-term?	Clarification needed from petitioner?	Limited controversy anticipated?
2023-28MPA	San Luis Obispo County; new MPA near Point Sal	Y	Y	N	N	N
2023-29MPA_1	Santa Barbara County; new tribal co-management MPA with Santa Ynez Band of Mission Indians	Y	Y	N	Y	N
2023-32MPA_1	Duxbury Reef SMCA; redesignate to SMR and expand boundaries	Y	Y	N	N	N
2023 33MPA_1	Expand boundaries of multiple SMCAs and SMRs; designate new MPA	Y	Y	N	N	N
2023-34MPA_1	Redesignate Point Buchon SMCA to SMR; modify take allowances in Farnsworth SMCAs	Y	Y	N	N	N



Next Steps: Implement DMR 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

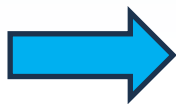




Roadmap for Today's Discussion

- **Draft bins and justifications**
 - Move petitions?
 - Change criteria outcomes and justifications?
- **Evaluation process and timeline**
 - Phase 2: Individual actions
 - Policy guidance
 - Extent of evaluations and trade-offs
- **Next steps and MRC recommendations for August CFGC meeting**

Scan for draft bins and justifications



A. Van Diggelen

Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
McKinleyville
Eric Sklar, Member
Saint Helena
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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

ANNUAL TRIBAL PLANNING MEETING

July 20, 2022 Meeting Summary Sacramento, Webinar and Teleconference

This document is a summary of the California Fish and Game Commission (Commission) annual tribal planning meeting, as prepared by staff.

Commissioner Jacque Hostler-Carmesin welcomed everyone to the meeting, and then introduced Tribal Advisor and Liaison Chuck Striplen and Executive Director Melissa Miller-Henson.

Commissioner Hostler-Carmesin moderated the meeting, with representatives from approximately a dozen tribes and tribal communities in attendance. In addition, the California Natural Resources Agency (CNRA) Assistant Secretary for Tribal Affairs Geneva E.B. Thompson attended the meeting in person, along with staff from the California Department of Fish and Wildlife (Department) and the California Ocean Protection Council.

1. Introductions and goals

Commissioner Hostler-Carmesin invited attendees to introduce themselves. Tribal representatives introduced themselves first, followed by Department staff, other agency staff, and then Commission staff. Chuck Striplen briefly reviewed the agenda for the meeting.

2. Commission tribal consultation policy and consultation process

Chuck Striplen reviewed the Commission's tribal consultation policy and staff's coordination with other state natural resource agencies on updating consultation policies; Geneva Thompson described her role in coordinating this effort. She hopes to have a report soon on the work.

On mention of the training element of the Commission's Tribal Consultation Policy, one tribal representative asked about available training for tribes. No formal training is currently available, but several attendees supported a range of possible trainings, including monitoring and data collection, drone surveys, the California Administrative Procedure Act, and Commission processes (e.g., petitions). Commission and DFW staff committed to follow-up with appropriate contacts and to discuss possible training opportunities internally.

Geneva E.B. Thompson noted that the Native American Heritage Commission offers [AB52 tribal consultation training](#).

3. Recap of 2021 annual tribal planning meeting; review of Commission tribal projects and priorities for 2022-2023

Chuck Striplen provided a brief summary of the major discussion topics and outcomes from the 2021 annual tribal planning meeting.

Several tribal representatives made note of issues related to overharvest and DFW enforcement in and around marine protected areas. They suggested that both the public and DFW personnel would benefit from training and education pertaining to tribal rights to resources and appropriate gathering practices (potentially via permit conditions), as well as training for tribal citizens on code compliance; this could be viewed as a measure to start reflecting traditional ecological knowledge in regulatory and management processes. DFW staff expressed appreciation for the feedback and will follow up individually.

A tribal representative also suggested that the Commission should explore updating its co-management vision and definition to ensure consistency with related policy initiatives at CNRA and Governor's office. Many tribes are currently engaged in various forms of co-management, which could inform an improved definition, vision, or policy. Commissioner Hostler-Carmesin highlighted how the Commission has been a trailblazer on the subject of co-management and agreed that revisiting the topic would be appropriate in the context of Governor Newsom's policy initiative; she also requested that Geneva E.B. Thompson be part of the conversation.

4. Roundtable discussion about tribal priorities and issues of concern

Commissioner Hostler-Carmesin moderated a lengthy discussion with tribal representatives who were invited to share current priorities and issues of concern, and to help identify potential opportunities for collaboration with or action by the Commission.

A representative from the Karuk Tribe described the complexity of issues facing tribes and salmonids on the Klamath River in the context of looming dam removal and recent federal court decisions affecting tribal sovereignty – highlighting the need to get thoughtful co-management agreements on track.

Representatives from Graton, Kashia, and Resighini spoke about the need for support for tribal resource management programs. Tribes are engaged more and more in monitoring everything from kelp to black bears, and rely on competitive, ephemeral funding sources to maintain program staffing and productivity. The process to craft agreements with DFW or FGC is not clear to some tribes, especially in multi-jurisdictional contexts (e.g., Point Reyes). DFW staff committed to following up on this matter.

