

California Department of Fish and Wildlife's
Evaluation of 2023 Decadal Management Review Marine
Protected Area Petition:

**Designate a New SMCA Near Mishopshno/Carpinteria
with an Allowance for Recreational Take of Finfish by
Hook-and-Line From Shore and a Tribal Take Exemption
for Santa Ynez Band of Chumash Indians (2023-
29MPA_AM2)**



I. PETITION SUMMARY

CFGF Tracking Number	2023-29MPA_AM2
Petition Contact/Affiliation	Lisa Suatoni, Natural Resources Defense Council; co-submitted by Santa Ynez Band of Chumash Indians (SYBCI) and Environmental Defense Center
Number of Proposed Actions	1
Affected MPAs	Mishopshno State Marine Conservation Area (SMCA, proposed new MPA)
Petition Summary	Designate a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians. Develop a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people.
Link to StoryMap page	2023-29MPA_AM2



July 2026

II. CDFW RECOMMENDATIONS AND BRIEF JUSTIFICATION

Note: If a change to the marine protected area (MPA) regulations is not needed to address the proposed change, California Department of Fish and Wildlife (CDFW) did not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions
2023-29MPA_AM2 Establish a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians. Develop a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people.	The petitioners' intent for the proposed new Mishopshno SMCA "is to 1) help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the network and representation of habitat types, 2) protect habitat attractive to marine life, such as juvenile white sharks, and 3) honor the nearby historical Mishopshno village and cultural heritage of the Chumash in the area and restore management to the SYBCI of this portion of coastal waters." The proposed allowance of shore fishing was included "to ensure non-federally recognized Tribes retain shore fishing access."

CDFW Recommendation and Brief Justification

Support with an Alternative Pathway the non-regulatory request to advance co-management with SYBCI.

At the April 2026 California Fish and Game Commission (CFGF) Tribal Committee meeting, SYBCI confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGF or consideration through CFGF's petition process or rulemaking.

The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, CDFW is committed to exploring opportunities for co-management and co-stewardship with SYBCI and other interested tribes. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process, with a focus on the existing MPA Network, such as the four existing MPAs where SYBCI has a tribal exemption, and/or areas outside the MPA Network, including the proposed Mishopshno area, without establishing a new MPA.

Regarding the regulatory request in 2023-29MPA_AM2 to establish a new SMCA that allows recreational take of finfish by hook-and-line from shore and a tribal take exemption for SYBCI, CDFW recommends, CFGC Support with an Alternative Pathway and request CDFW engage with the SYCBI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area to acknowledge the cultural significance of the area, rather than CFGC establishing a new SMCA.

An SMCPA designation is intended to "protect and preserve cultural objects or sites of historical, archaeological, or scientific interest in marine areas." SMCPAs are designated by the California State Park and Recreation Commission and managed by California State Parks (or jointly managed with CDFW if there is overlap with an MPA). The justification for the recommendation to explore designation of a SMCPA rather than an SMCA is based on the following information from the evaluation framework:

One of the stated purposes of the petition is to improve MPA Network design, specifically by reducing spacing between MPAs and increasing replication of several key habitats. Based on the Science Advisory Team (SAT) Science Guidelines established during the Marine Life Protection Act (MLPA) Initiative planning process, contributing to these components of MPA Network design requires that an MPA has an area of at least 9 square miles, meets one of the three highest Levels of Protection (LOP), and contains a

minimum amount of a given key habitat, as determined for each habitat from biological surveys. Although the proposed SMCA exceeds the minimum size requirement at 9.05 square miles, the proposed allowance for recreational hook-and-line fishing from shore corresponds to a Moderate-low LOP. As such, the proposed SMCA would not improve MPA Network design or meet the scientific criteria necessary to expect a meaningful enhancement of biodiversity protection or connectivity. Even if the proposed MPA met the SAT Science Guideline criteria to count as a habitat replicate, the proposed new MPA would add three habitats that are well replicated in the South Coast region. The South Coast region MPAs currently include 11 Sandy Beach replicates, 13 Kelp Forest replicates, and 13 shallow soft bottom replicates across all depths (0->100 m), which exceeds the SAT recommended minimum of 3-5 replicates per bioregion. Therefore, the addition of this MPA does not represent an improvement in alignment with SAT Science Guidelines.

Regarding spacing between MPAs, backbone MPAs are strategically spaced within the established guidelines in this portion of coast. The proposed new Mishopshno MPA would be 14.6 miles from Campus Point No-take SMCA and 44.1 miles from the Point Dume SMR/SMCA cluster. The edge-to-edge distance between these backbone MPAs is approximately 60 miles, which falls within the recommendation in the SAT Science Guidelines for distance between MPAs (31 – 62 miles). There are additional place-based MPAs nearby, including Naples SMCA, Kashtayit SMCA, and the network of highly protected MPAs around the Northern Channel Islands. The DMR results did not indicate a current design deficiency in this region of the MPA Network, and it is not likely that adding a new MPA in this region would provide additional ecological benefits to the MPA Network beyond what the existing nearby MPAs provide when assessed against the SAT Science Guidelines.

The petitioners indicated the proposed new Mishopshno SMCA is intended to protect Carpinteria Reef where persistent kelp beds support abundant populations of diverse species and the area will benefit juvenile white shark (*Carcharodon carcharias*) through protection of their habitat. A petition with similar rationale proposing a protected area in a nearby location to protect juvenile white sharks was submitted to CFGC in 2020 and denied (Appendix G of CDFW 2022). Circumstances have not changed and no new information has been provided to warrant revisiting this decision. The proposed new Mishopshno SMCA is not expected to provide a benefit to white shark (MLPAI 2009a). The geographic range of juvenile white shark spans the Southern California Bight with substantial variability in preferred locations from year to year. White shark in general are protected by federal (Code of Federal Regs. Tit. 50, § 660.702) and California state laws (Cal. Code of Regs. Tit. 14, § 28.06, Fish & G. Code §§ 5517, 8599, 8610.3, and 2021) that aim to prohibit nearly all take or possession of white shark. The petition does not present a compelling rationale for localized protection of this area or evidence that the area

encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network.

Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code §§ 2853 and 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. The petition included general statements related to socioeconomic impacts, including that there would be limited impacts to commercial fishing and fishing by Commercial Passenger Fishing Vessels (CPFVs) but did recognize that there may be an impact on individual anglers and businesses. Given the scope and timeline of CDFW's evaluations, and data availability, CDFW conducted a preliminary assessment and did not find evidence to support the assertion of limited impacts to commercial fishing and CPFVs. Additional socioeconomic analyses are needed to fully characterize socioeconomic impacts, including to commercial and recreational anglers. The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

During the MLPA Initiative planning process, siting an MPA at the proposed location was the subject of significant negotiation due to its high value for both commercial and recreational fisheries, and the local community of Carpinteria. These considerations remain relevant today. The area continues to be a popular location for recreational consumptive uses, such as kayak angling and spearfishing. It is also a high value area for CPFV operators and several commercial fisheries, such as California spiny lobster (*Panulirus interruptus*) and California halibut (*Paralichthys californicus*). The proposed SMCA also overlaps with the California Halibut Trawl Grounds, a localized fishing area off Santa Barbara and Ventura defined in California statute (Fish & G. Code § 8495).

An MPA was considered at Mishopshno/Carpinteria during the MLPA Initiative planning process but was not selected, in part due to socioeconomic considerations. As proposed, the Mishopshno SMCA would not enhance MPA Network design beyond what the current MPA Network offers, in part because of the Moderate-low LOP. CDFW does not recommend establishing the proposed SMCA because it does not address a

demonstrated performance gap or current or emerging MPA management challenge, and therefore, would result in unnecessary socioeconomic impacts.

CDFW recognizes the cultural significance of the area to the Chumash people and is committed to advancing co-stewardship and continued engagement with SYBCI and tribes interested in co-management within the existing MPA Network and/or in this area. Given the considerations from the evaluation framework summarized above and in detail below, rather than establishing a new MPA at Mishopshno/Carpinteria, CFGC could Support with Alternative Pathway and request CDFW engage with the SYBCI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area to acknowledge the cultural significance of the area, which would “protect and preserve cultural objects or sites of historical, archaeological, or scientific interest in marine areas.” This alternative designation would emphasize cultural significance of the waters around Mishopshno while maintaining access for all Chumash people, regardless of federal recognition status.

III. BIN 2 PETITION GROUPING: IDENTIFY TRIBALLY-LED PETITIONS

The 2023 MPA Petition Companion Document (Attachment 1) includes a summary of the process for identifying Tribally-led petitions, CDFW’s outreach to all California Native American tribes¹ (tribes) throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners. Tribally-led petitions were evaluated with CDFW 2023 MPA Bin 2 Petition Evaluation Framework.

WAS THE PETITION SUBMITTED BY A CALIFORNIA NATIVE AMERICAN TRIBE, REPRESENTATIVE DESIGNATED BY A TRIBE OR TRIBAL ORGANIZATION, OR HAVE A TRIBAL CO-SPONSOR?

Yes, this petition was submitted by Natural Resources Defense Council and co-sponsored by a representative of the Santa Ynez Band of Chumash Indians (hereafter referred to as SYBCI or tribe) and Environmental Defense Center (hereafter collectively referred to as the petitioners).

IF YES, (a) DOES THE PROPOSED CHANGE EXPLICITLY AIM TO ADVANCE TRIBAL CO-MANAGEMENT, SUBSISTENCE HARVESTING, STEWARDSHIP, AND/OR PROVIDE A TRIBAL BENEFIT THROUGH RECOGNIZING THE CULTURAL SIGNIFICANCE OF AN AREA?

¹ California Native American tribe is the preferred term to use per the Governor’s Office of Tribal Affairs when generally mentioning tribes of California, both federally and non-federally recognized.

Yes, the proposed change aims to advance tribal co-management and stewardship through the creation of a new MPA, Mishopshno SMCA. The proposed MPA would have a tribal take exemption for the SYBCI. The petition recommends the development of a co-management agreement between the state of California and SYBCI.

The proposed change also aims to provide a tribal benefit by recognizing the cultural significance of the area. Mishopshno is the name of a Chumash village that existed near the boundaries of the proposed MPA. The petition states, "Mishopshno village was an important coastal site in the ancestral lands of the diverse Chumash people because of its use for boatbuilding and its close proximity to the ocean."

(b) IS THE PROPOSED REGULATORY CHANGE EXPLICITLY LINKED TO A TRIBE OR TRIBES? (I.E. TRIBAL EXEMPTION, TRIBAL TAKE ONLY MPA, OR NEW MPA FOR CO-MANAGEMENT)?

Yes, the petitioners propose a regulatory change to create a new SMCA that would "Allow for the recreational take of finfish from shore using hook-and-line, promoting access to certain important marine and cultural resources for all Chumash people – including non-federally recognized Tribes" and includes a tribal take exemption for the SYBCI.

IV. PETITION EVALUATION

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-29MPA_AM2

The petition includes a proposal to establish a new 9.05 square mile co-managed MPA, Mishopshno SMCA, near Carpinteria, CA, that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians (SYBCI). The petition also includes a non-regulatory request to develop "a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people." The petition is intended to:

- "1) help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the [MPA] network and representation of habitat types,*
- 2) protect habitat attractive to marine wildlife, such as juvenile white sharks, and*
- 3) honor the nearby historical Mishopshno village and cultural heritage of the Chumash in the area and restore management to the SYBCI of this portion of coastal waters."*

CDFW EVALUATION 2023-29MPA_AM2 Suatoni

The petition, as amended March 26, 2025 (2023-29MPA_AM1), added an allowance for recreational take of finfish from shore using hook-and-line and modified the boundaries to encompass a smaller area than initially proposed. At the April 2026 California Fish and Game Commission (CFGF) Tribal Committee meeting, the petitioners:

- Confirmed their intent for pursuing tribal co-management with California Department of Fish and Wildlife (CDFW) would be through non-regulatory pathways,
- Requested consideration of a second boundary amendment that was originally submitted to CFGF in October 2025, which modifies the eastern and western boundaries, and
- Clarified that the request in the petition for the exception of tribal take “using hand-based equipment by the SYBCI” was intended to represent a tribal take exemption for SYBCI using methods and gear types that are currently allowed.

The second amendment was accepted by CFGF (2023-29MPA_AM2) and referred to CDFW for evaluation in April 2026. This is an evaluation of the petition as amended in April 2026, including:

- The non-regulatory request to develop a tribal co-management agreement with SYBCI, and
- The regulatory request to establish a new 9.05 square mile SMCA near Carpinteria named Mishopshno SMCA that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians with the following boundaries:
 - 34.366106° N lat. 119.53689° W long. (southeast corner)
 - 34.395977° N lat. 119.53689° W long. (northeast corner)
 - 34.416944° N lat. 119.58868° W long. (northwest corner)
 - 34.366106° N lat. 119.58868° W long. (southwest corner)

Tribal Co-management and Cultural Considerations

The petition states, *“We propose a new SMCA named Mishopshno for a prominent Chumash coastal village that was proximate to the marine area to be protected. Mishopshno village was an important coastal site in the ancestral lands of the diverse Chumash people because of its use for boatbuilding and its close proximity to the ocean.”*

The area is also culturally significant as it is located near the mainland entry point for the first Chumash people arriving from Limuw (Santa Cruz Island), and this area later became the site of an important coastal village with vital access to marine, freshwater, and terrestrial resources (Santa Barbara Museum of Natural History 1991). The petition also requests the development of a co-management agreement between the State of California and SYBCI.

CFGF defines co-management as a collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area, or set of natural resources. Successful co-management typically comprises several components, such as clear governance authority and institutional structure, shared and long-term trust building, and integration of multiple worldviews and knowledge systems (Armitage et al. 2009, Berkes 2009, Ban et al. 2018, Warrior et al. 2022). In practice, this involves shared responsibility for management activities, such as monitoring, enforcement, and outreach, established through agreements developed collaboratively with tribes on a direct government-to-government basis (Berkes 2009, Ban et al. 2018, Artelle et al. 2019, Murray 2023).

Depending on the nature of the activities, co-management frameworks may be established through informal partnerships, formal agreements that do not require regulatory changes (e.g., Memorandum of Understanding), or regulatory or legislative changes. During the April 2026 CFGF Tribal Committee meeting, SYBCI clarified that the request for co-management in petition 2023-29MPA_AM2 was not a request for a regulatory change and confirmed their desire to continue to work with the state towards co-management in the proposed new Mishopshno SMCA.

