



Tracking Number: ( 2023-27MPA AM1 )

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

## **SECTION I: Required Information.**

*Please be succinct. Responses for Section I should not exceed five pages*

### **1. Person or organization requesting the change (Required)**

Name of primary contact person: Azsha Hudson

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

### **2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Authority cited: Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code**

### **3. Overview (Required) - Summarize the proposed changes to regulations: ~~This petition seeks to reclassify the Anacapa State Marine Conservation Area (SMCA) as a State Marine Reserve (SMR) or at a minimum reclassify the portion of the SMCA from shore to at least 30 meters depth to better protect eelgrass habitat.~~**

This petition seeks to protect the eelgrass meadows located in the Anacapa Island State Marine Conservation Area (SMCA) from hard bottomed objects such as the gear type listed for the commercial lobster fishery and anchors used for vessels. We ask the Commission to evaluate the below solutions and choose the one that best protects the eelgrass meadow while allowing for community access:

- Change current regulations to disallow commercial lobster fishing year round
- Change current regulations to disallow hard bottomed fishing gear (including anchoring if applicable) near eelgrass meadows
- Change the existing border, prohibiting the deployment of lobster traps from 0-30 meters (0-98.43 feet) instead of the existing 0-20 feet



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

Numerous state and federal policies underscore the importance of eelgrass as an important yet vulnerable species that provides nursery habitat for fish, reduces coastal erosion, acts as a carbon sink, and increases species diversity by providing three-dimensional structure on sandy bottomed habitats.

Based on a scientific study conducted at the Anacapa SMCA from 2016 to 2019<sup>1</sup>, and a growing body of literature on eelgrass recruitment and ecology, there is compelling evidence that seasonally occurring lobster trapping and anchoring in the SMCA is destroying eelgrass beds that are otherwise thriving in the adjacent Anacapa SMR.

~~The limited subset of pelagic fishing methods allowed at the Anacapa SMCA also creates challenges for enforcement by requiring officers to board vessels and confirm compliance on an individual basis.~~ This petition requests Fish and Game Commission (FGC) approval to support the goals of the Marine Life Protection Act (MLPA), align with state and federal policies focused on eelgrass resilience and health, and protect important eelgrass and associated marine life at Anacapa Island.

**SECTION II: Optional Information**

**5. Date of Petition: ~~11/17/2023~~ AMENDED 1/17/2025**

**Category of Proposed Change**

- 6.** ☐ Sport Fishing  
☐ ~~Commercial~~ Commercial Fishing

☒ Other, please specify: MPAs, Section 632.

**7. The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

- ☒ Amend Title 14 Section(s): [Westlaw regulations.](#)  
☐ Add New Title 14 Section(s): [Click here to enter text.](#)  
☐ Repeal Title 14 Section(s): [Click here to enter text.](#)

**8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.](#)  
Or ☒ Not applicable.

**9. Effective date:** If applicable, identify the desired effective date of the regulation.  
If the proposed change requires immediate implementation, explain the nature of the emergency: November 1, ~~2024~~ 2025

<sup>1</sup>Jessica Altstatt (2021). Island Eelgrass (*Zostera pacifica*): Focused Assessment of Condition and Extent of Meadows and Biological Monitoring of Associated Fish and Invertebrate Communities



**10. Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

- Petition narrative on eelgrass at Anacapa SMCA
- White paper research from Jessica Alstatt.

**11. Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing:

This petition protects habitat that confers biodiversity and biomass benefits that enhance the health of Anacapa Island and surrounding ecosystems. Eelgrass beds filter nutrients, stabilize sediments, and increase complexity of the substrate and effective habitat for marine life. As demonstrated by numerous reports of lobster traps “fishing the line” of the Anacapa SMR, fishers perceive that the nearby fully protected MPA has created a beneficial habitat for lobster trapping. Notably, a recent study on the California spiny lobster fishery determined that the short-term losses from a restrictive MPA is compensated by an over 200% increase in total catch after about 6 years of MPA designation.<sup>2</sup>

This petition is intended to protect ~~would close~~ the Anacapa SMCA eelgrass meadow and associated biodiversity from ~~to~~ lobster trapping which occurs during the months of November and December. The proposed amendment would extend the prohibition to include these months, and would also prevent anchoring damage from pelagic fishing efforts. The three potential options we offer to the Commission ~~While converting this SMCA into an SMR may~~ have short term impacts on recreational and commercial fishing, any such impacts will be offset by the long-term ecosystem wide benefits of protecting eelgrass function at this valuable site.

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

[\[Click here to enter text.\]](#)

### SECTION 3: FGC Staff Only

Date received: 11/17/2023 ~~AMENDED~~ 1/17/2025

FGC staff action:

- ☐ Accept - complete  
☐ Reject - incomplete  
☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: \_\_\_\_\_

Meeting date for FGC consideration: \_\_\_\_\_

FGC action:

<sup>2</sup> Lenihan, H.S., Gallagher, J.P., Peters, J.R. et al. Evidence that spillover from Marine Protected Areas benefits the spiny lobster (*Panulirus interruptus*) fishery in southern California. Sci Rep 11, 2663 (2021). <https://doi.org/10.1038/s41598-021-82371-5>



State of California – Fish and Game Commission

**PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE**

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- ☐ Denied by FGC
- ☐ Denied - same as petition  Tracking Number
- ☐ Granted for consideration of regulation change



January 17, 2025

California Fish and Game Commission  
715 P Street, 16th Floor, Sacramento, CA 95814

**Re: Anacapa Island State Marine Conservation Area (2023-27MPA) Revised  
Petition Cover Message**

Dear President Murray and honorable commissioners:

In November 2023, the Environmental Defense Center (“EDC”) submitted a petition (2023-27MPA) to reclassify the Anacapa Island State Marine Conservation Area (“Anacapa SMCA”) as a State Marine Reserve (“SMR”) or, at a minimum, to reclassify the portion of the SMCA from shore to at least 30 meters depth to better protect eelgrass habitat. We now request that the Fish and Game Commission (“FGC”) and California Department of Fish and Game (“CDFW”) evaluate the below solutions and choose the one that best protects the eelgrass meadow while allowing for community access:

- Change current regulations to disallow commercial lobster fishing year round
- Change current regulations to disallow hard bottomed fishing gear (including anchoring if applicable) near eelgrass meadows
- Change the existing border, prohibiting the deployment of lobster traps from 0-30 meters (0-98.43 feet) instead of the existing 0-20 feet

We came to the above alternative solutions after extensive and ongoing community outreach (please refer to EDC’s July 31, 2024, letter re: Petition for Anacapa State Marine Conservation Area – Agenda Item 6(c) for more detailed explanation (see attached). The goal of our petition is to protect the historic eelgrass meadow that has gone through rehabilitation and replantation efforts and is being directly threatened by hard bottomed lobster traps, with potential impact from other hard bottomed items like anchors.

Sincerely,

Azsha Hudson  
Marine Conservation Analyst & Program Manager





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