Representatives from Dry Creek and United Auburn Indian Community spoke about challenging effects from COVID and wildfires. Dry Creek, in spite of being especially hard hit by COVID, continues to expand its creek and river restoration efforts, and Auburn is focused on building tribal capacity in traditional fire management in collaboration with other tribes. The representative from the Karuk Tribe spoke of legislation designed to recognize tribes' sovereign right to manage their ancestral lands (e.g., with fire), and the tribe's work in support of that effort (<https://karuktribeclimatechangeprojects.com/good-fire/>).

Geneva E.B. Thompson and Mike Esgro introduced opportunities for tribal consultation:

- Governor's Fifth Climate Change Assessment – an effort to integrate tribal priorities and tribal ecological knowledge into the assessment for climate change. A research grant program and tribal advisory group are being developed, and nominations for the advisory committee are currently being sought. Also see survey below.
- CNRA Outdoors for All Initiative: Tribal Roundtable Listening Sessions
Listening Session 1: August 17, 2022, at 10:00 a.m. – 12:00 p.m.
Listening Session 2: August 18, 2022, at 5:30 – 7:30 p.m.
- OPC's draft tribal engagement strategy is currently released for tribal review.
- [OPC survey](#) for the Fifth Climate Change Assessment – designed to gather input on California-specific research priorities that will inform the scope of climate adaptation and resilience research conducted as a part of the national assessment being led by the U.S. Global Change Research Program.

5. Closing thoughts and adjourn

Based on the discussions, Commissioner Hostler-Carmesin suggested Commission and DFW staff follow up on elk management agreements, coastal gathering permit conditions, and Klamath River salmonids. Any proposed changes to the Tribal Committee work plan will be discussed internally and with the Commission.

California Fish and Game Commission
Tribal Consultation Policy
Adopted June 2015

On September 19, 2011, Governor Edmund G. Brown, Jr., issued Executive Order B-10-11, which provides, among other things, that it is the policy of the administration that every state agency and department subject to executive control implement effective government-to-government consultation with California Indian Tribes.

Purpose of the Policy

The mission of the California Fish and Game Commission (FGC) is, on the behalf of California citizens, to ensure the long term sustainability of California's fish and wildlife resources by setting policies, establishing appropriate rules and regulations, guiding scientific evaluation and assessments, and building partnerships to implement this mission. California Native American Tribes, whether federally recognized or not, have distinct cultural, spiritual, environmental, economic and public health interests and unique traditional knowledge about the natural resources of California.

The purpose of this policy is to create a means by which tribes and FGC can effectively work together to realize sustainably-managed natural resources of mutual interest.

Policy Implementation

1. Communication. Both FGC and the tribes are faced with innumerable demands on their limited time and resources. In the interest of efficiency, FGC will annually host a tribal planning meeting to coordinate the upcoming regulatory and policy activities before FGC. The meeting will provide a venue for education about process, identifying regulatory and policy needs, and developing collaborative interests; this will include inviting sister agencies to participate.
2. Collaboration. In areas or subjects of mutual interest, FGC will pursue partnerships with tribes to collaborate on solutions tailored to each tribe's unique needs and capacity. The structure of these collaborative efforts can range from informal information sharing, to a memorandum of understanding with more specific agreements regarding working relationships and desired outcomes, to co-management agreements with specific responsibilities and authorities.
3. Record-keeping. FGC will maintain a record of all comments provided by tribes and will include them in administrative records where appropriate.
4. Training. FGC will provide training to interested tribes on its processes for regulation and policy development.

**California Fish and Game Commission
Tribal Committee Meeting
August 13, 2024**

California Department of Fish and Wildlife Tribal Liaison Updates

UPDATES

Western Joshua Tree Conservation Act Implementation

The Western Joshua Tree Conservation Act (WJTCA) was enacted July 10, 2023, and it requires the California Department of Fish and Wildlife (CDFW) to develop a Western Joshua Tree Conservation Plan (Conservation Plan). Among other requirements, the Conservation Plan must include Co-Management principles, incorporate Traditional Ecological Knowledge, and provide for the relocation of western Joshua trees to Tribal land upon request.

CDFW requested contact lists from the California Native American Heritage Commission for Tribes that are culturally or traditionally affiliated with the geographic area of the western Joshua tree. Starting in fall of 2023, CDFW initiated the Tribal engagement by hosting an informational webinar on the WJTCA and subsequent virtual listening session, and by following up with Tribes to gauge interest on further coordination.

Tribes have been notified of the development of the Conservation Plan and informed about the opportunity to be compensated for participating in consultation, roundtable, or listening sessions with CDFW, or facilitated meetings held by the Native American Land Conservancy with Tribes.

A number of Tribes are presently engaged in the Conservation Plan by developing approaches for implementation, planning and application of feasible Tribal Co-Management strategies that may include, but are not limited to, Tribal programming, funding, co-developing western Joshua tree conservation policies, and exploring ways to gather culturally significant data. To ensure information shared by Tribes regarding western Joshua tree Cultural Activities remains confidential and protected from public disclosure, a Public Records Act exemption was approved for the Conservation Plan.

Important Upcoming Dates for the Conservation Plan

- Nov 16, 2024 – Submit Draft Plan to the California Fish and Game Commission (Commission)
- Dec 11-12, 2024 – Commission Public Receipt of Draft Plan
- Jan-Jun, 2025 – Public Review of Draft Plan
- Feb 12-13, 2024 – CDFW Presentation to the Commission
- Jun 30, 2025 (no later than) – Commission Takes Action on Draft Plan

CDFW is committed to ongoing engagement with Tribes throughout this process, and interested Tribes may reach out regarding western Joshua tree by emailing WJT.TribalEngage@wildlife.ca.gov.