As stated in the petition, the regulatory request for a new MPA co-managed by SYBCI is intended to “honor the nearby historical Mishopshno village and cultural heritage of the Chumash in the area and restore management to the SYBCI of this portion of coastal waters.” The “petition calls for a co-management agreement between the State of California and the SYBCI through continued access to the shoreline and marine resources for...all Chumash people.” In December 2025, a document entailing tribal testimonies relevant to the Mishopshno region was submitted by the Natural Resources Defense Council to CFGF stating,

“Despite the impacts of colonization and displacement [from the Mishopshno village and surrounding areas], Chumash people continue to maintain and revitalize ocean practices and traditions,” and that “these coastal and ocean ecosystems are central to Chumash identity and culture...[for] harvesting fish and

other ocean animals for their traditional foods to feed their families and communities."

The petition highlights the primary aims of co-management are a recognition of the cultural significance of the area and a tribal take exemption. While cultural significance may be a contributing factor in establishing an MPA in a particular location, it does not necessarily lead to co-management, and there are other designations to acknowledge the cultural significance of the area (e.g., State Marine Park, State Marine Cultural Preservation Area). Similarly, tribal take exemptions alone do not typically constitute the governance partnerships that co-management entails. Co-management typically concerns how resources are managed, whereas a tribal take exemption simply affects who may access or harvest those resources.

These objectives can be advanced through approaches that do not depend on the creation of a new MPA. While MPA designation may provide a geographic context within which co-management partnerships can be built, the establishment of a new MPA does not by itself establish the shared governance structure that underpins effective co-management. Developing co-management agreements in advance of new spatial designations or within existing ones is more likely to support durable and effective partnerships. Prioritizing a focus on the existing MPA Network provides a more immediate pathway for strengthening tribal stewardship in MPAs and will help lay the groundwork for future efforts. An opportune starting point could be Kashtayit SMCA, Naples SMCA, Anacapa Island SMCA, and Point Dume SMCA, each of which already contain a tribal take exemption for the SYBCI.

Since receiving the petition, CDFW has initiated conversations with SYBCI regarding co-management and values the opportunity to learn more about tribal interests in co-management directly from SYBCI through continued collaboration. Co-management agreements necessitate robust collaboration and partnership-building between the tribe and state and "establishing successful co-management is seldom immediate. Like most participatory processes it takes time and careful attention to partnership building and strategic planning" (see attachment in petition 2023-19MPA)². By prioritizing an initial focus on implementation of the recommendations to advance co-management within the existing MPAs, the state and SYBCI can work government-to-government to advance tribal stewardship more immediately.

The effort to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government-to-government relationships

² Co-management of California-Chumash Marine Conservation Areas A White Paper Produced for The Santa Ynez Band of Chumash Indians with Funding Provided by the 7th Generation Advisors

between the state and tribes (Governor Brown’s Executive Order B-10-11, Governor Newsom’s Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies’ tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

The establishment of a new MPA is not a prerequisite for, and does not by itself establish, the shared governance structure that underpins effective co-management. CDFW is committed to continuing to work with the SYBCI towards collaborative, sovereign-to-government co-management agreements within the existing MPA Network and elsewhere along the coast. This recommendation is intended to acknowledge and honor cultural needs by providing adequate time for tribal engagement, building partnerships, and incorporating Traditional Ecological Knowledge into the coordination and mutual understanding of the co-management over ancestral lands and waters.

State Marine Cultural Preservation Areas

Given the petition’s emphasis on cultural recognition and preservation, an alternative designation that may warrant consideration for co-management of the waters in this area could be a State Marine Cultural Preservation Area (SMCPA). An SMCPA is one of 6 Marine Managed Areas defined and established in the Marine Managed Areas Improvement Act (MMAIA, Pub. Resources Code, §§ 36600–36900). In contrast to an MPA, an SMCPA is specifically intended to preserve “cultural objects or sites of historical, archaeological, or scientific interest in marine areas,” which could serve as a complement to the existing landside BLM protection. SMCPAs are designated by the California State Park and Recreation Commission and either managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA³.

This designation may provide an effective mechanism for recognizing and preserving the cultural significance of the area while continuing to explore opportunities for tribal co-management and co-stewardship. As noted above, the petitioners provided invaluable testimony from Chumash community members describing the cultural, ecological, and historical importance of the waters near the Mishopshno village site. The importance of incorporating marine cultural heritage into MPA Network design and

³ Per the MMAIA (Pub. Resources Code, § 36700), an area can be designated under more than one classification. Therefore, a defined geographic area could be designated as a standalone SMCPA or may be co-designated with an MPA classification (e.g., SMR, SMP, or SMCA).

management was highlighted in DMR Recommendation 24, reflecting the recognition that the cultural significance of coastal areas could be better represented in the MPA Network. Similarly, California State Parks seeks to preserve examples of the state's diverse cultural heritage, particularly along underrepresented themes such as settlement and subsistence patterns associated with coastal prehistoric villages and tribal maritime exploration⁴.

SMCPAs prohibit the damage, take, or possession of cultural resources, and these protections apply to the cultural resources of any tribe, regardless of federal recognition status. SMCPA designation does not restrict consumptive uses, so it could be a more inclusive approach to highlight the cultural importance of this area while maintaining existing fishing access and recreational opportunities.

In contrast, implementation of the proposed Mishopshno SMCA would restrict access to the area for cultural take practices beyond the take of finfish from shore by hook-and-line for tribes other than the SYBCI. The petitioners state that the "regulations would allow use of shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for the SYBCI and for non-federally recognized Chumash people," however, shore-based resources other than finfish by hook-and-line (i.e., shore-based resources such as seaweed, crab and mussels), as well as all offshore boat-based resources would no longer be accessible to members of tribes other than the SYBCI. Current legislative and regulatory frameworks provide pathways for tribal take exemptions for federally recognized tribes (25 C.F.R. § 83, Cal. Code Regs., tit. 14 § 632, subd. (a)(11)). No such pathway exists for non-federally recognized tribes. Consequently, the proposed new Mishopshno SMCA could create differential access among tribal communities. Designation of an SMCPA, on the other hand, could recognize and protect the cultural significance of the area, support continued exploration of co-management opportunities, maintain fishing access for existing users, and contribute to MPA Network achievement of Marine Life Protection Act (MLPA) Goals 3-6.

Habitat Replication and MPA Network Design

The petition states that proposed new Mishopshno SMCA is intended to enhance MPA Network design by increasing replication and representation of key habitats and promoting MPA Network connectivity and to "help meet the Master Plan's size and spacing guidelines for spacing between protected habitats, promoting connectivity in the network and representation of habitat types," in part, by placing a new MPA between two existing MPAs and thus, reducing the distance between them. However, to the extent

⁴ [Significant Cultural Resource Properties](#)

feasible⁵, the existing MPA Network meets the Science Advisory Team (SAT) Science Guidelines, established during the MLPA Initiative planning process, in this portion of the coast.

MPAs that meet the minimum SAT Science Guidelines for size and one of the three highest Levels of Protection (LOPs; i.e., Very High, High, or Moderate-high) are referred to as backbone MPAs because they are considered to provide substantial ecological benefit to the connected MPA Network. Although the proposed Mishopshno SMCA exceeds the minimum size threshold at 9.05 square miles, the proposed take allowance (recreational finfish by hook-and-line from shore) corresponds to a Moderate-low LOP (see response to Questions 9 and 13 for more information on this LOP assignment). Consequently, the proposed MPA would not qualify as a backbone MPA and thus would not improve alignment with the SAT Science Guidelines overall.

The petitioners state that (1) the proposed MPA would contribute to habitat replication for kelp forest, beach, and nearshore soft bottom substrate, (2) the proposed MPA would increase the representation of hard bottom substrate in the 0–30 and 30–100 m depth zones and soft bottom substrate in the 30–100 m depth zone, and (3) “the South Coast MLPA Planning region protects a lower proportion of nearshore hard-bottomed habitat than other regions.”

For an MPA to contribute to habitat replication, it must meet the minimum size threshold and LOP (be a backbone MPA) *and* contain enough of a specific habitat to capture 90% of the biodiversity associated with that habitat. The proposed Mishopshno SMCA would not enhance habitat replication of kelp forest, beach, or nearshore soft bottom substrate, despite containing the minimum quantity of each (Table 1), because it does not meet the criteria to be a backbone MPA due to the Moderate-low LOP. Even if it was modified to meet the criteria, these three key habitats are well represented and spaced in the MPA Network, and the petition does not demonstrate that additional protection at this location would address a specific deficiency in current MPA Network design.

Habitat representation, on the other hand, considers the amount of a given habitat contained in all MPAs, regardless of LOP, compared to the total amount of that habitat available in state waters. Therefore, despite the Moderate-low LOP, the proposed new SMCA would increase representation of the noted habitats within the South bioregion; representation of hard bottom habitat in the 0–30 m depth zone would increase by 0.09%, hard bottom habitat in the 30–100 m depth zone by 0.04%, and soft bottom habitat

⁵ Spacing between replicates of hard bottom habitat in all depth ranges exceeds the SAT Science Guideline-recommended range of 31–62 miles. This is due not to a deficiency in design, but rather to the sparse and heterogeneous nature of this habitat in the South Coast study region.

in the 30–100 m depth zone by 0.4%. With more than 15% of the available area of each of these habitats currently encompassed in existing South bioregion MPAs, these contributions are marginal.

Regarding the statement in the petition that a lower proportion of nearshore (i.e., 0–30 m depth) hard bottom habitat is protected in MPAs in the South Coast study region compared to other regions, California's marine environment is not homogeneous, and some habitats are limited, fragmented, or altogether not present in certain areas which was factored into MPA Network design during the MLPA Planning Process. With respect to nearshore hard bottom habitat in particular, this habitat is more fragmented and sparser in the South bioregion than in other regions. Campus Point No-take SMCA and Point Dume SMCA are separated by approximately 60 miles as a straight-line distance, with a substantially longer shoreline distance. Only about 1.2 miles of nearshore hard bottom habitat occurs between these two MPAs, which leaves little opportunity to exceed the 1.1-mile replication threshold identified by the SAT. It is for this reason of limited habitat availability, rather than a design deficiency, that the South bioregion protects a lower proportion of nearshore hard bottom habitat compared to other bioregions.

With respect to spacing between backbone MPAs, the SAT recommended a maximum over-water distance of 62 miles, based on known scales of larval dispersal. Spatial analyses using the best available data indicate that all backbone MPAs continue to meet this guideline. In the region relevant to the proposed Mishopshno SMCA, the nearest mainland backbone MPAs are Campus Point SMCA (No-take), which is 14.6 miles to the northwest of the proposed new SMCA, and the Point Dume MPA cluster, which is 44.1 miles to the southeast. The edge-to-edge over-water distance between these two existing MPAs is approximately 60 miles, which falls within the SAT Science Guideline range for maximum distance (31 – 62 miles). Although this spacing represents the highest spacing interval between backbone MPAs in the MPA Network, it remains within the science-based guideline, which was derived from larval dispersal estimates. In addition, this assessment does not include the MPAs around the Northern Channel Islands which are likely to have connectivity with the mainland coast (Chambers et al. 2006, Becker et al. 2007, Selkoe et al. 2006, Watson et al. 2010). Accordingly, this bioregion of the MPA Network meets the SAT Science Guidelines to support MPA Network connectivity.

The petition also suggests that adding the proposed MPA to the MPA Network could enhance larval production and connectivity of the MPA Network. However, one of the studies cited by the petitioners notes that, for an MPA to function as a significant source of larval production, it must include high quality, productive adult habitat and provide full protection (i.e., SMR designation) to the species within (Carr et al. 2017). Because the proposed SMCA would allow activities resulting in a Moderate-low LOP, it would not provide this level of protection.

Analyses of the MPA Network have found, and the petitioners acknowledge, that the existing MPA Network as designed is functioning effectively, with existing MPAs shown to be both demographically and environmentally connected (CDFW 2022, Yeager et al. 2023). Indeed, Yeager et al. (2023) state their results suggest “there is high sub-network connectivity in the different habitats in the system (i.e., high MPA-to-MPA environmental connectivity) and that [California] MPAs were generally placed in locations favored to receive high levels of propagule replenishment based on environmental transport alone.” This provides evidence that the SAT Science Guidelines developed during the MLPA Initiative planning process, which incorporated connectivity principles into MPA Network design, resulted in a strong foundation for MPA Network connectivity. A reevaluation of MPA Network-wide connectivity using up-to-date average ocean circulation is intended for inclusion in the next DMR to support future assessments of regional connectivity and MPA Network performance.

As stated above, as designed, the proposed Mishopshno SMCA does not meet the criteria to function as a backbone MPA because of the Moderate-low LOP, and spatial analyses confirm that a spacing gap does not exist in this portion of the MPA Network. The proposed Mishopshno SMCA would not meet the petitioners’ stated ecological objectives or add habitat replicates. Even if the MPA met backbone criteria, it is unclear if the proposed new Mishopshno SMCA would provide measurable connectivity benefits to the MPA Network or improved alignment with the SAT Science Guidelines beyond what is currently achieved by existing MPA Network design.

Local Ecological Significance and Establishing an SMCA to Protect Habitat for White Shark

Consistent with the MLPA, California’s existing system of MPAs was redesigned to increase its coherence and effectiveness for protecting the state’s marine life, habitats, and ecosystems. Although the core MPA Network is designed as an interconnected series of backbone MPAs, there are also some MPAs that were established to address place-based needs, such as local “ecologically important areas and areas of key human interest” that may still contribute to the overall MPA Network (CDFG 2008). For example, Gerstle Cove SMR (0.01 sq. mi.) and Natural Bridges SMR (0.25 sq. mi.) were established to protect locally significant rocky intertidal habitats without serving as MPA backbones. Similarly, Matlahuayl SMR (1.04 sq. mi.) was retained in the MPA Network to encompass an ecologically important area that has been protected since 1929. Given that “individual MPAs may serve varied primary purposes while collectively achieving the overall goals and guidelines” of the MLPA Fish & G. Code, § 2857, subd. (c)), establishment of a new MPA could be appropriate where there is compelling rationale for localized protection or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network (Goal 4).

The petition highlights the ecological significance of the area including that the proposed new Mishopshno SMCA would overlap Carpinteria Reef “that supports one of the more abundant marine life communities and persistent kelp beds in Santa Barbara County,” and serve as protection for juvenile white sharks (*Carcharodon carcharias*) and their habitat. Persistent kelp forests are frequently prioritized as candidate sites for new MPAs because they may act as essential climate refugia (Arafeh-Dalmau et al., 2023). However, Carpinteria Reef challenges the assumption that these areas require regulatory interventions to thrive and persist. Carpinteria Reef is a prime example of a highly persistent, healthy kelp forest that has successfully sustained itself for decades alongside actively managed coastal uses. Decades of continuous monitoring by the Santa Barbara Coastal Long-Term Ecological Research program demonstrate that Carpinteria Reef consistently maintains a highly persistent and stable giant kelp canopy (Michaud et al. 2026). Because this habitat is thriving under current conditions, siting a new MPA here for the purpose of protecting the kelp bed is likely unnecessary and would provide redundant protection and habitat representation within the MPA Network. The petition did not include compelling rationale for localized ecological protection of this area or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network.

