Staff Summary for October 13-16, 2026

36A. Petition 2023-18MPA (San Miguel Island Special Closure and Anacapa Island Special Closure)

Today's Item **Information ☐** **Action ☒**

Request to remove San Miguel Island Special Closure; remove the area of Frenchy's Cove from the brown pelican Anacapa Island Special Closure, and consider removing the 20-foot net-and-trap depth closure at Anacapa Island Special Closure.

Consider evaluations, recommendations, and public comments in determining whether to grant or deny marine protected area (MPA) Petition 2023-18MPA (Exhibit 1).

Petitions or individual actions within the petition that are granted today will be added to the Commission's rulemaking calendar for consideration in a future rulemaking.

Summary of Previous/Future Actions

• Received petition; referred to MRC and the Department for review	December 2023; February 2024
• Received Department petition evaluation	April 15-16, 2026
• Received petitioner's presentations and discussed region-specific petitioned actions via regional meetings	May 5-6, 2026
• Received additional evaluations and recommendations from the Department and California Ocean Protection Council (OPC)	August 12-13, 2026
• **Today, consider granting or denying all or parts of Petition 2023-18MPA related to special closures**	**October 13-16, 2026**

Background

Pursuant to Section 662, any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit a petition for regulation change (Form FGC-1). For background on the regular process for considering regulation change petition forms submitted by the public, see Agenda Item 22 (this meeting). Due to the complexity and unique nature of the MPA petition evaluation process, this and other MPA petitions are scheduled separately from the standing agenda item for regulation change petitions.

For detailed background information and key documents related to the MPA petition process, see the staff summary titled *Introduction to Bin 2 MPA Regulation Change Petitions and Evaluations* (this meeting). The summary introduction includes links to the index of MPA petitions and compiled public comments across time, the Department's evaluations, recommendations, and companion document; OPC's policy evaluation and recommendations complementing the Department's evaluations; the equitable access and the Commission Justice, Equity, Diversity and Inclusion Policy initial assessments; and the Department's and OPC's presentations.

Overview of Proposed Regulatory Actions

This petition, submitted by Greg Helms, proposes seven actions that refine the network to address MLPA governance and management pillars aimed at enhanced compliance and enforceability, regulatory clarity, and MPA design guidelines. Three of the seven petitioned actions are located in this region (action numbers from the Department's evaluation are included for reference) and are specific to special closures:

Action 5. Eliminate the pinniped Special Closure at San Miguel Island

Action 6. Reduce the size of the brown pelican Anacapa Island Special Closure to allow boat access to Frenchy's Cove

Action 7. Reassess and consider removing the following Special Closure at Anacapa Island: "No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands".

Overview of Non-Regulatory Requests

This petition's non-regulatory requests are included under agenda item 35A (this meeting).

Petitioner's Stated Intent

The petitioner proposes changes to improve and refine MPAs and/or MPA management "based on Santa Barbara Channel MPA Collaborative Members' on-the-ground/water experience as well as the findings of the MLPA Decadal Management Review. MPA outcomes are closely linked with their core management pillars including research and monitoring; education and outreach; policy and permitting; and enforcement and compliance." See Exhibit 1 for more details.

Public Input Over Time

The Commission has received public comments on MPA petitions continuously since petitions were submitted in late 2023. Staff has compiled packets of comments about this petition that were included in committee or Commission meeting binders or supplemental handouts from the December 2023 through the August 2026 Commission meeting (links to packets of comments received are available online in the final column of the *Status of MPA Petitions for Regulation Change Index* table). Comments received after the August 2026 Commission meeting, but by this meeting's comment deadline, are included with this staff summary and/or staff summaries for the MPA petition agenda items.

Non-tribally led petitions (including this petition) were last discussed at the regional meetings held in April and May 2026. The overarching goal of the meetings was to provide an inclusive, well-informed forum where petitioners could present their proposals, community members could openly share perspectives on the proposals, and commissioners could ask questions, to build a foundation of understanding to help guide Commission decisions at today's meeting.

Petition 2023-18MPA proposes seven actions located within the San Luis Obispo through Santa Barbara counties and Northern Channel Islands and Santa Barbara Island; therefore, the petitioned actions were discussed at the May 5-6, 2026 regional meeting days. For regional meeting materials, see the Staff Summary for May 5-6, 2026.

Petitioner Clarifications

The petitioner has not indicated a desire to modify their request.

Agency Evaluations and Recommendations

Department

The Department's evaluation, presented at the Commission's April 15-16, 2026 meeting, recommends denial of all petitioned actions, with the full technical analysis and summary of key findings provided in Exhibit 2. In summary,

- The proposal to abolish the San Miguel Island and Anacapa Island Special Closures and to reduce the size of the California brown pelican fledgling area within the Anacapa Island Special Closure does not address a current MPA management challenge and would conflict with the original intent of these protections.
- These areas were established prior to MPA implementation in the northern Channel Islands to safeguard highly sensitive seabird and pinniped populations.
- Given ongoing sensitivity of these animals to human disturbance and natural population fluctuations, there is a continued need for the special closures.

Ocean Protection Council (OPC)

OPC staff, in its science and policy recommendations presented at the August 12-13, 2026 Commission meeting, recommends denying petitions that would reduce existing MPA protections, emphasizing the importance of maintaining the network's ecological integrity, connectivity, biodiversity, and resilience in the face of climate change threats and uncertainty. OPC recognizes the petitioners' objectives but expresses concern that reducing existing protections could compromise long-term conservation outcomes and network resilience.

OPC states, "The 2026 California Coast and Ocean Report shows that climate change is increasingly threatening coastal ecosystems, fisheries, and tribal communities. In this context, California's MPA Network is a critical tool for safeguarding biodiversity, supporting climate resilience, and maintaining essential ecosystem services. When reviewing petitions, OPC prioritized actions that strengthen these benefits — such as supporting larger populations, genetic diversity, intact food webs, and ecological connectivity — while recognizing that MPAs cannot address all climate-driven impacts. Continued monitoring and adaptive management remain essential.

Given this precautionary approach, OPC does not recommend approving any petitions that would weaken existing protections (Petitions 2023-14MPA, 2023-15MPA_AM, 2023-16MPA, 2023-18MPA, and 2023-23MPA_AM). Opening existing no-take or limited-take MPAs to new fishing activities would undermine Network integrity and risk eroding hard-won conservation gains and MLPA goals, despite petitioners' thoughtful intentions." (Exhibit 3)

Key Considerations

- *Ecological Protection*

  The Anacapa Island Special Closure builds upon protections established in 1979 for California brown pelicans, which were delisted under federal and California endangered

species laws in 2009 following recovery. The San Miguel Island Special Closure was established in 2005 to protect sensitive pinniped rookeries and haul-out areas. Both serve longstanding wildlife conservation objectives, and continued protection remains important.

- *Regulatory Clarity and Compliance*

  Overlapping Anacapa Island Special Closure regulations, with differing seasonal and activity restrictions, present challenges for public understanding and compliance. During the regional MPA petitions hearing, Department and Channel Islands National Marine Sanctuary representatives acknowledged these complexities and discussed opportunities to work together to improve regulatory clarity and public understanding while maintaining wildlife protections.

- *Frenchy's Cove Access*

  The petitioner raises concerns about the clarity and practical application of the Anacapa Island Special Closure boundary at Frenchy's Cove, an historically important anchorage and landing site. The Department acknowledges that the original directional boundary descriptions were subsequently converted to GPS coordinates to improve regulatory accuracy. Whether the resulting boundary reflects the original intended treatment of Frenchy's Cove remains an unresolved consideration, alongside continued protection of sensitive seabird habitat.

- *Related Petition*

  Petition 2023-27MPA (Agenda Item 36B) also proposes changes to Anacapa Island Special Closure regulations.

Today

Today, the Commission will consider the petition, petition evaluations and recommendations, and public comments in determining whether to grant or deny the petition; the Commission may choose to grant the petition in whole or in part (that is, select specific petition actions) and may also grant with modifications informed by public input and discussions.

If the petition, any individual actions, or any modified actions are granted today, they will be added to the Commission's rulemaking calendar for consideration in a future rulemaking.

Significant Public Comments

To view comments received for this meeting that are not specific to an individual petition, such as comments about the process, broad support for specific goals, or the MPA network, see the comment summary and exhibits in Introduction to Bin 2 MPA Regulation Change Petitions and Evaluations.

1. A California resident urges the Commission to deny Petitions 2023-15MPA_AM, 2023-16MPA, and 2023-18MPA, emphasizing that weakening SMRs would undermine the integrity of the MPA network, create enforcement challenges, set harmful precedent, and contradict both the Department's and California Ocean Protection Council's recommendations. They believe SMRs are essential climate-resilient core protections and

that petitioners have not demonstrated any legitimate need to open these fully protected areas to fishing. (Exhibit 4)

2. Ventura County Commercial Fishermen's Association (VCCFA) strongly supports Petition 2023-18MPA, emphasizing that its targeted modifications would restore limited shore-based recreational fishing access at Vandenberg SMR without weakening core conservation protections. VCCFA highlights that the proposal exemplifies adaptive management by improving public access, simplifying regulations at Kashtayit SMCA, and enhancing practical administration while avoiding new commercial fishing restrictions or displacement. VCCFA urges the Commission to approve the petition, asserting that these measured adjustments strengthen regulatory clarity and equity without compromising the integrity of California's MPA Network. (Exhibit 5)
3. A coalition of 46 organizations urges the Commission to deny Petitions 2023-14, 2023-15, 2023-16 and 2023-18, stating they would weaken California's MPA network, conflict with MLPA goals, and disregard scientific evidence. They emphasize that the proposed changes would reduce ecological resilience, undermine habitat connectivity, harm vulnerable species, and create enforcement challenges at a time when climate-driven stressors demand stronger — not weaker — protections. They conclude that maintaining the integrity of the existing MPA network is essential for biodiversity, climate resilience, and long-term ecosystem health. (Exhibit 6)

Recommendation

Commission staff: Consider evaluations, Department and OPC recommendations, key considerations, and public comments in determining whether to grant in whole or in part, grant with modifications, or deny Petition 2023-18MPA (Exhibit 1).

Department: Deny all petition actions, for the reasons detailed in Exhibit 2 and summarized under "Agency Evaluations and Recommendations."

Ocean Protection Council: Deny all MPA petitions that reduce current MPA protections — for the reasons detailed Exhibit 3and summarized under "Agency Evaluations and Recommendations."

Exhibits

1. Petition 2023-18MPA, received November 28, 2023
2. Department evaluation companion document and petition evaluation, companion document updated on July 30, 2026 and petition evaluation received March 20, 2026
3. Letter from Jenn Eckerle, Deputy Secretary for Oceans and Coastal Policy, California Natural Resources Agency and Executive Director, OPC, with OPC staff recommendations and recommendation narratives for petitions to adaptively manage California's MPA network, received July 31, 2026
4. Email from Eric Praske, received September 24, 2026
5. Letter from Dave Colker, Executive Director, Ventura County Commercial Fishermen's Association, received September 30, 2026
6. Letter from 46 organizations, received September 29, 2026

Motion

Moved by _____ and seconded by _____ that the Commission **grants** Petition 2023-18MPA actions 5, 6 and 7.

OR

Moved by _____ and seconded by _____ that the Commission **grants** Petition 2023-18MPA:

____ **Action 5** (eliminate pinniped special closure at San Miguel Island)

____ **Action 6** (reduce size of brown pelican Anacapa Island Special Closure to allow boat access to Frenchy's Cove)

____ **Action 7** (consider removing “No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands" special closure at Anacapa Island)

OR

Moved by _____ and seconded by _____ that the Commission **denies** Petition 2023-18MPA actions 5, 6 and 7.

Tracking Number: (2023-18MPA)

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

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

SECTION I: Required Information.

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

1. Person or organization requesting the change (Required)
Name of primary contact person: Greg Helms
Address:
Telephone number:
Email address: ghelms@oceanconservancy.org

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

3. Overview (Required) - Summarize the proposed changes to regulations: This Petition requests 7 MPA network refinements representing consensus recommendations of the Santa Barbara Channel MPA Collaborative. The refinements address MLPA governance and management pillars aimed at enhanced compliance/enforceability, regulatory clarity, and MPA design guidelines.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: The 7 MPA refinements are proposed to improve and refine MPAs and/or MPA management in Santa Barbara and Ventura Counties based on Santa Barbara Channel MPA Collaborative Members' on-the-ground/water experience as well as the findings of the MLPA Decadal Management Review. MPA outcomes are closely linked with their core management pillars including research and monitoring; education and outreach; policy and permitting; and enforcement and compliance. The 7 proposed refinements in this petition are described in the attached narrative, and appear under Santa Barbara/Ventura in the spreadsheet submitted by the Collaborative Network and linked here. Column D of the spreadsheet summarizes the concern/problem addressed and column G provides the justification for the proposed refinement.

SECTION II: Optional Information

5. Date of Petition: November xx, 2023.

6. Category of Proposed Change

☐ Sport Fishing
☐ Commercial Fishing
☐ Hunting
☒ Other, please specify: MPAs, Section 632.

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

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

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

9. Effective date: If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency:

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

11. Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: These adjustments likely pose minimal economic impact and would fall well within the range evaluated in the original CEQA document.

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

Click here to enter text.

SECTION 3: FGC Staff Only

Date received: 11/28/2023

FGC staff action:

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

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

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

Petition for MPA refinements
Submitted by Greg Helms
Co-chair, Santa Barbara Channel MPA Collaborative

Background and Overall Rationale: The Santa Barbara Channel MPA Collaborative (SBC Collaborative) is composed of members from organizations and agencies aiding management and community engagement with MPAs in Santa Barbara and Ventura, CA. SBC Collaborative actively engages in MPA outreach and monitoring, gathering community input, and conducting projects to increase MPA awareness and compliance, visitation, and protection. SBC Collaborative engaged closely with the Decadal Management Review, considered members' on-the-ground experiences of local MPAs, convened to discuss each MPA in the Santa Barbara Channel Region in the context of the Decadal Review, and offers the following 7 MPA refinements recommended by consensus (consensus refers to all present during the in-person meeting of the SBC Collaborative on July 11, 2023) for consideration by the California Fish & Game Commission (FGC). Each is intended to enhance MPA success in attaining the goals of the Marine Life Protection Act (MLPA); discussion of each recommendation draws from guidance provided by the FGC Marine Resource Committee at the 2023 DMR convening and the follow-up MRC meeting on July 20, 2023.

Consensus recommendations:

1. Vandenberg SMR: Create a narrow alongshore SMCA allowing shore fishing for finfish by hook and line only.

Guiding rationale: Maintain contribution to MLPA goals 1-4, 6 while addressing equity concerns caused by consumptive activity allowed nearby within Vandenberg SMR.

Discussion: Vandenberg SMR is a core State Marine Reserve serving to anchor the MLPA Central Coast Study Region size, spacing and habitat representation goals; the SMR includes coastline along Vandenberg Space Force Base and at Surf Beach, the key coastal access point along an otherwise remote coastal area for residents in and around Lompoc, CA. Recreation at Surf Beach is constrained by seasonal snowy plover conservation regulations. An equity concern has arisen due to the SMR restrictions not being applied to Vandenberg Space Force personnel and dependents, in contrast to non-military residents at nearby Surf Beach who must comply. Petitioner believes this inequity can best be resolved by equally enforcing no-take regulations throughout this SMR, but that such enforcement may be infeasible. Therefore, it is recommended that hook and line only fishing from shore be allowed within a newly established SMCA, to consist of a 100-meter zone inshore of the existing SMR allowing hook and line fishing for finfish only along the coastal dimension of the existing MPA shape. The new SMR/SMCA regulations would apply and be enforced equitably across military and civilian populations.

2. Point Conception SMR: Provide continued support for Marine Monitor (M2) radar, ground-truthing, and agency coordination

Guiding rationale: Governance - To improve compliance and/or enforceability; MLPA Goal 5

Discussion: Point Conception anchors the northern reaches of the South Coast Study Region MPA network, protecting remote coastal and offshore habitats. Its remoteness, as well as extensive coastal

private land, pose access challenges for traditional enforcement by CDFW wardens. To address this, radar surveillance systems have been successfully employed to aid monitoring of the SMR. Collaborative members report M2 radar systems are providing crucial use data for the MPA but note high vessel activity that is a potential cause for concern. SBC collaborative recommends continued support for the M2 radar system to continue monitoring vessel activity within the SMR, and for ground-truthing and agency coordination to distinguish recreational (surf) visitation from potential MPA violations. California's MPA network includes several remote MPAs for which traditional enforcement patrols may not be adequate to ensure compliance; the Point Conception SMR M2 radar system may serve as an important model for addressing these challenges.

3. Kashtayit SMCA: Refine regulatory language to: "Recreational take of finfish, invertebrates, and giant kelp is allowed."

Guiding Rationale: Governance - Simplifies regulatory language and enhances public understanding.