Bighorn Sheep Conservation and Management Plan

A draft Conservation and Management Plan for Bighorn Sheep in California has been completed after previous release for tribal and peer review. CDFW is inviting Tribes the opportunity to request consultation, review and/or provide input, feedback or comments to the draft plan through the public review period, which is estimated to start in early September.

To receive a copy of the draft plan, provide feedback, or have any questions, please contact Paige Prentice, Statewide Bighorn Sheep Coordinator at paige.prentice@wildlife.ca.gov. To request a consultation, please contact Department Liaison Sarah Fonseca at tribal.liaison@wildlife.ca.gov.

GRANT OPPORTUNITIES

Office of Spill Prevention and Response - Response Equipment Grant Program

An ongoing grant of up to \$45,000 for the purchase of an oil spill emergency response trailer. The grant is available to Native American tribes, counties, cities and special districts.

Further details, including a FAQ and the one-page grant application, can be found [here](#). Questions can be directed to Cindy Murphy, Office of Spill Prevention and Response Tribal Liaison at cindy.murphy@wildlife.ca.gov.

Office of Cannabis - Cannabis Restoration Grant Program (CRGP)

Committed to promoting ecosystem restoration and ecological health throughout California, CRGP currently offers approximately \$20 million under two funding opportunities:

- 1) [Cleanup, Remediation, and Watershed Enhancement Funding Opportunity](#), and
- 2) [Qualified Cultivator Funding Opportunity](#).

Funding is available to California Native American tribes, public agencies within California, and nonprofit organizations qualified to do business in California. Applications accepted on a rolling basis. Questions can be directed to the CRGP program via email at canngrantprogram@wildlife.ca.gov.

**California Fish and Game Commission
Tribal Committee Meeting**

**California Department of Fish and Wildlife - Marine Region Written Update
August 13, 2024**

Recreational Barred Sand Bass Regulations

The California Department of Fish and Wildlife (Department) Marine Region is proposing a regulatory change to promote the recovery of barred sand bass. Regulatory measures under consideration include reduction of the number of barred sand bass recreational anglers can take (bag limit) and limits to fishing during barred sand bass spawning season (Project). This Project would amend section 28.30(b) to provide additional protection to barred sand bass by potentially reducing the bag limit and/or implementing a partial spawning season closure for barred sand bass.

The proposed rulemaking schedule following notice at the December 2024 meeting is discussion at the February 2025 meeting and adoption at the April 2025, with an effective date in June 2025.

For additional information on Barred Sand Bass please visit
<https://marinespecies.wildlife.ca.gov/barred-sand-bass/the-species/>

Commercial Red Sea Urchin Regulations

The Department is proposing Commercial Red Sea Urchin regulatory changes to amend Section 120.7, Title 14, CCR. The Department received a petition (2023-04) to propose changes to the commercial fishery in northern California. The proposed regulations are intended to address the petition requests, create a new commercial sea urchin permit, and other changes for clarity. The proposed rulemaking schedule following notice in December 2024, is adoption at the February 2025 meeting.

For additional information on Red Sea Urchin please visit
<https://marinespecies.wildlife.ca.gov/red-sea-urchin/the-species/>

California Fish and Game Commission
Wildlife Resources Committee (WRC) Work Plan
Scheduled Topics and Timeline for Items Referred to WRC
Updated August 2, 2024

TOPICS	CATEGORY	Jan 2024	May 2024	Sep 2024
Periodic and Annual Regulations				
Upland (Resident) Game Birds	Regulatory		X	X/R
Mammal Hunting	Regulatory		X	X/R
Waterfowl Hunting	Annual Regulatory		X	X/R
Central Valley Sport Fishing	Annual Regulatory		X	X/R
Klamath River Basin Sport Fishing	Annual Regulatory		X	X/R
Inland Sport Fishing	Regulatory	X/R		X
Regulations & Legislative Mandates				
Falconry	Referral for Review			
Restricted Species	Regulatory			
Discussions and Updates				
Take of Nongame Mammals	Referral for Review	X	X	X
Waterfowl Hunting in Southampton Bay	Referral for Review	X	X	X/R

KEY: X Discussion scheduled X/R Recommendation potentially developed and moved to FGC

California Fish and Game Commission Marine Resources Committee (MRC) Work Plan

Updated August 7, 2024

Note: Proposed changes to topics/timing are shown in blue underscore or strike-out font.