The petition indicates part of the rationale for establishing the proposed new Mishopshno SMCA is to protect habitat attractive to numerous species, especially juvenile white shark. However, the petition does not provide sound rational to support the assertion that the habitat protections achieved by the proposed SMCA would benefit juvenile white shark. Broadly, (1) ecological conservation goals, such as habitat protection, are not aligned with the proposed MPA’s Moderate-low LOP, (2) MPAs are intended to protect ecosystems rather than individual species, and (3) white shark have state and federal protections that would not be improved by MPA designation.

Juveniles of the Northeast Pacific population of white shark utilize nearshore waters associated with sandy beach habitats throughout the Southern California Bight as nursery habitat (Heupel et al. 2007). Coastal nursery locations vary from year to year, likely in response to external conditions such as prey availability and water temperature (Domeier et al. 2012, Tanaka et al. 2021, Weng et al. 2007). An aggregation of juvenile white sharks was reported near Carpinteria in 2020 (Spurgeon et al. 2022), prompting some to suggest the establishment of an SMCA in this area could seasonally offer local benefits to juvenile white shark. However, juvenile white shark studies suggest residency (Anderson et al. 2021) and density (Parsons 2022) are highly variable both within and across years, indicating that a hotspot in one year is not a reliable predictor of consistent habitat use in subsequent years. Furthermore, research indicates that the most consistent patterns of juvenile white shark activity (85% of detections in one nine-year acoustic monitoring study) occur much further south, between Long Beach and

Huntington Beach (Anderson et al. 2021). The mechanisms driving this interannual variability are not well understood and may differ from year to year.

In 2020, petition 2020-012_AM1 was submitted to CFGC proposing to establish a protected area for the Padaro Beach white shark nursery near Carpinteria. In response, CDFW evaluated the petition and concluded that an MPA would not be an effective tool for protecting juvenile white shark in the area due to the variability of juvenile white shark habitat use and uncertainty of environmental conditions and their impact (CFGC 2020). Consequently, CFGC denied the petition to create a protected area for a white shark nursery at Padaro Beach.

Moreover, white shark are protected by California state law, through regulations including a fishing ban (Cal. Code of Regs. Tit. 14, § 28.06), “chumming” and proximity ban, nearshore gillnet ban, and shark fin ban (Fish & G. Code §§ 2021, 5517, 8599, and 8610.3). These state protections are aimed at prohibiting nearly all take or possession of white shark and reducing bycatch by regulating various net types or baits. Take of white shark is also federally prohibited (Code of Federal Regs. Tit. 50, § 660.702). At the June 17-18, 2026, CFGC meeting, CFGC adopted emergency regulations that require the immediate release of any white shark incidentally caught (amended Cal. Code of Regs. Tit. 14, § 28.06) and further restrict allowed gear types when hook-and-line fishing from shore in certain regions of the state (amended Cal. Code of Regs. Tit. 14, § 28.65). The new regulations aim to curtail illegal targeted fishing of white shark, help ensure sharks hooked accidentally are released alive, and prevent interactions between hooked sharks, heavy fishing gear, and humans recreating in the nearshore environment (CFGC 2026). Due to a forecasted strong El Niño oceanic event this year, it is expected that the presence of white sharks in the state’s coastal waters will increase (CFGC 2026). There is no indication that these state and federal regulations are insufficient in protecting this species and there is limited evidence to support beneficial outcomes for white shark resulting from an MPA designation.

Climate Resilience

The petitioners cite climate change as additional rationale to warrant establishment of a new MPA. While there are promising results in the scientific literature that MPAs may act as climate refugia for certain species and ecosystems and/or promote recovery following a climate-driven disturbance (Micheli et al. 2012, Carr et al. 2017, Roberts et al. 2017, Bates et al. 2019, CDFW 2022, Jacquemont et al. 2022, Raimondi and Smith 2022, Ziegler et al. 2023, Benedetti-Cecchi et al. 2024, Kumagai et al. 2024, Olguín-Jacobson et al. 2025, Ortiz-Villa et al. 2025), the current state of knowledge indicates that MPAs do not consistently or predictably confer resilience to climate change (Coleman et al. 2017, Bruno et al. 2018, Freedman et al. 2020, Kyprioti et al. 2021, Smith et al. 2023, Filbee-Dexter et al. 2024, Ortiz-Villa et al. 2025). The DMR results showed that habitats and species both

inside and outside MPAs experienced dramatic changes following the 2014–2016 marine heatwave. However, some habitats, such as rocky intertidal and kelp forests, were more stable and showed some resiliency to the effects of the heatwave, and that some of this stability could be attributed to higher connectivity (CDFW 2022, Carr et al. 2022, Raimondi and Smith 2022). Yet these results were variable, and highly dependent on bioregion and shifts in oceanographic conditions pre- and post-heatwave (CDFW 2022, Carr et al. 2022, Caselle et al. 2023, Hamilton et al. 2023).

Therefore, while MPAs may indirectly support climate resilience under certain conditions, an MPA explicitly intended to serve this function should be supported by evidence demonstrating how it would contribute to resilience at the site and MPA Network scale. Without this information, it is difficult to evaluate whether the proposed action would serve as an ‘insurance factor’ the petitioners envision. Although climate change was not explicitly considered during the MLPA Initiative planning process, California’s MPA Network was designed with resilience-oriented principles in mind (Hofmann et al. 2021). Adding an additional MPA in this area is not likely to further promote climate resiliency beyond what the current MPA Network is currently providing (See Attachment 1 [Companion Document] for more information on Climate Resiliency and MPAs). Further exploration of climate change resiliency and the role of MPA design will be guided by the DMR Recommendations focused on MPA Network performance (CDFW 2022) and the recommendations put forth in the “Climate Resilience and California’s Marine Protected Area Network” report (Hofmann et al. 2021).

Lastly, an MPA that does not meet the minimum SAT Science Guidelines for backbone MPA status has a lower probability of contributing meaningful ecological resilience to the MPA Network. Therefore, without climate-specific and site-specific scientific justification, and given the proposed MPA’s lack of alignment with minimum design thresholds, the petition has not demonstrated how the proposed MPA will provide additional climate resilience beyond those provided by the existing MPA Network.

Impacts to Fisheries and Socioeconomic Impacts

Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code, §§ 2853 & 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, and data availability, CDFW was able to conduct a preliminary assessment but did not have the ability to conduct an in-depth analysis of the economic or fiscal impacts for the proposed new MPA (see Question 5 in Attachment 1).

The proposed new Mishopshno SMCA has the potential to impact several commercial fisheries, the Commercial Passenger Fishing Vessel (CPFV)⁶ fleet, private boat anglers operating out of Santa Barbara and Ventura area ports, and shore-based spear fishers and kayak anglers. The proposed MPA is within an area that was the subject of significant debate during the planning process due to potential impacts to commercial and recreational fisheries. Establishing an MPA in this location is expected to introduce socioeconomic impacts and implementation costs.

The proposed Mishopshno MPA is within Commercial Fishing Block 652. Block 652 is an economically valuable and productive block for commercial fisheries in the region. Since complete implementation of the MPA Network, between 2013 and 2025, there was \$2 million worth of commercial lobster (*Panulirus interruptus*) caught in fishing block 652 (Figure 1), representing approximately 2.1% of all commercial lobster landings for all Santa Barbara area ports (Oxnard, Santa Barbara Harbor, and Ventura). The proposed MPA overlaps with the California Halibut Trawl Grounds (CHTG), which extend one nautical mile from shore out to three nautical miles offshore of Santa Barbara and Ventura. This fishery, which uses light touch trawl gear, is the only fishery permitted to take halibut (California halibut, *Paralichthys californicus*) by trawl within state waters (Fish & G. Code § 8495). Based on the most recent CDFW evaluation of the CHTG, areas of high activity in the CHTG between 2018 and 2022 show an area of overlap with the western boundary of the proposed Mishopshno SMCA (Tanaka et al. 2025, Figure 2). California halibut may also be commercially taken by hook-and-line and by trawl in federal waters. Between 2013 and 2025, block 652 was the source of 3.5% of commercial halibut caught by all gear types for all Santa Barbara area ports, with a total value of approximately \$370,000 (Figure 3, for more details on all commercial fishery value data, see the CDFW [Marine Fisheries Data Explorer](#)).

Furthermore, the proposed MPA overlaps an expansive reef that is easily accessible from shore and is thus a popular site for recreational fishing. The area is frequented by the CPFV fleet and private boaters based out of Santa Barbara and Ventura area ports (for CPFVs, these include Gaviota Beach, Port Hueneme, Oxnard, Santa Barbara Harbor, Ventura, Goleta Beach, and Guadalupe Beach). Since complete implementation of the MPA Network, between 2013 and 2025, there were a total of 3,800 CPFV trips to block 652, with an average of 70.8 (± 24.6 SD) trips each year (Figure 4). The CPFV fleet, particularly those operators in the fleet conducting half-day trips, is likely to be negatively impacted by the proposed Mishopshno SMCA, which would restrict boat-based fishing access.

⁶ The Commercial Passenger Fishing Vessel (CPFV) fleet takes paying passengers to recreationally fish at offshore coastal locations.

Spatial trends in average catch per angler between 2016 and 2024 from the California Recreational Fisheries Survey (CRFS)⁷ also indicate the area is heavily used by private boaters (Figure 5). Kayak angling, spearfishing, and lobster fishing by hoop net are also popular methods of fishing in the area that would not be allowed in the proposed new MPA. Shore-based recreational take of resources (except finfish by hook-and-line) such as seaweed, crab, and mussels would also be affected.

The petitioners state that “previous designations of local MPAs have resulted in benefits for the commercial CA spiny lobster fishery,” and suggest that designation of the proposed MPA could yield similar long-term benefits through spillover of legal-sized lobsters into unfished areas. Although the data in the supporting study (Lenihan et al. 2021) provide valuable evidence of localized biomass spillover in a single commercial fishing block, the findings may not uniformly apply to other MPA locations, nor do they address other relevant fisheries in the area.

The petitioners also state that,

“Considering the relatively low proportion of landings and value coming from this fishing block, the small size of the proposed SMCA within the fishing block, and the amended boundaries that allow continued access to a locally important fishing areas, we anticipate that establishing this SMCA would have limited impact on commercial fishing vessels and CPFVs in the area.”

However, based on CDFW’s preliminary assessment results above, this statement is unfounded, and additional analyses are needed to characterize socioeconomic impacts, including to commercial and recreational fishers and non-consumptive users.

Historical Context: MLPA Planning Process

During the MLPA Initiative planning process, the South Coast Regional Stakeholder Group (RSG) considered and rejected siting an SMCA in this portion of coast. In the final round of MPA array development, two of the three MPA arrays included an MPA near Carpinteria. One included a small nearshore SMR adjacent to the Carpinteria Salt Marsh focused primarily on estuarine protection, while another proposed a large High LOP

⁷ The California Recreational Fisheries Survey (CRFS) conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (approximately 1 x 1 square miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

SMCA (to be called 'Mishopshno SMCA') east of the footprint of the proposed MPA currently under evaluation in 2023-29MPA_AM2 (MLPAI 2009c). To minimize socioeconomic impacts, the latter SMCA was designed to meet spacing and LOP guidelines while intentionally avoiding Carpinteria Reef. Ultimately, the Blue Ribbon Task Force recommended a preferred alternative package that included Kashtayit SMCA, Naples SMCA, and Campus Point No-take SMCA, but excluded an MPA at Carpinteria Reef. This exclusion was largely driven by concerns over disproportionate economic impacts on local stakeholders, and the package was subsequently adopted by CFGC. Many of the considerations that led to that decision, including the potential socioeconomic impacts, remain relevant today.

Conclusion

Regarding the non-regulatory request, CDFW is committed to advancing co-stewardship and is interested in continuing to engage with SYBCI on co-management within the existing MPA Network or in this area. However, there are faster and less burdensome pathways to achieve co-management which in turn will help to advance DMR Recommendations related to improving tribal coordination and relationships and working with tribes and other partners to better incorporate marine cultural heritage into the design of the MPA Network.

Regarding the regulatory request, based on the evaluation framework, the proposal to establish a new Mishopshno SMCA that allows recreational take of finfish by hook-and-line from shore and a tribal take exemption for SYBCI:

- As proposed and when assessed against the SAT Science Guidelines, would not meaningfully improve the structure or function of the MPA Network beyond existing conditions as follows:
 - Would have a Moderate-low LOP and would not serve as a backbone MPA or add habitat replicates to the MPA Network,
 - Even if the MPA was designed to meet the SAT Science Guidelines LOP criteria and could serve as a backbone MPA:
 - This region of the MPA Network is currently not deficient in habitat representation, replication, or spacing,
 - The proposed new MPA would only marginally increase representation of nearshore hard bottom habitat and both hard and soft bottom habitat in the 30-100 m depth zone; less than half a percent would be added to each habitat for the Southern bioregion, and even less to the MPA Network as a whole,

- The proposed new MPA would contribute replicates of beach, kelp forest, and nearshore soft substrate habitats. However, there are 11 sandy beach replicates, 13 kelp replicates, and 13 soft substrate replicates within the existing MPA Network in the South Coast planning region. These numbers exceed the SAT Science Guideline of a minimum 3-5 habitat replicates in each bioregion,
- It would not improve alignment with the spacing guideline recommended by the SAT beyond what is achieved by the existing MPA Network. The proposed Mishopshno SMCA would be surrounded by several well-designed MPAs, including:
 - Campus Point SMCA, which is 14.6 miles to the northwest,
 - The Point Dume SMR/SMCA cluster, which is 44.1 miles to the southeast,
 - Naples SMCA and Kashtayit SMCA, which are place-based MPAs, and
 - The network of highly protected MPAs around the Northern Channel Islands.
- Does not address a current or emerging MPA management challenge that has emerged since the DMR,
- Would be contrary to past deliberations and decisions made during the MLPA Planning Process and prior CFGC decisions (Petition 2020-012_AM1) without providing new information,
- Does not align with the original intent of the MLPA Initiative planning process for significant changes to the MPA Network,
- Would not provide measurable ecological benefits to the MPA Network beyond what the neighboring MPAs currently offer,
- Does not provide compelling evidence to support the need for a place-based MPA at this location.

