

Staff Summary for December 10-11, 2025

6A. Commission Executive Director's Report**Today's Item****Information** ☒**Action** ☐

Receive updates from the executive director and staff on items of note since the previous Commission meeting in October 2025.

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

The Commission employs an executive director to assist in conducting the Commission's operations and ensuring that its wide range of responsibilities and authorities are fulfilled daily. To ensure the ability to maintain functionality in all its capacities, the Commission has delegated various authorities to its executive director, who "...shall report to the Commission at each regular meeting on important delegated actions."

Today's report covers four topics:

- Justice, equity, diversity and inclusion (JEDI) awareness
- Intergovernmental Affairs
- Personnel
- California Environmental Quality Act

JEDI Awareness**Universal Human Rights Month**

Universal Human Rights month is celebrated in December to commemorate the United Nation's creation of the [Universal Declaration of Human Rights](#) on December 10, 1948, following the widespread devastating atrocities against humans during World War II, including genocide, mass murder, torture, slavery, and starvation. The declaration defines 30 fundamental rights and freedoms that belong to every person, regardless of race, color, sex, language, religion, political affiliation, national or social origin, property, birth or other status. The declared rights and freedoms include:

- Right of life, liberty, and security
- Freedom from slavery and torture
- Freedom of thought, expression, and religion
- Right to education, work, and equal protection under the law
- Right to participate in government and free elections

The observance of Universal Human Rights month promotes cultural awareness, inclusion, equality, and justice for all. Meaningful ways to observe this month may include attending cultural events, volunteering in your community, and engaging in educational opportunities such as webinars and panels hosted by organizations like Amnesty International, United

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Nations or local universities. Additional ideas include exploring courses, books, articles, or documentaries on human and civil rights, as well as visiting museum exhibits that highlight the history and advocacy of human rights.

For those in or visiting the Sacramento area, the California Museum hosts a long-standing and award-winning exhibit, *Uprooted*, which highlights the mass incarceration of Japanese Americans during World War II. More information about the exhibit is available at <https://californiamuseum.org/exhibitions/signature/uprooted>.

Intergovernmental Affairs

On a daily basis, staff engages with other state, federal and local government agencies; while most often the interactions are informal, staff also engages more formally in partnerships and collaborative programs and projects. Two recent actions are worthy of mention.

Extension of Marine Protected Areas (MPA) Statewide Leadership Team Memorandum of Understanding for Implementation of the Marine Life Protection Act

Since establishment of California's statewide MPA network and management program, the Commission has partnered with the California Ocean Protection Council (OPC) and other government and non-governmental partners through the MPA Statewide Leadership Team (MSLT). MSLT is a collaborative body established under a joint memorandum of understanding (MOU); it is convened by OPC and supports coordinated implementation of the State's MPA Management Program.

The current MOU expires December 31 and is being renewed for an additional five-year term (Exhibit 1), accompanied by an updated joint work plan (Exhibit 2). Consistent with past Commission direction and support, your executive director will sign the MOU extension ahead of its formal presentation to OPC in early 2026.

Comment Letter to the California Department of Public Health (CDPH) regarding Imperial Beach Sanitation Survey

On November 18, 2025, your executive director submitted a letter (Exhibit 3) in response to CDPH's October 2025 limited sanitation survey for Imperial Beach. The survey report proposes a classification from Point Loma south to the California border with Mexico that would prohibit marine aquaculture due to water quality concerns.

The letter supports the Commission's authority to lease state water bottoms for aquaculture and requests a delay in finalizing CDPH's report, to allow for interagency coordination. CDPH did not consult with the Commission prior to issuing a determination that would effectively preclude aquaculture development in the San Diego region. The letter requests interagency discussion to resolve several key concerns:

- Lack of justification for extending the prohibited area to Point Loma, north of the requested assessment area (Imperial Beach)
- Absence of data transparency and access to modeling methods
- Omission or dismissal of potentially relevant water quality data

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- Failure to account for recent water quality improvements in the Tijuana River Estuary
- Limited stakeholder engagement and insufficient coordination with the Commission and other state agencies

Staff will report on engagement with CDPH and further developments at a future Commission meeting.

Personnel

For each Commission meeting, staff provides an update on its workload and a summary of activities for the previous two months (see Exhibit 4). In addition, there have been a few changes in personnel the last couple of months.

Environmental Scientist Appointment

The Commission is pleased to welcome Caroline Newell to its scientific staff. Caroline began her position as an environmental scientist on December 2, with a focus on marine issues. In her role, she will serve as the lead for marine aquaculture and the Experimental Fishing Permit Program for the Commission. Caroline previously supported the Commission as the 2025 Sea Grant state fellow, contributing to various initiatives over that past 10 months. She holds a master's degree from University of California, Davis. Her appointment is for one year, with the possibility of a one-time, one-year extension.

California Sea Grant State Fellowship - 2026 Appointment

Commission staff is pleased to announce the selection of Amanda Specht as the Commission's 2026 California Sea Grant state fellow. Amanda recently earned her master of science in environmental policy and management from the University of California, Davis, with a focus on ocean and coastal policy, marine ecology, and climate-ready sustainable fisheries. She previously earned a bachelor of science degree in biology, graduating with honors from the University of Puget Sound. Amanda will begin her fellowship in January 2026 and will be formally introduced at the February 2026 Commission meeting.

Program Manager Retirement

Dixie Van Allen joined the Commission in March 2025 and retired effective November 2025 due to an unexpected personal matter. Recruitment efforts to fill the new vacancy are underway; however, due to accrued leave balances, the position will not be eligible to fill until March 2026. The program manager has a critical role in overseeing the Commission's regulatory program, the California Endangered Species Act petition process, compliance with the California Environmental Quality Act, and general administrative functions. Adjustments to workload expectations are being introduced to manage the significant gap.

Tribal Advisor and Liaison Position

The tribal advisor and liaison position has remained unfilled since December 2024 due to a statewide hiring freeze on vacant positions imposed in early 2025. Due to the sources of funding for the position, it is expected to be permanently eliminated.

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California Environmental Quality Act (CEQA)

The Commission has delegated authority to its executive director to take actions necessary to comply with CEQA, the guidelines generally implementing CEQA, and the Commission's certified regulatory program approved by the secretary for natural resources, including conducting – or causing to be conducted – initial studies and deciding whether to prepare draft environmental impact reports, negative declarations, mitigated negative declarations, or determinations of exemption.

Since the October 2025 meeting, your executive director determined that two regulatory actions are exempt from CEQA:

- Addition of invasive non-native mussels (including golden, pond and axe-head mussels) and green crab to the list of live animals restricted for importation, transportation and possession
- Commercial bull kelp harvest restrictions

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [Memorandum of Understanding for Implementation](#) of the California Marine Life Protection Act (MLPA), undated
2. [Marine Protected Area Statewide Leadership Team Work Plan](#), dated Fiscal Years 2025/2026 – 2029/2030
3. [Letter from Executive Director Miller-Henson to Vanessa Zubkousky-White](#), Senior Environmental Scientist, Preharvest Shellfish Unit, California Department of Public Health, dated November 18, 2025
4. [Staff time allocation and activities](#), dated December 1, 2025

Motion (N/A)

MEMORANDUM OF UNDERSTANDING FOR IMPLEMENTATION OF THE CALIFORNIA MARINE LIFE PROTECTION ACT

I. OBJECTIVES

- 1.1 1.1 By this Agreement the California Ocean Protection Council, California Natural Resources Agency, California Department of Fish and Wildlife, California Fish and Game Commission, California Department of Parks and Recreation, State Water Resources Control Board, California Coastal Commission, California State Lands Commission, California Ocean Science Trust, MPA Collaborative Network, and Resources Legacy Fund (hereafter referred to as "Core Parties") seek to memorialize their commitments to successful implementation of the network of marine protected areas (MPAs) established by the State of California pursuant to the Marine Life Protection Act (MLPA, California Fish and Game Code Section 2850 et seq.), implement the state's MLPA Master Plan for MPAs, and establish the State Interagency Coordinating Committee pursuant to California Public Resources Code 36800 and 36602.
- 1.2. By this Agreement, the California Environmental Protection Agency, United States Department of Commerce National Oceanic and Atmospheric Administration, Office of National Marine Sanctuaries, United States Department of the Interior National Park Service, and United States Bureau of Land Management (hereafter referred to as the "Collaborating Entities"), seek to memorialize their commitments to share information and expertise with the Core Parties where relevant for the purpose of ensuring successful implementation of the State of California's MPA network and subject to applicable confidentiality and privilege restrictions. The signatories to this Memorandum of Understanding (MOU) may be referred to as Parties.