Topics	Category	Mar 2024	Jul 2024	Nov 2024
Planning Documents, Fishery Management Plans (FMPs)				
MLMA Master Plan for Fisheries – Implementation Updates	Plan Implementation			
Red Abalone Recovery Plan (statewide)	Recovery Plan		*	
- <u>Risk Tolerance for Reopening Red Abalone Fishery Harvest</u>	<u>Recovery/EFP</u>			<u>X</u>
California Halibut Fishery Management Review (CHal Review) – CHal Trawl Grounds Review	Management Review	X	*	
CHal Review – Bycatch Evaluation for Set Gill Net (Lessons Learned)	Management Review	X	X	
CHal Review – Bycatch Evaluation for Trawl Gear	Management Review			
Market Squid Fishery Management and FMP Review	Management/ FMP Review	X	X	X/R
Kelp Recovery and Management Plan (KRMP) Development	Recovery/ Management Plan			
Marine Protected Area (MPA) Network 2022 Decadal Management Review Implementation: <i>MPA Petitions</i>	Management Review	X	X/R	
Regulations				
Kelp and Algae Commercial Harvest – Sea Palm (<i>Postelsia</i>)	Commercial Take		*	X/R
Commercial Sea Urchin Fishing (Including Review of Petition 2023-04 for Fishery North of San Luis Obispo/Monterey County Line)	Commercial Take	X	X/R	
Recreational Crab Trap Gear Options and Trap Validation for Commercial Passenger Fishing Vessels	Recreational Take	*	X	X/R
Commercial Fisheries Logbook Forms and Fishing Block Charts	Commercial Take	X		
Electronic Recreational Fishing Report Cards Rulemaking	Recreational Take		X/R	
Recreational Barred Sand Bass Fishery	Recreational Take		X	X/R
Marine Aquaculture <u>and State Water Bottom Leases</u>				
Statewide Aquaculture Action Plan	Planning Document			
Status of Existing Leaseholder Requests	Current Leases	*		
Applications for New Leases	Lease Applications		*	X
Lease Best Management Practices Plans (Hold, TBD)	Leases–Regulatory			
Informational Topics <i>and/or</i> Emerging Management Issues				
Kelp Restoration and Recovery Tracking	Kelp			
Special Projects				
Coastal Fishing Communities Project	MRC Project		*	X
Experimental Fishing Permit (EFP) Program Research Projects – Box Crab EFP	EFP			X

Key: **X** = Discussion scheduled **X/R** = Recommendation may be developed and may move to Commission
* = Written or verbal agency update

California Fish and Game Commission: Perpetual Timetable for Anticipated Regulatory Actions

August 5, 2024

Items proposed for change are shown in blue underlined or strikeout font

Subject of Rulemaking	Title 14 Section(s)	MRC Santa Rosa July 17, 2024	MRC Santa Rosa July 18, 2024	TC Fortuna August 13, 2024	FGC Fortuna August 14, 2024	FGC Fortuna August 15, 2024	WRC Sacramento September 12, 2024	FGC Sacramento October 9, 2024	FGC Sacramento October 10, 2024	MRC Sacramento November 7, 2024	TC Sacramento December 10, 2024	FGC Sacramento December 11, 2024	FGC Sacramento December 12, 2024	WRC Southern California January 15, 2025	FGC Sacramento February 12, 2025	FGC Sacramento February 13, 2025	MRC Santa Rosa Area March 13, 2025	TC Santa Clarita April 15, 2025	FGC Santa Clarita April 16, 2025	FGC Santa Clarita April 17, 2025	FGC Teleconference May 14, 2025	WRC Redding/Northern California May 15, 2025	FGC Lake Tahoe Region June 18, 2025	FGC Lake Tahoe Region June 19, 2025
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)	E 7/16					R																	
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)					E 8/15	R																	
Emergency Closures of Sport Fishing in Klamath River Basin for Spring Chinook Salmon	7.40(b)(50)										EE 12/10													
Waterfowl (Annual)	502						R						N		D				A					
Inland Sport Fish Bag Limits, Gear, and Low-Flow Information	2.30, 5.00, 7.50, 8.00, 703					A								E 1/1										
Special Hunt Permit Issuance and Drawings in ALDS	702, 715	E 7/1																						
Mitigating Risks for Cervid Importation and Movement	257.5, 475, 676, 681, 712, 714	E 7/1																						
Department Lands ^{1, 2}	540, 550, 551, 630	E 7/1																						
Exotic Game Mammals / Wild Pig Validation	250, 251.5, 252, 257.5, 258, 350, 352, 353, 368, 375, 376, 377, 378, 379, 401, 465.5, 679, 708.13	E 7/1																						
White Sturgeon Emergency (First 90-Day Extension)	5.79, 5.80, 27.90, 27.92			EE 8/12																				
White Sturgeon Emergency (Second 90-Day Extension)	5.79, 5.80, 27.90, 27.92			E 8/12							EE 11/10													
White Sturgeon Certificate of Compliance	5.79, 5.80, 27.90, 27.92					A					E 11/10													
Fisheries Logbook Forms and Fishing Block Charts	120.7, 122, 165, 190, 705.1				A									E 1/1										
Commercial California Halibut and White Seabass Set Gill Nets	174.1				A									E 1/1										
Possession of Wildlife and Wildlife Rehabilitation	679, 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, 679.9, <u>703</u>					D		A-D					A	E-1/4				E 4/1						
White Sturgeon Harvest and Reporting	1.74, 5.79, 5.80, 27.90, 27.92, 701, 701.1					D		A						E-1/4										
Federal Groundfish and Associated Species	27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.65, 28.27, 28.28, 28.29, 28.47, 28.48, 28.49, 28.54, 28.55, 28.56, 28.65				D			A						E 1/1										
Electronic Report Cards	1.74, 5.79, 5.80, 5.81, 5.87, 5.88							N					D		A									
Emergency Regulations for Mandatory Testing for Chronic Wasting Disease (CWD)	708.5	E 7/5												EE 1/1										
<u>Barred Sand Bass Limit for 2025</u>	<u>28.30</u>											N				D							A	
<u>Commercial Red Sea Urchin</u> ⁵	<u>120.70</u>											N				A								
<u>White Sturgeon Sport Fishing During CESA Candidacy Emergency</u>	<u>5.78, 27.93</u>					A	E 9/1										EE 2/28							

Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
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McKinleyville
Eric Sklar, Member
Saint Helena
Darius W. Anderson, Member
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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

Revised* Meeting Agenda

August 14-15, 2024

Participate in Person

River Lodge Conference Center
1800 Riverwalk Drive
Fortuna, CA 95540

or

Participate via Webinar/Phone

The meeting will be live streamed; visit www.fgc.ca.gov the day of the meeting to watch or listen. To provide public comment during the meeting, please join at the in-person location, via Zoom, or by telephone; you may join the webinar directly at <https://us02web.zoom.us/j/82504558887>. For complete instructions on how to join via Zoom or telephone, [click here](#) or visit fgc.ca.gov/meetings/2024.

* This revised agenda is amended to:

- Move item 9, General Public Comment, to item 2;
- add new item 8, Non-Regulatory Requests from Previous Meetings (marine);
- modify what was item 10, Lime Ridge eriastrum, to indicate that staff will recommend it be continued to October 9-10, 2024 meeting;
- renumber the remainder of agenda items accordingly.

- Notes:
- (1) See important meeting deadlines and procedures, including written public comment deadlines, starting on page 11.
 - (2) Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department.
 - (3) All section and subsection references are to Title 14 of the California Code of Regulations, unless otherwise noted.

Invitation: The Commission invites members of the public to join commissioners and staff for a field trip currently under development. [Details will be available in advance of the Commission meeting.](#) Members of the public are welcome to join but must provide their own transportation.

Day 1 – August 14, 2024; 9:00 AM

Call to Order and Roll Call to Establish a Quorum

- 1. Consider approving agenda and order of items**

General Public Comment

- 2. General public comment for items not on the agenda**

Receive public comment regarding topics within the Commission’s authority that are not included on the agenda.

Note: The Commission may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting (sections 11125 and 11125.7(a), Government Code).

Consent Items

Note: Items on the consent calendar are expected to be routine and non-controversial. After public comment, the Commission will consider approving items on the consent calendar in a single vote without discussion. The presiding commissioner may choose to remove any item from the consent calendar and allow a separate discussion and potential action on that item in response to a request by a Commission member, staff, or an interested person.

- 3. Fisheries logbook forms and fishing block charts**

Consider adopting proposed amendments to regulations for fisheries logbook forms and fishing block charts.

(Amend sections 120.7, 122, 165, 190 and 705.1)

Discussion and Action Items

- 4. Commission executive director and Department reports**

(A) ***Commission executive director***

I. Update on justice, equity, diversity and inclusion plan

(B) ***Department director and Law Enforcement Division***

- 5. Recreational fishing regulations for federal groundfish for 2025 and 2026, and fillet requirements at sea**

Discuss proposed amendments to recreational regulations for (a) federal groundfish for consistency with and to complement federal rules in 2025 and 2026 and (b) fillet requirements for select groundfish and state managed finfish.

(Amend sections 27.20, 27.40, 27.45, 27.50, 27.65, 28.27, 28.28, 28.29, 28.54 and 28.65)

6. Commercial California halibut and white seabass set gill net

Consider adopting proposed amendments to regulations for commercial California halibut and white seabass gill net fisheries.
(Add Section 174.1)

7. Regulation change petitions (marine)

(A) *Petitions for action today*

Consider whether to grant, deny, or refer for additional review, petitions for regulation change received at previous meetings. Petitions granted today will be added to the Commission's rulemaking calendar for development and future consideration.

(Pursuant to Section 662)

- I. *Petition 2023-04*: Request to amend commercial sea urchin regulations to (a) allow fishing on Fridays north of San Luis Obispo/Monterey county line; and (b) remove the urchin closure at South Caspar Point.

Note that this petition will be discussed and acted upon under Agenda Item 7(B), the Marine Resources Committee report.

- II. *Petition 2023-11*: Request to authorize recreational take of groundfish inside 50 fathoms using non-motorized vessels or watercraft (less than or equal to 19 feet) with mandatory descending devices.
- III. *Petition 2024-04*: Request to amend recreational ocean fishing regulations to authorize use of harpoon to assist in landing finfish, especially highly migratory species.

(B) *New petitions*

Receive new petitions for regulation change.

(Pursuant to Section 662)

Consideration of whether to grant, deny, or refer for additional review is expected to be scheduled for the October 9-10, 2024 Commission meeting.

(C) *Referred petitions*

Receive comments on petitions previously referred by the Commission to staff, legal counsel, a Commission committee, or the Department for review and recommendation.

Commission action on any referred petition will be scheduled once a recommendation is received.

8. Non-regulatory requests from previous meetings (marine)

Consider and potentially act on non-regulatory requests submitted by members of the public at previous meetings.

9. Committee and Department reports

Receive updates on items of note since the previous Commission meeting from Commission committees and Department divisions.

(A) Tribal Committee

Receive summary and consider approving recommendations from the August 13, 2024 committee meeting. Discuss referred topics and consider revisions to topics and timing.

(B) Marine Resources Committee

Receive summary and consider approving recommendations from the July 17-18, 2024 committee meeting. Discuss referred topics and consider revisions to topics and timing.