Furthermore, there are concerns related to the unnecessary impacts to recreational and commercial fisheries, given the lack of a meaningful ecological benefit to the MPA Network. Consistent with directives in the Fish and Game Code and 2016 Master Plan for MPAs (Fish & G. Code, §§ 2853 & 2855, CDFW 2016), decisions regarding the siting of new MPAs and major modifications of existing MPAs must consider relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives. Given the scope and timeline of this analysis, and data availability, CDFW did not have the ability to provide an in-depth supplemental analysis of the economic or fiscal impacts for the proposed new MPA (see Question 5 in Attachment 1). Based on the preliminary assessment above there will be socioeconomic impacts to commercial and

recreational fishers. However, additional analyses would be needed to characterize socioeconomic impacts, including impacts to consumptive and non-consumptive users, associated with the proposed new Mishopshno SMCA.

CDFW recognizes the cultural significance of the area to the Chumash people and is committed to advancing co-stewardship and continuing to engage with SYBCI and other interested tribes who have stewarded the area since time immemorial on co-management within the existing MPA Network and/or in this area. A new MPA is not necessary for co-management to occur or to acknowledge the cultural significance of an area. In conjunction with continuing to pursue co-management with SYBCI, exploring designation of a SMCPA (MMAIA, Pub. Resources Code, §§ 36600-36900) is an alternative pathway to recognize the cultural significance of the location and to better incorporate marine cultural heritage into the design of the MPA Network (DMR Recommendation 24). Designating this area as an SMCPA would prohibit the damage, take, or possession of any cultural resources, acknowledge the cultural significance of the area, while also preserving any historic objects in the area, for example, artifacts from submerged village sites. SMCPAs are designated by the California State Park and Recreation Commission and managed by California State Parks or jointly managed with CDFW if there is overlap with an MPA. This designation would recognize the cultural importance of the area and would avoid eliminating fishing access or take associated with ceremonial and cultural practices for tribes other than SYBCI.

RECOMMENDATION FOR 2023-29MPA_AM2

Given these considerations, and the information in the evaluation below:

CDFW recommends that CFGC Support with an Alternative Pathway the non-regulatory request to advance co-management with SYBCI.

At the April 2026 CFGC Tribal Committee meeting, SYBCI confirmed the tribe's intent to pursue co-management with CDFW in the MPA Network through non-regulatory means. CDFW may enter into tribal co-management agreements with tribes at any time and these do not require action from CFGC or consideration through CFGC's petition process or rulemaking. The non-regulatory request to advance co-management is aligned with the state's commitments to strengthening and sustaining effective government to government relationships between the state and tribes (Governor Brown's Executive Order B-10-11, Governor Newsom's Executive Order N-15-19, the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy) and would advance the following DMR Recommendations: (1) Improve state agencies' tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead

to advancements in (3) Building tribal capacity to participate in MPA management activities (CDFW 2022).

Recognizing the deep cultural and historical ties of California Native American tribes to their ancestral lands and waters, CDFW is committed to exploring opportunities for co-management and co-stewardship with SYBCI and other interested tribes. These opportunities may be initiated and developed through non-regulatory frameworks and agreements outside of the CFGC petition process, with a focus on the existing MPA Network, such as the four existing MPAs where SYBCI has a tribal exemption, and/or areas outside the MPA Network, including the proposed Mishopshno area, without establishing a new MPA.

Regarding the regulatory request in 2023-29MPA_AM2 to establish a new SMCA that allows recreational take of finfish by hook-and-line from shore and a tribal take exemption for SYBCI, CDFW recommends that CFGC Support with an Alternative Pathway and request CDFW engage with the SYCBI, other interested tribes, and California State Parks to explore designating the area as a State Marine Cultural Preservation Area to acknowledge the cultural significance of the area, rather than CFGC establishing a new SMCA.

EVALUATION QUESTIONS

2023-29MPA_AM2: Designate a new tribal co-management SMCA (9.05 sq mi) near Carpinteria named Mishopshno that allows for the recreational take of finfish by hook-and-line from shore and a tribal take exemption for Santa Ynez Band of Chumash Indians.

QUESTION 1: DOES THE PROPOSED CHANGE SUPPORT THE MPA NETWORK IN MEETING ONE OR MORE OF THE MLPA GOALS AND ALIGN WITH MPA MASTER PLAN ADAPTIVE MANAGEMENT OBJECTIVES?

No. The MLPA Goals and Master Plan objectives are inextricably linked and act as the foundational tools that CDFW utilizes for effective adaptive management of the MPA Network. Individual MPAs in the MPA Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning MPA Network that was designed to holistically address the MLPA Goals as a whole. As such, CDFW has evaluated this action within the broader adaptive management framework and how the proposed action may or may not align with the MLPA Goals/Master Plan objectives and advance MPA Network management. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan objectives.

The petitioners have proposed Mishopshno SMCA, a new MPA near Carpinteria, with an allowance for recreational take of finfish by hook-and-line from shore and a tribal take exemption for members of the SYBCI. The proposed allowed uses correspond to a Moderate-low LOP. The petitioners describe objectives for the proposed MPA that would align with MLPA Goals 1, 4, and 6, related to preserving marine ecosystems, protecting representative habitats, and promoting MPA Network connectivity. However, as proposed, the Mishopshno SMCA is unlikely to benefit the MPA Network or address a current or emerging MPA management challenge that has emerged since the DMR.

Broadly, the minimal LOP (Moderate-low) is incompatible with the achievement of ecological goals, such as the protection of biodiversity and ecosystem function (Goal 1) or the conservation of marine life populations (Goal 2). It would also preclude contribution to MPA Network design goals, such as habitat representation and replication (Goal 4) or MPA Network connectivity (Goal 6). Therefore, the proposed design does not align with the stated objectives in the petition nor with the SAT Science Guidelines established during the MLPA Initiative planning process that inform MPA Network design (Goal 5).

The petition states an additional goal of the proposed MPA is to protect habitat attractive to marine wildlife (Goal 1), particularly juvenile white sharks. However, current research does not provide evidence that this area is consistently preferred by juvenile white sharks and there is no scientific basis to conclude that establishing an MPA at this location would provide effective protection for white shark. This conclusion is informed by the broad geographic distribution of the species. Suitable white shark nursery habitat spans much of the coastal waters from Baja California Mexico to Point Conception, though juveniles were detected as far north as Monterey Bay following the 2014–2015 marine heatwave. Juvenile white shark spatial use varies widely both within and across years, likely in response to changing oceanographic conditions. Although recent studies have documented increased numbers of juvenile white sharks in Carpinteria's nearshore waters, these observations do not necessarily demonstrate consistent or unique habitat use, nor do they establish a mechanism by which MPA designation would improve outcomes for this species. Indeed, during the MLPA Initiative planning process, the SAT did not identify white shark as a species likely to benefit from MPAs (MLPAI 2009a). Given the large geographic distribution of white shark, high interannual variation in juvenile white shark nursery locations, and the degree of existing state and federal protections for white shark (Cal. Code of Regs. Tit. 14, §§ 28.06 and 28.65, Fish & G. Code §§ 5517, 8599, 2021, Code of Federal Regs. Tit. 50, § 660.702), it is unlikely a new MPA in this area would confer a benefit to the juvenile white shark population in southern California.

The petitioners also aim to enhance MPA Network design and connectivity (Goals 4 and 6). As noted in the petition, the proposed SMCA would indeed encompass multiple

unique and representative marine habitats (Goal 4), including kelp forest, beach, and nearshore soft bottom habitats. However, given the Moderate-low LOP, the proposed MPA would not qualify to serve as a habitat replicate for these habitats. Even if the proposed MPA met the SAT Science Guidelines criteria to count as a habitat replicate, the proposed new MPA would add three habitats that are well replicated in the Southern bioregion.

The petition also indicated part of the rationale for establishing the new Mishopshno SMCA is to increase the representation of rocky reef habitat in the 0-30 and 30-100 m depth zones and soft bottom habitat in the 30-100 m depth zone in the south bioregion. While a lower proportion of nearshore hard bottom habitat is currently protected in MPAs in this region relative to the rest of the state, the MPA as proposed would add less than half of a percent of these habitats for the Southern bioregion, and even less to the MPA Network as a whole, so the proposed MPA's contribution to habitat representation would be marginal (see response to Question 9).

Another expected outcome stated in the petition is that establishing the proposed SMCA would enhance the design of the MPA Network (Goal 6) by closing a large spacing interval between existing MPAs. There is an approximate 60-mile distance between Campus Point No-take SMCA to the northwest and the MPA cluster at Point Dume to the southeast. This distance is within the 31 to 62-mile maximum spacing range recommended by the SAT during the MLPA Initiative planning process. This spacing guideline incorporates connectivity principles, and the DMR results show that the existing MPA Network is well connected (CDFW 2022, Yeager et al. 2023). Naples SMCA and Kashtayit SMCA also serve as nearby place-based MPAs and the network of highly protected MPAs around the Northern Channel Islands also likely contribute to connectivity. Therefore, there is not a demonstrated deficiency in MPA Network design. Though identifying MPA Network design deficiencies was not a specific objective of the DMR, results of the assessment of MPA Network performance relative to MPA design attributes did not indicate the MPA Network was failing to meet ecological objectives (e.g., MPA placement and spacing appears to be promoting ecosystem connectivity). The DMR indicated that with continued long-term monitoring over the next 10-year period, we anticipate being able to conduct additional analyses related to performance and influencing factors, including MPA design attributes.

Furthermore, any potential ecological gains must be weighed against other MLPA Goals. The MPA Network was intentionally designed to balance conservation benefits with the needs of coastal communities and diverse ocean users, including fisheries (Goal 3). While it is suggested in the petition that designation of this MPA is likely to result in a spillover effect (aligned with Goal 2) similar to those observed in previous studies with California spiny lobster in the Santa Barbara Channel (Lenihan et al. 2021, Lenihan et al. 2022), the petitioners did not provide evidence to support this statement. Although the

data in the supporting study (Lenihan et al. 2021) provide valuable evidence of localized biomass spillover in a single commercial fishing block, the findings may not uniformly apply to other MPA locations, nor do they address other relevant fisheries in the area.

The petitioners also suggest that protecting this area could boost recreation levels and thus yield economic benefits. However, there are data gaps around benefits or impacts to non-consumptive users and this claim is unverified (see response to Question 5 for more details).

During the MLPA Initiative planning process, MPAs were proposed for the Carpinteria area and ultimately rejected due to compromises made to reach consensus, including an alternative to establish an SMCA to be named "Mishopshno." (See response to Question 7a for more information). Such tradeoffs were a core component of the robust science-based, stakeholder-driven process that established California's MPA Network and continues to guide its management (Goal 6).

Therefore, while the petitioners assert alignment with MLPA Goals, the proposed MPA is not expected to meaningfully advance MPA management or performance objectives from an ecological perspective. The petition lacks compelling rationale for localized protection of this area or evidence that the area encompasses unique marine resources or processes that are not adequately represented in the existing MPA Network.

QUESTION 2A: DOES THE PROPOSED CHANGE ADVANCE ADAPTIVE MANAGEMENT RECOMMENDATIONS IN THE DECADAL MANAGEMENT REVIEW?

Yes. The establishment of the MPA alone does not advance DMR Recommendations. However, the additional request to co-manage the area with SYBCI is a pathway to advance prioritized adaptive management Recommendations from the DMR (CDFW 2022): (1) Improve state agencies tribal engagement and relationship building efforts, (2) Create a clear pathway to tribal MPA management, and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements for Recommendation (3) Building tribal capacity to participate in MPA management activities.

The petition highlights the value of the area as a cultural heritage site and the importance of the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people. However, the Mishopshno SMCA as proposed would limit other tribes' ability to continue subsistence practices and potentially cultural harvest, other than hook-and line fishing for finfish from shore, including shore-based recreational take of other species (e.g., seaweed and invertebrates such as crabs and mussels), and all offshore and boat-based fishing. Designating the area as a SMCPA is an alternative pathway that could be explored to

acknowledge the cultural significance of the area without limiting subsistence practices. Additionally, CDFW could work with SYBCI and other tribes to advance these DMR Recommendations, including developing a co-management agreement for this area, outside of the regulatory process. See Tribal Co-Management of MPAs section in the narrative and see Question 2a of Attachment 1 for the DMR and DMR Recommendations.

QUESTION 2B: IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?

Not applicable, as the proposed change advances adaptive management recommendations.

QUESTION 3: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING CFGC NON-MPA REGULATIONS, PERMITS, OR LEASES (E.G., KELP LEASES, AQUACULTURE LEASES, EXPERIMENTAL FISHING PERMITS)?

Yes. The proposed SMCA overlaps with Administrative Kelp Beds 20 and 21, which are both leasable. Kelp can be commercially harvested within leasable kelp beds until a lease is obtained for the bed, at which time the bed can only be harvested by the lease holder. There is a CFGC-approved kelp harvest plan for mechanical harvesting of giant kelp in both beds. Establishment of the MPA would reduce the harvestable area within these two kelp beds.

The proposed SMCA also overlaps with open waters of California Halibut Trawl Grounds, which extend from one to three nautical miles offshore of Santa Barbara and Ventura counties. Establishment of the proposed MPA would reduce the fishable area within legislatively enacted California Halibut Trawl Grounds

Additionally, the proposed change bears similarity to a petition previously considered and denied by CFGC. In 2020, petition 2020-012_AM1 was submitted for the establishment of an MPA with boating and fishing restrictions at Padaro Beach, Carpinteria, to protect white shark nursery grounds. The petition was denied at CFGC's April 2021 meeting following review of CDFW's evaluation, which concluded that protecting nursery habitat specific to a single location along the coastline would not enhance protections for white shark over those protections that currently exist⁵. While CFGC validated the petitioner's concerns for the safety of both humans and wildlife, they

⁵ White sharks are protected by California state law, through regulations including a recreational fishing ban (Cal. Code of Regs. Tit. 14, § 28.06), "chumming" and proximity ban, nearshore gillnet ban, and shark fin ban (Fish & G. Code §§ 5517, 8599, 2021, respectively). White shark is also a federally prohibited species (Code of Federal Regs. Tit. 14, § 660.702). More recently, CFGC adopted emergency regulations to amend Cal. Code of Regulations Title 14, sections 28.06 and 28.65 to restrict certain types of fishing gear and require release of any juvenile white shark caught incidentally in certain regions of the state.

agreed with CDFW that establishing a new MPA was not the appropriate tool to protect white shark (CFGF 2020).

QUESTION 4: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT EXISTING REGULATIONS, PERMITS, LEASES, OR MANAGEMENT ACTIVITIES OF ANY OTHER AGENCY OR ENTITY?

Yes. The Mishopshno SMCA, as proposed, would limit other tribes' ability to continue boat-based subsistence practices and other shore-based fishing or cultural harvest of invertebrates and algae. It is unclear how the proposed change may affect other tribal management and monitoring activities.

The proposed MPA overlaps pipelines that are from offshore oil platforms in federal waters in the Santa Barbara Channel, which may require coordination with the Bureau of Ocean Energy Management.