II. RECITALS

- 2.1 The state completed designation of a network of MPAs along the California coast as required by the MLPA in December 2012. By a previous agreement, the California Natural Resources Agency, California Department of Fish and Wildlife, and Resources Legacy Fund entered into a public-private partnership for that process. Public and private entities, including some of the Parties, have undertaken activities to cooperate in the protection, restoration, enforcement and management of natural resources of the state, and by this agreement seek to build on those cooperative actions and relationships to facilitate effective,

collaborative, and cost-effective implementation of the MPA network.

- 2.2 The Parties to this agreement recognize the importance and high priority of cooperative actions to effectively implement the MPA network created pursuant to the MLPA. Key areas of agreement among the Parties include recognition of the value of regional or statewide implementation partners and resources to assure the institutional and fiscal sustainability of MPA implementation efforts. The Parties have previously entered into MOUs to support these efforts, namely, the MOU for Implementation of the California Marine Life Protection Act (2015) and the MOU to Advance Management of California's Marine Protected Area Network (2017).
- 2.3 The Parties further recognize the importance of MPA implementation to the effectiveness of the MPA network designated by the California Fish and Game Commission pursuant to the MLPA and by this MOU seek to bring together commitments to assist with such efforts, including MPA monitoring, public education, enforcement, governance, and other aspects of implementation. The Parties also recognize a need for assistance in managing and coordinating the MPA implementation framework consistently with the Master Plan framework. Such efforts will be of critical assistance to the state in effectively and efficiently coordinating and managing MPA implementation.
- 2.4 Given the need for cooperative and coordinated efforts to implement the MPAs designated pursuant to the MLPA, the Core Parties, by this MOU intend and agree to cooperatively undertake implementation efforts, and the Collaborating Entities agree to share information and expertise where relevant or necessary for that effort to be successful and subject to applicable confidentiality and privilege restrictions. These cooperative efforts may include entering into regional or local agreements with other parties wishing to assist with MPA implementation. This MOU provides a framework for the coordination of commitments of the Parties to aspects of MPA implementation including monitoring, enforcement, public information and education. The MOU also provides a coordinated approach to the identification and recruitment of regional MPA implementation partners. Confidentiality of information will be maintained subject to and consistent with legal authorities available to the Parties, including but not limited to the California Public Records Act (PRA; Cal. Gov. Code §§ 6250 et seq.), the Privacy Act (5 U.S.C. § 552a), and the Freedom of Information Act (FOIA) (5 U.S.C. § 552).

- 2.5 The Parties to this agreement desire that participation in implementation of the MPA network be as inclusive as possible, involving all willing and able partners including tribal, federal, state, and local governments; universities and other educational institutions; recreational users; coastal businesses; conservation organizations, museums and aquaria; and fishing interests.
- 2.6 Effective implementation of the MPA network is a statewide undertaking requiring a broad focus and comprehensive approach on the part of all entities having a role in implementation. To coordinate and operationalize the implementation efforts, the Parties follow the guidance of the MPA Statewide Leadership Team Charter, a non-legally binding document that is collaboratively created by the Parties.
- 2.7 In addition to a statewide approach, effective implementation of the MPA network will require regional and local initiatives and agreements to enable implementation actions by a wide range of entities willing and able to perform implementation activities, including governments at the tribal, federal, state, and local level, fishery organizations, fishermen, coastal businesses or business organizations, conservation organizations, charitable foundations and others.
- 2.8 One mechanism for supporting MPA implementation is through regional or local MPA Collaboratives. MPA Collaboratives include governmental agencies (city, county, tribal, federal, and state), organizations, associations, and institutions that communicate regularly about the MPAs in a particular area. Local communities can use the MPA Collaboratives as: (1) a way to work on site-specific projects more effectively, (2) a forum to communicate with state agencies and key partners about any issues or concerns occurring on-the-ground, and (3) a way to receive information about monitoring efforts, enforcement updates, and outreach & education initiatives from agencies and partners.
- 2.9 The Parties to this agreement desire to create a model for effective and inclusive implementation of the coastwide MPA network created by the State of California pursuant to the MLPA.
- 2.10 It is acknowledged that the Parties to this Agreement may have applicable consultation policies that guide their respective engagement with recognized Tribes. Membership of the MPA Statewide Leadership Team includes a Primary and an Alternate seat

for regional Tribal Representatives as outlined in the MPA Statewide Leadership Team Charter.

III. PARTIES

- 3.1 The California Ocean Protection Council (OPC), consisting of the Secretary for Natural Resources, Secretary for Environmental Protection, Chair of the State Lands Commission, two legislative members and two public members, was created by the California Ocean Protection Act of 2004. OPC is tasked with coordinating the activities of ocean-related agencies to improve the effectiveness of state efforts to protect ocean resources and establishing policies to coordinate the collection and sharing of scientific information related to coast and ocean resources. OPC serves as the state's MPA policy lead and its staff administers the MPA Statewide Leadership Team.
- 3.2 The California Natural Resources Agency (Agency) is a State of California cabinet-level agency which seeks to restore, protect, and manage the state's natural, historical, and cultural resources for current and future generations using creative approaches and solutions based on science, collaboration, and respect for all the communities and interests involved. The Agency oversees the policies and activities of 25 departments, boards, commissions, and conservancies.
- 3.3 The California Department of Fish and Wildlife (Department) is a state agency within the Agency that is the trustee for fish and wildlife resources in the State of California and has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and habitat necessary for biologically sustainable populations of those species. The Department is also responsible for management of specific lands and waters under their ownership. With respect to the state's MPA Management Program, the Department is the primary authority to provide recommendations regarding management of the MPA Network to the California Fish and Game Commission to meet the goals and objectives of the MLPA.
- 3.4 The California Fish and Game Commission (Commission) is a constitutionally-established state agency within the Agency whose core mission is to ensure the long-term sustainability of California's fish and wildlife and their habitats. The Commission's wide range of responsibilities include formulating general policies for the conduct of the Department of Fish and Wildlife, setting hunting and fishing regulations, and designating and regulating the use of protected lands

and waters such as wildlife areas, ecological reserves, and MPAs.

- 3.5 The California Department of Parks and Recreation (State Parks) is a state agency within the Agency whose mission is to provide for the health, inspiration, and education of the people of the State of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation. As a trustee agency, State Parks is responsible for managing almost one-quarter of California's coastline within State Park units, including dune ecosystems, beaches, coastal wetlands, estuaries, and nearshore marine areas.
- 3.6 The State Water Resources Control Board (State Water Board) is a state agency within the California Environmental Protection Agency whose mission is to preserve, enhance, and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations. The State Water Board oversees nine California Regional Water Quality Control Boards (Regional Water Boards). The mission of the State Water Board and the nine Regional Water Boards is to develop and enforce water quality objectives and implementation plans that will protect the State's waters, recognizing local differences in climate, topography, geology, and hydrology. The State Water Board has designated and continues to provide protection of natural water quality in thirty-four Areas of Special Biological Significance, a sub-set of State Water Quality Protected Areas.
- 3.7 The California Coastal Commission (Coastal Commission) is an independent, quasi-judicial state agency. The Coastal Commission's mission is to protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations. The Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. Development activities, which are broadly defined by the Coastal Act to include (among others) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal permit from either the Coastal Commission or the local government.
- 3.8 The California State Lands Commission is an independent, quasi-legislative state agency that has exclusive control, jurisdiction and administration authority over all ungranted tide and submerged lands and the reversionary and residual interest of the State as to public trust lands legislatively granted to local governments. The Commission serves

the people of California by providing stewardship of the lands, waterways, and resources entrusted to its care through economic development, protection, preservation, and restoration. Its members include the Lieutenant Governor, the State Controller and the Governor appointed State Director of Finance. The Commission administers its management responsibilities through leases with users of tide and submerged lands. Many of these leases pre-date the enactment of the MLPA in 1999.