(C) Department Marine Region

I. Update on implementing 28 prioritized adaptive management recommendations from the decadal management review of California's marine protected areas network and management program.

10. Commission administrative items

(A) Legislative report

Receive updates on legislative activity and consider providing direction to staff on potential actions.

(B) Potential meeting dates for 2026

Consider and potentially approve revised draft meeting dates for 2026 as proposed by staff; staff will confirm locations at a future meeting.

DAY 2 – August 15, 2024, 8:30 AM

Call to Order/Roll Call to Establish Quorum

Consent Items

Note: Items on the consent calendar are expected to be routine and non-controversial. After public comment, the Commission will consider approving items on the consent calendar in a single vote without discussion. The presiding commissioner may choose to remove any item from the consent calendar and allow a separate discussion and potential action on that item in response to a request by a Commission member, staff, or an interested person.

11. Lime Ridge eriastrum (consent)

Consider ratifying findings on the decision to list Lime Ridge eriastrum (*Eriastrum ertterae*) as endangered under the California Endangered Species Act. (Pursuant to Section 2075.5, California Fish and Game Code)

Staff will recommend this item be continued to the October 9-10, 2024 meeting.

Discussion and Action Items

12. Lake County stonecrop five-year status review

Receive a presentation from the Department on the five-year status review for Lake County stonecrop (*Sedella leiocarpa*).

(Pursuant to Section 2077, California Fish and Game Code)

13. Wildlife rehabilitation

Discuss and consider authorizing staff to provide public notice of *sufficiently related* changes to amend regulations regarding wildlife rehabilitation.

(Repeal Section 679; add sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8 and 679.9; add Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual; and amend section 703)

14. White sturgeon emergency sport fishing during California Endangered Species Act candidacy

Consider adopting emergency regulations for the recreational take of white sturgeon in inland and ocean waters, pursuant to California Fish and Game Code Section 2084.

(Amend sections 5.79, 5.80, 27.90 and 27.92)

15. White sturgeon sport fishing regular rulemaking

Consider adopting proposed amendments to continue emergency rules through a regular rulemaking for recreational take of white sturgeon in inland and ocean waters.

(Amend sections 5.79, 5.80, 27.90 and 27.92)

The Department requests the Commission not proceed with the proposed amendments.

16. Inland sport fishing

Consider adopting proposed amendments to regulations for freshwater sport fishing bag limits, gear, and low-flow information and taking final action under the California Environmental Quality Act.

(Amend sections 2.30, 5.00, 7.50, 8.00 and 703)

17. Regulation change petitions (wildlife)

(A) ***Petitions for action today***

Consider whether to grant, deny, or refer for additional review, petitions for regulation change received at previous meetings. Petitions granted today will be added to the Commission's rulemaking calendar for development and future consideration.

(Pursuant to Section 662)

I. *Petition 2024-06*: Request to authorize a recreational fishery for white sturgeon if the petition is accepted for consideration.

II. *Petition 2023-17*: Request to add use of horses to allowable activities in the Bayview Unit of Morro Dunes Ecological Reserve.

III. *Petition 2018-016(a)*: Request to remove Hope Valley Wildlife Area from the Department Lands Pass Program.

- (B) ***New petitions***
Receive new petitions for regulation change.
(Pursuant to Section 662)
Consideration of whether to grant, deny, or refer for additional review is expected to be scheduled for the October 9-10, 2024 Commission meeting.

- (C) ***Referred petitions***
Receive comments on petitions previously referred by the Commission to staff, legal counsel, a Commission committee, or the Department for review and recommendation.
Commission action on any referred petition will be scheduled once a recommendation is received.

18. Non-regulatory requests from previous meetings (wildlife)

Consider and potentially act on non-regulatory requests submitted by members of the public at previous meetings.

19. Committee and Department reports

Receive updates on items of note since the previous Commission meeting from Commission committees and Department divisions.

- (A) ***Wildlife Resources Committee***

- Discuss referred topics and consider revisions to topics and timing. Consider approving draft agenda topics for the next committee meeting to be held September 12, 2024.

- (B) ***Department Wildlife and Fisheries Division, and Department Ecosystem Conservation Division***

- I. Report on what has been learned about chronic wasting disease, with information surrounding testing station location, participants, and outreach and education on both transport and statewide testing
 - II. Report on predator management in the context of bighorn sheep concerns
 - III. Presentation on the Department Private Lands Management Program

20. Commission administrative items

- (A) ***Rulemaking timetable updates***

- Review and potentially approve changes to the perpetual timetable for anticipated regulatory actions.

- (B) ***Future meetings and new business***

- Review logistics and approve draft agenda items for the next Commission meeting (October 9-10, 2024), consider any changes to approved meeting dates or locations, or introduce new business for a future meeting agenda.

General Public Comment

21. General public comment for items not on the agenda

Receive public comment regarding topics within the Commission's authority that are not included on the agenda.

Note: The Commission may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting (sections 11125 and 11125.7(a), Government Code).