The proposed MPA overlaps granted lands held by the City of Carpinteria. The title to these lands was confirmed by the state in 1968 and provided they be used for statewide purposes, such as public recreation and protection of wildlife habitat and open space. It is unclear whether the proposed change would affect the City's management activities. Implementation of the proposed changes could require CDFW coordinate with the City of Carpinteria on enforcement, updates to signage, and outreach efforts.

There is one offshore mineral resource lease and several general leases at the land-sea interface authorized by the State Lands Commission that may be affected by the proposed change. It is unclear whether the proposed change would have direct effects on the State Lands Commission's management activities.

Fish and Game Code section 2855(c)(1) requires consideration of "practical information on the marine environment and the relevant history of fishing and other resources use, areas where fishing is currently prohibited, and water pollution in the state's coastal waters" when making decisions regarding the siting of new MPAs and major modifications of existing MPAs. In general, MPAs should be sited considering information related to water pollution in the state's coastal waters (Fish & G. Code § 2855(c)(1)), and "to the extent practicable, to ensure that activities that upset the natural ecological functions of the area are avoided (Fish & G. Code § 2857(c)(4))," this includes avoiding overlap with point source discharges such as wastewater treatment plant, water reclamation facility, and brackish or seawater desalination discharges. The proposed new Mishopshno SMCA would not directly overlap with any existing outfalls, but there are two wastewater discharge outfalls within a mile of the proposed location.

The two facilities that discharge in proximity to the proposed SMCA are the Summerland Sanitary District (SD) Waste Water Treatment Plant (WWTP) and the Carpinteria SD WWTP. The Summerland facility is permitted to discharge an average monthly effluent flow of up to 0.3 million gallons per day (MGD) of treated domestic wastewater from the facility's outfall at 34°25'00" N 119°35'48" W (California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2022-0014 NPDES NO. CA0048054), approximately one half mile west of the proposed MPA. The Carpinteria facility is permitted to discharge an average monthly effluent flow of up to 2.5MGD of secondary treated municipal wastewater at the facility's outfall at 34.388333°N 119.521667°W (California Regional Water Quality Control Board Central Coast Region ORDER NO. R3-2017-0032 NPDES NO. CA0047364), approximately 0.8 miles east of the proposed MPA. These are both relatively small facilities and would not discharge directly into the proposed new SMCA, but they are mentioned because of their proximity to the proposed new MPA. Given these existing discharges/activities, the proposed new MPA has the potential to interact with the regulations and permitting activities of the State and Regional Water Boards related to point source (e.g., wastewater treatment facilities) and non-point source discharges (e.g., stormwater runoff).

The State Water Resources Control Board in collaboration with Regional Water Quality Control Boards can designate State Water Quality Protection Areas (SWQPAs) to prevent the undesirable alteration of natural water quality within MPAs. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (California Ocean Plan) was amended in 2012 to include the process for designating SWQPAs and Implementation Provisions for Marine Managed Areas (Chapter III.E., State Water Board 2019). This was done with the intention to align these SWQPAs with the MPA Network. The provisions are implemented by the Regional Water Quality Control Boards, including through Waste Discharge Requirements, National Pollutant Discharge Elimination System permits, and municipal separate storm sewer system permits. If the State Water Resources Control Board designates the new MPA as part of the existing SWQPAs, this would have implications for the Water Boards' workload and for permittees that would need to come into compliance with new permit requirements. The scope and magnitude of the State Water Resources Control Boards' workload and the cost of compliance for permittees is unknown.

These interagency considerations are in alignment with the Marine Managed Areas Improvement Act (Pub. Resources Code §§ 36601, 36800). This list may not be exhaustive. The proposed change may have the potential to affect existing regulations, permits, leases, or management activities of tribal governments, other agencies, and entities not identified here.

QUESTION 5: ARE THERE SIGNIFICANT INFORMATION GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. When evaluating this petition, CDFW reviewed the information in the petition, as well as information including, but not limited to:

- MLPA planning documents and related information (e.g., MLPA Goals and MPA Master Plan adaptive management objectives),
- Current research on MPA connectivity and climate resilience,
- State efforts to improve relationships with California Native American tribes,
- Literature and agency documents on local ecological significance,
- Scientific publications pertaining to white shark populations and habitat use,
- Previous CFGC decision on petition 2020-012_AM1,
- Habitat data in a Geographic Information System,
- CDFW commercial and recreational fishing data, such as that available through the [Marine Fisheries Data Explorer](#) tool, and
- California State Water Resources Control Board's California Ocean Plan and Central Coast Regional Water Quality Control Board's permitting information.

CDFW has identified information gaps that limit the ability to fully evaluate the proposed change, primarily:

- Confirmation from CFGC that the original Factual Record(s) of Current and Historical Uses previously submitted by SYBCI to CFGC for Naples SMCA, Kashtayit SMCA, Point Dume SMCA, and Anacapa Island SMCA include(s) the area contained within the proposed Mishopshno SMCA, consistent with historic practices for tribal take exemptions,
- Tribal concerns and interests of all potentially affected tribes related to the establishment of a new MPA at this location,
- A comprehensive analysis of socioeconomic impacts, including commercial and recreational fisheries and the nearby Santa Barbara Harbor, as required by Fish and Game Code section 2855 when making decisions regarding the siting of new MPAs,
- A comprehensive analysis of how MPAs affect the benefits that non-consumptive users may derive from the ocean.

Additionally, there are information gaps related to assessing issues regarding equity and access for traditionally underserved communities with the existing MPA Network as well as the proposed changes in the 2023 MPA petitions. See the response to Question 14 below and Question 5 in Attachment 1 for more information.

Other information gaps relate primarily to the strength of the evidence presented to justify the proposed action, including site-specific evidence linking the proposed area to the stated objectives of protecting juvenile white shark habitat and enhancing climate resilience. Although additional research on these topics could inform long-term adaptive management of the MPA Network, the recommendation to support this request with an alternative pathway does not depend on resolving these uncertainties and would not be changed by the availability of such information.

Overall, while the petitioner provided information intended to justify the establishment of Mishopshno SMCA, this information was not sufficient to warrant a recommendation to grant the proposed change.

QUESTION 6: ARE THERE SIGNIFICANT MANAGEMENT GAPS THAT NEED TO BE FILLED TO INFORM THE EVALUATION OF THE PROPOSED CHANGE?

Yes. DMR Recommendation 4 states that CDFW and CFGC should “apply what is learned from the first DMR to support proposed changes to the MPA Network,” and that “current and future proposed changes to MPA Network design, individual MPAs, and current MPA Management Program priorities and policies [should be] consistent with the findings of this Review.”

When the DMR results were released in 2022, they did not indicate that large scale changes, such as the addition of new MPAs, were necessary to improve MPA Network performance. While MPA performance analyses show benefits of MPAs such as larval connectivity as well as species size and abundance, the overall recommendation at that time was that more time is needed for the benefits of the MPA Network to be fully realized. Several of the DMR Prioritized Recommendations aim to fill critical knowledge gaps in our understanding of the MPA Network functioning as a social-ecological system. Prior to implementing large-scale changes, critical knowledge gaps, including better integration of fisheries and MPA management, need to be filled, along with continued climate change monitoring, and human dimensions considerations. Furthermore, the directives in Fish & G. Code, section 2853(c)(5) require a process for the establishment, modification, or abolishment of existing or new MPAs that should involve interested parties and be consistent with the Master Plan objectives that align with Fish & G. Code, section 2853(c)(5). These objectives require CDFW to consider factors such as socioeconomic impacts, results of monitoring and evaluation, and methods for robust public participation in the design of the MPA Network. CFGC’s petition process does not offer the level of robust engagement and in-depth analysis required by the MLPA and Master Plan for siting new MPAs.

With respect to tribal co-management of California’s MPAs, several of the DMR Prioritized Recommendations (CDFW 2022) are directly related to advancing tribal coordination,

including recommendations 1, 2, and 24: (1) Improve state agencies tribal engagement and relationship building efforts; (2) Create a clear pathway to tribal MPA management; and (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network, which may lead to advancements in Recommendation (3) Building tribal capacity to participate in MPA management activities.

CDFW has been unable to make substantial progress on other DMR Recommendations due to the time and resources dedicated to the MPA petition process. As a result, CDFW still needs to work with tribes to develop a pathway to tribal MPA management and to improve tribal capacity to engage in MPA management activities and co-stewardship agreements. Tribes and the State already use a variety of approaches to establish such frameworks, including formal co-stewardship agreements, co-management agreements, and memoranda of understanding. Accordingly, CDFW is committed to continuing to work collaboratively with tribes through these and other such partnerships. See 'Tribal Co-Management' in the Evaluation Narrative and Overview for more information.

DMR Recommendation 24 (MPA Network Design) focuses specifically on working with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network. It includes two sub-recommendations:

- (a) Develop a process to incorporate SMCPAs (MMAIA § 36700(6)(d)) into existing MPAs and new locations across the Network, and
- (b) Define metrics for identifying culturally important objects and sites to recommend for potential protection.

One potential pathway for implementation at this location is designation of a State Marine Cultural Preservation Area (SMCPA) by California State Parks, as identified in MMAIA § 36700(6)(d). This could help advance DMR Recommendation 24. However, it represents a current management gap, as no SMCPAs exist in the MPA Network, and their designation would require coordination with California State Parks and action by the Parks and Recreation Commission.

DMR Recommendation 8 related to Justice, Equity, Diversity, and Inclusion, would "Evaluate the accessibility of MPAs to various community groups," This work has not yet been completed, but could help assess how the proposed new MPA might affect communities of concern.

QUESTION 7A: WAS THE PROPOSED CHANGE CONSIDERED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Yes. An MPA in this area was considered during the MLPA Initiative planning process, but not with the same take allowances proposed in the petition (MLPAI 2009b, c). In Round 3 of MPA array development in the South Coast Planning Region,

- Package 1 proposed a No-take MPA, Carpinteria Salt Marsh SMR, to protect the estuary habitat along with the offshore persistent kelp forest and reef. The estuarine area was part of the University of California Natural Reserve system, and Reserve managers were concerned about the limitations an SMR designation might introduce to their work. This MPA was not retained in the integrated preferred alternative recommended to CFGC by the Blue Ribbon Task Force.
- Package 2 did not include an MPA in the area.
- Package 3 proposed a High LOP SMCA, 'Mishopshno SMCA', with an allowance for commercial take of pelagic finfish by pelagic round haul nets. This MPA was included in the package to fulfill SAT Science Guideline habitat spacing guidelines while minimizing socioeconomic impacts by avoiding Carpinteria Reef and the nearby Carpinteria State Beach. These considerations led to the South Coast RSG to site this proposed MPA to the east of the currently proposed Mishopshno SMCA, which overlaps the reef. This package also included a recommendation for CDFW to consider a Memorandum of Understanding with California State Parks and local tribal communities to create an MPA specifically aimed at enhancing cultural and historical knowledge and creating educational opportunities. This MPA was also not retained in the integrated preferred alternative recommended to CFGC by the Blue Ribbon Task Force. The socioeconomic considerations that shaped Package 3's design ultimately led to the exclusion of an MPA at Mishopshno/Carpinteria Reef from the preferred alternative; these considerations remain relevant to the current proposal.

Ultimately, within this portion of coastline, only Kashtayit SMCA, Naples SMCA, and Campus Point No-take SMCA were the only MPAs included in the preferred alternative package that was recommended by the Blue Ribbon Task Force and adopted by CFGC. This was due in large part to concerns over disproportionate socioeconomic impacts within the area of the original proposed Mishopshno SMCA. Many of the considerations that led to that decision, including the potential socioeconomic impacts, remain relevant today.

QUESTION 7B: IS THERE NEW INFORMATION AVAILABLE, CHANGING CONDITIONS SINCE THE MLPA IMPLEMENTATION PHASE, AND/OR INFORMATION PRESENTED IN THE DMR THAT WARRANTS REEVALUATION OF THE PROPOSED CHANGE?

No. The petitioner identifies several factors as new information warranting reconsideration of the proposed MPA, including changing ocean conditions associated with climate change, the lack of government-to-government consultation with tribes during the original MLPA Initiative planning process, and new scientific literature suggesting the importance of the area as a juvenile white shark nursery. While these issues are important, none provides a sufficient basis for reevaluating the proposed change.

Though climate change was not explicitly discussed during the MLPA planning process, the MPA Network was designed as an interconnected system using core ecological principles that support ecological and climate resilience. The establishment of a single new MPA, especially one that does not meet the minimum LOP SAT guideline to contribute to MPA Network ecological objectives and that was not explicitly designed to address climate resilience, is unlikely to meaningfully influence the overall resilience or functionality of the broader MPA Network.

Tribal partnerships and engagement since the MLPA Initiative planning process have evolved through mechanisms such as Executive Orders and specific regulatory changes. For example, Executive Order B-10-11 (2011) and the CDFW Tribal Communication and Consultation Policy (2014) helped to bridge the gap in the MLPA. More recently, Executive Order N-15-19 (2019), the 2020 Ancestral Lands Policy, and the California Natural Resources Agency Tribal Stewardship Policy have continued to shape state policy by prioritizing cultural access and preservation and further incorporating sovereign recognition, among many other objectives. An alternative path to fulfill tribal engagement and the non-regulatory request for co-management is to explore opportunities for co-management in existing MPAs and/or outside the MPA Network, including in the area of the proposed Mishopshno SMCA, without establishing a new MPA. The existing MPA Network provides an immediate and effective framework for advancing durable tribal co-management within an MPA, and CDFW is committed to pursuing that path in collaboration with interested tribal partners. Additionally, an alternative to designating a new MPA would be for CDFW to work with the California Native American tribes that have cultural ties to the area, and the California State Parks to explore designating a State Marine Cultural Preservation Area (SMCPA) to acknowledge the cultural significance of the area without limiting fishing access to the public and other tribes that have a historical connection to the area, which

would better align with Goal 3. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

Finally, while recently published studies provide additional observations of juvenile white sharks in the Carpinteria area, the occurrence of sharks in the area appears to be highly variable across years. An equally important consideration is that white shark are strongly protected by both state and federal regulations (Cal. Code of Regs. Tit. 14, § 28.06, Fish & G. Code §§ 5517, 8599, 2021, and Code of Federal Regs. Tit. 50, § 660.702) and are not identified as species likely to benefit from MPAs (MLPAI 2009a). Without a clear mechanism linking MPA protection to improved ecological outcomes for juvenile white sharks or their habitat, the information provided in the petition does not establish a compelling scientific basis for this location over others, nor does it link MPA designation to improved outcomes for the species.

In summary, although the petitioner raises relevant points regarding changing conditions since implementation (e.g., climate change, tribal engagement, and emerging research), they do not constitute a sufficient basis for reevaluating the MPA Network at this time, nor do they necessitate the designation of a new MPA to achieve the stated goals.