Discussion: Kashtayit SMCA is a small SMCA aimed at cultural resource protection and education. Kashtayit SMCA is located along the highly visited Gaviota State Beach. Members of the SBC Collaborative (including enforcement partners) report visitors, along with those working to improve compliance, have difficulty interpreting the existing regulatory language for the SMCA due to its length and parenthetical exceptions. The recommended refinement would include and protect most species intended for protection with much greater clarity and public understanding. An additional recommendation is that State officials help collaborate locally for repairs to the Gaviota Pier to aid public access and safety in and around Kashtayit SMCA.

4. Campus Point No-Take SMCA: Use red, rather than purple, to identify this MPA on maps

Guiding rationale: Governance – enhances public understanding.

Discussion: On- and offshore hook and line fishing continue to be observed by SBC Collaborative participants, suggesting greater compliance with no-take regulations can be achieved. Our recommendation here is to depict this no-take SMCA in red, consistent with the other no-take MPAs and likely a clearer indication that the MPA is effectively a State Marine Reserve to the public.

5. San Miguel Island Special Closure: Consider removal of pre-existing special closure

Guiding rationale: Simplifies regulatory language; MPA design guidelines

The San Miguel Island Special Closure was originally designed to reduce disturbance to pinniped rookeries between Castle Rock and Judith point and was retained at the time of MLPA South Coast MPA design. The closure entails a seasonal exemption for sea urchin fishing and includes lengthy language pertaining to two separate regulations. With a NMFS marine mammal station equipped with M2 radar onsite and large, stable pinniped populations present in this zone, we encourage the State to consider whether the Special Closure remains a necessary sub-component of MPA design offshore western San Miguel Island.

6. Anacapa Island Special Closure – Revise to allow vessel access/landing at Frenchy's cove

Guiding rationale: Governance – accounts for Regional Stakeholder Group (RSG) intent while addressing non-consumptive access concern.

Discussion: In establishing an SMR/SMCA complex at Anacapa Island, the RSG retained two existing Special Closures designed to protect seabirds and brown pelicans, respectively. Aligning the boundaries of new MPA complex with those of the two special closures has interfered with the intended allowance for vessels to land safely at Frenchy's Cove. It is recommended that this intent be more effectively secured by including an exemption in the Special Closure for traditional vessel access and landing.

7. Anacapa Island Special Closure: Reassess and consider removing the full-island special closure

Guiding rationale: Simplifies regulatory language; MPA design guidelines

Discussion: Anacapa Island, as discussed above, has a SMR/SMCA complex overlain over one full-island, depth-based seabird protection closure and another special closure designed to protect brown pelicans. The overlapping conservation zones are visually confusing and, in particular, the broader seabird closure is based on depth along a steep, cliffside seabed area that is difficult to comply with and enforce. Given the extensive MPA and closure complex established to protect marine life including seabirds, SBC Collaborative recommends reassessment of the full-island closure and consideration of its removal as appropriate.

Attachment 1

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

COMPANION DOCUMENT

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE

CALIFORNIA MARINE PROTECTED AREAS

July 2026

This document is the 2023 Decadal Management Review Marine Protected Area Petition Evaluation Companion Document (Companion Document). The Companion Document and the California Department of Fish and Wildlife (CDFW) Transmittal Memo should be read in advance of the 2023 Bin 2 Petition Evaluations as it includes supplemental information and additional context for the evaluations.

The Companion Document was originally released March 20, 2026 along with CDFW's evaluations and recommendations for the ten Non-tribally-led Petitions. This July 2026 version of the Companion Document includes the following additions: a detailed timeline of the 2023 MPA Petition milestones, updates related to tribal outreach and engagement, a new section on Climate Resilience and MPAs, and additional supplemental information for Question 5 (information gaps) and Question 9 (MPA Network design and Levels of Protection (LOP)) of the evaluation.

INTRODUCTION

At its February 14-15, 2024, meeting, the California Fish and Game Commission (CFGC) referred 20 Marine Protected Area (MPA) petitions to CDFW for review, evaluation, and recommendation. These petitions were sorted into Bin 1 and Bin 2 Petitions. The Marine Resources Committee (MRC) considered CDFW's recommendations on 5 Bin 1 Petitions at the November 6-7, 2024 MRC meeting and CFGC adopted the MRC's recommendations at the December 11-12, 2024 CFGC meeting. See Table 1 for a comprehensive overview of process milestones for the 2023 MPA Petitions.

On August 14, 2025, CFGC approved an evaluation framework (Framework) for the 15 Bin 2 Petitions referred to CDFW proposing changes to the MPA Network. CDFW developed the Framework, with support from staff at CFGC and Ocean Protection Council, based on the adaptive management process outlined in chapter 4 of the 2016 Master Plan for MPAs. The 2016 Master Plan directs CDFW and CFGC to use the Marine Life Protection Act (MLPA) Goals and mandates, Master Plan objectives, and Science Advisory Team (SAT) Science Guidelines established during the MLPA Initiative planning process as the primary basis for evaluating any action taken to make changes to the MPA Network. The 2016 Master Plan adaptive management process also includes consideration of emerging issues, such as changes to the MPA Network that would enhance climate resilience and/or help mitigate climate impacts. CDFW considered climate change effects throughout the evaluation, recognizing that the effects of climate change are overarching and climate resilience is an implicit goal of adaptive management of the MPA Network as a whole. The Framework also draws from the Decadal Management Review (DMR) and Recommendations, and the MPA Regulation Change Petition Framework approved by CFGC at their August 2023 meeting, which is rooted in the DMR Recommendation cornerstones of MPA Governance, MPA Management Program Activities, and MPA Network Performance.

The Framework includes the following sections:

I. Petition Summary
II. CDFW Recommendations with Brief Justifications
III. Bin 2 Petition Grouping: Identify Tribally-led Petitions
IV. CDFW 2023 MPA Bin 2 Petition Narrative and Evaluation
V. Supplemental Analyses, Data and Information, and Citations

CDFW used the Framework to transparently evaluate petitions and develop recommendations to CFGC for the 2023 MPA Bin 2 Petitions. The evaluations were based on materials submitted in December 2023 and amendments received through March 2025. Subsequent changes, improvements, or stakeholder engagement undertaken by petitioners after March 2025 were not considered. CDFW recognizes that new information on these petitions may be available for CFGC consideration.

The Bin 2 Petitions and petition actions vary in complexity, and the Framework is designed to address this spectrum of complexity. In some cases, it was more appropriate to evaluate Bin 2 Petitions as a whole and in other cases, it was more appropriate to evaluate the individual proposed actions or grouped proposed actions that were similar within a petition. Not all evaluation components in Section IV applied to every proposed action or petition as they were not all relevant to each proposed action or petition. CDFW applied the evaluation components as appropriate, and the level of detail varied based on factors such as applicability of the question or information available. Non-regulatory requests were not evaluated through the Framework. For some petitions, CDFW recommended an alternative pathway to achieving the desired outcome of the proposed change.

The DMR indicated the MPA Network is meeting expectations and functioning effectively towards achieving the Goals of the MLPA. Therefore, significant regulatory changes to the MPA Network should meet a high threshold of demonstrated conservation value and need, as well as clear, science-supported benefit.

This evaluation is not the only process by which regulatory changes have been considered as part of the adaptive management of the MPA Network. Since implementation of California's MPA Network, targeted legislative and regulatory refinements have been identified to align MPAs with their original intent, clarify or correct provisions, or address priority management and enforcement issues. Since 2013, four legislative amendments and seven regulatory packages have been enacted to strengthen and support the adaptive management of the MPA Network and Management Program. The regulatory amendments:

- 2014 – Clarified and corrected provisions, including general provisions, definitions, take, and boundaries
- 2015 – Clarified and corrected provisions, including general provisions, definitions, take, and boundaries. This includes refining and correcting boundary coordinates for 106 MPAs
- 2016 – Added provisions for tribal take in north coast MPAs
- 2018 – Repealed a special closure due to conflict with private property
- 2018 – Added provisions for tribal take in south coast MPAs and amended boundaries to better align with historical subsistence and cultural use
- 2022 – Cleaned up State Marine Recreational Management Area language
- 2023 – Provided a mechanism for operation and maintenance of pre-existing artificial structures in MPAs

The legislative amendments include Senate Bill 96 (2013), Assembly Bill 298 (2015), Assembly Bill 2369 (2018), and Assembly Bill 63 (2021). See Appendix G of the Decadal Management Review for more information about regulatory packages and legislative amendments that apply to MPA Network management implemented since 2012. All amendments were deliberately and carefully constructed, consistent with directives in the Fish and Game Code (§§2853 and 2855), MLPA, and the Master Plan for MPAs, to preserve the integrity of the MPA Network.

CDFW remains committed to adaptive management through regulatory and non-regulatory pathways and will continue to work with tribes and partners to advance the Recommendations of the DMR through a science-based, inclusive statewide process consistent with the requirements of the MLPA and Master Plan for MPAs.

Table 1. Summary of 2023 MPA Petition Process Milestones.

Date	Milestone
Aug 2023	California Fish and Game Commission (CFGC) approves DMR adaptive management recommendation prioritization framework and supported the Marine Resources Committee preference to consider changes to the MPA Network using the existing CFGC petition process
Oct 2023	CFGC releases "Overview of Process to Consider Potential Changes to California's MPA Network"
Dec 2023	CFGC receives 20 MPA-related petitions with 80+ actions
Feb 2024	CFGC refers all 20 petitions to CDFW for evaluation
Apr 2024	CFGC adopts 3-phased approach to petition evaluation

Date	Milestone
Aug 2024	CFGC approves binning petitions, requests CDFW evaluate the five Bin 1 Petitions and develop a proposed framework to evaluate 15 Bin 2 Petitions
Nov 2024	CDFW releases recommendations for five Bin 1 Petitions
Dec 2024	CFGC makes decisions on Bin 1 Petitions and establishes March 14, 2025 deadline for amendments to Bin 2 Petitions
Mar 14, 2025	Deadline for amendments to Bin 2 Petitions
Apr 2025	CFGC refers amended Bin 2 Petitions to CDFW for evaluation
Apr-May 2025	CDFW develops Draft Bin 2 Petition Evaluation Framework with Ocean Protection Council and CFGC staff
May 2025	Update and discussion at CFGC Tribal Committee (TC) meeting on Bin 2 MPA Petitions and proposed approach for evaluations
Aug 2025	Update and discussion on 2023 MPA Petitions and Draft Evaluation Framework at CFGC TC and CFGC. Four Tribally-led petitions identified and CFGC approves framework for evaluating Bin 2 MPA Petitions
Dec 2025	Update and discussion at CFGC TC on Bin 2 MPA Petitions; identifies one more Tribally-led petition; directs CDFW to return to April 2026 CFGC TC to discuss MPA Petitions prior to releasing evaluations for the Tribally-led petitions
Mar 20, 2026	CDFW releases evaluations and recommendations for the 64 proposed actions in the ten non-Tribally-led Bin 2 MPA Petitions and the Companion Document
Apr 2026	Update and discussion at CFGC TC on five Tribally-led petitions. CFGC accepts amendments to four of the Tribally-led petitions and refers them to CDFW for evaluation
Apr-May 2026	Regional CFGC meetings discussing Bin 2 MPA Petitions • April 21, 2026 in San Mateo, Del Norte through Monterey counties petitions • May 5-6, 2026 in Goleta, alongshore San Luis Obispo through Santa Barbara counties petitions (day 1) and Northern Channel Islands (day 2) • May 19, 2026 in San Clemente, Los Angeles through San Diego counties petitions, including Santa Catalina Island
July 2026	CDFW releases evaluations and recommendations for the 9 proposed actions in the five Tribally-led Bin 2 MPA Petitions and the revised Companion Document

SUPPLEMENTAL EVALUATION INFORMATION

CDFW compiled supplemental information and additional context for the Tribally-led etitions, the topic of climate resilience and MPAs, and the responses to Evaluation Questions 1, 2a, 5, 9, 10a, and 14, and Section V. Supplemental Analyses, Data and Information, and Citations. CFGC staff conducted the analysis and prepared the responses for Questions 16 and 17 and provided additional context for their evaluations below. The information provided here was common across the evaluations and is included here to prevent having to repeat it in each evaluation.

TRIBALLY-LED PETITIONS

This Companion Document includes a summary of the process for identifying Tribally-led petitions, CDFW's outreach to all California Native American tribes throughout the petitions process, and a summary of outreach and engagement with Tribally-led petitioners (Attachment A below). As directed by CFGC, CDFW evaluated the Tribally-led petitions with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework. Tribally-led petitions, per CFGC direction, were discussed at the April 14, 2026, CFGC Tribal Committee meeting. *Note: 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.*

The following petitions were identified by CFGC as Tribally-led petitions:

- Santa Ynez Band of Chumash Indians: Designate a New Chitqawi SMCA Near Morro Bay with a Tribal Take Exemption for Santa Ynez Band of Chumash Indians (2023-19MPA_AM1)
- Santa Ynez Band of Chumash Indians: Establish Co-Management at Point Buchon SMCA, Change the Name, and Add a Tribal Exemption for Santa Ynez Band of Chumash Indians at Point Buchon SMCA, and Change the Boundary at Point Buchon SMR (2023-20MPA_AM1)
- Tolowa Dee-ni' Nation: Remove Recreational Take of True Smelt and Change the Boundary at Pyramid Point SMCA (2023-21MPA_AM1)
- Northern Chumash Tribal Council: Designate a New SMCA Near Point Sal with an Allowance for Recreational Take of Finfish by Hook-and-Line from Shore (2023-28MPA_AM2)
- Santa Ynez Band of Chumash Indians: 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)

Summary of Tribal Outreach and Engagement with California Native American Tribes for the 2023 MPA Petitions

In late 2023, CFGC received 20 petitions from California Native American tribes (tribes) and the public requesting changes to California's MPA Network. CFGC referred the 2023 MPA Petitions to CDFW to evaluate in early 2024. This document provides a summary of tribal outreach and engagement with California Native American tribes for the 20 2023 MPA Petitions, including five Tribally-led petitions, proposing approximately 70 changes to the MPA regulations for MPAs from southern California to the Oregon border (2023 MPA Petitions).

Summary of CDFW tribal outreach for all 2023 MPA petitions

Since receiving the petitions, CDFW has provided regular updates on the status of the 2023 MPA Petitions and petition evaluation process through email communications and mailed letters to the CDFW tribal contact list. The CDFW tribal contact list includes over 400 individuals across the state who represent and/or work for a California Native American tribe. The statewide list is maintained by CDFW's Tribal Liaison and includes people on the Native American Heritage Commission (NAHC) contact list and others who have elected to receive updates from CDFW related to tribes. These updates included offers for consultation and meetings between tribes and CDFW. In October 2025, CFGC and CDFW sent letters via email and postal mail to the CDFW tribal contact list to specifically offer formal consultation or informal meetings on the 2023 MPA Petitions. CDFW also presented written and verbal updates at meetings of CFGC's Tribal Committee. These outreach efforts to tribes are summarized in Table 2.

Summary of additional outreach and engagement with tribes for Tribally-led petitions

At the August 12, 2025, CFGC's Tribal Committee meeting, the Tribal Committee identified four of the 2023 MPA Petitions as Tribally-led petitions, which are petitions that were submitted by a tribe, representative designated by a tribe, or tribal organization, or have a tribal co-sponsor. These included:

- 2023-19MPA submitted by Santa Ynez Band of Chumash Indians
- 2023-20MPA submitted by Santa Ynez Band of Chumash Indians
- 2023-21MPA submitted by Tolowa Dee-ni' Nation
- 2023-29MPA submitted by Natural Resource Defense Council (NRDC), Santa Ynez Band of Chumash Indians (SYBCI), and Environmental Defense Center

At the May 7, 2025, meeting, CFGC's Tribal Committee requested CDFW send additional offers to all tribes for consultation on the remaining 2023 MPA Petitions and to reach out to offer to meet with tribes associated with the Tribally-led petitions. On October 16,

2025, CDFW distributed to the CDFW statewide tribal contact list a letter offering joint tribal consultation with CDFW and CFGC on any 2023 MPA Petition. This letter was also included in the fall quarterly CDFW Tribal Updates email. As of July 2026, no tribes have requested consultation.

On November 24, 2025, CFGC received a letter from Northern Chumash Tribal Council and NRDC indicating that Northern Chumash Tribal Council was a formal co-sponsor for petition 2023-28MPA, and requested CFGC consider the petition a Tribally-led petition.

At the December 9, 2025, CFGC Tribal Committee meeting, the CFGC Tribal Committee reconsidered the designation of petition 2023-28MPA and recommended CFGC designate it as a Tribally-led petition in light of the November 2025 co-sponsorship from Northern Chumash Tribal Council. At the December 11, 2025, CFGC meeting, CFGC designated petition 2023-28MPA as a Tribally-led petition. CFGC's Tribal Committee requested that before releasing the Tribally-led petition evaluations, CDFW engage with the tribes leading or co-leading petitions, including to better understand the intent of the petitions, and then share an update on the engagement and any clarifications on the petitions at the April 14, 2026 CFGC Tribal Committee meeting. CFGC's Tribal Committee and CFGC reaffirmed that CDFW should use the Evaluation Framework approved by CFGC in August to evaluate the Tribally-led petitions.