- 3.9 The California Ocean Science Trust (OST) is a nonprofit public benefit corporation dedicated to accelerating progress towards a healthy and productive ocean future for California. Established pursuant to the California Ocean Resources Stewardship Act of 2000, OST bridges the gap between cutting-edge scientific research and sound ocean management.
- 3.10 The Resources Legacy Fund (RLF) is an independent non-profit organization that supports and performs essential services to promote land, freshwater and marine conservation. Consistent with its mission, RLF has developed and administered many strategic charitable programs, and receives support from charitable organizations to advance the implementation of California's MPA network in compliance with this MOU. RLF seeks to assist the parties to achieve the implementation objectives of the MLPA by providing funding and other assistance with such assistance limited to available charitable funding. At the time of signature, RLF is the fiscal sponsor for the MPA Collaborative Network.
- 3.11 The MPA Collaborative Network (CN) is an organization that represents, supports and facilitates communication and resource sharing between the MPA Collaboratives, a consortium of 14 diverse working groups locally established along the California coastline. MPA Collaboratives are organized at the county level and provide local fora for tribal representatives, non-profit organizations, fishermen, government staff, municipalities, academic institutions, scientists, teachers, ocean businesses and aquaria to work together on stewardship and management of their county's MPAs.
- 3.12 The California Environmental Protection Agency (CalEPA) is a State of California cabinet-level agency whose mission is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality. CalEPA oversees the policies and activities of the six departments, boards, and offices that are charged with developing, implementing, and enforcing the state's environmental protection laws to

ensure clean air, clean water, clean soil, safe pesticides, and waste recycling and reduction. CalEPA also coordinates the state's climate change activities.

- 3.13 The United States Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) is a federal science agency whose mission is to understand and predict changes in Earth's environment and conserve and manage coastal and marine resources to meet the nation's economic, social, and environmental needs. The Office of National Marine Sanctuaries (ONMS) within NOAA manages fourteen sanctuaries and two national monuments including four national marine sanctuaries off the California coast. The legal authority for ONMS to enter into this Agreement is the National Marine Sanctuaries Act (NMSA), 16 U.S.C. §1442(a), which authorizes the Secretary of Commerce to enter into cooperative agreements, contracts, or other Agreements with State, local governments, or other persons to carry out the purposes and policies of the NMSA.
- 3.14 The United States National Park Service (Park Service) is a federal agency within the United States Department of the Interior whose mission is to preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resources conservation and outdoor recreation throughout this country and the world. The National Park System of the United States now comprises 419 areas covering more than 84 million acres in 50 states, the District of Columbia, American Samoa, Guam, Puerto Rico, Saipan, and the Virgin Islands. In California, the Park Service manages 10 park units along the coast, including 148,750 water acres and 471 miles of shoreline.
- 3.15 The Bureau of Land Management (BLM) is a federal agency within the United States Department of the Interior that manages 245 million surface acres in the United States. BLM manages public lands for outdoor recreation, livestock grazing, and mineral development, while also working to conserve natural, historical, cultural, and other resources on public lands. Managed by BLM and established by Presidential Proclamation in 2000 (Proclamation 7264), the California Coastal National Monument (CCNM) consists of all unappropriated or unreserved lands and interest in lands owned or controlled by the United States in the form of islands, rocks, exposed reefs, and pinnacles above mean high tide within 12 nautical miles of the shoreline of the State of California. Six onshore units were added to the CCNM via two subsequent Presidential

Proclamations in 2014 and 2017 (Proclamations 9089 and 9563, respectively). The CCNM was nationally recognized in the Proclamations as a biological, cultural, and geological treasure, rich in biological diversity, and providing essential habitat for many species of scientific interest.

IV. GENERAL TERMS

- 4.1 The Parties to this MOU recognize that not all activities necessary to or beneficial in implementing the MPA network designated by the Fish and Game Commission pursuant to the MLPA and the MLPA Master Plan for MPAs are the sole responsibility of any one entity. The Parties commit to collaborative efforts to implement and/or support the MPA network and to achieve the goals of the MLPA, as consistent with the authorities of each party. To the extent that law or regulations place sole or primary responsibility for particular aspects of MLPA implementation with one entity, the efforts and resources of that entity can and should be supplemented by cooperative efforts of state and federal agencies, non-government organizations and others.
- 4.2 The Parties recognize that individually and as a group they each have important and valuable roles to play in implementing and/or supporting the state's MPA network and the Parties therefore commit to cooperative efforts to perform their respective implementation responsibilities.
- 4.3 Consistent with existing law and with all other statutory, common law public trust doctrine, and jurisdictional obligations, the Parties with permitting or leasing jurisdiction over existing or new activities that may impact individual MPAs, or the MPA network as a whole, commit to requiring avoidance or reduction of significant impacts, and mitigation for any impacts that cannot be avoided, to the extent feasible. The Parties also commit to sharing information about potential impacts to MPAs with one another, subject to applicable confidentiality and privilege restrictions. With respect to sensitive or confidential information provided by Parties and Tribes, the Parties shall engage in early and frequent consultation or consideration, as appropriate, about the treatment of potentially confidential information, and in particular, issues or documents provided by Tribes that could expose sacred sites to vandalism or harm, or fisheries to vulnerability, including considering whether received information can be protected under Evidence Code § 1040, Pub. Resources Code § 21082.3, subd. (c)(2)(A), and other trade secret protocols at the State level, and exceptions to FOIA (5 U.S.C. § 552) releases including the Archeological Resources Protection Act, the Self-

Determination Act, and the National Historic Preservation Act to name a few, as described in the Bureau of Reclamation Native American and International Affairs Office's Protocol Guidelines¹.

- 4.4 Nothing in this MOU shall be deemed to override or otherwise limit decision-making authority vested solely in one or more of the signatory Parties. Confidentiality of information will be maintained subject to and consistent with legal authorities available to the Parties, including but not limited to the California Public Records Act (PRA; Cal. Gov. Code §§ 6250 et seq.), the Privacy Act (5 U.S.C. § 552a), and FOIA (5 U.S.C. § 552), and the Parties commit to exploring the use of protections and exemptions where such requests were timely made and where doing so is consistent with law.
- 4.5 In recognition of the need for regionally based implementation initiatives, the Core Parties to this MOU commit, consistent with the mission of the respective Parties, to cooperatively identify and engage with other potential statewide, regional, and local implementation partners who will take on responsibilities for important aspects of MPA implementation. The Parties agree to memorialize additional specific commitments and undertakings of other implementation partners in regional or local agreements covering each of the geographical regions in California in which MPA networks have been designated. The regional or local agreements can provide a vehicle to formally identify MPA implementation partners and to set forth commitments to achieve cost-effective and collaborative accomplishment of the goals of the MLPA. As agreements are entered into by any of the Parties with regional implementation partners, copies of the agreements will be provided to the other Parties for their information and will be attached to this MOU as exhibits.
- 4.6 Neither this MOU nor any provision hereof may be waived, modified, amended, or discharged except by an instrument in writing signed by the Parties.
- 4.7 This MOU constitutes the entire agreement of the Parties with respect to the matters set forth herein and it supersedes all prior or contemporaneous understandings or agreements among the Parties with respect to the subject matter of the MOU.