QUESTION 8: IF THE PROPOSED CHANGE AFFECTS AN EXISTING MPA, DOES THE PROPOSED CHANGE ALIGN WITH THE ORIGINAL INTENT OF THE MPA IDENTIFIED DURING THE MLPA INITIATIVE PLANNING PROCESS OR THE IMPLEMENTATION PROCESS OF MPAS AROUND THE NORTHERN CHANNEL ISLANDS?

Not applicable. The proposed change does not affect an existing MPA.

QUESTION 9: DOES THE PROPOSED CHANGE IMPROVE INDIVIDUAL MPA OR MPA NETWORK DESIGN SO THAT IT BETTER ALIGNS WITH OR MEETS THE MPA SCIENCE GUIDELINES?

No. The MLPA requires that the design of individual MPAs and the statewide MPA Network be based on the best readily available science and that MPAs be of adequate size, number, protection level, and location to meet MLPA Goals. The SAT Science Guidelines, as outlined in the Master Plan, were created specifically to provide this scientific foundation and serve as the starting point for evaluating alternative MPA proposals. Alignment with these guidelines depends on LOP, which is determined by allowed take, and spatial configuration. More specifically, these guidelines require that an MPA must be at least 9 sq. mi. and meet one of the three highest LOPs (i.e., Very High, High, or Moderate-high) to contribute to ecological goals such as habitat replication and representation.

The proposed new MPA would be 9.05 sq. mi. with a Moderate-low LOP (Table 1). Because it does not meet the LOP criterion, the MPA as proposed would not serve as a backbone MPA. Therefore, implementation of the proposed change would not improve the design of the MPA Network or enhance alignment with the SAT Science Guidelines.

The petitioners state that (1) the proposed MPA would contribute to habitat replication for kelp forest, beach, and nearshore soft bottom substrate, (2) the proposed MPA would increase the representation of hard bottom substrate in the 0–30 and 30–100 m depth zones and soft bottom substrate in the 30–100 m depth zone, and (3) “the South Coast MLPA Planning region protects a lower proportion of nearshore hard-bottomed habitat than other regions.”

For an MPA to contribute to habitat replication, it must meet the SAT guideline minimum threshold for size and LOP (be a backbone MPA) *and* contain enough of a specific habitat to capture 90% of the biodiversity associated with that habitat. The proposed Mishopshno SMCA would not enhance habitat replication of kelp forest, beach, or nearshore soft bottom substrate, despite containing the minimum quantity of each (Table 1), because it does not meet the criteria to be a backbone MPA due to the Moderate-low LOP. Even if it did meet the criteria, these three key habitats are well represented and spaced in the MPA Network, and the need for an additional replicate in this region has not been identified.

Habitat representation, on the other hand, considers the amount of a given habitat contained in all MPAs, regardless of LOP, compared to the total amount of that habitat available in state waters. Therefore, despite the Moderate-low LOP, the proposed new SMCA would increase representation of the noted habitats within the South Bioregion; representation of hard bottom habitat in the 0–30 m depth zone would increase by 0.09%, hard bottom habitat in the 30–100 m depth zone by 0.04%, and soft bottom habitat in the 30–100 m depth zone by 0.4%. With more than 15% of the available area of each of these habitats encompassed in existing South bioregion MPAs, these contributions are marginal.

Another stated outcome in the petition is that the proposed new MPA would “help meet the Master Plan’s size and spacing guidelines for spacing between protected habitats, promoting connectivity in the [MPA Network] and representation of habitat types.” The SAT recommended a maximum spacing interval of 62 miles between backbone MPAs, which is based on known scales of larval dispersal. CDFW spatial analyses using the best available data indicate that all backbone MPAs in the MPA Network continue to meet this guideline. In the region relevant to the proposed Mishopshno SMCA, the nearest mainland backbone MPAs are Campus Point SMCA (No-take), which is 14.6 miles to the northwest of the proposed SMCA, and the Point Dume MPA cluster, which is 44.1 miles to the southeast. The edge-to-edge distance between these two existing MPAs is

approximately 60 miles, which falls within the SAT guideline range for maximum distance between MPAs (31 – 62 miles). Although this spacing represents the highest spacing interval between backbone MPAs in the MPA Network, it remains within the SAT guideline for spacing. Accordingly, the existing spacing is considered adequate to support MPA Network connectivity and does not indicate a structural deficiency. Indeed, existing MPAs have been shown to be both demographically and environmentally connected (CDFW 2022, Yeager et al. 2023). For example, Yeager et al. (2023) state their results suggest “there is high sub-network connectivity in the different habitats in the system (i.e., high MPA-to-MPA environmental connectivity) and that [California] MPAs were generally placed in locations favored to receive high levels of propagule replenishment based on environmental transport alone.” Furthermore, the proposed MPA would not function as a backbone MPA and is therefore not expected to meaningfully enhance connectivity within the MPA Network, even if a spacing deficiency existed. See Question 9 of Attachment 1 for the SAT Science Guidelines and additional context.

QUESTION 10A: DOES THE PROPOSED CHANGE ALIGN WITH CDFW FEASIBILITY GUIDELINES?

No. The proposed change would not align with the following Feasibility Guidelines: boundaries are not all described using readily determined lines of latitude and longitude or easily recognizable permanent landmarks, the offshore boundary does not extend to the 3-nm limit of state waters, and regional objectives and site-specific rationales should reflect the design of the MPA. CDFW acknowledges the offshore boundary originally extended to the 3 nm line (original petition 2023-29MPA), but that the boundaries were revised to avoid Armpit Reef and other areas “to allow for continued recreational and commercial fishing access to certain important local fishing grounds” (as stated in 2023-29MPA_AM1). However, subsequent revisions to the proposed eastern and western boundaries (included within 2023-29MPA_AM2 and evaluated here) do not align with easily recognizable permanent landmarks or readily determined lines of latitude and longitude. The petition states the proposed western boundary would be located just west of a prominent point, but the boundary would not be aligned with the tip of the point nor is it on a readily determined line of longitude. The proposed eastern boundary is also not on a readily determined line of longitude and would be located at the eastern shore of Santa Monica Creek which, according to the petition, “would also provide a known, easily recognizable landmark and shoreline feature as the starting point for this MPA.” However, without recognizable, prominent landmarks as boundary markers (ideally for onshore and offshore users), and boundaries described using readily determined lines of latitude and longitude, there will likely be confusion around exactly where the boundary falls, which leads to compliance and enforcement issues.

Finally, the site-specific objectives described for the proposed MPA do not align with the proposed take regulations, as ecological goals should not be attributed to an MPA with an LOP below Moderate-high. See Question 10a of Attachment 1 for CDFW Feasibility Guidelines.

QUESTION 10B: IF NOT, IS THERE A RATIONALE FOR MOVING FORWARD WITH THE PROPOSED CHANGE OR AN ALTERNATIVE THAT COULD MEET THE INTENT BUT BETTER ALIGN WITH FEASIBILITY GUIDELINES?

Yes. An alternative path to improve tribal engagement and the non-regulatory request for co-management is to explore opportunities for co-management in existing MPAs and/or outside the MPA Network, including in the Mishopshno area, without establishing a new MPA. The existing MPA Network provides an immediate and effective framework for advancing durable tribal co-management within an MPA, and CDFW is committed to pursuing that path in collaboration with interested tribal partners.

Additionally, an alternative to designating a new MPA would be for CDFW to work with the California Native American tribes that have cultural ties to the area and the California State Parks to explore designating a SMCPA to acknowledge the cultural significance of the area without limiting fishing access to the public and other tribes that have a historical connection to the area. This is consistent with DMR Prioritized Recommendation (24) Work with CFGC and partners to better incorporate marine cultural heritage into the design of the MPA Network.

If a new SMCA is designated, the boundaries should be modified to use readily determined lines of latitude and longitude and easily recognizable permanent landmarks to better align with the Feasibility Guidelines.

QUESTION 11: DOES THE PROPOSED CHANGE MAINTAIN OR IMPROVE ENFORCEABILITY OF MPA REGULATIONS?

No. The proposed new MPA would result in enforcement challenges because the boundaries are not aligned with readily determinable lines of latitude and longitude or easily recognizable permanent landmarks, and the offshore boundary does not extend to the 3-nm state water boundary, all which compromises enforceability (see response to Question 10).

The proposed tribal take exemption is supported in concept, and Title 14 section 632 (a)(11) provides a definition of tribal take for certain existing MPAs. If all the requirements in the subsection are met, then enforcement of the MPA tribal exemption is possible.

The proposed change would introduce a new section of MPA regulations which would require enforcement. Partial-take MPAs are generally more difficult to enforce than No-take MPAs because of:

- Difficulty in discerning if an activity is allowed when surveilling the MPA from afar,
- Increased potential for non-compliance by members of the public who observe activity taking place in an MPA but are unfamiliar with the specific regulations, and
- Increased potential for the illegal take of other species, as the presence of permitted fishing activity can obscure or provide cover for non-permitted take.

Additionally, because this is a proposed new MPA, there is an anticipated period of non-compliance following regulatory changes, particularly when additional restrictions are implemented. This would require additional resource investments in outreach, education, and enforcement to support compliance.

QUESTION 12: DOES THE PROPOSED CHANGE SIMPLIFY REGULATORY LANGUAGE OR ENHANCE PUBLIC UNDERSTANDING WITHOUT CHANGING THE INTENT OF THE MPA?

No. The proposed new Mishopshno SMCA would not simplify existing language or enhance public understanding. It would add a new section of regulations, and the request for a partial-take SMCA is generally more complex than for No-take MPAs.

QUESTION 13: DOES THE PROPOSED CHANGE MAINTAIN OR ENHANCE PROTECTION OF MARINE RESOURCES?

Yes. The proposed change would prohibit commercial and recreational boat-based fishing, which could provide localized protection to marine resources, particularly to fish and invertebrates in the offshore portion of the proposed SMCA. The proposed change would also prohibit other shore-based, recreational take (e.g., seaweed and invertebrates such as crab and mussels). However, the petitioners propose an allowance for recreational take of finfish by shore using hook-and-line. Despite shore-based hook-and-line fishing being characterized in the petition as a “low-impact gear type,” this allowance results in a Moderate-low LOP for the MPA, which limits the ecological benefit that could be expected.

During the MLPA Initiative planning process, the SAT based LOP assignments on the assumption of maximum plausible intensity for any given proposed activity within MPAs. Thus, activities assigned a Moderate-low LOP were deemed likely by the SAT to alter species abundance relative to an SMR, as well as to significantly alter community structure by changing the abundance of a species that plays an important ecological role. In determining those species likely to benefit from an SMR, the SAT considered

species home range sizes and movement patterns, including site fidelity to those home ranges. Many of the species that may be caught using hook-and-line from shore have small home ranges, exhibit vulnerable life history traits (e.g., late to mature, slow-growing, bear live young), or form spawning aggregations in the surf zone. These characteristics make them particularly vulnerable to the direct impacts of fishing from shore. As such, many surf zone fishes, including surfperches (Embiotocids), rockfishes (*Sebastes* spp.), and sharks, skates, and rays (elasmobranchs), were identified as species likely to benefit from MPA protection (MLPAI 2009a). Several surf zone fishes that are frequently targeted⁹ are members of these more vulnerable species groups. Overall, surf zone fishes play an important role in the food web dynamics of nearshore communities. Harvest of these species not only directly alters the abundance of these species, but also likely affects community structure, both in the surf zone and in adjacent habitats and depth zones. As a result, the impacts of fishing from shore may extend far from the zone of actual fishing. In addition to direct impacts, the SAT also considered indirect impacts, including bycatch, incidental take, and habitat/gear interactions. The SAT Science Guidelines state the following with respect to shore fishing,

“Many of the species removed through shore fishing play important roles in the nearshore community. For example, surfperches and croakers are important invertebrate predators, sea chubs (opaleye and halfmoon) are important omnivorous grazers, silversides are micro-omnivores and all groups provide important prey for a variety of larger fishes, marine birds and mammals. By altering the abundance of multiple species, shore fishing is likely to have impacts on community structure within an MPA both within the range of the actual fishing gear as well as in adjacent depth zones and habitats.” (MLPAI 2009a).

In addition to direct impacts, the SAT also considered indirect impacts, including bycatch, incidental take, and habitat/gear interactions.

Additionally, although local habitat protection would likely be afforded by the proposed MPA, the Moderate-low LOP does not meet the criteria for a backbone MPA, and thus, it would not serve to improve habitat protection for the MPA Network, as suggested in the petition. CDFW habitat analyses indicate the proposed MPA does not encompass enough minimum habitat area to enhance representation of the specific habitats noted in the petition (e.g., hard substrate habitats in the 0-30 and 30-100 m depth zones and soft substrate habitat in the 30-100 m depth zone). With respect to nearshore hard bottom

⁹ Barred surfperch, *Amphistichus argenteus*, and calico surfperch, *A. koelzi* (both from sandy beaches); cabezon, *Scorpaenichthys marmoratus*; lingcod, *Ophiodon elongatus*; and several rockfishes, *Sebastes* spp. (all from rocky shorelines); California halibut, *Paralichthys californicus*; leopard shark, *Triakis semifasciata*; shovelnose guitarfish; *Pseudobatos productus*.

habitat in particular, this habitat is more fragmented and sparser in the South bioregion than in other regions. For example, Campus Point No-take SMCA and Point Dume SMCA are separated by approximately 60 miles as a straight-line distance, with a substantially longer shoreline distance. Only about 1.2 miles of nearshore hard bottom habitat occurs between these two MPAs, which leaves little opportunity to exceed the 1.1-mile replication threshold identified by the SAT. It is for this reason, rather than a design deficiency, that the South bioregion protects a lower proportion of nearshore hard substrate compared to other planning regions.

Persistent kelp forests are frequently prioritized as candidate sites for new MPAs because they may act as essential climate refugia (Arafeh-Dalmau et al., 2023). However, Carpinteria Reef challenges the assumption that these areas require regulatory interventions to thrive and persist. Carpinteria Reef is a prime example of a highly persistent, healthy kelp forest that has successfully sustained itself for decades alongside managed coastal uses. Decades of continuous monitoring by the Santa Barbara Coastal Long-Term Ecological Research program demonstrate that Carpinteria Reef consistently maintains a highly persistent and stable giant kelp canopy (Michaud et al. 2026). Because this habitat is thriving under current conditions, siting a new MPA here for the purpose of protecting the kelp bed is likely unnecessary and would provide redundant protection and habitat representation within the MPA Network.

QUESTION 14: DOES THE PROPOSED CHANGE PROVIDE MORE EQUITABLE ACCESS OPPORTUNITIES (E.G., FISHING, EDUCATIONAL, AND/OR OTHER RECREATIONAL OPPORTUNITIES) FOR TRADITIONALLY UNDERSERVED OR MARGINALIZED COMMUNITIES?

