

Attachment 1

Public comment responses to incidental take authorization for work on pre-existing artificial structures within marine protected areas (MPAs).

#	Name, Format, Date	Public Comment	CDFW Response
1a	Ray Hiemstra, Orange County Coastkeeper, Oral comment, 8/23/23	I am concerned about potential loopholes. Specifically, I think the regulations should reference Table 1 identified within the Initial Statement of Reasons. With Table 1, we know which facilities are in MPAs and may need repair.	Table 1 only lists the currently known structures in MPAs. However, when compiling the list for Table 1 it became clear that there may be more pre-existing infrastructure in California's MPAs. The proposed regulations are written to address those structures that have not been identified yet.
1b	Ray Hiemstra, Orange County Coastkeeper, Oral comment, 8/23/23	I want to make sure if a structure needs repair that it doesn't get expanded or has a larger footprint. I have numerous examples of situations where existing facilities get repurposed for something else and then they become bigger.	The proposed regulations were specifically written to safeguard against expansion of the existing footprint. The proposed regulations state: "Take of marine resources incidental to the operation, maintenance, repair, removal, and replacement within the existing footprint of pre-existing artificial structures is allowed in [corresponding designation] pursuant to any required federal, state, and local permits and leases or if otherwise authorized through any applicable federal, state, and local law.
2	Unidentified commenter, Oral Comment, 8/23/23	When these marine life protection areas were enacted, they were sold to us as a temporary thing. As stocks rebuild, they would reduce the size and scope of the marine life protection areas. Now you are trying to shove this 30x30 down our throats. Bonham didn't address this, but he is a pot farmer. He is a winer, wine vintner, whatever you call them. Same with Newsom. You guys are all running shell companies to be making a bigger profit and make more money and be richer and richer. While us anglers get screwed and get nothing except for our tax dollars, our luxury tax on our boats. You guys are twisted. I don't know what you are drinking in the Kool-Aid, but something is not right.	Comment noted. This comment does not pertain to this specific rulemaking.

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#	Name, Format, Date	Public Comment	CDFW Response
3	Nick Zuppas, Stateside Associates, Written comment, July 28, 2023	I am specifically wondering the following: 1) Who is the best point of contact for the rulemaking procedure, as multiple from different departments are listed? 2) What is the comment deadline? There are two sets a week apart. 3) Are there 2 hearings scheduled, or is one tentative? I see one for August and one for December. 4) What is the last digit of the phone number for Amanda Van Diggelen, the full number is incomplete.	The California Fish and Game Commission received and directly responded to Mr. Zuppas's four questions.