Adjourn

Public Receipt of Documents

This section of the agenda highlights reports or other documents received by the Commission since the previous meeting. Any Commission discussion or action on these documents will be noticed and placed on the agenda of a future meeting. Since June 20, 2024, the Commission has received three documents:

1. Department evaluation report on the petition to list western burrowing owl (*Athene cunicularia hypugaea*) as threatened under California Endangered Species Act. Additional information about the petition is available at <https://fgc.ca.gov/CESA#wbo>.
2. Department petition to list Bear Lake buckwheat (*Eriogonum microtheca* var. *lacus-ursi*) as endangered under the California Endangered Species Act. Additional information about the petition is available at <https://fgc.ca.gov/CESA#BLB>.
3. Petition from Dr. Christopher Kofron and Dr. Claudia Tyler to list morro manzanita (*Arctostaphylos morroensis*) as endangered under the California Endangered Species Act. Additional information about the petition is available at <https://fgc.ca.gov/CESA#MM>.

Executive Session

(Not open to the public)

At a convenient time during the regular agenda of its August 14-15, 2024 meeting, the Commission will recess from the public portion of the agenda and conduct a closed session on the agenda items below. The Commission is authorized to discuss these matters in a closed session pursuant to Government Code Section 11126, subdivisions (a)(1), (c)(3), and (e)(1), and Fish and Game Code Section 309. After closed session, the Commission will reconvene in public session, which may include announcements about actions taken during closed session.

- (A) Pending litigation to which the Commission is a Party
 - I. The Ballona Wetlands Land Trust v. California Fish and Game Commission (Ballona Wetlands Ecological Reserve petition for regulation change)
 - II. Wright v. Sklar (classification of ferrets)
 - III. Borba et al. v. Merced Co, Merced Irrigation Dist, California Dept of Fish and Wildlife, and California Fish and Game Commission (complaint for damages related to flooding)
 - IV. Perez-Ramirez et al. v. County of Merced, City of Merced, Merced Irrigation Dist., California Dept of Fish and Wildlife, and California Fish and Game Commission (complaint for damages related to flooding)
 - V. Glenn et al. v. County of Merced, City of Merced, Merced Irrigation Dist., California Dept of Fish and Wildlife, and California Fish and Game Commission (complaint for damages related to flooding)
- (B) Possible litigation involving the Commission
- (C) Staffing
- (D) Deliberation and action on license and permit items
 - I. Consider the administrative accusation in FGC Case No. 24ALJ11-FGC seeking a five-year suspension of Roger Bruland's sport fishing license privilege.

California Fish and Game Commission Meeting Schedule

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations. All Commission meetings will include a webinar/teleconference option for attendance and every effort will be made to ensure that committee meetings include the same.

Meeting Date	Commission Meeting	Committee Meeting
September 12, 2024		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
October 9-10, 2024	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
November 7, 2024		Marine Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 10, 2024		Tribal California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 11-12, 2024	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
January 15, 2025		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
February 12-13, 2025	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
March 13, 2025		Marine Resources Sacramento area

Meeting Date	Commission Meeting	Committee Meeting
April 15, 2025		Tribal California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
April 16-17, 2025	Sacramento area	
May 14, 2025	Teleconference	
May 15, 2025		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
June 18-19, 2025	California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	

Other Meetings of Interest

Meetings listed here are organizations for which the Commission: (1) is a member, or (2) takes action based upon regulations developed by that organization.

[Association of Fish and Wildlife Agencies](#)

- September 22-25, 2024 – Madison, WI

[Pacific Fishery Management Council](#)

- September 18-24, 2024 – Spokane, WA
- November 13-19, 2024 – Costa Mesa, CA
- March 5-11, 2025 – Vancouver, WA
- April 9-15, 2025 – San Jose, CA

[Pacific Flyway Council](#)

- August 30, 2024 – Jackson, WY

[Western Association of Fish and Wildlife Agencies](#)

- December 3-5, 2024 – WY
- June 2-6, 2025 – Provo, UT

[Wildlife Conservation Board](#)

- August 22, 2024 – Sacramento, CA
- November 21, 2024 – Sacramento, CA
- February 26, 2025 – Sacramento, CA (tentative)
- May 22, 2025 – Sacramento, CA (tentative)

Important Commission Meeting Procedures Information

Welcome to a Meeting of the California Fish and Game Commission

This year marks the 155th year of operation of the Commission in partnership with the California Department of Fish and Wildlife. Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Commission meetings are vital in achieving that goal and we provide this information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

Persons with Disabilities

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Department's Civil Rights Office (CRO) at civilrights@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility and requests for American Sign Language interpreters should be submitted at least two weeks prior to the event. Requests for real-time captioners should be submitted at least four weeks prior to the event. These timeframes are to help ensure that the requested accommodation is met. If a request for an accommodation has been submitted but is no longer needed, please contact the CRO immediately.

Stay Informed

To receive meeting agendas and regulatory notices about those subjects of interest to you, visit the Commission's website, www.fgc.ca.gov, to sign up on our electronic mailing lists.

Submitting Written Comments

The public is encouraged to comment on any agenda item. Submit written comments by one of the following methods: E-mail to fgc@fgc.ca.gov; mail to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; deliver to California Fish and Game Commission, 715 P Street, 16th Floor, Sacramento, CA 95814 (you must call at least one business day in advance to arrange delivery); or hand-deliver to a Commission meeting. Materials provided to the Commission may be made available to the general public.

Comment Deadlines

The **Comment Deadline** for this meeting is **5:00 p.m. on August 1, 2024**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Supplemental Comment Deadline** for this meeting is **noon on August 9, 2024**.