See Question 14 of Attachment 1.

QUESTION 15: DOES THE PROPOSED CHANGE HAVE THE POTENTIAL TO AFFECT CONSUMPTIVE AND/OR NON-CONSUMPTIVE ACTIVITIES? IF SO, HOW?

Yes. The proposed change has the potential to affect both consumptive and non-consumptive activities.

Consumptive activities would be primarily impacted, as the proposed change restricts all harvest but the recreational take of finfish by hook-and-line from shore. The proposed change would prohibit the recreational take of shore-based resources (except hook-and-line fishing for finfish), including shore-based recreational take (e.g., seaweed and invertebrates such as crab and mussels) and recreational and commercial boat fishing, including those related to subsistence practices and cultural harvest by tribes.

The data described here represents a single analysis of potential impacts to fisheries in the proposed area. The full extent of socioeconomic and fiscal impacts in this area, including to fisheries, is unknown (see Question 5 in Attachment 1).

The proposed MPA is within an area that was the subject of significant debate during the planning process due to its high fishery value and potential impacts on major commercial and recreational fisheries. As the only expansive reef in the region, this location was, and continues to be, particularly popular for both commercial and recreational consumptive uses.

The proposed MPA is located entirely within CDFW Commercial Fishing Block 652. Fishing block 652 is an economically valuable and productive block for commercial fisheries in the region. Since complete implementation of the MPA Network, between 2013 and 2025, fishing block 652 provided over \$2 million worth of commercial lobster landings (Figure 1), approximately 2.1% of all commercial lobster landings for all Santa Barbara area ports (Oxnard, Santa Barbara Harbor, Ventura). Of the nearby mainland fishing blocks in the area, this block had the second highest total value for commercial lobster (Figure 1).

The proposed MPA overlaps with the California Halibut Trawl Grounds (CHTG), which extend one nautical mile from shore out to three nautical miles offshore of Santa Barbara and Ventura. This fishery, which uses light touch trawl gear, is the only fishery permitted to take halibut by trawl within state waters (Fish & G. Code § 8495). Based on the most recent CDFW evaluation of the CHTG, areas of high activity in the CHTG between 2018 and 2022 show overlap with the western boundary of the proposed Mishopshno SMCA (Tanaka et al. 2025, Figure 2). California halibut may also be commercially taken in federal waters by hook-and-line and by trawl. Between 2013 and 2025, block 652 was the source of 3.5% of commercial halibut caught by all gear types for all Santa Barbara area ports, with a total value of approximately \$370,000 (Figure 3, for more details on all commercial fishery value data, see the CDFW [Marine Fisheries Data Explorer](#)).

The area is frequented by the CPFV fleet and private boaters based out of Santa Barbara and Ventura area ports (for CPFVs, these include Gaviota Beach, Port Hueneme, Oxnard, Santa Barbara Harbor, Ventura, Goleta Beach, and Guadalupe Beach). Since complete implementation of the MPA Network, between 2013 and 2025, block 652 was the site of 3,800 CPFV¹⁰ trips, representing an average of 70.8 ($\pm$ 24.6 SD) trips per year (Figure 4). The CPFV fleet, particularly those operators conducting half-day trips, are likely to be negatively impacted by the proposed Mishopshno SMCA, which proposes restricting all boat-based fishing.

¹⁰ The Commercial Passenger Fishing Vessel (CPFV) fleet takes paying passengers to recreationally fish at offshore coastal locations.

Spatial trends in average catch per angler between 2016 and 2024 from the California Recreational Fisheries Survey (CRFS)¹¹ also indicate the area is heavily fished by private boaters (Figure 5). Kayak angling, spearfishing, and lobster fishing by hoop net and free diving are also popular methods of fishing in the area that would not be allowed in the proposed new MPA.

Carpinteria Reef's popularity is further bolstered by the fact that this area is easily accessible from shore. There are numerous coastal access points within two miles of the proposed MPA, including one within the proposed boundaries. Carpinteria State Beach is less than one mile east, and the proposed MPA is adjacent to the Carpinteria Salt Marsh Reserve, part of the University of California Natural Reserve System. The closest boat launch is approximately 5.3 miles west in Santa Barbara Harbor.

As noted above (Question 7), this region of the coast was considered for inclusion in the MPA Network during the planning process but was ultimately excluded due to its high importance to commercial and recreational fisheries. Those same considerations remain relevant, indicating that the proposed change would have substantial effects on existing consumptive uses in the area.

The area also provides many opportunities for human connection with the ocean through non-consumptive activities such as swimming, surfing, beach combing, and wildlife viewing. Understanding how people interact with and derive benefits from the ocean and how these benefits may be affected by MPAs is challenging (Hall-Arber et al. 2021, CDFW 2022, Travis et al. 2026). Social science research within the MPA Monitoring Program is a rapidly expanding field of MPA research, as well as a priority DMR Recommendation to invest in improving understanding of the human dimensions of MPAs and develop a human dimensions working group and research agenda (DMR Recommendation 12).

One known non-consumptive use in the area is research and monitoring, and there is a kelp forest long-term monitoring site surveyed by the Vantuna Research Group that acts as an important reference site within the boundaries of the proposed MPA. Designating the area as an MPA is likely to negatively impact on this study's experimental design and

¹¹ The California Recreational Fisheries Survey (CRFS) conducts angler-intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler-intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to capture information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (1 x 1 nautical miles). Thus, spatial CRFS catch-per-angler data reflects the distribution of caught and kept fish per angler on this surveyed subset of trips.

the integrity of the data due to shifts in the ecological baseline (i.e., a break in the time series).

QUESTION 16: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC JUSTICE, EQUITY, DIVERSITY AND INCLUSION POLICY?

See Question 16 of Attachment 1.

QUESTION 17: IS THE PROPOSED CHANGE CONSISTENT WITH THE CFGC COASTAL FISHING COMMUNITIES POLICY?

The following analysis was prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's response.

The proposed change would reduce fishing access, particularly for fishery participants associated with the coastal fishing communities of:

- Santa Barbara, and
- Channel Islands Harbor (Oxnard)

However, the proposed change does retain shore-based hook-and-line fishing access and includes a tribal take exemption that would retain access for the Santa Ynez Band of Chumash Indians tribal community.

QUESTION 18: DOES THE PROPOSED CHANGE INTERACT WITH OR HAVE THE POTENTIAL TO AFFECT PROPOSED CHANGES IN OTHER 2023 MPA PETITIONS?

No. There are no potential interactions or effects on any of the other 2023 MPA petitions.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

TABLES AND FIGURES

Table 1. MPA attributes (area, LOP, depth range, and habitat extent) of Mishopshno SMCA as proposed in petition 2023-29MPA_AM2. Habitat extent may be reported in linear miles or square miles, depending on data availability and Science Advisory Team guidance. A dash (—) indicates that the proposed MPA does not contain the habitat type. An MPA contributes to habitat replication only if it first meets the minimum size (>9 sq. mi.) and LOP (Very High, High, or Moderate-high) criteria (i.e., first two rows must be bold). As proposed, the Mishopshno SMCA has an LOP of Moderate-low and does not meet the threshold for LOP^a.

	Proposed
MPA Area (sq mi)	9.05
Level of Protection	Moderate-low
Min Depth (m)	0
Max Depth (m)	43.2
Eelgrass (sq mi)	—
Kelp (mi) ^a	2.23
Beach (mi) ^a	3.34
Rocky Intertidal (mi)	—
Estuaries (sq mi)	—
Hard Substrate	
0-30 m (mi)	0.18
30-100 m (sq mi)	0.02
100-200 m (sq mi)	—
>200 m (sq mi)	—
Soft Substrate	
0-30 m (mi) ^a	3.16
30-100 m (sq mi)	2.98
100-200 m (sq mi)	—
>200 m (sq mi)	—

^aIf the proposed Mishopshno MPA were to meet the SAT Science Guidelines for LOP of Moderate-high, High, or Very High, the proposed MPA would contain sufficient habitat of each of the following habitat types to qualify as a replicate for beach, kelp forest, and nearshore soft substrate (0-30 m), according to the SAT Science Guidelines established during MLPA Initiative planning. process.

Spiny Lobster Commercial Fishing Value 2013-2025

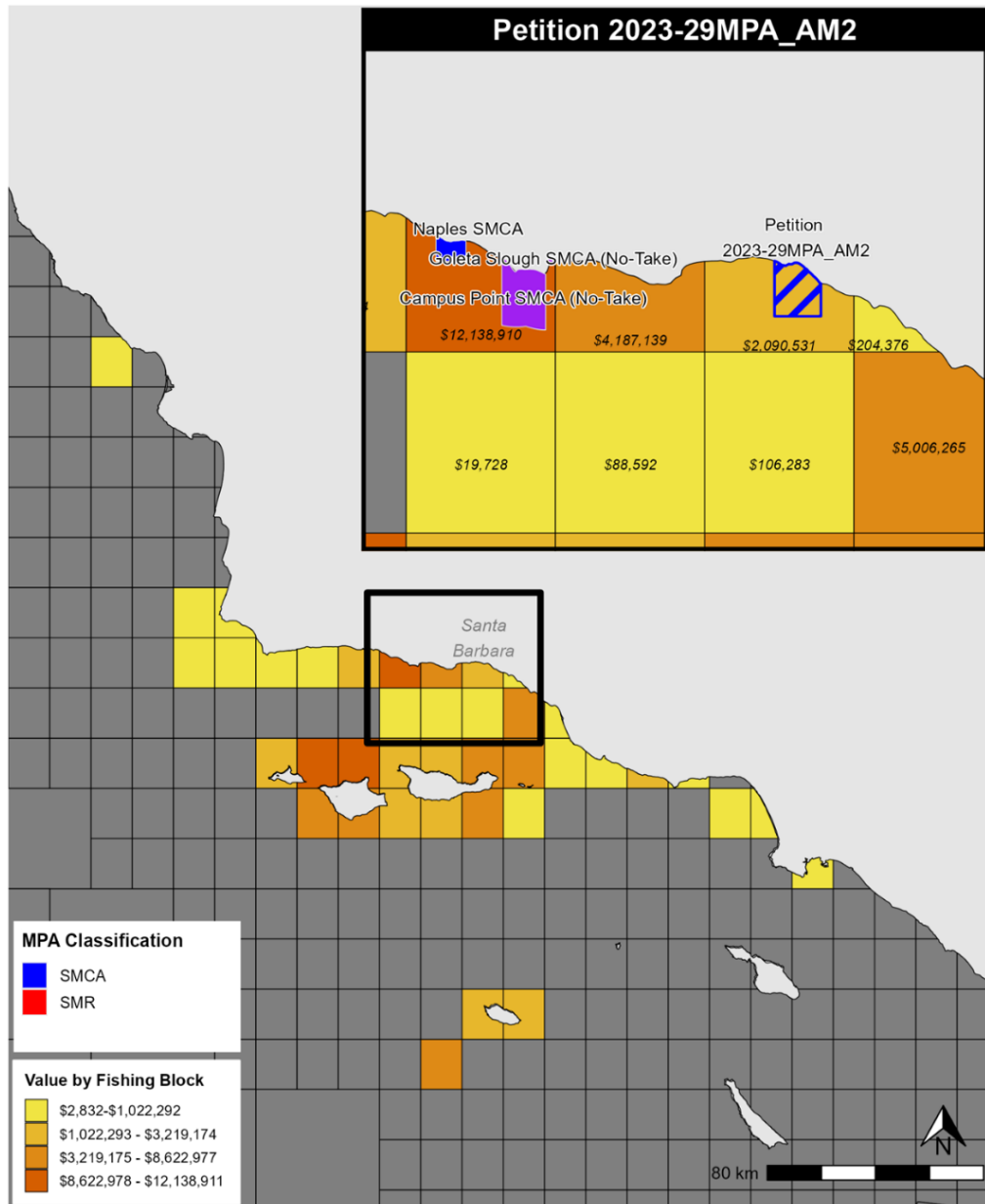


Figure 1. Commercial California spiny lobster (*Panulirus interruptus*) fishery landings value (in USD) for all Santa Barbara area ports by CDFW Commercial Fishing Block (fishing block) for the area surrounding the proposed Mishopshno SMCA, from 2013 to 2025. Proposed new Mishopshno MPA shown on inset as blue hatching. Existing Naples SMCA and Campus Point No-take SMCA shown as solid shapes. Proposed MPA overlaps with fishing block 652. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

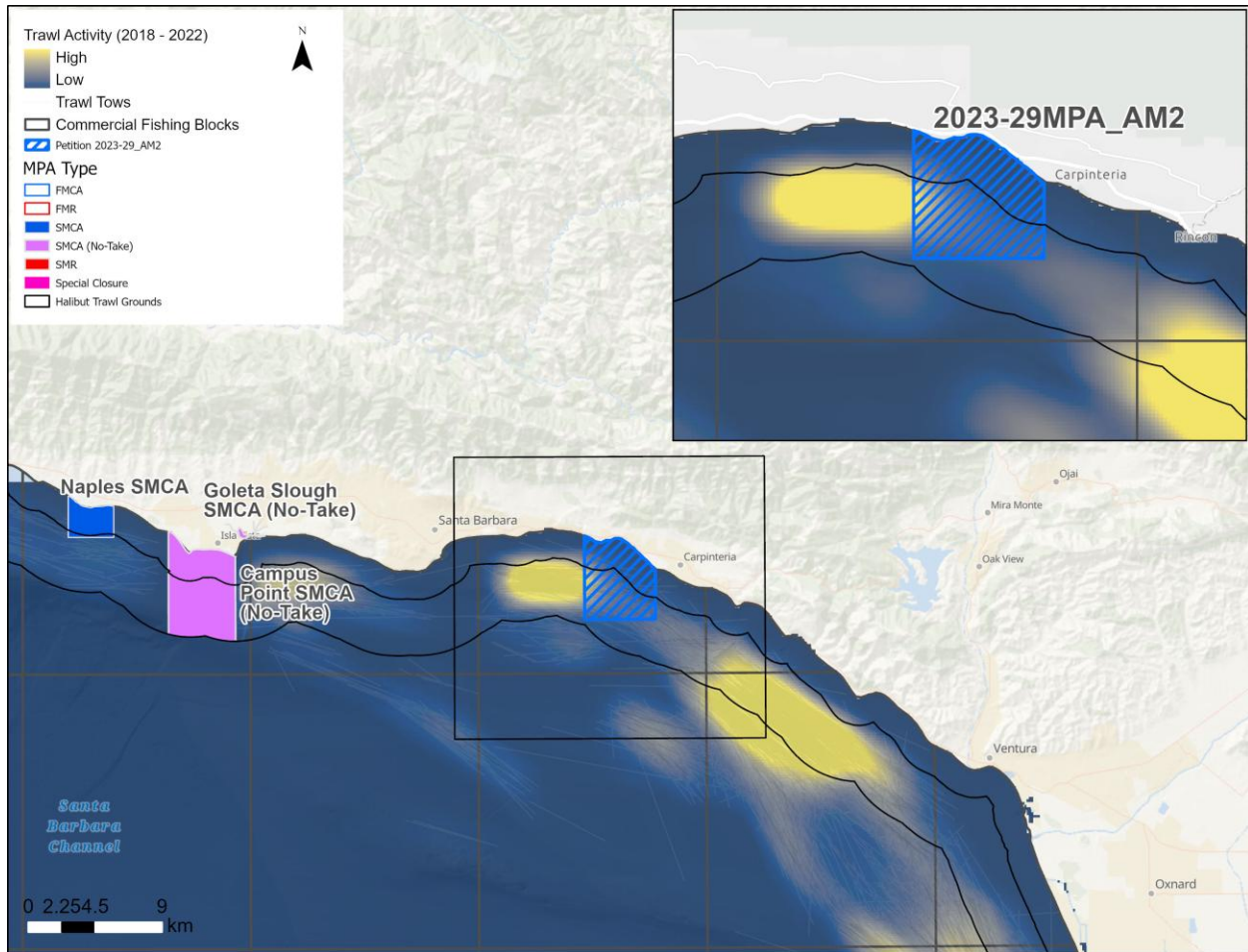


Figure 2. California halibut (*Paralichthys californicus*) trawl locations and frequency, inside and outside, the California Halibut Trawl Grounds (Fish & G. Code § 8495), based on logbook data, 2018–2022. Figure adapted from Tanaka et al. 2025, with reference to existing MPAs and the proposed new Mishopshno SMCA (hatched blue). Larger boxes in dark gray depict CDFW Commercial Fishing Blocks.

