

Committee Staff Summary for March 13, 2025 MRC

7. General Public Comment**Today's Item****Information** **Action**

Receive public comment regarding topics that are not included on the agenda.

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

The Marine Resources Committee (MRC) receives two types of correspondence or comment under general public comment: (1) requests for MRC to consider new topics and (2) informational items. As a general rule, requests for a regulation change must be submitted to the Commission on petition form FGC 1, *Petition to the California Fish and Game Commission for Regulation Change*. However, MRC may, at its discretion, request that staff follow up on items of potential interest for possible recommendation to the Commission.

Significant Public Comments

1. A joint letter from the petitioners for petitions 2023-28MPA and 2023-29MPA provide an update on their extensive outreach efforts. Since January 2024, they have conducted over 100 meetings, engaging with tribal members, stakeholders, elected officials, and community members. They plan to continue outreach and submit amended petitions reflecting these discussions (Exhibit 1).
2. A founder of a kelp restoration non-governmental organization and MPA petitioner expresses frustration about the slow progress on their petition intended to support kelp restoration. They announce their intention to proceed with urchin removals to support kelp restoration efforts independently within existing regulations (Exhibit 2).
3. A San Anselmo resident opposes the proposed San Andreas Shellfish aquaculture lease in Tomales Bay, due to environmental concerns, including potential impacts to shorebirds, eelgrass, harbor seals, and coho salmon, and concerns related to introduction of invasive species (Exhibit 3).

Recommendation (N/A)**Exhibits**

1. [Joint letter from Natural Resources Defense Council, Santa Ynez Band of Chumash Indians, and Environmental Defense Center, petitioners, petition 2023-28MPA and petition 2023-29MPA, received February 28, 2025](#)
2. [Email from Keith Rootsart, Founder, Giant Kelp Restoration Project, and petitioner for petition 2023-23MPA-AM1, received February 28, 2025](#)
3. [Email from Nicole Heslip, received February 28, 2025](#)

Committee Direction/Recommendation (N/A)

From: Erin Eastwood <[REDACTED]>

Sent: Friday, February 28, 2025 4:21:06 PM

To: FGC <FGC@fgc.ca.gov>

Subject: Written Comment for March 13 MRC Meeting

Hello,

Please see the written comment from the Santa Ynez Band of Chumash Indians, Environmental Defense Center, and the Natural Resources Defense Council, attached. Thank you for your consideration.

--

Erin Eastwood

Founder and Principal

Blue Spark Strategies, LLC

[REDACTED]

[REDACTED]



February 28, 2025

Samantha Murray, Vice President
California Fish and Game Commission
715 P Street, 16th Floor
Sacramento, CA 95817

Submitted electronically to fgc@fgc.ca.gov

**RE: Comments on Fish and Game Commission Marine Resources Committee March 2025 Meeting
Agenda Item 5 A II: MPA Regulation Change Petitions**

Dear Vice President Murray and Commissioner Sklar:

The Natural Resources Defense Council (NRDC) submitted two petitions to designate new Marine Protected Areas (MPAs) in Santa Barbara County:

- Petition 2023-28-MPA proposes a new MPA in the waters surrounding Point Sal.
- Petition 2023-29MPA, submitted with the co-sponsors, Santa Ynez Band of Chumash Indians (SYBCI) and Environmental Defense Center (EDC), proposes a California-Chumash co-managed MPA off the coast of Carpinteria to be named Mishopshno.

For each petition, we conducted initial outreach during late Summer and Fall 2023 before submission to the Commission. More sustained outreach efforts began upon the petitions' formal acceptance by the Commission in December 2023. We provided an update on our outreach in July 2024, and this letter will describe our subsequent outreach efforts.

Since January 2024, our two organizations and Tribal nation have conducted over 100 meetings and phone calls with stakeholders and community members. Many of the meetings since July 2024 are follow up meetings where we have solicited feedback on the proposed boundaries and regulations and worked to build support for the petitions and address concerns with the proposals. Since the July update, we have conducted additional outreach to local Tribal members and organizations, local fishing representatives, elected officials, and local businesses and community members. We have attended community meetings, fishing association meetings, and hosted public webinars to reach and hear from as many stakeholders as possible. We plan to submit amendments for both of our petitions to the Fish & Game Commission by the March deadline. These amendments will reflect the discussions we have had with Tribes and fishers.

Throughout this process, we have prioritized 1) connecting with the local community, 2) responding to questions, ideas, and concerns, and 3) sharing information as broadly as possible so all interested parties can come to the table to inform upcoming decision-making moments. For the Mishopshno petition in particular, SYBCI, EDC, and NRDC have undertaken our outreach efforts as a team.

We have shared the following types of information throughout our outreach efforts:

- Background on the MPA Network, Marine Life Protection Act goals, Decadal Management Review and its findings, and the latest science

- Fish and Game Commission meeting updates
- MPA petition evaluation timeline and process updates
- Opportunities for public participation
- Research and outreach findings
- MPA petition details

Throughout our outreach, our organizations and Tribal nation have connected with hundreds of interested individuals via email, phone calls, and virtual and in-person meetings, including:

- Federally and non-federally recognized Tribes
- Tribal non-profit organizations
- City Council members, District Supervisors, Mayors, city staff
- Congressional, Assembly, and Senate offices and district staff
- Local and State agencies (i.e., Santa Barbara Flood Control District, Santa Barbara County Parks, State Parks, etc.)
- Local businesses
- Local scientists
- Commercial fishing representatives
- Local recreational fishers (e.g., spearfishers, catch-and-release fishers)
- Local homeowners
- Local, state, and national non-profit organizations
- Youth
- Community centers

These conversations have improved our understanding of the Carpinteria and Point Sal regions, highlighted community support for protecting the coastal waters in those areas and concerns about how it is done, shaped our supplemental site-specific research, and informed our verbal and written public comments to the Commission. We hope the insight and supplemental information gathered through our outreach efforts maximize each petition's potential to strengthen our MPA Network.