At the February 11, 2026, CFGC meeting, CFGC approved the addition of an agenda item for CDFW to provide an update and to have a discussion on the Tribally-led petitions at the April 14, 2026, Tribal Committee meeting.

Between September 2025 and June 2026, CDFW participated in discussions with representatives of tribes regarding the Tribally-led petitions.

At the April 14, 2026, CFGC Tribal Committee meeting, tribal representatives provided an overview and clarifications for the five Tribally-led petitions. SYBCI proposed amendments to 2023-19MPA, 2023-20MPA, and SYBCI and NRDC proposed amendments to 2023-29MPA_AM1. Northern Chumash Tribal Council and NRDC proposed amendments to 2023-28MPA_AM1. No amendments were proposed for 2023-21MPA. CDFW presented an update on tribal outreach and engagement since December and summarized the clarifications and proposed amendments for the Tribally-led petitions. At the meeting on April 15, 2026, the CFGC Tribal Committee recommended to CFGC that CDFW evaluate the Tribally-led petitions according to the proposed amendments and clarifications discussed during the meeting. CFGC subsequently referred the amended petitions (2023-19MPA_AM1, 2023-20MPA_AM1, 2023-21MPA_AM1, 2023-29MPA_AM2, and 2023-29MPA_AM2) to CDFW for evaluation using the Evaluation Framework approved by CFGC in August 2025.

Table 2. Summary of CDFW tribal outreach and engagement to date related to the 2023 MPA Petitions and petition process, including communication method and type of content. Unless otherwise specified, all tribal outreach communications included tribes listed on the CDFW tribal contact list maintained by CDFW's Department Tribal Liaison, which includes 400 people from the NAHC Contact List and additional tribal representatives.

Date	Method	Content
5/31/2024	Email	Released Blog Post: Seeking Your Feedback to Help Manage California's Marine Protected Area Network
10/4/2024	Email	CDFW Informational MPA DMR Petition Process Update: Background, DMR petition process, next steps, upcoming meetings
10/25/2024	Email	Released Blog Post: MPA Day
11/22/2024	Email	CDFW Informational MPA DMR Petition Process Update: Background, DMR petition process, next steps, upcoming meetings
4/11/2025	Email	CDFW Tribal Liaison provided Department update email, including CDFW Informational MPA DMR Petition Process Update
5/7/2025	Tribal Committee: Meeting Materials	Written Informational Update: California's Marine Protected Area Network Decadal Management Review and Subsequent Marine Protected Area Regulation Amendment Petition Process (pg. 99 of 129) Verbal update on the 2023 MPA Petitions and draft evaluation framework by Susan Ashcraft, CFGC Marine Advisor
8/14/2025	Tribal Committee: Meeting Presentation	Presentation by Craig Shuman, CDFW Marine Region Manager, on 2023 MPA Petitions and draft evaluation framework. Tribal Committee identified four Tribally-led petitions
9/2025	Email	CDFW invitation to meet to discuss petitions sent to petitioners for the four Tribally-led petitions
10/16/2025	Mail	Invitation Letter for joint tribal consultation with CDFW and CFGC on any 2023 MPA Petition
10/17/2025	Email	CDFW Tribal Liaison - Department update email, including CDFW Informational MPA DMR Petition Process Update and Invitation Letter for Joint Tribal Consultation
10/20/2025 – 6/24/2026	Meetings	Discuss Tribally-led petitions with tribal petitioners

Date	Method	Content
12/9/2025	Tribal Committee	CDFW update on the 2023 MPA Petitions and upcoming release of CDFW petition evaluations and outlining three regional meetings to be held to discuss petitions and evaluations
4/14/2026	Tribal Committee	CDFW presentation to provide an update on tribal outreach and engagement, and summarize clarifications and proposed amendments for Tribally-led petitions
6/26/2026	Email	CDFW Tribal Liaison provided Department update email, including CDFW Informational MPA DMR Petition Process Update and upcoming meetings to discuss the 2023 MPA Petitions

CLIMATE RESILIENCE AND MPAS

Since implementation of California's MPA Network, the state's coastal ecosystems have experienced increasingly significant climate-driven changes, including marine heatwaves, ocean acidification, and shifting species distributions. Although climate change was not explicitly incorporated into the MLPA Initiative planning process, the MPA Network was designed using resilience-oriented principles. Foundational design elements such as habitat replication, larval connectivity, and varying levels of protection were incorporated conservatively to support biodiversity, ecological function, and ecosystem resilience under uncertain and changing environmental conditions, including natural disturbances, decadal oceanographic variability, and unanticipated increases in fishing pressure.

MPAs are most effective at reducing extractive pressures, and their contribution to climate resilience depends in part on whether they measurably enhance key network attributes, such as connectivity, habitat replication, and protection of climate refugia. CDFW evaluated whether proposed changes were likely to meaningfully contribute to MPA Network performance through improvements to connectivity, habitat redundancy, or related ecological functions or provide measurable ecological benefits relative to the current performance of the MPA Network. Where existing MPAs already meet the SAT Science Guidelines established during the MLPA Initiative planning process, and proposals do not provide evidence the proposed change would demonstrably improve connectivity, redundancy, or resilience under changing environmental conditions and as specifically defined in the SAT Science Guidelines, the addition or expansion of a protected area alone is insufficient to conclude that climate resilience would be enhanced. Although there is broad evidence of increasing environmental stressors, restricting fishing alone will not address their cumulative impact. The existence of multiple stressors does not justify specific boundary modifications or new MPAs in the

absence of strong evidence that the proposal would likely result in site-specific ecological benefits.

MPAs may confer some resiliency to climate change by providing a buffer from some of these stressors, especially MPAs that limit or completely exclude fishing. Management of California's fisheries is mandated by the Marine Life Management Act, which includes objectives such as ecosystem protection, sustainability, and rebuilding populations, among others (Fish & G. Code § 7050). While the primary function of MPAs in California is to protect and enhance marine habitats and populations, understanding how effective fisheries management measures interact with a functioning MPA Network to bolster resiliency to climate change in California is still a critical knowledge gap identified in the DMR to be addressed through implementation of Recommendations 26-28 that focus on influencing factors and fisheries integration.

The absence of demonstrable ecological gains is particularly relevant where proposed changes could result in substantial socioeconomic impacts to ocean users. This underscores the importance of grounding management decisions in clear, place-based specific evidence of functional ecological improvement and considering socioeconomic impacts so that anticipated conservation benefits are considered relative to potential trade-offs in those areas.

CDFW 2023 MPA BIN 2 PETITION EVALUATION

EVALUATION QUESTIONS

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?

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 such, CDFW has evaluated the proposed actions 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.

MLPA Goals

1. Protect the natural diversity and abundance of marine life, and the structure, function and integrity of marine ecosystems.

2. Help sustain, conserve and protect marine life populations, including those of economic value, and rebuild those that are depleted.
3. Improve recreational, educational and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.
4. Protect marine natural heritage, including protection of representative and unique marine life habitats in CA waters for their intrinsic values.
5. Ensure California's MPAs have clearly defined objectives, effective management measures and adequate enforcement and are based in sound science guidelines.
6. Ensure the State's MPAs are designed and managed, to the extent possible, as a network.

Master Plan Adaptive Management Objectives

- Protect the structure and function of marine ecosystems
- Improve native marine life populations, including those of economic value
- Ensure minimal disturbance while allowing for sustainable opportunities for recreation, education and research
- Ensure comprehensive representation of all key habitats, including unique habitats
- Use learning acquired through administration of the MPA Management Program to adaptively manage the objectives, management measures, enforcement efforts, and scientific guidelines to inform management decisions
- MPAs function as a cohesive statewide network

Question 2a: Does the proposed change advance adaptive management recommendations in the Decadal Management Review?

California's Marine Protected Area Network Decadal Management Review
DMR Adaptive Management Recommendations

Question 5: Are there significant information gaps that need to be filled to inform the evaluation of the proposed change?

Justice, Equity, Diversity, and Inclusion

There are information gaps related to assessing issues around equity and access for traditionally underserved or marginalized communities within the existing MPA Network, as well as the proposed changes in the Bin 2 petitions. The DMR includes recommendations to advance work in this area that the MPA Management Program intends to work on in the near future. Also, see response for Questions 14 and below.

Economic and Fiscal Impacts

The CFGC petition form, Petition to the California Fish and Game Commission for Regulation Change, requires the petitioner to complete the section, "Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing." Responses provided in the Bin 2 Petitions often had limited data related to potential economic and fiscal impacts, particularly those related to individuals or businesses, including individuals from the sport and commercial fishing industries. This may be due to limited time provided to petitioners to prepare petitions or to the limited existence of this data. However, given the scope and timeline of this analysis, CDFW did not have the ability to provide a supplemental analysis of the economic or fiscal impacts for the 73 changes proposed across the 15 Bin 2 Petitions.

Fish and Game Code section 2853 highlights that the Marine Life Protection Program (now the MPA Management Program) must include a process for the establishment, modification, or abolishment of existing MPAs or new MPAs, that involves all interested parties, including, but not limited to, individuals from the sport and commercial fishing industries, aquaculture industries, coastal and ocean tourism and recreation industries, marine conservation organizations, local governments, marine scientists, and the public (Fish & G. Code § 7050 (b)(7)), and that facilitates the designation of MPAs consistent with the Master Plan adopted pursuant to Fish and Game Code section 2855. Fish and Game Code section 2855 states that when making decisions regarding the siting of new MPAs and major modifications of existing MPAs, CDFW shall take into account relevant information including, but not limited to, the socioeconomic and environmental impacts of various alternatives.

CDFW's Bin 2 MPA Petition evaluations include preliminary assessments of socioeconomic impacts to commercial and recreational fisheries, but these assessments are not a substitute for the relevant information required by Fish and Game Code section 2855. The evaluations do not include an assessment of any socioeconomic benefits or impacts beyond impacts to commercial and recreational fisheries. Implementation of the regulatory changes proposed in the Bin 2 MPA Petitions are anticipated to have socioeconomic impacts, some of which may be significant to individuals or businesses; and additional data and information are needed to meet the level of analyses required by Fish and Game Code section 2855.

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?

To ensure consistency across petition evaluations, CDFW developed a decision tree to evaluate if a proposed action would improve individual MPA or MPA Network design and/or improve alignment with the SAT Science Guidelines (Figure 1). The decision tree includes considerations such as whether the proposed change has the potential to affect the MPA's size or Level of Protection (LOP) and includes a framework to respond to the question. The science-based design criteria were developed by the SAT during the MLPA Initiative planning process to provide quantitative guidance for achieving network-scale ecological objectives (e.g., North Coast Study Region guidance Executive Summary from the North Coast SAT Methods Used to Evaluate MPA Proposals). While there were slight deviations between planning regions in the amount of individual habitat types necessary to meet habitat representation and replication targets, key design elements were consistent statewide. MPAs intended to contribute to ecological goals were required to be at least 9 square miles in size and meet one of the three highest LOPs (Very High, High, or Moderate-High). Importantly, the analysis focused not only on whether proposals meet SAT Science Guidelines, but on whether they would likely provide a net ecological benefit to the MPA Network in addition to meeting SAT Science Guidelines—that is, likely to have measurable improvements beyond existing conditions.

Levels of Protection

California's SAT developed the LOP framework during the MLPA Initiative planning process. California's SAT LOP framework is specifically designed to evaluate fishing-related impacts within the state's MPAs and considers the species that may be taken, the gear used, the geographic region, and the potential direct and indirect ecological effects of those activities on species and habitats. As a result, the SAT LOP framework is the most appropriate framework to use when considering proposed changes or additions to the MPA Network as it was tailor-made for evaluating and comparing California's MPAs.

The SAT LOP framework differs substantially in scope, structure, and application from the protection categories defined in Grorud-Colvert et al.'s (2021) MPA Guide[1]. Although the MPA Guide provides a valuable global framework for making standardized comparisons of MPA outcomes worldwide, it is not an appropriate framework for evaluating California's 2023 MPA Petitions. The two frameworks were developed for different purposes, applied different criteria, and the frameworks differ in scale and structure. Given the two frameworks have different scales and approaches, protection categories

[1] Grorud-Colvert *et al.* (2021). *T*he MPA Guide: A framework to achieve global goals for the ocean. *Science* **373**, eabf0861(2021). DOI:10.1126/science.abf0861; see also https://mpa-guide.protectedplanet.net/resources

that appear similar in name may represent substantially different regulatory conditions and ecological outcomes under the two systems.

The MPA Guide was designed to compare MPAs globally as MPAs around the world vary from fully protected with strong implementation measures (such as those in California's MPA Network), to MPAs on paper only or those that allow activities such as intensive fishing and/or large impact infrastructure and aquaculture. The MPA Guide uses broad activity-based classifications that consider multiple categories of human use. Fishing is treated as one of several activity categories evaluated. Others include dredging and dumping, anchoring, infrastructure, aquaculture, non-extractive activities, and mining. The MPA Guide includes protection levels based on the number and types of activities allowed, without differentiating by species, fine-scale gear type(s), or geographic context. The MPA Guide captures the global scale of allowed activities in MPAs worldwide and categorizes these into four LOPs. The approach enables comparisons across global habitats and activities, which vary greatly. In contrast, California's SAT LOP framework has six levels of protection and is specifically tailored to the fisheries, gear types, species, and habitats in the MLPA planning regions, which enable precise assessments of potential contribution to ecological goals as well as comparisons within California's MPA Network.

In addition to being more relevant to California, the SAT LOP framework applies a more precautionary approach than the MPA Guide framework. During the MLPA Initiative planning process, the SAT evaluated allowed activities under the assumption that they could occur at maximum plausible intensity over time. This reflected the expectation that MPA access would remain open to all users and that fishing pressure could increase unpredictably in the future. For example, during the COVID-19 pandemic, California experienced an unanticipated surge in the harvest of intertidal organisms for sale and subsistence. By comparison, under the MPA Guide LOP framework, potential future increases or sudden changes in fishing intensity, such as the example described above, are not explicitly incorporated into protection level assignments. Instead, the 2021 MPA Guide evaluates activities based on their current intensity, scale, duration, frequency, and overall present-day impact. Its framework is therefore intended to categorize MPAs according to contemporary cumulative impact levels rather than to distinguish in detail among specific fishing practices or ecological interactions. Consequently, the LOPs between the two frameworks are not comparable, and the SAT LOP framework is the most appropriate framework to use for evaluating the 2023 MPA Petitions.

Please see the CDFW Science Guide to California's MPA Network for more specific information on science evaluation of MPA proposals during the MLPA Initiative planning process, including LOPs, as well as a current assessment of how the MPA Network conforms to the SAT Science Guidelines.