¹ https://www.usbr.gov/native/policy/protocol_guidelines.pdf

- 4.8 Nothing contained in this MOU shall be construed as binding any Party to expend in any one fiscal year any sum in excess of appropriations made by Congress or the California State Legislature for the purposes of this MOU for that fiscal year. All future expenditures are subject to and conditioned upon appropriation.
- 4.9 Notwithstanding paragraph 4.6, if a court of competent jurisdiction determines that a provision included in this MOU is legally invalid, illegal, or unenforceable, and such decision becomes final, such provision shall be deemed to be severed and deleted from this MOU and the balance of the MOU shall be reasonably interpreted to achieve the intent of the Parties. The Parties further agree to replace such void or unenforceable provision of this MOU with a valid and enforceable provision that will achieve, to the extent possible, the purposes of the void or unenforceable provision.
- 4.10 This MOU and any amendment may be executed in two or more counterparts, and by each Party on a separate counterpart, each of which, when executed and delivered, shall be an original and all of which together shall constitute one instrument, with the same force and effect as though all signatures appeared on a single document. Amendments to this MOU when executed by the Parties may be added as operative provisions by attachment(s) to the MOU without the necessity for re-circulation and signature of the original MOU in its entirety.
- 4.11 New members may join this agreement by signing this MOU as operative provisions by attachment(s) to the MOU without the necessity for re-circulation and signature of the original MOU in its entirety. New members must be recommended to the Secretary for Natural Resources by the Parties in accordance with the recommendation process as listed in the MPA Statewide Leadership Team Charter, and subsequently invited by the Secretary for Natural Resources to sign this MOU.
- 4.12 With respect to (1) information or materials that may be shared with the Parties by federal agencies and designated as confidential by federal agencies and (2) information or materials acquired/developed by the Parties in performance of the agreement and jointly designated as confidential by the Parties, the Parties agree to keep such information in the strictest confidence consistent with sections 4.3 and 4.4 of this MOU. The Parties also agree not to publish or otherwise divulge such information, in whole or in part, in any manner or form, nor to authorize or permit others to do so, taking such reasonable measures as are

necessary to restrict access to such information while in the Parties' possession, to those employees or agents needing such information to perform the activities described herein, i.e., on a "need to know" basis, except as required by law. The Parties agree to immediately notify federal agencies in writing in the event that any Party determines a breach of this requirement has occurred. Confidentiality of information will be maintained subject to and consistent with legal authorities available to the Parties, including but not limited to the Privacy Act (5 USC § 552a) and FOIA (5 USC 5§ 52). This Agreement imposes no obligation with respect to information that: is or becomes a matter of public knowledge; is received without a duty of confidentiality; is disclosed with prior written approval; or is required by law to be disclosed.

- 4.13 As required by 5 U.S.C. § 2302(b)(13) and the annual Appropriations Act, these provisions are consistent with and do not supersede, nor conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling. This paragraph shall not be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who discloses information to Congress. This paragraph shall not be construed to bar disclosures to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.
- 4.14 The agreement will become effective on signature by all parties and will terminate on December 31, 2030. The agreement may be amended at any time by an instrument in writing signed by the parties.
- 4.15 Any Party shall be entitled to withdraw from this MOU by providing a 10-day written notice to the other Parties.
- 4.16 Nothing in this MOU shall be deemed to create a partnership or any other trust relationship between the Parties, it being expressly understood and agreed that the Parties obligations to each other under this MOU are not fiduciary in nature.

- 4.17 Each signatory below attests that he or she is duly authorized to execute this MOU on behalf of the Party he or she represents.

V. SPECIAL TERMS

- 5.1 The Core Parties commit to frequent and open communication on their respective implementation efforts. This shall include quarterly milestones meetings with interested private persons or parties and responsive information being provided upon inquiry.
- 5.2 At least twice each year the Chair of the Ocean Protection Council will convene senior policy officials to address the accomplishments of MPA implementation efforts and to discuss the performance of the parties in achieving the purposes of the MLPA and this MOU. The Chair of the OPC may engage and convene representatives of other public or private entities, including RLF, at these meetings. At the meetings, each policy official will report on their activities representing progress toward or impediments to effective implementation of the MPA network and discuss potential impacts to local MPAs or the statewide MPA network that may fall under the jurisdiction of one or more of the Parties.
- 5.3 The Ocean Protection Council will annually provide to all Parties a written summary of activities the Core Parties have taken to implement the MPA network and will especially highlight cooperative actions taken as a result of this MOU. If Collaborating Entities have also participated in furthering MLPA implementation efforts, that work will be highlighted as well.
- 5.4 The Core Parties, and to the extent relevant and appropriate, the Collaborating Entities, will inform, engage the support of, and coordinate with other state, federal, and local government agencies with important coastal or marine responsibilities and jurisdiction. These agencies include but are not limited to:
- a. United States Department of Defense
 - b. United States Bureau of Indian Affairs
 - c. United States Army Corps of Engineers
 - d. United States Fish and Wildlife Service
 - e. California Native American Heritage Commission
 - f. California Coastal Conservancy

- g. San Francisco Bay Conservation and Development Commission
- h. North Coast Regional Water Quality Control Board
- i. San Francisco Bay Regional Water Quality Control Board
- j. Central Coast Regional Water Quality Control Board
- k. Los Angeles Regional Water Quality Control Board
- l. Santa Ana Regional Water Quality Control Board
- m. San Diego Regional Water Quality Control Board
- n. Federally recognized tribes and tribal communities
- o. Marine Protected Area Collaborative Network

5.5 Within available funding and consistent with legal constraints on expenditures of funds, the Core Parties commit to designate personnel at sufficient staffing levels and expertise to accomplish those tasks to which they have committed in implementing the MPA network.

5.6 The Parties agree in good faith to work together to fulfill the objectives of this MOU. Toward that end, each Party will designate a policy-level official to engage with the other parties in accomplishing the purposes of this MOU, to act as the point of contact for the Party in connection with this MOU and to be responsible for that party's activities in implementing the MPA network, resolving issues relating to areas of responsibility or conflicts in management policy, and fostering effective inter-agency coordination.

IN WITNESS WHEREOF, the Parties have caused this MOU to be executed by their duly authorized representatives.

MARINE PROTECTED AREA STATEWIDE LEADERSHIP TEAM

WORK PLAN

FISCAL YEARS 2025/2026 – 2029/2030



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GLOSSARY OF ACRONYMS

BLM	United States Department of Interior Bureau of Land Management
CCC	California Coastal Commission
CDFW	California Department of Fish and Wildlife
CDFW LED	California Department of Fish and Wildlife Law Enforcement Division
CFGC	California Fish and Game Commission
CNRA	California Natural Resources Agency
DMR	Decadal Management Review
FY	Fiscal Year
IUCN	International Union for the Conservation of Nature
MLPA	Marine Life Protection Act
MMAIA	Marine Managed Areas Improvement Act
MPA CN	MPA Collaborative Network
MSLT	MPA Statewide Leadership Team
NMS	National Marine Sanctuary
NOAA	National Oceanic Atmospheric Administration
OPC	California Ocean Protection Council
OST	California Ocean Science Trust
PORTS	Parks Online Resources for Teachers and Students
RLF	Resources Legacy Fund
SLC	California State Lands Commission
SWRCB	State Water Resources Control Board
TMSN	Tribal Marine Stewards Network
USFWS	US Fish and Wildlife Service
WCR	West Coast Region

ABOUT AND ACKNOWLEDGEMENTS

ABOUT THE MARINE PROTECTED AREA STATEWIDE LEADERSHIP TEAM

California's Marine Protected Area Statewide Leadership Team (MSLT) enhances communication and collaboration among state and federal agencies, tribal government representatives, and partners to facilitate improved management of the statewide Marine Protected Area (MPA) Network.