In the coming months, we hope to build on the connections we've made thus far and to engage with key stakeholders and members of Tribal nations we haven't yet reached. We look forward to sharing our outreach and supplemental research findings with the CDFW and FGC teams to inform the evaluation of petitions 2023-28MPA and 2023-29MPA.

Thank you for the opportunity to weigh in on the adaptive management of California's MPA Network.

Sincerely,

Sandy Aylesworth
 Director, Pacific Initiative, Nature
 Natural Resources Defense Council

Sam Cohen
 Government Affairs and Legal Officer

Santa Ynez Band of Chumash Indians

Azsha Hudson

Marine Conservation Analyst & Program Manager

Environmental Defense Center

From: Keith Rootsart <[REDACTED]>
Sent: Friday, February 28, 2025 1:30 PM
To: Ashcraft, Susan@FGC <Susan.Ashcraft@fgc.ca.gov>; FGC <FGC@fgc.ca.gov>
Cc: Andy Beahrs <[REDACTED]>; Miller-Henson, Melissa@FGC <Melissa.Miller-Henson@fgc.ca.gov>
Subject: RE: Written Comments - MRC Agenda Item 5A2A

Dear FGC Staff,

The Fish and Game Commission's Marine Resources Committee agenda was posted. We submitted our amendment on our DMR petition in January because the Department said that the sooner they get the revisions the sooner they would evaluate them, but nothing is going to be evaluated until after 6 more amendments are received on March 14, the day after the March 13 MRC meeting.

Since there is no action scheduled on our DMR petition, our input for evaluation will not be needed until at least the next MRC meeting on July 17th, 596 days after we submitted our petition. By then we will be well upon our way restoring kelp in Monterey using existing regulations. By the time CDFW/OPC gets around to deciding whether to restore kelp in Monterey we will have restored more kelp than all the remaining kelp in Monterey. Despite the prospect of the biggest kelp forest residing outside the MPAs, the FGC is not embarrassed or willing to act urgently. At the last FGC meeting Commissioner Murray assured detractors that they are not willing to act quickly on the remaining 15 MPA petitions.

We submitted petitions 2024-10 and 2024-12 and they were denied but they helped clarify the use of an airlift was for commercial use and that culling urchins was not allowed until the KRMP is implemented in 2027. Because the ecosystem is wrecked and starving endangered southern sea otters are washing ashore, we can't wait around and must proceed now without willing government partners. At the February FGC meeting I advised Dr. Shuman that we will be starting this spring removing purple urchins with commercial divers and an airlift. Our certified kelp restoration divers will remove red urchins with bags. This is not the best plan or the best place, but 84% of the coast is available to us without changing regulations in 2023-23MPA AM 1. We will start work in the 92 acre treatment side of Tanker's Reef which is not in an MPA. Our partners at Reef Check California will provide the scientific monitoring and urchin landing data will be available to the Department.

Thank you,

Keith Rootsart

Giant Kelp Restoration



Giant Kelp
Restoration Project

Sea otter carcass in Marina California
December 29, 2024



From: Nicole Heslip <[REDACTED]>

Sent: Friday, February 28, 2025 11:12 AM

To: FGC <FGC@fgc.ca.gov>

Subject: Tomales Bay mariculture lease

Dear Fish & Game Commission,

I recently learned of the mariculture lease proposed for Tomales Bay, CA. I have many concerns about this, as this is one of the most biologically sensitive and ecologically important areas of Tomales Bay.

The shellfish and algae cultivation would cover, shade, and occupy habitats, displacing and otherwise harming native wildlife - including shorebirds, marine mammals, eelgrass, and algae that other native species rely on. The intertidal habitat is an essential foraging habitat for migratory shorebirds along this part of the Pacific Flyway. The mariculture operation would cover mudflat and shallow water habitats by removing foraging habitat from these already-declining shorebird populations.

In addition to direct habitat loss from covered mudflats, there would be significant disturbance caused by operations and maintenance - from vessels, machines, and workers maintaining the racks and harvesting the oysters. These activities would further limit shorebirds foraging on adjacent mudflats with the noise and degradation of water quality from boat engines.

The proposed mariculture operation threatens the health of adjacent eelgrass beds, as the narrow margins between oyster and eelgrass areas make it difficult for boats to avoid damage. Eelgrass naturally expands and contracts, but this project would prevent its growth, while anchor and mooring lines could further degrade its condition.

Harbor seals, including 400-500 individuals with 100 pups, rely on Tomales Bay's waters and tidal habitats for feeding and breeding. Increased noise, visual disturbances, and pollution from the operation would disrupt these marine mammals. Additionally, proposed structures with fencing and roofing to exclude birds and mammals could have unstudied ecological consequences.

The project also includes commercial cultivation of unspecified red algae for agar production. Without clear details, there is concern that an invasive species—previously introduced through mariculture—could outcompete native algae, threatening the estuary's delicate ecosystem.

Endangered Coho salmon and threatened steelhead use the estuary, and this operation would further reduce their habitat while exposing them to human disturbances and water quality degradation.

The bay's ecosystem is already under severe stress from climate-related changes, including marine heat waves, the deaths of over 40% of the gray whale population, massive sea star die-offs, and the loss of 90% of kelp forests. Introducing additional pressures could further compromise the resilience of this fragile environment.

In summary, there are far too many legitimate, ecologically important reasons to deny this mariculture lease in Tomales Bay, and for the record, I urgently oppose it.

Thank you,

Nicole Heslip

San Anselmo, CA resident