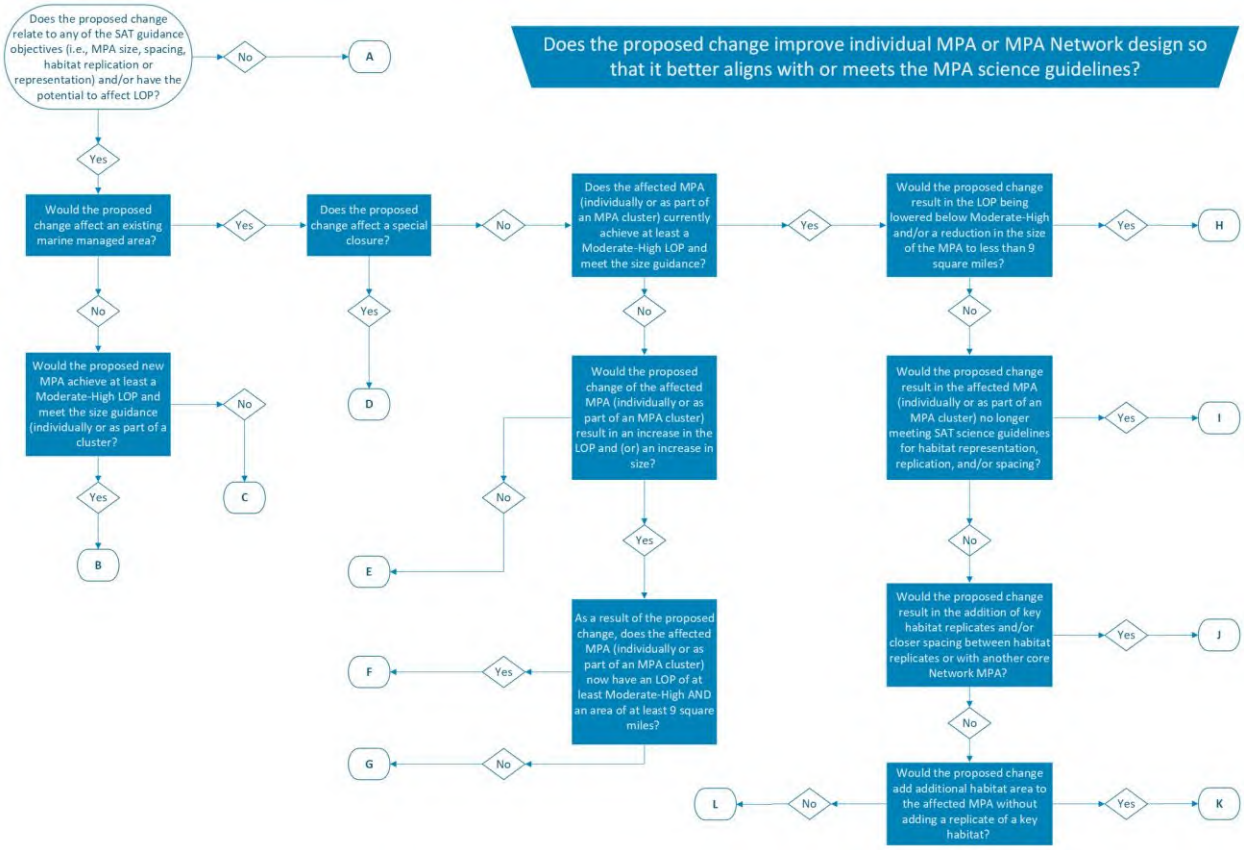


Figure 1. Decision tree framework used to formulate responses for Question 9 for each proposed action. The starting point, at the upper left corner, is based on whether the proposed change has the potential to affect the MPA's size or Level of Protection (LOP). The rest of the questions help to identify the effects such a change may have on the design of the individual MPA and the MPA Network. Based on this decision tree, the effects of a proposed action were determined to belong to one of the following groups:

A. Not applicable because the proposed action does not affect MPA size or LOP. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
B. New MPA meets minimum size and LOP requirements. Proposed action would improve MPA Network design and enhance alignment with the SAT Science Guidelines.
C. New MPA does not meet minimum size and/or LOP requirement. Proposed action does not improve MPA Network design, nor does it enhance alignment with the SAT Science Guidelines.
D. Not applicable because the SAT Science Guidelines do not apply to special closures. Proposed action does not improve MPA Network design, nor does it enhance alignment with the SAT Science Guidelines.

E. Neither existing MPA nor as proposed meets minimum size and/or LOP requirement. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
F. Existing MPA does not meet minimum size and/or LOP requirement, but would meet both as proposed. Proposed action improves the design of the individual MPA and the MPA Network, and enhances alignment with the SAT Science Guidelines.
G. Existing MPA does not meet minimum size and/or LOP requirement. Proposed change improves individual MPA design, but does not improve MPA Network design or enhance alignment with the SAT Science Guidelines.
H. Existing MPA meets minimum size and LOP requirements, but no longer would as proposed. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
I. Existing MPA meets minimum size and LOP requirements. MPA as proposed meets both criteria but no longer meets one or more SAT Science Guidelines. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.
J. Existing MPA meets minimum size and LOP requirements. Proposed action results in meeting additional SAT Science Guideline(s). Proposed action improves design of individual MPA and MPA Network, and enhances alignment with the SAT Science Guidelines.
K. Existing MPA meets minimum size and LOP requirements. Proposed action increases the amount of habitat(s) protected but additional SAT Science Guidelines are not met. Proposed action improves the design of the individual MPA but not of the MPA Network, and does not enhance alignment with the SAT Science Guidelines.
L. Both existing MPA and as proposed meet minimum size and LOP requirements. Proposed action does not improve the design of the individual MPA or the MPA Network, nor does it enhance alignment with the SAT Science Guidelines.

Question 10a: Does the proposed change align with CDFW Feasibility Guidelines?

CDFW Feasibility Guidelines

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?

CDFW is committed to improving access to marine resources in California for traditionally underserved and marginalized communities. This question was included in

the evaluation framework because of that commitment, as well as input from partners to prioritize improvement of accessibility and recommendations from the DMR to integrate justice, equity, diversity, and inclusion principles into MPA Network management. However, after exploration of the available information and methods that could be used to address this question for each proposed action, CDFW originally determined that providing the level of evaluation this question and the relevant communities deserve would not be possible within the scope and timeline of the petition evaluations. Most of the petitions did not include sufficient information to accurately assess benefits and/or impacts to historically marginalized and underserved communities. Additional details and outreach were needed by petitioners to support this portion of the analysis.

At the time, CDFW reviewed multiple information sources, and found there are many different approaches to defining and identifying "traditionally underserved or marginalized communities." CDFW reviewed the definition of disadvantaged communities (DACs) in Senate Bill 535, which is based on pollution burden and federally recognized tribal status (a map of DACs per this definition is available here, data used to determine community status is available through the CalEnviroScreen tool).

CDFW also considered the definition of DACs utilized by the California Department of Water Resources, where DACs are areas where median annual household income is 80% or less of the statewide median annual household income (a map of those communities is available here).

CDFW found the data and information in the California Governor's Office of Land Use and Climate Innovation's Vulnerable Communities Platform to be valuable in understanding access issues related to the MPA Network. The Vulnerable Communities Platform provides information on more specific and potentially applicable metrics, such as food insecurity and linguistic isolation, which could be used to better understand access issues (e.g., subsistence fishing, language access for outreach materials, individual indicators data is available here).

In the March 2026 Companion Document, CDFW's primary findings for Question 14 were that additional information and time were needed, including completion of some DMR Recommendations, to sufficiently address the question.

Following CDFW's submission of the petition evaluations, CFGC, CDFW, and Ocean Protection Council received substantive feedback identifying two areas of concern. First, the response to Question 14 was unsatisfactory and that people, including Commissioners, wanted to see additional analysis for Questions 14 and 16. Second, people identified a broader need for more robust engagement with, and meaningful

incorporation of the perspectives of, traditionally underserved and marginalized communities throughout the process.

At the Regional 2023 MPA Petitions meeting on May 19, 2026, CFGC directed CDFW to convene experts in Justice, Equity, Diversity and Inclusion within the agency and at partner agencies to provide additional analyses. CDFW's Deputy Director of Strategic Engagement, Equity, and Partnerships led this work in collaboration with California Natural Resources Agency, CFGC staff, and Ocean Protection Council and released a separate document with supplemental information for Question 14 and 16.

Question 16: Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy?

CFGC staff conducted this analysis and prepared the response to Question 16, which was supplemented by a July 2026 document prepared as described in the paragraph above.

Justice, Equity, Diversity and Inclusion Policy Overview

The CFGC Justice, Equity, Diversity and Inclusion Policy (JEDI Policy) reflects CFGC's deep commitment and responsibility to support safe and equitable access to California's thriving native wildlife and natural habitats, supported by inclusive decision-making that reflects the needs and values of the state's diverse communities. The policy acknowledges the significant past injustices experienced by historically marginalized and underserved communities and seeks to correct the burdens these communities have faced in accessing nature, participating in regulatory decision-making, and the privilege often associated with outdoor access. The JEDI Policy also considers and seeks to correct the disproportionate burdens on California Native American tribes and recognizes their interwoven stewardship relationships with the environment.

The JEDI Policy identifies 13 individual commitments referred to as "actions" that guide how CFGC advances its JEDI commitments. Implementation of the policy has been an ongoing priority of CFGC since its adoption in February 2022 and CFGC staff are continuing to explore meaningful ways to meet its commitments. Inclusion of the JEDI Policy in the Framework was intended to highlight this commitment.

Evaluation of MPA Petitions

Evaluating MPA petitions for their consistency with CFGC's JEDI Policy marked the first time CFGC staff attempted to systematically apply the policy's principles to inform CFGC decision-making. Through the process of evaluating MPA petitions against the JEDI Policy, CFGC staff found it was unable to make determinations about whether, or to

what extent, any specific petition advances or conflicts with the JEDI Policy. The findings are described in detail here, along with next steps to resolve these limitations moving forward.

CFGC staff reviewed the pending MPA petitions to identify conceptual intersections with JEDI principles. Of the 13 commitments in the policy, 7 are not relevant to the evaluation because they focus on internal operations, partnerships, and governance processes. The remaining six are directly applicable to the MPA petitions:

- Considering and correcting for disproportionate burdens on historically marginalized communities,
- Improving responsiveness to the needs of marginalized fish and wildlife users,
- Amplifying tribal voices and issues,
- Considering the implications of decisions on subsistence activities,
- Improving and championing safe and equitable access to abundant and healthy fish and wildlife populations, and
- Promoting cultural, community, and economic opportunities related to fish and wildlife that CFGC regulates.

In seeking to apply the six applicable commitments, staff identified several knowledge gaps that limited its ability to provide consistent or objective petition-level JEDI determinations. Ultimately, CFGC staff concluded that there is insufficient information available to meaningfully assess potential JEDI-related implications of petitions in a manner that reflects the intent of the policy.

Key concepts such as subsistence activities, equitable access to abundant fish and wildlife populations, and cultural, community and economic opportunities do not have CFGC-adopted definitions, metrics, or measurable criteria. Without clearly articulated definitions, datasets, or rubrics, petition-specific JEDI assessments would be inherently speculative. Staff have, however, gained a clearer understanding of these gaps, which will be important to address in future policy implementation.

Tribally-Led Petitions

One area that CFGC has already recognized is the distinct role of petitions that amplify tribal voices, which is reflected in how CFGC has grouped these petitions for discussion. Five petitions were submitted either by a tribe or with tribal participation as co-sponsors for petitions submitted by non-tribal proponents. CFGC has grouped these as "Tribally-led," which includes tribally co-sponsored petitions. Some of these petitions advance tribally identified MPA names and, in some cases, include recommendations related to pursuing co-management or co-stewardship. Collectively, they reflect the

interests of federally recognized tribes as well as non-federally recognized tribal communities with enduring relationships to California's coast. Many of these proposals have the potential to foster long-term partnerships or shared leadership with California Native American tribes, which are considered marginalized and/or underserved communities, supporting the broader intent of CFGC's JEDI Policy.

Petitioner Intent

CFGC staff acknowledges that several petitions explicitly reference, within their petition rationale(s), goals related to equitable access, subsistence activities, long-term abundance of fish and wildlife, or other JEDI-related intentions. While the stated intentions are important context, the previously described evaluation limitations prevented staff from assessing the degree to which these intentions may achieve the goals. CFGC staff acknowledges that changes to harvest or non-consumptive access may relate to subsistence or equity considerations, but cannot reliably characterize the nature or extent of those relationships without risking over-generalization or speculation.

Current and Future Focus

In the absence of the tools needed for petition-level JEDI analysis, and because many JEDI commitments were intended primarily to guide CFGC processes, CFGC staff began to focus on the overall petition process, including the planning for the regional MPA petition meetings. CFGC staff efforts have included: consulting with partners to inform development of approaches to support safe and inclusive participation, selecting meeting locations near affected communities to reduce travel barriers, elevating tribal voices, increasing transparency about meeting format and expectations, and exploring additional ways to provide accessible engagement opportunities. The regional meetings an opportunity for CFGC to engage with local communities regarding MPA petitions. Proposals that reflect community knowledge, lived experience, and local needs align more closely with the inclusive decision-making envisioned by the JEDI Policy. Public comments emphasizing the level of community engagement, or lack thereof, were not considered when conducting the petition evaluations.

Evaluation of the MPA petitions has highlighted critical next steps needed to strengthen CFGC's ability to apply the JEDI Policy in future evaluations. Consistent with the intent of Recommendation 8 in CDFW's Marine Protected Area Network Decadal Management Review — a mid-term priority focused on evaluating the accessibility of MPAs to various community groups — staff recognizes that broader collaborative efforts with various partners will be needed to establish the foundational elements for integrating JEDI considerations across the MPA Network. Advancing this work will support both the

CFGC's JEDI Policy goals and more meaningful future evaluations, beyond what is possible within the limited scope of this petition process.

Links

JEDI Policy: California Fish and Game Commission Justice, Equity, Diversity, and Inclusion Policy, approved February 16, 2022

JEDI Policy Definitions: California Fish and Game Commission JEDI Definitions

Question 17: Is the proposed change consistent with the CFGC Coastal Fishing Communities Policy?

CFGC staff conducted this analysis and prepared the responses to Question 17 for the proposed actions in the evaluations. CFGC staff provided this additional context for their evaluations of Question 17.

Coastal Fishing Communities Policy Overview

The CFGC Coastal Fishing Communities (CFC) Policy guides CFGC, in partnership with CDFW, in supporting the long-term needs, social well-being, and economic health of California's coastal fishing communities while upholding the conservation and management goals central to both agencies' missions and mandates. The CFC Policy defines coastal fishing communities broadly as: (a) social, cultural, economic, and/or place-based groups whose members are dependent upon, engaged in, or benefit from local, wild-capture, commercial, recreational, or subsistence marine harvest or processing to meet the social and economic needs of the community, (b) include, but are not limited to, the businesses and organizations that depend upon or support those activities, and (c) may be a subset or member of larger or associated coastal communities. Adopted in February 2024, the CFC Policy formalizes a vision for how CFGC engages with fishing communities, incorporates their needs into decision-making, and contributes to their resilience.

Evaluation of MPA Petitions

Evaluating MPA petitions for their consistency with CFGC's CFC Policy marked the first time CFGC staff have attempted to apply the policy's principles to inform CFGC decision-making. Through the process of evaluating MPA petitions against the policy, CFGC staff found they were unable to make determinations about whether, or to what extent, any specific petition advances or conflicts with the goals of the CFC Policy. The findings are described in detail here, along with next steps to resolve these limitations moving forward.

The goal of Question 17 is to identify where petitioned actions may conceptually intersect with the CFC Policy—not to evaluate biological outcomes addressed elsewhere in the petition evaluation framework or provide a full socioeconomic analysis.

As CFGC staff applied the CFC Policy to each petition and its proposed actions, it became clear that only limited information is currently available to assess potential implications for coastal fishing communities. The policy encompasses broad aims, such as maintaining or enhancing fishing opportunities, supporting community resilience and adaptive capacity, and ensuring coastal fishing community interests are meaningfully factored into CFGC decision-making.

However, CFGC does not yet have detailed economic, demographic, or cultural data to determine how proposed regulatory changes may affect specific coastal fishing communities. Existing statewide information—primarily the Ocean Sport Fishing web application and community profiles from FishingCommunities.net, last updated in 2023 using 2021 data—provides useful general context on ports, landings, and community characteristics. CFGC staff expertise and experience also contributed to the understanding of impacts of petitioned actions on nearby coastal fishing communities. These sources of information do not provide the level of resolution necessary to draw conclusions about individual community dependence, vulnerability, or long-term resilience.

Given the limitations, CFGC staff focused the evaluation on three elements that could be consistently and objectively applied across all petitions:

- Describes the nature of the proposed regulatory change,
- Identifies whether a petition action would increase, decrease, or have no direct effect on commercial or recreational fishing opportunity within or near the affected MPA, and
- Identifies the coastal fishing communities most geographically-proximate to the affected area, by identifying the nearest ports or harbors and travel distance between them, although these do not necessarily reflect smaller coastal fishing communities that may be affected.

Some petition actions were given “not applicable” responses, reflecting that those actions are not subject to evaluation as they are either not regulatory change requests or they are proposals outside of the regulatory framework for MPA management.

Some petitions propose increasing fishing opportunities, which could conceptually support short- or long-term community resilience within the context of California’s existing fishing regulations and the broader fisheries management goals, and other petitions propose strengthening or expanding MPAs, which may confer long-term

ecological benefits that indirectly support fishing communities. However, CFGC staff cannot evaluate the proposed changes on biological, stock-related, or long-term effects relative to supporting fishing opportunities under this question.

A full understanding of potential benefits or impacts to coastal fishing communities requires meaningful input from the community members themselves—commercial, recreational, and subsistence harvesters, as well as the businesses and organizations that support local fishing economies. CFGC staff view this evaluation as an initial step based on the information currently available, and not as a comprehensive assessment of the lived experience, priorities, or needs of individual communities. Public comments that provide such feedback have not been directly considered in the evaluation. While CFGC has received a wealth of public comments to inform its understanding of the range of views thus far, CFGC's upcoming regional MPA petition review meetings will provide an important opportunity for commenters to further supplement CFGC staff's analysis with direct feedback from those most connected to the affected areas. Continued dialogue with coastal fishing communities will help strengthen the foundation for applying the CFC Policy in future decision-making and improve CFGC's ability to better understand and support the adaptive capacity and long-term resilience of California's fishing communities over time.

Possible next steps in policy implementation and pathways to begin filling data gaps are anticipated for discussion at a future CFGC Marine Resources Committee meeting. This discussion ideally would lead to developing options and needs to enable integrating consideration of the CFC Policy into CFGC's decision-making.