Halibut Commercial Fishing Value 2013-2025

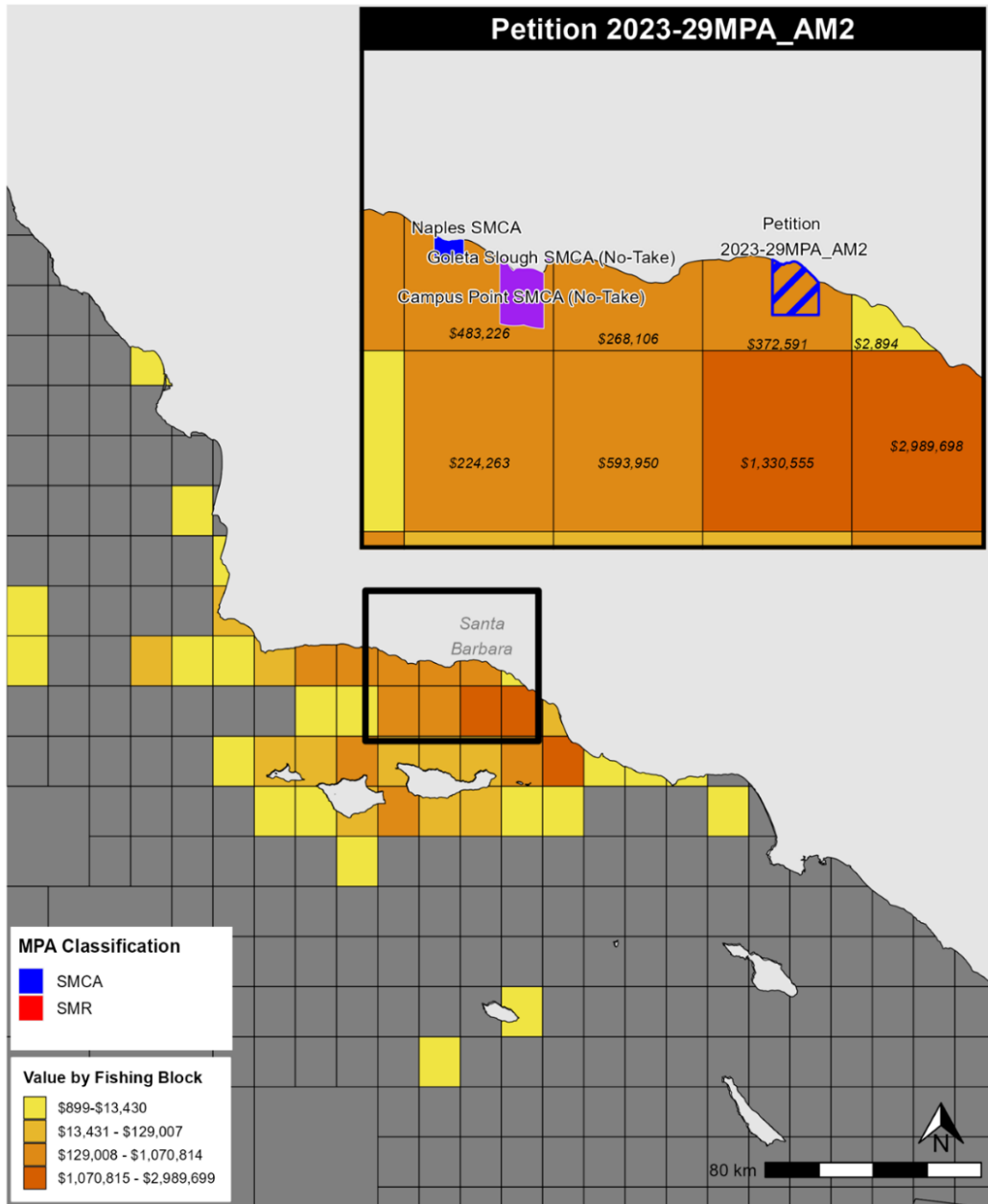


Figure 3. Commercial halibut, (*Paralichthys californicus*) fishery landings value (in USD) for all Santa Barbara area ports via a variety of gear types including hook and line, gillnet, and trawl from 2013 to 2025 by CDFW Commercial Fishing Block (fishing block) for the area surrounding the proposed Mishopshno SMCA. Proposed MPA shown on inset as blue hatching. Existing Naples SMCA and Campus Point No-take SMCA shown as solid shapes. Proposed MPA overlaps with fishing block 652. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square).

Commercial Passenger Fishing Vessel 2013-2025

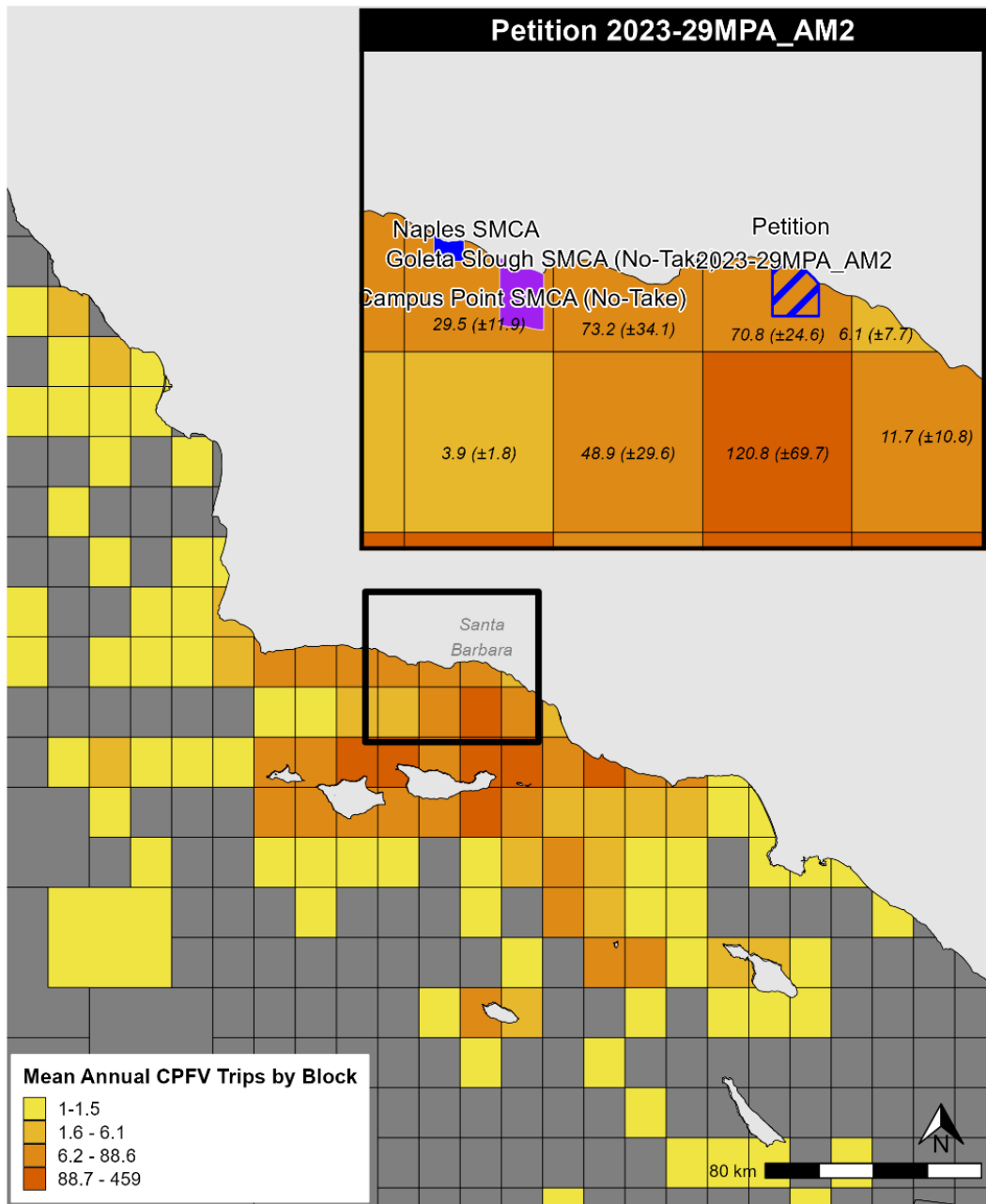


Figure 4. Mean annual Commercial Passenger Fishing Vessel (CPFV) trips out of all Santa Barbara area ports by CDFW Commercial Fishing Block (fishing block) for the area surrounding the proposed Mishopshno SMCA, 2013-2025. Proposed MPA shown on inset as blue hatching. Existing Naples SMCA and Campus Point No-take SMCA shown as solid shapes. Proposed MPA overlaps with fishing block 652. Each block is ten minutes of longitude by ten minutes of latitude (roughly ten miles square). The CPFV fleet takes paying passengers to recreationally fish at offshore coastal locations.

Average Catch Per Angler 2016-2024

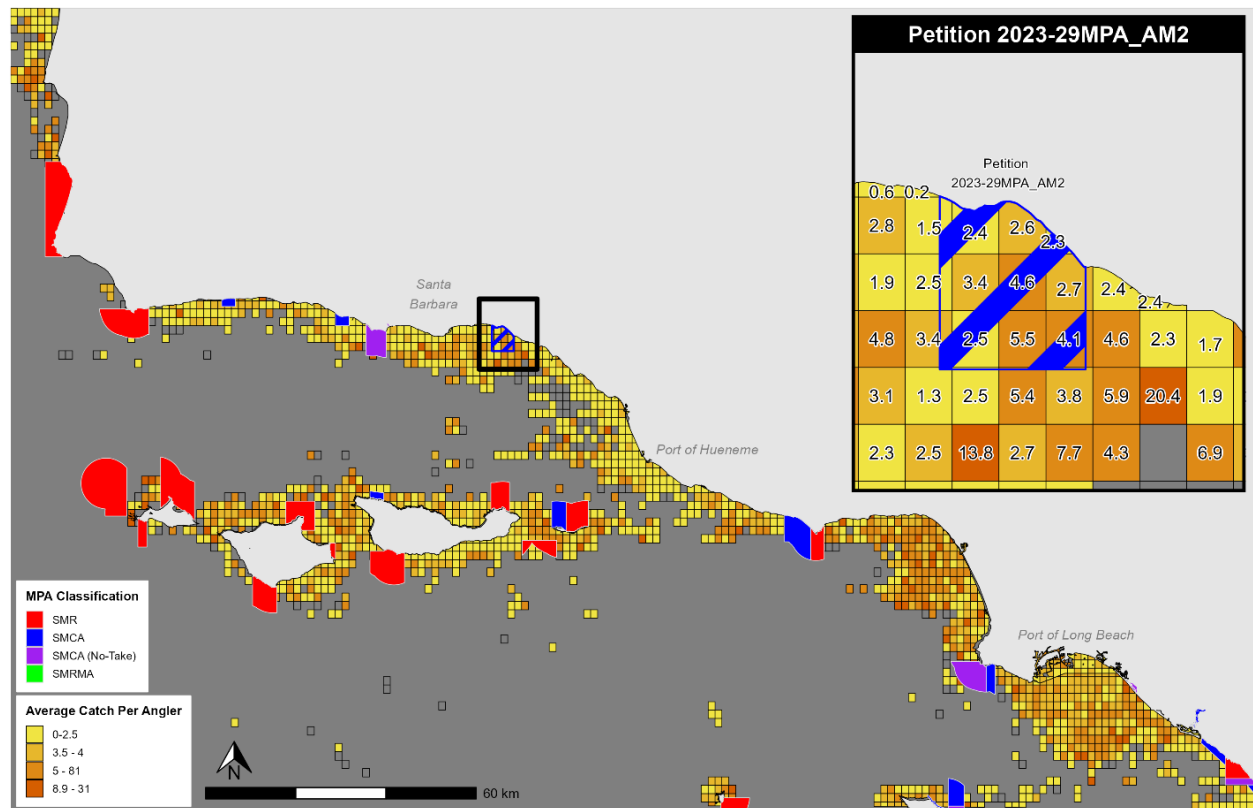


Figure 5. Average catch per angler (includes fish kept and released) for recreational anglers on private boats from 2016–2024 from California Recreational Fisheries Survey (CRFS) data, by CRFS micro block. Proposed Mishopshno SMCA blue hatching. Each block is one minute of longitude by one minute of latitude (roughly one square mile). The California Recreational Fisheries Survey (CRFS) conducts angler–intercept surveys of catch, effort, and location across multiple fishing modes. For the private/rental boat fishing mode, angler–intercept surveys are conducted at launch ramps, boat hoists, and boat rental locations where the public (from a subset of fishing trips) is intercepted to collect information on fish caught and released, biological data on kept catch, and approximate fishing location(s). Fishing locations are at the level of micro fishing blocks (approximately 1 x 1 square miles). Thus, spatial CRFS catch–per–angler data reflects the distribution of fish caught and kept per angler on this surveyed subset of trips.

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