In 1999, the California legislature passed the [Marine Life Protection Act \(MLPA\)](#)¹. The MLPA required the State to redesign its existing system of MPAs to better support healthy and sustainable marine ecosystems. The fully redesigned statewide network of 124 MPAs was completed in 2012. [The California Collaborative Approach: Marine Protected Areas Partnership Plan](#)², [2016 California MLPA Master Plan for Marine Protected Areas](#)³, and the [Marine Managed Areas Improvement Act \(MMAIA\)](#)⁴ established a collaborative, partnership-based approach to MPA management. As a result, the MSLT was established in 2014 by the Secretary for Natural Resources. Guidelines for the operational procedures of the MSLT are outlined in the [MPA Statewide Leadership Team Charter](#)⁵.

The multi-sector collaboration of the MSLT is foundational to the effective management of the MPA Network as each member brings unique perspective, knowledge, and resources in supporting the [MPA Management Program](#)⁶. The MSLT focuses on leveraging resources and bridging interagency efforts that cut across jurisdictions and mandates to collectively advance MPA Network management. The MPA Management Program⁶ is also rooted in partnerships between agencies and organizations inside and outside of government to provide a direct venue for local perspectives to be heard. The MSLT includes the following agencies, organizations, and representatives:

- Bureau of Land Management
- California Coastal Commission
- California Department of Fish and Wildlife
- California Department of Parks and Recreation
- California Fish and Game Commission
- California Ocean Protection Council
- California State Lands Commission
- California Ocean Science Trust
- MPA Collaborative Network
- National Park Service
- National Oceanic and Atmospheric Administration's Office of National Marine Sanctuaries West Coast Region
- Regional Tribal Representatives¹
- Resources Legacy Fund
- State Water Resources Control Board



¹ The [MPA Statewide Leadership Team Charter](#) outlines the roles of and nomination process for the Tribal Representatives.

Additional partners across the state will also actively contribute to the implementation of this plan and are critical to the function of the MPA Management Program⁶.

ABOUT THE MSLT WORK PLAN

Initially identified as a key task in the California Collaborative Approach: Marine Protected Areas Partnership Plan², the MSLT Work Plan is anchored in the Marine Life Protection Act (MLPA)¹, the 2016 California MLPA Master Plan for Marine Protected Areas³, and other guidance documents. This Work Plan is based on the [2022 MPA Decadal Management Review Recommendations \(DMR\)](#)⁷ and builds from the ongoing activities of the [previous MSLT Work Plan \(FY21/22 - FY24/25\)](#)⁸. Key actions were identified for each of the 21 DMR recommendations relevant to the MSLT. As a key tool in directing adaptive management of the MPA Network, this MSLT Work Plan provides a road map for the State and its partners to achieve these specific key actions over a five-year period, from Fiscal Year 25/26 through Fiscal Year 29/30 (FY2025–2029).



Acknowledgements

This document was created through a collaborative effort among the MSLT Working Group members. Special thanks to the following members and partners for their strategic vision, efforts in writing and editing this Work Plan, and dedication to the MSLT and California's MPA Network. Listed in alphabetical order by last name:

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EXECUTIVE SUMMARY

Established in 2014, the Marine Protected Area Statewide Leadership Team (MSLT) is multi-sector collaboration of various agencies and organizations with jurisdictions and interests in advancing the goals of California's Marine Life Protection Act (MLPA) ¹ and adaptively managing California's Marine Protected Area (MPA) Network. A key task in achieving this work is this guiding document – the MSLT Work Plan.

This updated Work Plan identifies key actions the MSLT members will pursue over the next five fiscal years: Fiscal Year (FY) 25/26 – 29/30. The key actions are associated with the 21 MSLT-related recommendations from the 2022 Decadal Management Review (DMR) ⁷ of the MPA Network and incorporate many of the ongoing activities of the MSLT, including from the previous MSLT Work Plan (FY 21/22 – 24/25) ⁸. Each key action has two or more MSLT members listed as co-leads. Co-leads will work together, and with the broader MSLT members, to achieve the key action. The DMR recommendations and corresponding key actions are organized by the four pillars of the MPA Management Program ⁶:

1. **Outreach and Education:** Raise awareness of the ecological, socioeconomic, and cultural benefits of MPAs, improve understanding of regulations to increase compliance, and inspire stewardship of the MPA Network
2. **Policy and Permitting:** Ensure equitable, science-based governance of California's MPA Network through adaptive management
3. **Enforcement and Compliance:** Increase capacity and effectiveness of MPA enforcement and compliance statewide
4. **Research and Monitoring:** Develop and implement research and monitoring efforts to evaluate MPA performance and address emerging questions to inform adaptive management.

In response to the DMR and its recommendations, new key actions were developed for this MSLT work plan. The newly-developed key actions under the Outreach and Education pillar focus on improving the access and the organization of MPA outreach products and efforts for various user groups, as well as bolstering efforts to disseminate MPA research, management, and enforcement information. New discrete key actions under the Policy and Permitting pillar highlight the role of the MSLT in advancing tribal engagement and government-to-government relations in MPA management and improving partnership coordination. Additional key actions under this second pillar relate specifically to the adaptive management of the MPA Network, including applying lessons learned from the 2022 DMR, planning for the next DMR process, and identifying a pathway to approve restoration and mitigation. The new key actions to increase Enforcement and Compliance include establishing new partnerships and agreements, improving the analysis and dissemination of enforcement and judicial outcomes, and supporting trainings and coordination of allied agencies. For the Research and Monitoring pillar, the new key actions focus on expanding participation in MPA research and monitoring and integrating external factors (e.g., climate change) that may impact MPAs into research and monitoring efforts.

COMMITMENT TO MEANINGFUL ENGAGEMENT

The MSLT is committed to a collaborative, inclusive, partnership-based approach to adaptively managing the MPA Network. The MSLT defined partner-specific roles and responsibilities within the MPA Management Program⁶ through the establishment of the [Memorandum Of Understanding for Implementation of the California Marine Life Protection Act](#)⁹.

TRIBAL ENGAGEMENT AND GOVERNMENT-TO-GOVERNMENT RELATIONS

California Native American tribes are sovereign nations that have stewarded their ancestral lands and waters since time immemorial. Tribes have inherent responsibilities to continue that stewardship and inherent rights to exercise sovereign authority over their members and territory. The State of California recognizes these rights and responsibilities and maintains an important government-to-government relationship with California Native American tribes, as affirmed in state and federal law. The MSLT reaffirms and incorporates the principles outlined in [Executive Order B-10-11](#)¹⁰, [Executive Order N-15-19](#)¹¹, and Governor Newsom's [Statement of Administration Policy on Native American Ancestral Lands](#)¹², and is committed to facilitating, strengthening, and sustaining effective relationships between the State and tribes to support collaborative stewardship of the MPA Network. The MSLT is collectively committed to the following meaningful actions:

- Develop mutually beneficial agreements to advance co-management and collaborative stewardship of the MPA Network
- Develop long-term partnerships with California Native American tribes to advance shared priorities related to ocean and coastal stewardship
- Provide meaningful opportunities and adequate resources for tribes to contribute to the development of MPA policy
- Respect tribal science and Traditional Knowledges and recognize their roles in MPA monitoring and adaptive management

- Facilitate ongoing communication and information sharing between the state and tribes regarding the activities of the MSLT and the MPA Management Program⁶
- Conduct early, often, and meaningful tribal consultation and engagement regarding MPA policies

The MSLT respectfully recognizes the essential contributions of the four regional Tribal Representatives nominated and selected to serve on the MSLT. In addition to the expert guidance provided by Tribal Representatives that informs the MSLT's consensus decisions and priority setting, the State will continue to engage and consult with tribal governments and communication with tribal communities.