Links

CFC Policy: California Fish and Game Commission Coastal Fishing Communities Policy, adopted February 14, 2024 (also included on the following page)

Current Regulations Map: Ocean Sport Fishing Web App

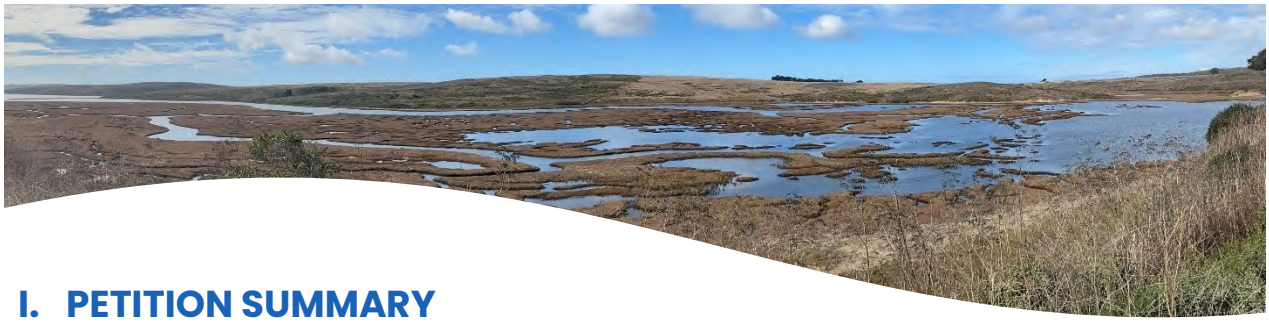
Partner website, California Fishing Communities, providing profiles of the history, economics, and culture of California's fishing communities (last updated in 2023 with 2021 data): FishingCommunities.net

SUMMARY OF OTHER CONSIDERATIONS

After completing the evaluations, none of the petition evaluations had information to include in this section beyond what was provided in the other five sections of the evaluation. Consequently, this section was removed from the evaluations.

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

Modify Allowed Uses at Several Santa Barbara Channel MPAs and Special Closures: Vandenberg SMR, Kashtayit SMCA, and San Miguel and Anacapa Special Closures (2023-18MPA)



I. PETITION SUMMARY

CFGC Tracking Number	2023-18MPA
Petition Contact/Affiliation	Greg Helms, Ocean Conservancy
Number of Proposed Actions	7
Affected MPAs	Vandenberg and Point Conception SMRs, Kashtayit and Campus Point SMCAs, and San Miguel Island and Anacapa Island Special Closures
Petition Summary	Multiple action items to modify allowed uses at several Santa Barbara Channel MPAs
Link to StoryMap page	2023-18MPA

March 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	CDFW Recommendation and Brief Justification
2023-18MPA_1 Redesignate a portion of Vandenberg State Marine Reserve (SMR) to create a narrow State Marine Conservation Area (SMCA) alongshore for the entire length of Vandenberg SMR that allows recreational shore fishing for finfish by hook-and-line.	The petitioner's stated reason for the proposed change is that, "An equity concern has arisen due to the SMR restrictions not being applied to Vandenberg Space Force personnel and dependents, in contrast to non-military residents at nearby Surf Beach who must comply."	**Deny.** The proposed change is inconsistent with the original goals and intent of this MPA. Vandenberg SMR serves as a core component, or "backbone," of the state's ecologically connected MPA Network. Redesignating any portion of this SMR to an SCMA would result in the MPA no longer meeting Science Advisory Team (SAT) criteria for a habitat replicate of nearshore habitats. This would result in a gap in replication of nearshore habitats and would undermine the MPA's role in maintaining ecological connectivity within the MPA Network. Given the importance of Vandenberg SMRs' role in providing a nearshore habitat replicate, changes to this MPA would require compelling evidence of need. There was insufficient evidence to demonstrate a need that would justify compromising the connectivity of the MPA Network.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2022-04 Redesignate a portion of Vandenberg SMR to create a small SMCA that allows shore fishing on the one half mile stretch of beach known as Surf Beach.	The petitioner's stated intent for the proposed change is to allow for families to once again fish for subsistence, and/or provide a low cost/no-cost recreational alternative for the residents of Lompoc and the surrounding area.	**Deny.** See 2023-18MPA_1.
2023-18MPA_2 Provide continued support for Marine Monitor (M2) radar, ground-truthing, and agency coordination at Point Conception SMR.	The petition states that there is high vessel activity in the remote Pt. Conception SMR, which is a challenge for enforcement, and that M2 radar monitoring system may help address enforcement challenges.	**Support, with alternative pathway.** Monitoring and enforcement are essential components of managing the MPA Network. CDFW values M2 monitoring and supports the collaborative use of resources to continue to support its use in the MPA Network. This proposed action would not require a change to the MPA regulations to implement and was not evaluated further.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-18MPA_3 At Kashtayit SMCA, simplify take regulations to: "Recreational take of finfish, invertebrates ~~(except rock scallops and mussels)~~, and giant kelp ~~by hand harvest~~ is allowed."	The petition states that, "[local stakeholders] (including enforcement partners) report visitors, along with those working to improve compliance, have difficulty interpreting the existing regulatory language for the SMCA due to its length and parenthetical exceptions."	**Deny.** The proposed change would change the intent of the regulations and reduce protections for giant kelp, rock scallops, and mussels, which were intentionally added in the Marine Life Protection Act (MLPA) Initiative planning process for Kashtayit SMCA. The proposed change does not advance adaptive management recommendations from the Decadal Management Review and does not address a current or emerging MPA management challenge, including an enforcement challenge.
2023-18MPA_4 Change color of No-take Campus Point SMCA from purple to red on maps	The petition states that depicting this No-take SMCA in red, consistent with SMRs, is likely a clearer indication that the MPA is a No-take area.	**Support, with alternative pathway.** Outreach and education are essential components of MPA management. This proposed action was in Bin 1, and the California Fish and Game Commission (CFGC) supported it with an alternative pathway. Please see the memo regarding the status of implementation. This proposed action would not require a change to the MPA regulations to implement and was not evaluated further.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-18MPA_5 Eliminate pinniped special closure at San Miguel Island	The petition states that strong and stable pinniped populations negate the continued need for the Special Closure.	**Deny.** The proposal to abolish the San Miguel Island and Anacapa Island Special Closures and to reduce the size of the California brown pelican fledgling area within the Anacapa Island Special Closure does not address a current MPA management challenge and would conflict with the original intent of these protections. These areas were established prior to MPA implementation in the northern Channel Islands to safeguard highly sensitive seabird and pinniped populations. Given ongoing sensitivity of these animals to human disturbance and natural population fluctuations, there is a continued need for these special closures.
2023-18MPA_6 Reduce the size of the brown pelican Anacapa Island Special Closure regulations to allow boat access to Frenchy's Cove	The petition states that boundaries of the brown pelican fledgling area of Anacapa Island Special Closure interfere with the intended allowance for boat landing at Frenchy's Cove.	**Deny.** See 2023-18MPA_5.

Petition Action ID and Proposed Action	Petitioner's Stated Rationale and Brief Justification for Proposed Actions	CDFW Recommendation and Brief Justification
2023-18MPA_7 Reassess and consider removing the following special closure at Anacapa Island: "No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands"	The petition states that the overlapping conservation zones are visually confusing and the broader full island seabird closure is based on depth along a steep, cliffside seabed area that is difficult to comply with and enforce.	**Deny.** See 2023-18MPA_5.

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 tribes[1] (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.

Tribal Components Questions	Answer and Explanation
Was the petition submitted by a California Native American tribe, representative designated by a tribe or tribal organization, or have a tribal co-sponsor? 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? 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).	No, this petition was not submitted by a tribe or representative designated by a tribe and does not have a tribal co-sponsor.

[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.

IV. PETITION EVALUATION

EVALUATION NARRATIVE AND OVERVIEW FOR 2023-18MPA_1 VANDENBERG SMR PARTIAL RECLASSIFICATION TO AN SMCA

The petitioner requests that an alongshore strip of the Vandenberg State Marine Reserve (SMR) on the central coast be redesignated to a State Marine Conservation (SMCA) to allow shore-based hook-and-line fishing for finfish. The request is framed as a partial reclassification intended to address concerns related to, "the SMR restrictions not being applied to Vandenberg Space Force Base (SFB) personnel and dependents, in contrast to non-military residents at nearby Surf Beach who must comply." The Vandenberg SMR is adjacent to Vandenberg SFB, and much of the shoreline abutting the SMR lies within or immediately adjacent to base property. The petitioner states that, "the concern could be addressed through equally enforcing no-take regulations throughout this SMR, but that such enforcement may be infeasible." The petitioner proposes that establishing a 100-meter zone inshore of the existing SMR that allows hook-and-line fishing for finfish along the coastal dimension of the existing MPA would allow regulations to be enforced more equitably across military and civilian populations.

In addition to this petition, CFGC received a similar petition in 2022 (2022-04) from the City of Lompoc, which neighbors Vandenberg SFB and SMR. That petition was deferred pending completion of the Decadal Management Review (DMR). Petition 2022-04 requests that a half-mile onshore portion of the Vandenberg SMR at Surf Beach be redesignated to an SMCA to allow recreational shore fishing, including allowing take of "Sand Perch and/or similar species and take of Sand Crabs" for bait. The petition from the City of Lompoc states that, "[Implementation of Vandenberg SMR] has placed a great hardship upon the City, in terms of family subsistence, as well as creating a negative financial impact on the City of Lompoc due to a reduction in tourism related revenues." The City further states that Surf Beach previously provided a low- or no-cost recreational activity.

Due to the similar nature of these two proposed changes to Vandenberg SMR, CDFW evaluated petition 2022-04 (proposed Surf Beach SMCA) alongside the 2023-18MPA (proposed onshore strip SMCA).

CDFW finds the proposals in both petitions:

- Are inconsistent with the goals of the Vandenberg SMR, as defined during the MLPA Initiative planning process,
- Do not align with the original intent of the MPA,
- Do not address a current or emerging MPA management challenge, and
- Would not advance management of the MPA Network.

Both proposed changes, the shoreline ribbon SMCA and the Surf Beach SMCA, are inconsistent with the goals Vandenberg SMR was designed to meet during the MLPA Initiative planning process. These goals, which remain relevant today, include to:

> *"Provide for complete protection of a diverse area containing shallow hard and soft habitats, kelp beds, and associated fish and invertebrate, while benefiting from protection provided by an existing state marine reserve and restrictions on vessel traffic, including fishing vessels, due to the presence of Vandenberg Air Force Base. This area is important to the formation of an ecologically sound MPA Network component, by linking these habitats to similar habitats in other parts of the region."*

Vandenberg SMR was designed to replicate sandy beach, rocky intertidal, and shallow hard and soft bottom habitats within an SMR (Goal 4) and enhance the reproductive capacity of nearshore and midwater fish and invertebrate species (Goal 2); the lee of Point Arguello is likely larval retention area (Ohashi and Wang 2004, White et al. 2019).

Vandenberg SMR, like other SMRs, serves as a core component, or "backbone," of the state's ecologically connected MPA Network. Redesignating any portion of this SMR to an SCMA would result in the MPA no longer meeting Science Advisory Team (SAT) criteria for a backbone MPA (i.e., a habitat replicate). SAT guidelines require that MPAs that contribute to habitat replication be at least 9 square miles in area and have at least a Moderate-high level of protection (LOP). Allowing shore-based hook-and-line fishing would reduce the LOP of that area to Moderate-low. While the remaining portion of Vandenberg SMR would maintain an LOP of Very High, it would no longer contribute to replication goals of key nearshore habitats. Therefore, this proposed change would create a gap between hard and soft bottom (0-30 m) nearshore habitat replicate MPAs, as without replication at Vandenberg SMR, the spacing between replicate MPAs would exceed 62 mile SAT guidelines. As a result, both proposed options would result in the nearshore portion of the MPA losing status as a habitat replicate, which has the potential to compromise ecological connectivity objectives for the MPA Network and the overall Network design (see response to Question 9 for additional information).

The petitions would also increase regulatory complexity in an area that already presents enforcement challenges, thereby increasing the likelihood of non-compliance with both state and federal regulations. In addition to there being no public access along the portion of beach within the military base, there are two species in the area facing threats from habitat loss and human disturbance. Southern California steelhead (*Oncorhynchus mykiss*) is listed as Endangered (NMFS 1997), and western snowy plover (*Anarhynchus*

nivosus[2]) is listed as Threatened (USFWS 1993) under the federal Endangered Species Act (ESA). Southern California steelhead was also listed as Endangered in 2024 under the California Endangered Species Act (CESA). Vandenberg SMR protects the mouth of the Santa Ynez River, a historically significant spawning and nursery area for Southern California steelhead that once supported the largest steelhead run in southern California (Busby et al. 1996). MPAs near river mouths provide important benefits for steelhead where they aggregate prior to upstream spawning (Simenstad & Cordell 2000). Reducing protections alongshore could adversely affect returning steelhead and ongoing steelhead restoration efforts. In addition, seasonal closures are in place on the beach and dunes to protect snowy plovers, including a seven-month closure from March through the end of September that restricts public access to the north and south of Surf Beach. This area is also highly frequented by white shark (*Carcharodon carcharias*), which are fully protected in California waters. As such, granting either proposal would likely require additional regulatory language to restrict gear types and shore-based shark fishing to limit white shark fishery interactions. Thus, the proposed changes to partially redesignate Vandenberg SMR are anticipated to present enforcement feasibility challenges due to increasing regulatory complexity and the introduction of potential conflicts with steelhead and snowy plover restoration and recovery efforts.

Petition 2022-04 would present further enforcement challenges because the western snowy plover closure boundaries are temporary and can move from year to year; there are large, dynamic dunes that limit the visibility of any landmarks, and the dunes are not conducive to installation of permanent signage. Consequently, there are no prominent, permanent landmarks or geological features to utilize for boundaries for a SMCA at Surf Beach. The lack of visual boundaries for shore-based fishers would limit public understanding and increase enforcement challenges. The requested take allowance of, "Sand Perch and/or similar species and take of sand crabs" to use for bait would increase regulatory complexity and enforcement burden. For example, allowing take of sand crabs would allow digging that could disguise take of other invertebrates such as Pismo clams, making it difficult to gauge compliance at a distance.

Given all of these considerations, redesignation of any portion of Vandenberg SMR as an SMCA to allow shore fishing would require compelling evidence of need. Petition 2023-18MPA states the need for the proposed change is because the SMR restrictions are only being enforced for non-military personnel and are not being applied to Vandenberg Space Force personnel and dependents. CDFW's Marine Enforcement District (MED) currently enforces the regulations at Vandenberg SMR regardless of an individual's

[2] This is the updated scientific name for western snowy plover; however, the U.S. Fish and Wildlife Service has continued to use the scientific name *Charadrius nivosus nivosus* for the listed entity until publication of a rule revising the name on the list of endangered and threatened species.

affiliation with the Space Force, and communicates this to enforcement partners. Although the petitioner asserts a shoreline ribbon would, "improve equitable access" for non-military personnel to fish, the change would not result in equitable fishing access because most of the proposed shoreline ribbon lies within Vandenberg SFB and would still be inaccessible to the public. The change in Petition 2023-18MPA would provide increased access to shore fishing for finfish for both military personnel and the public specifically at Surf Beach (a stretch of approximately 0.5 miles), which would be open year-round to fish. Outside of snowy plover nesting season, the public would be able to access slightly more of the beach area near the base (e.g., Ocean Beach) in addition to Surf Beach, but would still be limited in beach access because of the base boundaries to the north and south. Redesignating only the Surf Beach portion of the SMR as an SMCA (as requested in Petition 2022-04) would provide the public and base personnel equal access to shore fishing. Surf Beach is adjacent to the base and is approximately nine miles from the City of Lompoc and has lower barriers to access than other nearby beaches; it has free parking, does not require base access, and is not subject to seasonal snowy plover closures.

CDFW carefully considered the statements in the City of Lompoc's petitions, including that, "the City of Lompoc is a regionally isolated community and is also recognized as a disadvantaged community," and that opening Surf Beach, "would allow for families to once again fish for subsistence." Considering Vandenberg SMR, the closest accessible areas to Vandenberg SFB and the City of Lompoc where fishing is allowed are Rancho Guadalupe Dunes Preserve to the north and Jalama Beach County Park to the south, which are accessible by car but are 35 and 20 miles away respectively (Patsch and Reineman 2023). Although there are recreational opportunities within Vandenberg SMR, fishing is prohibited. Given the limited information in the petition, the data readily available to CDFW, and the evaluation timeline, CDFW was unable to determine whether Vandenberg SMR is affecting access to subsistence fishing for a historically marginalized or underserved community (see response to Question 14 in Attachment 1). One of the Justice, Equity, Diversity, and Inclusion recommendations of the DMR is to, "Evaluate the accessibility of MPAs to various community groups." This evaluation could include an assessment of the communities near the City of Lompoc, identify potential regional equity and access issues in the MPA Network, and identify potential solutions. This evaluation was not feasible within the constraints of the petition evaluation process and implementing a site-specific redesignation without this assessment would be premature.

