

Responses to Frequently Asked Questions About the Marine Protected Area Petition Process

- **What is the California Fish and Game Commission's (CFGC) petition process and how do marine protected areas (MPAs) fit in? What are the key agency roles in the petition process?**
 - o Every person or agency can submit [petitions](#) to CFGC at any time to add, amend, or repeal fish and game regulations, including regulations related to MPAs.
 - o [CFGC is the primary decision-making authority for California's natural resources](#), including MPAs, and has the authority to grant or deny petitions.
 - o Part of the CFGC decision-making process includes utilization of their Marine Resources Committee (MRC) that addresses marine resource issues and makes recommendations to CFGC.
 - o California Department of Fish and Wildlife (CDFW) is the lead managing agency for the MPA Network that implements and enforces the regulations set by CFGC and works across all [four pillars of the MPA Management Program](#).
- **Why did CFGC receive so many MPA petitions at one time? How was the MPA petition evaluation process created?**
 - o Leading up to the first comprehensive [Decadal Management Review](#) (DMR) of California's MPA Network, growing public interest in making changes to the MPA regulations became apparent.
 - o CFGC requested those interested in submitting a petition specific to MPAs wait until after completion of the DMR to inform and guide the decision-making process.
 - o One priority [recommendation of the DMR](#) was to apply what was learned from the DMR to adaptively manage the MPA Network and Management Program.
 - o At the October 2023 CFGC meeting, CFGC requested all petitions to amend MPA regulations be submitted by November 30, 2023, for the December CFGC meeting.
 - o After receiving an unprecedented number of petitions (20 petitions with over 80 requests), [CFGC referred all MPA petitions to CDFW](#), and directed CDFW to draft a process for MPA petition evaluation.
- **What is the MPA petition evaluation process? What are the petition bins? Will both bins be evaluated the same way?**
 - o After discussion and input from the public, CFGC approved CDFW's [3-phased approach to MPA petition evaluation](#):
 - Phase 1) Sort petitions into two "bins" near-term and longer-term based on complexity
 - Phase 2) Split the petitions in each bin into their individual actions to more effectively evaluate each petition component
 - Phase 3) Evaluate each petition action using CFGC's [regulation change petition framework](#)
 - o To sort the petitions into bins, CDFW used [criteria approved by CFGC](#) 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).

- o Both Bin 1 and Bin 2 petitions will be evaluated using the same framework in Phase 3. However, evaluations on Bin 2 petitions will be on a longer timeline. Policy guidance may be needed on Bin 2 petitions before moving forward with evaluation, and evaluations will be more extensive, since they require more information gathering, scientific analysis, and partner coordination.
- **Does Bin 1 mean ‘approved’ or ‘yes’?**
 - o For petitions that land in Bin 1, it does not mean “recommended”, “approved”, “granted”, or “yes”. Bin 1 petitions simply met the criteria to be evaluated in the near-term without additional policy guidance, information, and/or resources prior to evaluation. All Bin 1 and Bin 2 petitions have the potential to be granted or denied by CFGC. For all petitions in both Bin 1 and Bin 2, CDFW will provide recommendations to CFGC on whether to grant or deny action items. CFGC may choose to accept the recommendations or not or request more information.
- **What is adaptive management, and how does it relate to the MPA petition process?**
 - o With regard to MPAs, “adaptive management” is defined in the [Marine Life Protection Act](#) as a management policy that seeks to improve management of biological resources, particularly in areas of scientific uncertainty, by changing it based on lessons learned. Actions shall be designed so that, even if they fail, they will provide useful information for future actions, and monitoring and evaluation shall be emphasized so that the interaction of different elements within marine systems may be better understood.
 - o Examples of adaptive management include improved signage and outreach to increase compliance, cost effective monitoring tools, and CFGC’s regulatory process.
- **How can I learn more about the MPA petition process?**
 - o Check out CDFW’s online [Story Map](#) for descriptions and interactive maps for each petition.
 - o Attend, listen in, or give public comment at [CFGC and MRC meetings](#).
 - While decisions about petitions are made by the full CFGC, more detailed discussions on petitions may occur at the CFGC’s MRC meetings. The MRC may choose to bring recommendations on how to act on petitions to the full CFGC based on these discussions. Be sure to check the agenda for MPA petition items and ways to join virtually.
 - o Send petition questions and provide comment to CFGC via email at fgc@fgc.ca.gov