For purposes of this document, the terms "California Native American tribes", "tribes", and "tribal" include all federally and non-federally recognized tribes.



COMMUNITY ENGAGEMENT

The MSLT is collectively committed to ongoing meaningful community engagement within the MPA Management Program⁶. The MSLT recognizes the various perspectives, interests, and rights of the people of California, including California Native American tribes, and that environmental burdens and benefits are unevenly distributed throughout communities. The MSLT aspires to identify and address these current and historical discrepancies and commits to consider how decisions may impact various California communities while undertaking existing and future projects and goals.

The members of the MSLT will work together to increase transparency, trust, support, and accountability to the engagement commitments outlined in this plan throughout the MPA Management Program⁶. The MSLT is committed to the following meaningful actions:

- Identify opportunities and reduce barriers for members of the public to provide meaningful input into MPA management decisions
- Understand the impacts of MPA management decisions and policy development on coastal communities and key stakeholder groups
- Work to expand equitable access to MPAs for all Californians
- Include and fund a variety of researchers and community partners in research and monitoring of the MPA Network
- Improve collaboration and cultivate spaces that are welcoming to all throughout the work of the MSLT
- Acknowledge the process of ongoing learning and support creating, continuing to implement, and refining these commitments in the MPA plans and policies of MSLT members
- Work with federal partners to enhance MPA science, education and outreach, and enforcement

The MSLT accepts and understands that these commitments require dedication to learn from unexpected outcomes and adapt accordingly and holds itself accountable to prioritize and uphold these commitments.

ACCOMPLISHMENTS

The MSLT members, either collectively or individually, successfully accomplished the following actions and outcomes from the recently completed Work Plan FY 21/22 – 24/25⁸ in the four pillars of MPA Management Program⁶.

OUTREACH AND EDUCATION

- Recognition of the MPA Network through the International Union for Conservation (IUCN) Green List of Protected and Conserved Areas, as the first protected area network in the world to achieve Green List status
- Completed the outreach efforts related to the 2022 Decadal Management Review⁷ (e.g., “Ask the Researcher” web series)
- Finalized the brand identity (e.g., logo, graphics, and webpage design) for the MPA Management Program⁶
- Installed MPA signage throughout the state, including tidepool signs to address compliance issues in the rocky intertidal
- Developed a process for community-vetted translation of MPA materials and completed Spanish translations, with several other languages pending
- Conducted various outreach and education activities, including youth and subsistence fishing trips, multilingual MPA film screenings, tabling at ocean and fishing events, presentations to schools and community groups, and MPA photo contests
- Hosted a special session on lessons learned from the MPA Network implementation process at the Fifth International MPA Congress in Vancouver, Canada.
- Created three identity-based community groups (i.e. Latine, Asian American and Pacific Islander, Black communities) and collated lessons learned to inform future engagement of underrepresented and underserved communities

- Developed a best practices guidance document to inform engagement, relationship building, and partnership with tribes
- Developed and disseminated outreach resources, webinars, and research projects to understand the role of MPAs in building climate resilience
- Created MPA Interpreter Reference Guides for State Park Districts and National Marine Sanctuaries

POLICY AND PERMITTING

- Completed the [2022 Decadal Management Review](#)⁷, a report which synthesized a breadth of information to understand how the MPA Network and Management Program is performing towards meeting the goals of the MLPA.
- Completed a rulemaking process through the California Fish and Game Commission (CFGF) to resolve permitting issues for maintaining structures inside state MPAs that pre-date the establishment of the Network while also maintaining the integrity of the Network
- Facilitated engagement with partners on policy processes (e.g., hosting 14 community climate forums, 14 community compliance forums, 30x30 webinar, and regulatory and management recommendations-focused meetings)

ENFORCEMENT AND COMPLIANCE

- Enhanced the use and dissemination of enforcement statistics to identify enforcement hotspots (e.g., via use of the eFINS data entry system)
- Hosted trainings and symposia, including MPA enforcement trainings for allied agency officers for each coastal county, a MPA compliance symposium on how to synthesize patrol presence and effort, and trainings for judges' association about MPA regulations
- Incorporated tribal information, including traditional take methods and cultural practices, into enforcement resources for officers

- Continue to update, print, and distribute MPA reference guides for enforcement officers
- Supported the MPA District Attorney Task Force with outreach to District Attorney offices in each coastal county to share prosecutorial best practices across counties
- Created an online training for violators of MPA regulations, turning enforcement actions into educational opportunities and reducing repeat offenses

RESEARCH AND MONITORING

- Funded and convened scientific expert working groups to synthesize and deliver various 2022 Decadal Management Review⁶ products (e.g., [Climate Resilience and California's MPA Network](#)¹³, [Decadal Evaluation Working Group](#)¹⁴)
- Supported the development of the [Examining the Role of Community and Citizen Science in Marine Protected Area Implementation](#)¹⁵ report by UC Davis to inform the 2022 Decadal Management Review⁶
- Achieved a cohesive long-term ecological monitoring program by providing continuous funding across all habitats
- Funded four Climate and MPA projects to understand impacts to and resilience of habitats and species across the MPA Network
- Hosted 14 forums to discuss compliance with MPA regulations and tracked COVID-related impacts to coastal habitats



WORK PLAN KEY ACTIONS

OUTREACH AND EDUCATION

DMR Recommendations ⁷	Key Actions	MSLT Member Leads
07 DMR Rec: Expand targeted outreach & education materials and events to under-represented user groups	1) Assess current and previous efforts and identify best practices and strategies to reach underrepresented user groups	MPA CN, OPC, CDFW, RLF
	2) Develop and implement a phased approach for creating and disseminating multiple outreach products and efforts (e.g., materials, social platforms, events, ways to participate, etc.) to reach a variety of underrepresented user groups	State Parks, MPA CN, CDFW
08 DMR Rec: Evaluate the accessibility of MPAs to	1) Clarify scope and terms of reference with respect to accessibility, community groups, and other	CFGC, OPC, OST, MPA CN

various community groups	important terms needed to evaluate accessibility of MPAs	
	2) Assess access-related research findings and policies to identify gaps, and to inform shared work and management actions	OST, MPA CN, CDFW
	3) Identify and align investments/programs from MSLT members to address gaps in accessibility	OPC, SLC, CCC, CDFW
15 DMR Rec: Evaluate outreach needs, assess effectiveness of resources, identify and pursue the most impactful and cost-efficient outreach tools for increasing MPA awareness & compliance	1) Identify communication needs, target audiences, effective messaging, and existing/new partnerships using behavioral science and community marketing approaches	OPC, MPA CN, OST, CDFW
	2) Align existing outreach efforts across MSLT members, including developing a repository of teacher toolkits and other curricula (e.g., Parks Online Resources for Teachers and Student (PORTS) and National Marine Sanctuaries (NMS))	MPA CN, State Parks, CDFW

<p>16 Conduct more targeted outreach to specific audiences to connect stakeholders with coastal resources and to encourage stewardship and compliance with regulations</p>	<p>1) Support outreach efforts (e.g., webinars) that highlight MPA research and management</p> <p>2) Facilitate the participation of MSLT members in individual agency events (e.g., CCC coastal clean-ups)</p>	<p>MPA CN, BLM, OST</p> <p>All</p>
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POLICY AND PERMITTING

DMR Recommendation ⁷	Key Actions	MSLT Member Leads
01 Improve state agencies' Tribal engagement and relationship building efforts	1) Support the application of the California Natural Resources Agency (CNRA) Tribal Consultation Policy and Best Practices document and/or similar policies for organizations and agencies outside of CNRA	OPC, CDFW, MSLT Tribal Representatives
02 Create a clear pathway to Tribal MPA management	1) Support the implementation of the upcoming CNRA Tribal Stewardship Strategy and other efforts to establish co-management and collaborative stewardship pathways 2) Identify and address capacity needs and internal barriers for state agencies and tribal governments	All CDFW, MSLT Tribal Representatives