In summary, changes to California's MPA Network are subject to a deliberately high threshold, reflecting the Network's science-based design, its long-term conservation objectives, and the need to maintain ecological connectivity and consistency across regions., This threshold is particularly high for SMRs due to the their critical role as a

backbones of the MPA network through their contribution to habitat replication and connectivity and for protecting sensitive species and habitats. As documented above, any redesignation of this SMR would require compelling justification and evidence that the proposed change would advance the goals of the MPA Network while avoiding adverse ecological, enforcement, and equity outcomes. CDFW's evaluation did not find compelling justification and evidence to warrant recommending granting either petition's proposal.

RECOMMENDATION FOR 2023-18MPA_1

Given these considerations, and the information in the evaluation below, **CDFW recommends CFGC DENY**:

- Petition action **2023-18MPA_1**, Redesignate a portion of Vandenberg SMR to create a narrow SMCA alongshore for the entire length of Vandenberg SMR that allows recreational shore fishing for finfish by hook-and-line, and
- Petition **2022-04**, Redesignate a portion of Vandenberg SMR at Surf Beach to an SMCA that allows recreational shore fishing.

EVALUATION NARRATIVE FOR 2023-18MPA_2 PROVIDE CONTINUED SUPPORT FOR MARINE MONITOR (M2) RADAR, GROUND-TRUTHING, AND AGENCY COORDINATION AT POINT CONCEPTION SMR

The petition states that there is high vessel activity in the remote Pt. Conception SMR, which is a challenge for enforcement, and that M2 radar monitoring system may help address enforcement challenges. Monitoring and enforcement are essential components of managing the MPA Network. CDFW supports non-regulatory measures to address illegal fishing, including enhanced surveillance tools like M2 radar, to reduce unintentional noncompliance, and ensuring sufficient resources for enforcement. However, implementing this proposed action would not require a change to the MPA regulations.

RECOMMENDATION FOR 2023-18MPA_2

Given these considerations, the proposed change was not evaluated further and, **CDFW recommends CFGC support the petition action 2023-18MPA_2 with an alternative pathway**.

EVALUATION NARRATIVE FOR 2023-18MPA_3 KASHTAYIT TAKE CHANGE

The petitioner has requested to change the take regulations for Kashtayit State Marine Conservation Area (SMCA) to: "Recreational take of finfish, invertebrates ~~(except rock scallops and mussels)~~, and giant kelp (*Macrocystis pyrifera*) ~~by hand harvest~~ is allowed."

The petitioner seeks this change to enhance clarity and understanding of the regulations because, "[local stakeholders] (including enforcement partners) report visitors, along with those working to improve compliance, have difficulty interpreting the existing regulatory language for the SMCA due to its length and parenthetical exceptions."

CDFW finds the proposed change:

- Is inconsistent with the goals of the Kashtayit SMCA, as defined during the MLPA Initiative planning process,
- Does not align with the original intent of the MPA,
- Does not address a current or emerging MPA management challenge, and
- Would not advance management of the MPA Network.

The proposed change would simplify the regulations, but it would also change the intent of the regulations and eliminate provisions that are in place to protect giant kelp, rock scallops and mussels, and habitat in this MPA. Minimizing take of these species to protect their local abundance and their role in the ecosystem was an intentional choice at the time the MPA was designed. The Kashtayit SMCA was intended to allow low-impact recreational take, especially take in line with traditional Chumash practices (MLPA 2009a).

During the MLPA Design Process, the Blue Ribbon Task Force (BRTF) intentionally excluded take of rock scallops and mussels from the list of allowed invertebrates and limited take of giant kelp to recreational harvest by hand. This alternative was supported by the South Coast Regional Stakeholder Group and subsequently adopted by CFGC. The exclusion of rock scallops and mussels was an intentional decision to protect the local abundance of these species as well as their ecosystem service as habitat-forming species. Mussels and giant kelp create physical structure which provides habitat for other species (Cameron et al. 2024, Teagle et al. 2017). People harvesting rock scallops and mussels can also use tools that damage the substrate during harvest, which can result in permanent habitat loss (CDFG 2001, MLPA 2010). For these reasons, the BRTF recommended the alternative excluding rock scallops and mussels from the allowed take at Kashtayit SMCA.

The BRTF also considered options for commercial and recreational take, and the methods for take of giant kelp (hand harvest and mechanical harvest) when developing

recommendations for the regulations throughout the MPA Network. The decision to only allow recreational take of giant kelp by hand harvest in Kashtayit SMCA was intentional. Hand harvest of giant kelp removes smaller patches of giant kelp canopy at or near the surface compared to mechanical harvest. Mechanical harvest of giant kelp significantly alters the abundance of giant kelp relative to hand harvest, by removing large amounts of giant kelp canopy to a depth of approximately four feet, which can remove important canopy habitat and alter kelp forest communities (MLPA 2009b, MLPA 2010). Although it is unlikely that a recreational user would choose to mechanically harvest kelp given the current harvest regulations (10 pounds wet weight, tit 14 Cal. Code Regs. § 30.00), the proposed change would allow for mechanical kelp harvest in Kashtayit SMCA, which conflicts with the original intent of the MPA.

Additionally, the proposed change would make the Kashtayit SMCA regulations inconsistent with all other instances of recreational kelp harvest as an allowed use in the MPA regulations, which specify, "by hand" or "hand harvest." Mechanical harvest is associated with commercial kelp harvest in the MPA regulations and there are additional provisions in the commercial kelp harvest regulations (tit 14 Cal. Code Regs. § 165 and § 165.5) associated with mechanical harvest. It is likely the recreational bag limit for kelp harvest would serve as a de facto limit on the harvest method to hand only. However, would result in inconsistencies with all other allowances for recreational take of kelp in the MPA regulations, which could lead to confusion and enforcement challenges.

CDFW did not find information to support that the current regulations cause an enforcement challenge at Kashtayit SMCA or that the proposed change would address an MPA management challenge or would benefit the MPA or the MPA Network. Although the proposed change would simplify the regulations, there is no information to justify removing the existing protections for giant kelp or rock scallops and mussels from Kashtayit SMCA. Improving signage and outreach efforts for the current regulations could be just as effective, or more effective, than a regulatory change.

RECOMMENDATION FOR 2023-18MPA_3

Given these considerations, and the information in the evaluation below, **CDFW recommends CFGC DENY the petition action 2023-18MPA_3**:

- Simplify take regulations at Kashtayit SMCA to: "Recreational take of finfish, invertebrates ~~(except rock scallops and mussels)~~, and giant kelp ~~by hand harvest~~ is allowed."

EVALUATION NARRATIVE FOR 2023-18MPA_4 CHANGE COLOR OF NO-TAKE CAMPUS POINT SMCA FROM PURPLE TO RED ON MAPS

The petition states that depicting this No-take SMCA in red, consistent with SMRs, is likely a clearer indication that the MPA is a No-take area. Outreach and education are essential components of MPA management. This proposed action was in Bin 1, and CFGC supported it with an alternative pathway (CDFW 2025). This proposed action would not require a change to the MPA regulations to implement.

RECOMMENDATION FOR 2023-18MPA_4

Given these considerations, the petition action was not evaluated further and **CDFW recommends CFGC support petition action 2023-18MPA_4 with an alternative pathway.**

EVALUATION NARRATIVE FOR 2023-18MPA_5-7 SPECIAL CLOSURES

The petitioner has requested (1) the removal of San Miguel Island Special Closure, (2) the reduction in size of the brown pelican (*Pelecanus occidentalis*) fledgling area of Anacapa Island Special Closure, and (3) the removal of the Anacapa Island Special Closure, all within the Channel Islands National Marine Sanctuary. The petitioner states, "with a NMFS marine mammal station equipped with M2 radar onsite and large, stable pinniped populations present in this zone…consider whether the Special Closure remains a necessary sub-component of MPA design." The petitioner additionally states the boundary of the brown pelican fledgling area of the Anacapa Island Special Closure, "has interfered with the intended allowance for vessels to land safely at Frenchy's Cove," and that the Anacapa Island Special Closure, as a whole, "is based on depth along a steep, cliffside seabed area that is difficult to comply with and enforce." The petitioner states that, "given the extensive MPA and closure complex established to protect marine life including seabirds," the Anacapa Island Special Closure is not needed. However, given the information provided, the petitioner's stated solutions could not be substantiated as relevant or necessary, and CDFWs' evaluation finds the proposed change:

- Is inconsistent with the intent of these special closures, as defined during the Northern Channel Islands MPA planning process and subsequent MLPA Initiative planning process,
- Does not address a current or emerging MPA management challenge, and
- Would not advance management of the MPA Network.

Before the Northern Channel Islands MPA planning process, protections for birds and pinnipeds in these areas were already in place in the form of ecological reserves. During

the Northern Channel Islands MPA planning process, these special closures were intentionally designed to provide additional spatial protections in areas where specific wildlife species were highly vulnerable to disturbance. Around the Channel Islands, these closures serve a targeted conservation purpose beyond the broader protections of the MPA Network. Frenchy's Cove is a popular recreational and fishing destination on the western islet of Anacapa Island that includes a small beach and tidepools and is situated within both the island-wide nearshore Anacapa Special Closure and the larger Anacapa SMCA. Anacapa Island Special Closure, which prohibits the use of nets or traps within waters less than 20 feet deep around the island, was established primarily to protect feeding and roosting seabirds, including the California brown pelican. Within Anacapa Island Special Closure is the brown pelican fledgling area, designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island, including Frenchy's Cove. The west and east borders of the brown pelican fledgling area are the west end of the beach at Frenchy's Cove and Portuguese Rock, which is approximately 0.8 miles to the east of the beach. The area prohibits public entry into the area from January 1 through October 31 to protect nesting birds, nests, and fledglings during brown pelican nesting season. Similarly, the San Miguel Island Special Closure provides critical protection for pinniped haul-out and breeding sites, one of the few such pinniped-focused closures in California. Subsequent to the Northern Channel Island MPA planning process, and during the MLPA Initiative planning process in the South Coast Region, these two special closures were left unchanged. Since that time, NOAA Sanctuaries has not indicated a change of intent regarding the protection status of these areas.

Pinniped populations at San Miguel Island fluctuate naturally due to factors such as domoic acid exposure and shifts in prey distribution. Given this variability, maintaining consistent spatial protections remains important to reduce human-related stressors that can compound natural population pressures. Although California sea lion populations have increased from historical lows (Carretta et al. 2019), current evidence does not demonstrate that pinnipeds at San Miguel Island, nor nesting seabirds at Anacapa Island, no longer require the protections provided by existing seasonal closures. The Channel Islands National Marine Sanctuary Condition Report (ONMS 2019) states that many living resources around the northern Channel Islands have shown stabilization or improvement since 2009. Making large changes to these areas may compromise this trend. At the time of the Northern Channel Islands MPA planning process, six species of pinnipeds were documented as having historically occurred in the northern Channel Islands, including four Otarids and two Phocids; two species, Steller sea lion (*Eumetopias jubata*), and Guadalupe fur seal (*Arctocephalus townsendi*) were identified as having occurred in the Sanctuary and were listed as threatened under the Endangered Species Act (NMFS 1985, 1990). Currently, the western distinct population segment of Steller sea lion is listed under the ESA as endangered and Guadalupe fur seal is listed under the ESA

as threatened. Thus, the protection offered to these and other pinnipeds by the San Miguel Special Closure remains relevant today.

Similarly, at the time of the Northern Channel Islands MPA planning process, the California brown pelican was listed as endangered the federal and California Endangered Species Acts. The California brown pelican's delisting under both acts in the late 2000s was followed by a period of prey scarcity and associated die-offs, underscoring the ongoing fragility of this species. The petitioner asserts that reducing the brown pelican closure at Anacapa Island to allow boat access to Frenchy's Cove reflects, "Regional Stakeholder Group (RSG) intent." However, no documentation has been provided to substantiate this claim, nor is such intent reflected in the historical MLPA record. It is important to clarify that seasonal boat access to Frenchy's Cove Beach in December and November on the west side of the cove was approved during the MLPA Initiative planning process and remains in effect today. Nesting and roosting seabirds are highly sensitive to human disturbance. The presence of vessels, as well as associated noise, lights, and fishing activity, can disrupt essential behaviors such as feeding, resting, or breeding (Wright et al. 2007). Brown pelicans are especially vulnerable to disturbance during the nesting season and depend on access to forage fishes like Pacific sardine (*Sardinops sagax*) and Northern anchovy (*Engraulis mordax*). Given that California brown pelicans are extremely sensitive to human disturbance and that their population dynamics are closely tied to fluctuations in forage fish prey availability and broader oceanic conditions, the protection offered by the Anacapa Island Special Closures are still relevant today.

The petitioner asserts that the eastern boundary of Anacapa Island Special Closure for brown pelican fledglings was intended by the Regional Stakeholder Group to allow boater access to a beach that is currently within the special closure. The public currently has access to the beach at Frenchy's Cove from the north seasonally for the months of November and December. Anacapa Island Special Closure has historically protected pelican fledglings since before CFGC adopted the Channel Islands MPAs in 2002. In the 2002 rulemaking, the eastern boundary of the Anacapa Island Special Closure was generally described as 345° magnetic off the western edge of Frenchy's Cove. In 2005, CFGC adopted a regulatory cleanup package where the Special Closure's language was moved from being within the specific MPAs sub-section to its own sub-section and the Special Closure received discrete coordinates for the boundaries. The eastern boundary of the Anacapa Island Special Closure aligned with the two MPAs at Anacapa Island via a line extending 000° True off the western edge of Frenchy's Cove (34° 00.4' N. lat. 119° 24.6' W. long., CFGC 2002a). During the MLPA planning process, the rulemaking made the boundaries more precise by including two additional decimal places (which defined the eastern boundary at 119° 24.600'). In 2015, CFGC adopted a rulemaking package that included additional boundary cleanups for the MPA Network, and they did not identify the

need to further adjust the boundary (CDFW 2015). The current boundaries, including the eastern boundary, align with the SAT guidelines, and are where they were intended to be. Any modification to these closures would require close coordination and agreement with federal partners, including agencies responsible for managing federally protected and listed species. Reducing protections at this time would be inconsistent with federal and state conservation mandates and ongoing collaborative efforts to safeguard vulnerable wildlife populations. The consequences of further boundary changes (e.g., negative impacts to pelicans and pinnipeds, public understanding, compliance, and enforcement) outweigh any potential benefits from improving public access.

RECOMMENDATION FOR 2023-18MPA_5, _6, and _7

Given these considerations, and the information in the evaluation below, **CDFW recommends CFGC DENY proposed actions:**

- **2023-18MPA_5**, Eliminate pinniped special closure at San Miguel Island,
- **2023-18MPA_6**, Reduce the size of the brown pelican Anacapa Island Special Closure regulations to allow boat access to Frenchy's Cove, and
- **2023-18MPA_7**, Reassess and consider removing the following special closure at Anacapa Island: "No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands"

EVALUATION QUESTIONS

2023-18MPA_1: REDESIGNATE A PORTION OF VANDENBERG SMR TO CREATE A NARROW SMCA ALONGSHORE FOR THE ENTIRE LENGTH OF VANDENBERG SMR THAT ALLOWS RECREATIONAL SHORE FISHING FOR FINFISH BY HOOK-AND-LINE.

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?

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 Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning Network that was designed to holistically address the MLPA Goals. 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 proposed changes (petition 2023-18MPA_1 and 2022-04) do not support the MPA Network in meeting MLPA Goals, do not align with the MPA Master Plan adaptive management objectives, and thus do not advance management of the MPA Network. Vandenberg SMR was designed to meet MLPA Goals 1, 2, 3, 4, and 5.

The proposed changes in petitions 2023-18MPA and 2022-04 to redesignate a portion of this SMR to an SMCA to allow recreational take of fish is inconsistent with the goals of this MPA as defined during the MLPA MPA planning process and presented to CFGC when the resulting MPAs were adopted into regulation. These goals in part include: to "Protect area with high marine bird, marine mammal, fish, and invertebrate species diversity and abundance," to "protect natural age and size structure of Nearshore Fishery Management Plan species which occur within the central coast," to "protect ecosystem structure and functions in representative shallow habitat in southern end of central coast," to "help protect marine bird and marine mammal species of concern by protecting forage base adjacent to colonies and rookeries," and to "replicate with a state marine reserve the same range of habitats found at fished sites at Point Sal."