Comments received by this deadline will be made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting. Please bring 12 copies of written comments to the meeting and give them to the designated staff member just prior to speaking.

Petitions for Regulation Change

Any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit form FGC 1, *Petition to the California Fish and Game Commission for Regulation Change*, available at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. To be received by the Commission at this meeting, petition forms must be delivered by the **Supplemental Comment Deadline** (or delivered in person at the meeting during the

regulation change petitions agenda item). Petitions received at this meeting will be scheduled for consideration at the next regularly scheduled business meeting, unless the petition is rejected under staff review pursuant to subsection 662(b).

Non-Regulatory Requests

All non-regulatory requests follow a two-meeting cycle to ensure proper review and thorough consideration of each item. All requests submitted by the **Supplemental Comment Deadline** (or heard during general public comment at the meeting) will be scheduled for receipt at this meeting and scheduled for consideration at the next regularly scheduled business meeting.

Speaking at the Meeting

To speak on an agenda item in-person, please complete a “speaker card” and provide it to the designated staff member before the agenda item is announced. Please complete one speaker card per item. Cards will be available near the entrance of the meeting room.

To speak on an agenda item by webinar/phone, please “raise” your hand either through the Zoom function or by pressing *9 once on your phone when prompted at the beginning of the agenda item.

1. In-person speakers will be identified in groups; please line up when your name is called. Speakers by webinar/teleconference will be identified by your Zoom display name or last three digits of your phone number; please pay attention to when your name or number is called.
2. When addressing the Commission, please give your name and the name of any organization you represent, and provide your comments on the item under consideration.
3. If there are several speakers with the same concerns, please appoint a spokesperson and avoid repetitive testimony.
4. The presiding commissioner will allot between one and three minutes per speaker per agenda item, subject to the following exceptions:
 - a. The presiding commissioner may allow up to five minutes to an individual speaker if a minimum of three individuals who are present when the agenda item is called have ceded their time to the designated spokesperson, and the individuals ceding time forfeit their right to speak to the agenda item.
 - b. In-person participants ceding their time shall complete a speaker card and approach the staff table with the spokesperson so that staff may confirm the presence of those ceding their time. If you are participating via Zoom and ceding your time to another speaker, please notify the Commission at fgc@fgc.ca.gov prior to the start of the agenda item, including to whom you are ceding your time, and be present on Zoom during the agenda item.
 - c. Individuals may receive advance approval for additional time to speak if such requests are received by email or delivery to the Commission office by the **Supplemental Comment Deadline**. The president or designee will approve or deny the request no later than 5:00 p.m. two days prior to the meeting.
 - d. An individual requiring an interpreter is entitled to at least twice the allotted speaking time pursuant to Government Code Section 11125.7(c).
 - e. An individual may receive additional time to speak to an agenda item at the request of any commissioner.

Agenda items may be heard in any order and on either day pursuant to the discretion of the presiding commissioner.

Visual Presentations/Materials

All electronic presentations must be submitted by the ***Supplemental Comment Deadline*** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email to fgc@fgc.ca.gov. If the presentation file is too large to send via email, contact staff to identify an alternative method for submitting the file.
2. All electronic formats must be Windows PC compatible.
3. If presenting at the in-person meeting location, it is recommended that you bring a print copy of your presentation in case of technical difficulties.
4. If you have written materials to accompany your presentation, please bring 12 copies to the meeting and give them to the designated staff member just prior to presenting.

California Fish and Game Commission Tribal Committee (TC) Work Plan

Updated June 20, 2024

Topic / Goal	Type / Lead	Dec 2023	Aug 2024	Dec 2024
CFGFC justice, equity, diversity and inclusion plan	CFGFC Project	X	X	X
Commission Tribal Consultation Policy	CFGFC Policy		X	X
Tribal subsistence definition and related management mechanisms	TC Project	X	X	
Co-management roundtable discussion	TC Project	X	X	X
Coastal Fishing Communities Policy implementation	MRC Project	X/R	X	
Sheep, deer, antelope, trout, abalone, kelp/seaweed: Updates and guidance (timing as appropriate)	CDFW	X	X	X
Annual tribal planning meeting	CFGFC Project	X	X	X
California Natural Resources Agency	CNRA	X	X	
OPC – MPA Statewide Leadership Team; Tribal Marine Stewards Network	OPC	X	X	X
CDFW – Possible items include: <ul style="list-style-type: none"> - Marine protected areas (MPA) decadal management review, MPA petitions - Drought/wildfire impacts and state response - Climate adaptation, mitigation, science - Statewide kelp and abalone recovery efforts - Proposition 64 (cannabis) implementation - Other items as identified by CDFW 	CDFW	X	X	X
Cross-pollination with MRC and WRC: Identify tribal concerns and common themes with MRC and WRC	CFGFC Committees	X	X	X
Coastal Fishing Communities Project updates	MRC Project		X	
CFGFC regulatory and non-regulatory updates	CFGFC staff	X	X	X

Key: X = Discussion scheduled X/R = Recommendation developed and moved to CFGFC

CFGFC = California Fish and Game Commission

MRC = CFGFC's Marine Resources Committee

WRC = CFGFC's Wildlife Resources Committee

OPC = California Ocean Protection Council

CDFW = California Department of Fish and Wildlife

CNRA = California Natural Resources Agency