	3) Support the development of a definition of Tribal Subsistence Harvest and implement throughout the MPA Network	OPC, CFGC, CDFW, MSLT Tribal Representatives
04 Apply what is learned from the first DMR to support proposed changes to the MPA Network and Management program	1) Summarize and distribute the lessons learned from the DMR process and the information gaps for adaptive management decision-making	CDFW, CFGC, RLF, MPA CN
	2) Summarize and distribute the suite of MPA Network adaptive management pathways (i.e., administrative, policy, and regulatory and non-regulatory options) to communicate how the public can engage with MPA management	CDFW, MPA CN, CFGC, OPC
	3) Enhance access to MPA data through tool and visualizations development to support decision-making and manage expectations	OPC, CDFW

	4) Use the lessons learned to define the scope, analyses needed, report components, and development process for the next DMR	CDFW, OPC, CFGC
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	1) Synthesize MPA-focused recommendations and actions outlined in existing state action plans and reports that focus on coastal biodiversity, climate resiliency, human access and use, and a sustainable blue economy	SWRCB, SLC, CFGC, OPC
	2) Implement MSLT subgroups centered on these priority focal areas to strengthen collaborative action, interagency coordination, information sharing, and engagement opportunities	All
10 Improve partnership coordination across the four pillars of the MPA Management Program ⁶	1) Develop a 'map' of overlapping MPA-related programs, jurisdictions (permitting authority), and agency points of contact to assist staff with external and internal coordination	BLM, SLC, CCC

	2) Identify and implement strategies to improve knowledge gathering and sharing across MSLT members	All
	3) Continue to add representatives to the MSLT as partnerships expand	All
	1) Identify circumstances under which restoration would be appropriate to consider in an MPA and the types of MPAs in which restoration may be considered	CDFW, CFGC, OST, OPC, CCC
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	2) Develop a structured decision-making approach for case-by-case determinations regarding restoration in MPAs	CDFW, OPC, CFGC, CCC
	3) Determine appropriate permitting pathways, assess capacity challenges, and fund gaps to ensure efficient permitting	CDFW, OPC, CCC

<p>24 Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network</p>	<p>1) Assess opportunities to improve protection of cultural heritage sites</p>	<p>FGC, State Parks</p>
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ENFORCEMENT AND COMPLIANCE

DMR Recommendation ⁷	Key Actions	MSLT Member Leads
19 Create and implement a cohesive and actionable MPA enforcement plan	1) Identify MPA enforcement gaps and key threats to establish new key partners, roles, and enforcement agreements with MSLT members and tribes	CDFW, MPA CN, State Parks
	2) Continue to support enforcement and compliance training, outlets, and information for allied agencies and partners	CDFW, MPA CN, OPC, RLF
	3) Support the improvement of measurements, metrics, and dissemination of enforcement actions outcomes for CDFW and allied agencies	CDFW, MPA CN, OPC, NOAA, ONMS WCR

<p>20 Increase enforcement capacity</p>	<p>1) Identify funding needs and gaps to improve enforcement and compliance capacities, including support for allied agencies</p>	<p>CDFW, MPA CN, OPC, State Parks</p>
<p>22 Increase information gathering regarding MPA violation prosecutions and judicial outcomes</p>	<p>1) Disseminate information on MPA prosecutorial tools and programs (e.g., California Online Ocean Regulations Training) to increase court officer awareness</p>	<p>CDFW, MPA CN</p>
	<p>2) Support projects that collect data and highlight MPA judicial outcomes to improve compliance</p>	<p>CDFW, MPA CN, NOAA ONMS WCR</p>

RESEARCH AND MONITORING

DMR Recommendation ⁷	Key Actions	MSLT Member Leads
03 Build Tribal capacity to participate in MPA management activities	1) Assess funding and training opportunities to continue to support tribal capacity	OPC, MSLT Tribal Representatives
	2) Support tribally-led MPA monitoring and pursue collaborative opportunities to incorporate tribally-led research and monitoring efforts into the long-term MPA monitoring program	OPC, CDFW, MSLT Tribal Representatives
06 Include and fund more diverse researchers and stakeholders in research and monitoring projects that directly contribute to the MPA Monitoring Program	1) Identify current composition of research partners, and the barriers to and opportunities for expanding participation in MPA research and monitoring	OPC, CDFW

<p>12 Invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda</p>	<p>1) Disseminate final outcomes of Social Science Working Group to develop a shared understanding around current recommendations/best practices for social science research in MPAs</p>	<p>OPC, OPC, CDFW</p>
	<p>2) Identify investments to improve and fill gaps in social science research and monitoring for MPA management</p>	<p>OPC, CDFW, OST</p>
<p>14 Develop a comprehensive community science strategy for MPAs and better utilize community science to supplement core monitoring programs</p>	<p>1) Provide input on a statewide framing of community science efforts and data use that will be established in the upcoming OPC Community Science Strategy</p>	<p>OPC, RLF</p>
	<p>2) Coordinate on the development of a shared hub for community science projects and resources underway by/with MSLT members</p>	<p>OPC, BLM</p>

<p>25 Develop and implement climate change research and monitoring priorities and metrics for California's MPA Network</p>	<p>1) Identify overlap and gaps in climate monitoring efforts across MSLT member agencies</p>	<p>OPC, SLC</p>
<p>28 Further integrate influencing factors into ecological and human study designs and interpretations of MPA performance</p>	<p>1) Identify gaps and investment needs in research and monitoring efforts on external (negative and positive) influencing factors that may impact MPAs (e.g., wildfires; ocean acidification; hypoxia; marine heat waves; water quality; stewardship; outreach & education)</p>	<p>SWRCB, OPC</p>
	<p>2) Update the MPA Monitoring Action Plan to reflect knowledge gaps and emerging monitoring priorities</p>	<p>OPC, CDFW</p>

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**Re: Limited Sanitary Survey Report (Technical Report No. 25-16)
Shellfish Growing Area Classification
Imperial Beach, San Diego Bight and San Diego Bay, California**

Dear Ms. Zubkousky-White,

Staff of the California Fish and Game Commission (Commission) appreciates the significant additional effort undertaken by the California Department of Public Health (CDPH) in updating the October 2024 limited sanitary survey for the waters containing and surrounding the Imperial Beach parcel offshore of Imperial Beach, California. At the same time, we respectfully request that final issuance of the report be delayed to allow interagency coordination and resolution of various concerns, some of which are outlined in this letter.

Aquaculture expansion in southern California is anticipated as part of the State's broader strategy for sustainable seafood production. However, the proposed classification in CDPH's report of a prohibited area extending from Point Loma south to the California border with Mexico would effectively eliminate the potential for aquaculture development within the San Diego Bay area. While we fully support the need to protect public health, the report does not appear to cite data justifying the extension of the prohibited area north of Imperial Beach. Commission staff urges CDPH to conduct further evaluation of this area based on a comprehensive review of all relevant data prior to finalizing the survey report and growing area classification.

Following the release of the October 2024 report, both the California State Lands Commission and the Port of San Diego requested additional information regarding the data used to support CDPH's classification of prohibited zones. The data is essential for the Commission, other agencies, and general public to evaluate the accuracy of the analysis and to consider whether

the calculations should be refined. To date, CDPH has not provided the requested data, nor helped elucidate the data's limitations and/or assumptions, which are essential context for any conclusions. We respectfully request that CDPH share the specific data and methodologies used for the calculations to support the proposed prohibited growing area classification in state waters, and allow stakeholders the opportunity to independently review and comment on this information prior to finalizing the report.

Additional sources of water quality data were identified in previous comment letters, including water quality sampling results that appear inconsistent with the modeling results presented in the report. We request clarification on whether CDPH evaluated these data sources and, if so, why they were not referenced in the report or reflected in the modeling results. If the data was not considered, what is the explanation for why it was considered deficient or inappropriate?