Granting this petition to redesignate a portion of this SMR would interfere with Vandenberg SMR's ability to meet these goals. Allowing take of finfish in a sandy beach habitat would cause the natural structure and function of the population of those fishes at the site to not be preserved. Both proposed options would result in the portion of the MPA the petitioners wish to redesignate having its LOP reduced from the current Very High to Moderate-low, which would result in this MPA losing its status as a habitat replicate for key nearshore habitats. The changes to the MPA would change the design, which could interfere with larval connectivity, particularly as the lee of Point Arguello (where Vandenberg SMR is located), is a likely larval retention area (Ohashi and Wang 2004, White et al. 2019). Furthermore, Vandenberg SMR protects the mouth of the Santa Ynez River, a historically significant spawning and nursery area for Southern California steelhead (Busby et al. 1996), which once supported the largest steelhead run in Southern California. MPAs near river mouths can provide important benefits for steelhead where they aggregate prior to upstream spawning (Simenstad & Cordell 2000).

Although redesignating a portion of Vandenberg SMR at Surf Beach to allow shore-based hook-and-line fishing aligns with MLPA Goal 3, "Improve recreational, educational and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity," this SMR was already designed to meet Goal 3 by improving study opportunities. It was designed to encompass an existing PISCO monitoring site, a Multi-

Agency Rocky Intertidal Network (MARINe) monitoring site, and a Point Blue Conservation Science study site, and was designed to serve as an unfished reference location (i.e., same range of habitats) to fished sites at Point Sal (MLPA 2006a).

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

No. The proposed changes (2023-18MPA_1 and 2022-04) do not advance adaptive management recommendations from the Decadal Management Review (DMR). See Question 2a of Attachment 1 for the Decadal Management Review and adaptive management Recommendations.

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

No. The creation of an alongshore ribbon SMCA or Surf Beach SMCA would create MPA management challenges, such as enforcement challenges (see Question 11), and compromise network connectivity (see Question 9).

Both petitioners state that the proposed changes would benefit equity of access to coastal resources in this area. Advancing justice, equity, diversity, and inclusion is a priority for CDFW and is beneficial for adaptively managing the MPA Network. Petition 2023-18MPA_1 asserts that the proposed changes would result in equitable access to shore fishing because the regulations are not currently being enforced consistently for military and non-military personnel. However, CDFW MED enforces the Vandenberg SMR regulations regardless of affiliation with Vandenberg SFB or other facets of the military. Redesignating an alongshore ribbon of this SMR, as proposed in 2023-18MPA_1, would not increase equitable access to the area because most of the alongshore ribbon is contained within the Vandenberg SFB, which is not accessible to the public.

In Petition 2022-04, the City of Lompoc states, "the City of Lompoc is a regionally isolated community and is also recognized as a disadvantaged community," and that opening Surf Beach "would allow for families to once again fish for subsistence." Redesignating the Surf Beach portion of Vandenberg SMR to an SMCA, as proposed by Petition 2022-04, would create an SMCA that could be equally accessed by base personnel and the public. However, based on the information available, CDFW was not able to determine whether the proposed change would advance justice or equitable access to fishing for a disadvantaged community (see Question 14). The outcomes from completing DMR recommendation 8, "Evaluate the accessibility of MPAs to various community

groups," could help address this question. However, CDFW has not started working on this DMR recommendation.

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)?

No. CDFW does not anticipate that CFGC would need to make conforming changes to other regulations, permits, or leases in response to the proposed change to these MPA regulations.

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. Vandenberg SFB enforces annual seasonal restrictions and partial closures at Surf, Wall, and Minuteman beaches to protect the threatened western snowy plover during its nesting season (7 months, March 1 through Sept. 30, U.S. Space Force n.d.a., n.d.b.). The closures are federally mandated under the Endangered Species Act to protect the plover's nesting habitat and allow chicks to fledge. A section of Surf Beach usually remains open to the public, but visitors must stay out of posted, fenced-off nesting areas. Thus, both proposals would interact with this protection and have the potential to impact management activities.

NOAA Fisheries is responsible for implementing the Endangered Species Act for southern California steelhead. NOAA also collaborates with CDFW's Fisheries Branch on the California Monitoring Plan (Adams et al. 2011, Boughton et al. 2022). The California Monitoring Plan is designed to inform salmon and steelhead recovery, conservation, and management activities. The Santa Ynez River mouth, an historically important location for adult steelhead returning to spawn, is located within Vandenberg SMR just south of the Vandenberg SFB. Fishing is closed for steelhead in the Santa Ynez River. Opening shore-based hook-and-line fishing within Vandenberg SMR has the potential to interact with this protection (i.e., steelhead returning to spawn at the river mouth) and would introduce confounding factors into ongoing monitoring efforts. Southern California steelhead are listed as Endangered under the federal ESA and CESA.

In 2024, a 2019 State Water Resources Control Board order was upheld that required the U.S. Bureau of Reclamation (Reclamation) to study steelhead passage around Bradbury Dam on the Santa Ynez River. The order to comply with state law, which includes evaluating options like fish ladders, etc. to help steelhead access critical upstream spawning and rearing habitats, gave 24 months for Reclamation to complete the study. Opening shore-based hook-and-line fishing within Vandenberg SMR has the potential to

interact with adult steelhead returning to the river to spawn and the success of future upstream habitat restoration efforts.

Since the establishment of Vandenberg SMR, the Chumash Heritage National Marine Sanctuary was established, which encompasses the MPA. Any regulatory changes to Vandenberg SMR may require CFGC to consult with Sanctuary staff.

There are State Lands Commission leases and Bureau of Ocean Energy Management pipelines that overlap with this SMR, but we do not anticipate they would be affected by this proposed change, as they are related to offshore oil and gas activities.

County of Santa Barbara Parks Division manages portions of the beach and Ocean Park, a park on the shoreline at Surf Beach. County Rangers support enforcement of the snowy plover closures. They may experience impacts associated with increased visitation and may need additional resources to support management activities.

County of Santa Barbara Public Works maintains restroom and park structures at Surf Beach and Ocean Park. They may experience impacts associated with increased visitation and may need additional resources to support management activities.

Southern Pacific Railroad operates the Lompoc Surf Train Station, which is directly adjacent to surf beach, as well as the associated parking lot and leased area for the tracks.

If 2023-18MPA_1 is approved, a pathway to the beach would have to be created as currently there is no safe passage from Ocean Park to the beach, in part due to the train tracks. This would require coordination with many entities, including the Coastal Commission, Southern Pacific Railroad, County of Santa Barbara Parks Division, and County of Santa Barbara Public Works.

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. CDFW has adequate information to evaluate and make a recommendation on both proposals. When evaluating the petitions, CDFW reviewed the information in the petitions as well as information including but not limited to:

- The petition from the City of Lompoc, which speaks to the rationale for the proposed change,

- The location of Vandenberg Space Force Base and its annual beach closures (U.S. Space Force n.d.a. and n.d.b.),
- The California Coastal Access, Facilities, Amenities, and Parking Dashboard (Patsch and Reineman 2023),
- California Marine Life Protection Act Initiative Central Coast Project Side-by-Side Comparison of Proposed MPA Packages 1, 2R and 3R (MLPA 2006b), and
- CFGC Preferred Alternative for Implementation of the MLPA in the Central California Coast Region (MLPA 2006a).

Given the limited information in the petitions, the data readily available to CDFW, and the evaluation timeline, CDFW was unable to analyze determine whether Vandenberg SMR is affecting access to subsistence fishing for a historically marginalized or underserved community (See response to Question 14 in Attachment 1). One of the Justice, Equity, Diversity, and Inclusion recommendations of the DMR is to "Evaluate the accessibility of MPAs to various community groups." This evaluation could include an assessment of the communities near the City of Lompoc, identify potential regional equity and access issues in the MPA Network, and identify potential solutions. This evaluation was not feasible within the constraints of the petition evaluation process and implementing a site-specific redesignation without this assessment would be premature.

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

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change, including the foundational principles and information on the management of habitat and species present in the area of the MPA.

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

No. During the Central Coast MLPA Initiative planning process, the three alternatives designed by the Regional Stakeholder Group (RSG) maintained and expanded the pre-existing Vandenburg SMR into one SMR or two larger SMRs (MLPA 2006b). An SMCA that allowed recreational fishing within Vandenberg SMR was never considered; however, options 2R and 3R included two separate SMRs that were north and south of Surf Beach. Proposals 2R and 3R both protected the Santa Ynez river mouth, but they would have had an area in between them (including Surf Beach) where commercial and recreational fishing would have been permitted, including hook-and-line fishing from shore.

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 information that the petitioners cite as warranting reevaluation is:

- For 2023-18MPA_1: Inequitable enforcement of SMR regulations between base personnel and non-base personnel since the establishment of the SMR.
    - CDFW MED enforces Vandenberg SMR's regulations regardless of any individual's affiliation with Vandenberg SFB.
- For 2022-04: Loss of valuable opportunities to subsistence fish and recreate, and negative financial impacts to the community from loss of fishing tourism.
    - The petitioner states these impacts but does not include any data or supplemental information to validate this assertion. As stated above, one of the recommendations in the DMR is to "Evaluate the accessibility of MPAs to various community groups." This evaluation could include an assessment of the communities near the City of Lompoc, identify potential regional equity and access issues in the MPA Network, and identify potential solutions. This type of evaluation for the City of Lompoc was not feasible within the constraints of the petition evaluation process and implementing a site-specific redesignation without this assessment would be premature.

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?

No. Opening this area to take, as proposed by the petitioner or as proposed by the City of Lompoc in Petition 2022-04, conflicts with the intent of Vandenberg SMR. The MPA was designed as an SMR with the intent of meeting several Central Coast Regional Goals, all of which are still relevant today:

- Protect area with high marine bird, mammal, fish, and invertebrate species diversity and abundance. (Goal 1),
- Protect communities associated with an area that has unique oceanographic conditions in a transition zone near a biogeographical regional boundary, including sandy beach, rocky intertidal, kelp forest, and hard and soft bottom habitat, and near each other. (Goal 1),
- Protect natural age and size structure of CDFW Nearshore Fishery Management Plan species that occur within the central coast. (Goal 1),

- Protect trophic structure and food web in an area representative of shallow habitats south of Morro Bay. (Goal 1),
- Protect ecosystem structure and functions in representative shallow habitat in southern end of central coast. (Goal 1),
- Increase ecological benefits to an area containing a mosaic of shallow hard and soft bottom habitats through the expansion of an existing state marine reserve. (Goal 1),
- Help protect marine bird and marine mammal species of concern by protecting the forage base adjacent to colonies and rookeries. (Goal 2),
- Protect larval sources and enhance reproductive capacity of benthic fishes, invertebrates, and coastal pelagic finfish. (Goal 2),
- Establish a state marine reserve which encompasses an existing PISCO monitoring site, a Multi-Agency Intertidal Network (MARINe) monitoring site, and a Point Blue Conservation Science study site. (Goal 3),
- Replicate with a state marine reserve the same range of habitats found at fished sites at Point Sal. (Goal 3),
- Include and replicate within a state marine reserve sandy beach, rocky intertidal, and shallow hard and soft bottom habitats. (Goal 4), and
- Establish a state marine reserve that meets preferred Master Plan Framework scientific guidelines for size. (Goal 5).

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 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 science guidelines developed by the Science Advisory Team and 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 square miles 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. See Question 9 of Attachment 1 for the MPA Science Guidelines and additional context.

Only MPAs that encompass the full range of depths from 0-30 m are likely to include the complete suite of biodiversity associated with these nearshore habitats. For this reason, the SAT only considers those MPAs or MPA clusters that encompass the entire depth zone,

from the shoreline to 30 m depth, to contribute toward representation of nearshore habitats (0-30 m rock, 0-30 m soft bottom, and kelp) in the MPA Network. In cases where the 0-30 m depth zone is split across multiple MPAs with different levels of protection, these nearshore habitats are evaluated at the lowest LOP afforded within the 0-30 m depth zone. For example, shoreline or "ribbon" MPAs that confine uses to a narrow band along the shoreline may lower the LOP afforded to the shallowest portion of the 0-30 m depth zone and alter the unique marine communities specific to this depth zone. Furthermore, take activities allowed within the ribbon MPA may alter the abundances of species across the entire 0-30 m zone if the species utilize a range of depths either through movement of individuals or through seasonal or ontogenetic shifts in habitat use. Thus, in the case of an MPA configuration that includes an offshore MPA with a higher LOP and a nearshore ribbon MPA with a lower LOP, representation of nearshore (0-30 m) habitats will be assessed at the lower LOP assigned to the ribbon MPA.

Vandenberg SMR currently meets both minimum criteria and thus currently contributes to foundational ecological network objectives. It contributes to habitat replication for kelp, beach, rocky intertidal, hard substrate (0-30 m depth), and soft substrate (0-30 and 30-100 m depths) habitats. See Table 1 for more information on habitat in Vandenberg SMR.

Reclassifying the SMR's alongshore span (2023-18MPA_1) or a portion within the SMR (2022-04) to an SMCA to allow shore-based hook-and-line fishing would reduce the LOP of the redesignated portion of the MPA from Very High to Moderate-low. Additional take allowances (e.g., sand crab for bait) would further reduce the LOP. Both proposed changes would also decrease habitat replication and representation, increase spacing between habitat types (namely, kelp, beach, rocky intertidal, and hard and soft substrate from 0 to 30 m depth), and diminish the Network's overall ability to meet MLPA Goals.

Thus, granting either proposal has the potential to compromise Vandenberg SMR's ability to serve its intended function in the MPA Network. As such, implementation would not improve the design of this MPA or the MPA Network, nor would it enhance alignment with MPA science guidelines.

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

No. Both proposals (2023-18MPA_1 or 2022-04) would not align with Feasibility Guidelines related to Take Regulations, MPA Boundaries, MPA Types, Awkward Shapes and Wedges, and MPA Cluster Orientation. Non-adherence with these guidelines impacts enforceability. See Question 10a of Attachment 1 for CDFW Feasibility Guidelines.

This area is highly frequented by white shark (*Carcharodon carcharias*), which are fully protected in California waters. As such, granting either proposal may require additional regulatory language to restrict gear types and shore-based shark fishing to limit white shark fishery interactions. The requested take allowance of, "Sand Perch and/or similar species and take of sand crabs" to use for bait would also increase regulatory complexity. These could lead to conflict with feasibility criteria related to Take Regulations, which state that complex regulations such as "those which preclude some uses while allowing other uses that are very similar" or "those which include technical or complex prohibitions" should be avoided.

The offshore ribbon boundary requested in this petition (2023-18MPA_1) would conflict with guidance to avoid curved or undulating lines and not straight lines of latitude or longitude and to "avoid using depth contours and distance offshore." Additionally, a shore-based fishing allowance within an existing SMR conflicts with guidance that "take regulations proposed for an MPA should reflect the proposed MPA type." It also conflicts with "Multiple zoning" guidance that MPAs should avoid abrupt transitions from highly protected areas to areas of relatively little protection (i.e., Moderate-low or Low LOPs). Guidance on multiple zoning states, "Problems are likely to occur when confusing differences in regulations occur over small spatial areas. This can lead to unintentional infractions and can reduce public understanding," and "Three particular types of multiple zoning that should be avoided are the creation of "doughnut zones" [as proposed in Petition 2022-04], L-shaped MPAs, and "ribbons" [as proposed in Petition. 2023-18MPA]."

Finally, creating different regulations or classifications that share a boundary are referred to as a "cluster." Thus, both petition proposals would result in a cluster oriented east/west (or an east/west portion of the MPA), which conflicts with guidance to orient MPA clusters in an alongshore arrangement (stacked north/south).

> **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?
>
> **No.** There is no rationale for moving forward with either petition (2023-18MPA_1 or 2022-04) or an alternative.

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

No. The proposed changes in both petitions (i.e., Reclassifying all or part of the SMR's alongshore span to an SMCA that allows shore-based hook-and-line fishing) do not maintain or improve enforceability of these MPA regulations. The proposal in both petitions (2023-18MPA_1 and 2022-04) has the potential to increase complexity of

enforcement by having different MPA classifications with different regulations in close proximity.

Allowing take of "Sand Perch and/or similar species and take of Sand Crabs" as proposed by petition 2022-04 would increase enforcement burden. Allowing take of specific surf species but not other species of fish would increase enforcement burden as it would require CDFW MED to enforce specific individual behaviors. Allowing take of sand crabs would allow digging that could disguise take of other invertebrates such as Pismo clams, making it difficult to gauge compliance at a distance. Additionally, white shark, which are fully protected in California, frequent the area. Granting either petition would likely require additional regulatory language to restrict gear types and shore-based shark fishing to limit white shark fishery interactions, which could further add to enforcement complexity.

Both proposals have the potential to further complicate enforcement due to the lack of existing permanent onshore landmarks to inform boundaries at the site, including boundaries for Vandenberg SFB and the western snowy plover closure. This has the potential to increase unintentional noncompliance by users.

Finally, the two proposals deviate from several CDFW Feasibility Guidelines, which also could decrease enforceability of MPA regulations (see Question 10 for more information on the Feasibility guidelines and concerns related to regulatory complexity).

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

No. The proposal in both petitions (2023-18MPA_1 or 2022-04) would not simplify regulatory language or enhance public understanding, and both would change the intent of the MPA.