We also note that several improvements have been made in water quality management of the Tijuana River Estuary that were completed in 2024 and 2025. While the Commission staff are in agreement with the report's conclusions that more needs to be done to improve water quality in the estuary, the report should also describe whether and how the recent improvements were taken into account in the calculations. If the analysis does not incorporate outcomes of the improvements, we request that within the next year CDPH re-evaluate the classifications north of Imperial Beach with current data.

Finally, in a previous letter to CDPH, the Commission requested to be included in further updates and discussions concerning the original 2024 report. Over the past year, CDPH has not coordinated with the Commission or other key stakeholders prior to releasing its updated analysis, dated October 2025, including the determination to only allow a short 20-day comment period. While the additional 20-day comment period is appreciated, we request greater transparency and an opportunity for coordination concerning this analysis before CDPH issues its final report.

Thank you for considering our comments.

Sincerely,

[Signature on File]

Melissa Miller-Henson
Executive Director

cc: Randy Lovell, Aquaculture Coordinator, California Department of Fish and Wildlife
Paula Sylvia, Aquaculture & Blue Technology Program Director, Unified Port of San Diego
Maren Farnum, Senior Environmental Scientist, California State Lands Commission

California Fish and Game Commission Staff Time Allocation and Activities

December 1, 2025

This report identifies, for the months of October and November 2025, where California Fish and Game Commission staff (including limited term and temporary help) allocated its time in general activity categories, trends in staff time allocation, and examples of specific activities in which staff engaged.

General Time Allocation

Task Category	October Staff Time	November Staff Time
Regulatory Program	14%	12%
Non-Regulatory Programs	4%	2%
Commission and Committee Meetings	28%	19%
Legal Matters	4%	4%
External Affairs	7%	7%
Special Projects	6%	6%
Administration	20%	20%
Leave Time	7%	14%
Unfilled Positions ¹	14%	21%
Total Staff Time ²	106%	104%

¹ *Unfilled positions are skewed downward due to contract and temporary help*

² *Total staff time is greater than 100% due to overtime*

Trends

Time allocations of note for this period are *Regulatory Program*, *Special Projects*, *Leave Time*, and *Unfilled Positions*.

The Commission's *Regulatory Program* activities have been elevated since late spring, which continued throughout the summer and into October. Staff is unable to maintain the high rulemaking workload with reduced capacity in our regulatory analyst and management personnel; the reduced time in November reflects more concerted efforts to better align rulemakings with capacity.

Time allocated to the *Special Projects* category increased in both October and November to support the Commission's justice, equity, diversity and inclusion efforts in collaboration with a consultant. Executive staff have been working alongside KH Consulting Group, with support from the California Department of Fish and Wildlife (Department) and key external partners, to distribute the external stakeholder survey. Preliminary data have been received, and staff have begun an initial review and analysis. In addition, staff has contributed to evaluations of marine protected area petitions for regulation changes by conducting analyses of two of the

evaluation questions. Finally, within this category, staff dedicated time to refine reporting processes for service-based budgeting as a follow up from the previous fiscal year's mission-level refresh.

In November, the *Leave Time* category was elevated primarily from the Veteran's Day and Thanksgiving holidays, while *Unfilled Positions* increased notably due to the unexpected retirement of the program manager. As of November, the Commission had three vacancies: the program manager, environmental scientist, and tribal advisor (the latter to be swept under last year's budget and vacancy cuts).

Sample Activities for October 2025

- Conducted joint Department and Commission regulations coordination meeting to strategize and improve working processes
- Attended the 50th Annual Zeke Grader Fisheries Forum by the Joint Committee on Fisheries and Aquaculture
- Attended the Department's California Halibut Trawl Bycatch Evaluation – Data Discussion to learn more about explorations of available data that may be used for the California halibut trawl fishery bycatch evaluation process
- Participated in the Aquaculture Development Committee meeting to support fulfillment of the Committee's duties as outlined in California Fish and Game Code.
- Gave a presentation to the American Fisheries Society - CalNeva Chapter, sharing how to follow and engage with the Commission's work
- Met with partners from the Department and California Ocean Protection Council to discuss assessments of marine protected area petitions
- Met with external partners to discuss Coastal Fishing Community Policy implementation
- As part of its ongoing commitment to explore issues related to justice, equity, diversity, and inclusion, staff participated in a discussion and presentation on the decline of indigenous languages
- Prepared for and conducted one publicly noticed meeting (Commission) and prepared for one publicly noticed meeting (Marine Resources Committee)

Sample Activities for November 2025

- Participated in the California Hunting & Conservation Coalition's quarterly meeting
- Executive staff received training from the California Natural Resources Agency in *Tribal Consultation Policy and Best Practices* conducted by Deputy Secretary for Tribal Affairs Geneva E.B. Thompson and Deputy Director for Tribal Affairs Meagan Flier
- Staff received training from the California Natural Resources Agency in *Tribal Affairs 101* to better understand the history and background of California Native American tribes and people, to ensure staff have sufficient working knowledge when engaging with tribes
- Participated in the offshore aquaculture interagency working group

- Attended a microplastics research webinar hosted by the California Ocean Protection Council and California Sea Grant to learn more about cutting-edge research findings around microplastics in fish and the environment
- Participated in the California Offshore and Fisheries Working Group meeting to learn about the considerations for offshore wind development along California's coast
- Received briefing on *Wildfire & Water Quality: State of the Science, Policy Needs and Considerations*, hosted by California State University Council on Ocean Affairs, Science and Technology (COAST) to explore the impacts of wildfire on California's water quality, highlighting the latest scientific findings, policy gaps, and potential legislative solutions to address the challenges
- As part of its ongoing commitment to explore issues related to justice, equity, diversity and inclusion, staff received a presentation about a recent staff member's visit to Hiroshima, Japan and engaged in a discussion about the United States' WWII bombing of Hiroshima and Nagasaki
- Prepared for and conducted one publicly noticed meeting (Marine Resources Committee) and prepared for two publicly noticed meetings (Tribal Committee and Commission)

Sample Tasks for the General Allocation Categories

Regulatory Program

- Coordinate with the Department to develop timetables and rulemaking documents
- Prepare and file notices, re-notices, and initial/final statements of reasons
- Prepare administrative records
- Track and respond to public comments
- Consult, research, and respond to inquiries from the Office of Administrative Law
- Facilitate California Environmental Quality Act document review, certifications of findings, and filings with the state clearinghouse

Non-Regulatory Program

- Department partnerships in jointly developing management plans and concepts
- Develop, review, and amend Commission policies
- Review and process California Endangered Species Act petitions
- Manage aquaculture and kelp harvest lease applications and amendments
- Review and process experimental fishing permit applications and amendments

Commission and Committee Meetings and Support

- Research and compile subject-specific information
- Develop and distribute meeting agendas and materials
- Conduct agenda and debrief meetings
- Prepare meeting outcomes, audio files, and voting records
- Develop and distribute after-meeting letters
- Conduct onsite meeting management
- Process submitted meeting materials
- Provide commissioner support

Legal Matters

- Public Records Act requests
- California Law Review Commission
- Process appeals and accusations
- Respond to litigation
- Process kelp and state water bottom leases
- Prepare administrative records

External Affairs

- Engage with stakeholders
- Maintain state, federal, and tribal government relations
- Process and analyze non-regulatory requests
- Process and analyze regulation change petitions
- Engage and educate legislative staff, monitor legislation
- Respond to general public inquiries
- Review and respond to correspondence
- Website maintenance
- Workshops

Special Projects

- Coastal Fishing Communities
- Streamlining routine regulatory actions

Administration

- Staff training and development
- Purchases and payments
- Contract management
- Personnel management
- Budget development and tracking
- Health and safety oversight
- Internal processes and procedures
- Document archival

Leave Time

- PLP 2025, Holiday, Vacation, Annual Leave, Sick, Jury Duty, Bereavement