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

No. Petition 2023-18MPA_1 would reduce protection for marine resources by allowing shore-based hook-and-line fishing. Petition 2022-04 would reduce protection for marine resources by allowing take of "Sand Perch and/or similar species and take of Sand Crabs" for bait on a half-mile onshore portion of the Vandenberg SMR at Surf Beach. Either option would allow take in what is currently a No-take SMR and therefore lower the overall LOP from Very High to Moderate-low in that portion of the MPA (see Question 9 on how each proposal conflicts with MPA science guidelines).

Two species in the area, southern California steelhead and western snowy plover, are listed as Endangered and Threatened, respectively, under the federal Endangered Species Act. Southern California steelhead are also listed as Endangered under CESA. Both proposals have the potential to reduce protection and impact ongoing monitoring and restoration efforts for these sensitive species (see Question 4 for potential interactions with non-FGC management and activities). Additionally, white shark, which are fully protected in California, frequent the area. Granting either petition would likely introduce the potential for damage to white sharks via interactions with fishing gear and would require additional regulatory language to restrict gear types and shore-based shark fishing to limit white shark fishery interactions.

Redesignating the whole sandy beach portion of Vandenberg SMR would significantly reduce protections for the sandy beach ecosystem therein and also reduce replication for that type of ecosystem in the MPA Network. Additionally, redesignating the whole alongshore portion of Vandenberg SMR would include redesignating the area around the Santa Ynez River mouth, one of the ecological resources this MPA was designed to protect.

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?

Petition 2023-18MPA states that this proposed change would be for the purpose of equity and access. The City of Lompoc states in petition 2022-04 that their community is disadvantaged, and that access to no or low-cost opportunities to recreate and subsistence fish would benefit their community. CDFW reviewed available data and conducted and initial assessment, but there is a need to conduct a broader assessment to determine if the change would maintain or enhance access (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. Proposals in both petitions (2023-18MPA_1 and 2022-04) would allow recreational shore-based hook-and-line fishing in an MPA that is currently closed to all fishing. Consumptive use by recreational and/or subsistence anglers would be expected to increase, particularly for residents of Lompoc, given it is the closest city.

It is unknown if or how existing long-term MPA monitoring, a non-consumptive activity, would be affected.

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

See Question 16 of Attachment 1.

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

The proposed change would increase fishing access for the recreational fishing community, particularly for Lompoc residents (~9 mi from area of proposed change). However, impact to nearest fishing community port of Santa Barbara (located >50 mi from area of proposed change) is anticipated to be unlikely. See Question 17 of Attachment 1 for additional context on CFGC's response.

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

No. This petition does not directly interact with any other proposed changes in other 2023 MPA petitions. However, both petitions (2023-18MPA_1 and 2022-04) have potential to indirectly interact with 2023-28MPA, which proposes a new SMCA at Point Sal. That petition would create a protected area around the closest coastal access point north of Vandenberg SMR and Vandenberg SFB. The petitioner for that petition proposes an SMCA at Point Sal which would allow tribal take and recreational take of finfish by hook-and-line from shore. Additionally, one of Vandenberg SMR's objectives established during the Central Coast MLPA Initiative planning process was to "Replicate with a state marine reserve the same range of habitats found at fished sites at Point Sal."

2023-18MPA_3: AT KASHTAYIT SMCA, SIMPLIFY TAKE REGULATIONS TO: "RECREATIONAL TAKE OF FINFISH, INVERTEBRATES ~~(EXCEPT ROCK SCALLOPS AND MUSSELS)~~, AND GIANT KELP ~~BY HAND HARVEST~~ IS ALLOWED."

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?

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 Network were not necessarily designed to address all six Goals of the MLPA but instead act as an important component of a functioning 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.

This proposed change, to allow take of mussels and rock scallops and recreational mechanical harvest of giant kelp at Kashtayit SMCA, would not advance management of the MPA Network. The proposed change is inconsistent with the goals of these MPAs defined during the MLPA Initiative planning process and presented to CFGC when the resulting MPAs were adopted into regulation. This MPA was designed to meet MLPA Goals 3, 5, and 6. The proposed change would reduce this MPA's ability to meet some of those goals.

Changing these regulations would reduce the MPA's ability to meet MLPA Goal 3 because it would increase human disturbance and be inconsistent with protecting biodiversity. Mussels and giant kelp are structure-forming species that are important to the formation of marine ecosystems because the structures they form create secondary habitat for other species (Teagle et al. 2017, Cameron et al. 2024; MLPA 2010). Allowing or increasing take of mussels and giant kelp could reduce habitat availability for other species in the ecosystem, potentially reducing the biodiversity of the ecosystem.

The proposed change would also reduce the MPA's ability to meet MLPA Goal 5 as the MPA would no longer meet the clearly defined objectives established during the MLPA MPA design process. Kashtayit SMCA was intended to allow low-impact recreational take, especially take in line with traditional Chumash practices. The proposed change would increase the impact of take, which is inconsistent with this objective, and the intended goals of this MPA as designed in the planning process (MLPA, 2009a). Additionally, the proposed change to allow mechanical take in addition to hand harvest of giant kelp has an increased impact on the environment, as outlined in the MLPA (2009b).

The proposed change is not expected to affect the MPA's ability to meet MLPA Goal 6. Kashtayit SMCA does not currently meet size or protection thresholds to count towards network connectivity. This proposed change would not change that.

The proposed change would also conflict with the MPA Master Plan adaptive management objective to "Protect the structure and function of marine ecosystems." Increasing the take allowance and reducing protections for rock scallops and mussels and potentially giant kelp has the potential for impacts to the larger ecosystem. As mentioned above, mussels and giant kelp are structure-forming species that create habitat. Take of these species could lead to habitat loss due to damage to the physical environment during harvest or the loss of these species' function in the ecosystem as habitat-forming species. For example, take of scallops can damage substrate, as one

method of take requires prying them off the rock with an abalone iron (CDFG 2001). Therefore, allowing take would interfere with the structure and function of the ecosystem.

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

No. The change proposed in this petition does not advance any of the adaptive management recommendations in the Decadal Management Review. See Question 2a of Attachment 1 for the Decadal Management Review and adaptive management Recommendations.

> **QUESTION 2B:** IF NOT, DOES THE PROPOSED CHANGE ADDRESS A CURRENT OR EMERGING MPA MANAGEMENT CHALLENGE?
>
> **No.** The proposed change would not address a current or emerging MPA management challenge or advance management of the MPA Network. Although the proposal aims to simplify regulatory language, and clear understandable regulatory language is a goal of management, the ecological costs outweigh any potential benefits. Improving signage and outreach efforts for the current regulations could be just as effective, or more effective, than a regulatory change.

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. CFGC manages kelp harvest in the state and uses spatial units called Administrative Kelp Beds to track commercial kelp harvest. Kashtayit SMCA is located within the area designated as Administrative Kelp Bed 31. Two different commercial entities have a CFGC approved kelp harvest plan for mechanical harvest of giant kelp in Administrative Kelp Bed 31, but not within Kashtayit SMCA. While the change proposed, if granted, would technically allow either mechanical or hand harvest within Kashtayit SMCA, it would still be limited to recreational harvest of giant kelp and subject to current bag limits. Although it is unlikely recreational harvesters would use mechanical means given the current bag limit (10 pounds per person per day), the proposed change would theoretically allow for recreational mechanical harvest. Commercial harvest of giant kelp by hand or mechanical means would still be prohibited within Kashtayit SMCA. The proposed change would require additional outreach and coordination with commercial and recreational kelp harvesters to ensure the change in regulations is adequately understood.

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. This MPA is adjacent to Gaviota State Park. Any changes made to regulations in this area may require consultation or coordination with State Parks.

Since the establishment of this MPA, the Chumash Heritage National Marine Sanctuary was established, which encompasses this MPA. Any changes to this MPA may require consultation or coordination with sanctuary staff.

There is a State Lands Commission lease for the Gaviota Pier, but we do not anticipate that this proposed change would interact with that lease.

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?

No. CDFW has adequate information to evaluate and make a recommendation on this proposal. When evaluating this petition, CDFW reviewed the information in the petition as well as information including but not limited to:

- The MLPA designation documents, which indicate the intent behind the allowed activities in the Kashtayit SMCA (MLPA 2009a),
- Scientific research on the ecosystem role of mussels and kelp as ecosystem-forming species (Teagle et al. 2017, Cameron et al. 2024), and
- The intent of the designers of this MPA from the original MLPA planning process (MLPA 2009b, MLPA 2010).

The information in the petition and other information CDFW reviewed did not demonstrate that the proposed change is relevant to MPA adaptive management or that a change to the MPA regulations is warranted.

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

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change.

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. Prior to the establishment of Kashtayit SMCA, this area was Refugio SMCA,[3] which allowed among other things, recreational take of rock scallops and mussels. These changes to the Refugio SMCA language were considered by the BRTF, and vetted through the Regional Stakeholder Group, and the language was identified in the MLPA South Coast Integrated Preferred Alternative, which was adopted by CFGC for Kashtayit SMCA. During the MLPA planning process, the BRTF recommended an alternative to update the take allowances to protect the local abundance of rock scallops, mussels, and giant kelp, and exclude harvest of rock scallops and mussels because of the potential to damage the rocks or other substrate during harvest, which can alter community structure and result in permanent habitat loss. Additionally, the integrated preferred alternative included recreational take of giant kelp by hand. During the MLPA planning process, the BRTF carefully selected commercial or recreational take of kelp, and mechanical and/or hand harvest of kelp for each MPA based on the MPA-specific goals. The BRTF highlighted that mechanical harvest of giant kelp has greater impacts to kelp abundance, kelp canopy, and kelp ecosystems than hand harvest (MLPA 2009b). Every occurrence of recreational take of kelp in the MPA regulations specifies "by hand" or "hand harvest;" mechanical harvest of kelp is associated with commercial take in the MPA regulations and commercial kelp regulations (Cal. Code Regs. Section 165 and 165.5). The inclusion of "giant kelp by hand" in the Kashtayit SMCA regulations is intentional.

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. There is no new information that warrants reevaluation of the proposed change.

[3] Refugio SMCA: "Prohibits all recreational take except for chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels, worms, and finfish. Prohibits all commercial take except for algae (except giant kelp and bull kelp); crabs, ghost shrimp, jackknife clams, sea urchins, worms, and finfish."

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?

No. This proposed change does not align with the original intent of the MPA identified during the MLPA Initiative planning process. This MPA was intended to allow low-impact recreational take, especially take in line with traditional Chumash practices (MLPA 2009a). The proposed change would increase take allowance and reduce protections for rock scallops, mussels, and potentially giant kelp. The proposed change could lead to permanent habitat loss due to damage to the physical environment during harvest of rock scallops and mussels, which support the broader ecosystem as structure-forming species that create habitat for other species. Additionally, throughout the MPA regulations, "hand harvest" is specified for recreational take of Macrocystis. This was an intentional decision during the MLPA planning process. Although it is unlikely recreational harvesters would use mechanical harvest for the current 10 pound bag limit, the proposed change does not align with the original intent of the MPA and would introduce regulatory inconsistency in the MPA regulations. The proposed change would also increase impacts on the ecosystem and conflict with the low-impact take envisioned during the planning process.

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 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 science guidelines developed by the Science Advisory Team and 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 square miles 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. See Question 9 of Attachment 1 for the MPA Science Guidelines and additional context.

Kashtayit SMCA does not currently meet the minimum criteria for LOP or size. Because the proposal to change the regulations would not increase the size and would, in fact, decrease the LOP of this MPA, implementation would not enhance alignment with MLPA Science Guidelines. Rather, the proposed change would compromise the design of Kashtayit SMCA and would not improve the MPA Network design.

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

Yes. The Take Regulations section of the Feasibility Guidelines stipulates that complex regulations should be avoided, including those that preclude some uses while allowing other uses that are very similar. The change proposed in this petition may improve alignment with the Take Regulations section in the Feasibility Guidelines by reducing the complexity of the Kashtayit SMCA regulations. 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?
>
> **Not applicable.**

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

In general, reducing complexity of the take allowances in the MPA could improve enforceability after a period of outreach and education associated with the regulatory change. However, the proposed change would result in unique regulations for recreational kelp harvest in Kashtayit SMCA that would be inconsistent with all other recreational take of kelp in the MPA regulations, which may present an enforcement challenge.

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

No. Although the change proposed in this petition makes the regulatory language simpler, the simplifying change has a substantive effect. This would change the intent of the MPA by increasing types and methods of allowable take, which conflicts with the original intent.

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

No. The proposed change would reduce protection for marine resources by allowing take of resources which are currently protected, including rock scallops, mussels, and giant kelp. Furthermore, this change might have compounding effects on marine resources, as removal of habitat structure (damage caused to hard substrate when harvesting rock scallops and mussels), including biogenic habitat (removal of scallops, mussels, and giant kelp), affects community structure and function (Teagle et al. 2017, Cameron et al. 2024).

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. If granted, the proposed change would likely increase take of rock scallops and mussels in the SMCA.

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

See Question 16 of Attachment 1.

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

The proposed change attempts to reduce regulatory complexity for the recreational fishing community. This would advance the CFC policy commitment to "increasing understanding and compliance and reducing enforcement burdens." However, impact on a nearby coastal fishing community (Santa Barbara, ~20 nautical miles south from area of proposed change) is anticipated to be unlikely. See Question 17 of Attachment 1 for additional context on CFGC's response.

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

Yes. Petitions 2023-19MPA (SYBCI, Chitqawi) and 2023-20MPA (SYBCI, Point Buchon) are proposing to use current Kashtayit SMCA regulations and the tribal take exemption for Santa Ynez Band of Chumash Indians in new or amended MPAs.

2023-18MPA_5-7: ELIMINATE SAN MIGUEL ISLAND AND ANACAPA ISLAND SPECIAL CLOSURES, REDUCE THE SIZE OF THE BROWN PELICAN FLEDGLING AREA AT ANACAPA ISLAND

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?

Goals of the MLPA are specific to MPAs and do not apply to the MPA Network's special closures, which were areas adopted by CFGC and prohibit access or restrict boating

activities in waters adjacent to sea bird rookeries or marine mammal haul-out sites. While special closures are not MPAs, they do support MLPA Goals by protecting marine life, and the abolishment or reduction of these special closures would not contribute to the Goals of the MLPA. See Question 1 of Attachment 1 for the MLPA Goals and Master Plan objectives.

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

No. The proposed change does not advance adaptive management recommendations from the Decadal Management Review. See Question 2a of Attachment 1 for the Decadal Management Review and adaptive management Recommendations.

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

No. The proposed change does not address a current or emerging MPA management challenge. The petitioner's stated intent for the proposed changes is to remove protection for pinnipeds and seabirds, pointing to recovered pinniped populations and that Anacapa Island SMCA and SMR already provide protection for seabirds, making the closures unnecessary. However, the petition does not provide any evidence to indicate the special closures are unnecessary. Additionally, the petitioner asserts the original intent at Anacapa Island during the planning process was to allow boating access at Frenchy's Cove. Boating access was discussed during the Northern Channel Islands MPA planning process and access is allowed seasonally at Frenchy's Cove. There is no new information that points to a need for reducing the size of the brown pelican special closure to increase boating access.

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)?

No. CDFW does not anticipate that CFGC would need to make conforming changes to other regulations, permits, or leases in response to the proposed change to these MPA regulations.

Additionally, in 2014 a petition was submitted to evaluate use of special closures in the Central Coast Region; however, the action was dropped after the petitioner failed to follow up on a revised and refined proposal through stakeholder and agency workgroup effort (see CDFW 2022, Appendix G, Table 3).

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 three northern Channel Islands special closures overlap with the Channel Islands National Marine Sanctuary. Any modifications to or removal of the special closures would affect federal management and research efforts and would require consultation with the Office of the National Marine Sanctuary and National Park Service. The special closure on San Miguel Island and the two special closures on Anacapa Island provide a buffer zone between human activity and marine mammal haul-out and sea bird nesting sites. Additional federal enforcement may be required to further monitor and enforce issues related to the Marine Mammal Protection Act and the Migratory Bird Treaty Act should these special closures be removed or modified.

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?

No. CDFW has adequate information to evaluate and make a recommendation on this proposal. When evaluating this petition, CDFW reviewed the information in the petition as well as supplemental information, including but not limited to:

- History of the Community-Based Process on Marine Reserves at the Northern Channel Islands National Marine Sanctuary 1999-2001 (MRWG 2002),
- The CEQA documents that accompanied the original rulemaking establishing these MPAs (CDFG 2002a & 2002b),
- The Channel Islands National Marine Sanctuary Condition Report (ONMS 2019),
- NOAA Fisheries California sea lion census data (NMFS 2019),
- NOAA's final rule on the marine reserves inside the Northern Channel Islands National Marine Sanctuary (NOAA 2007)

This information, along with other information CDFW reviewed, did not demonstrate that the proposed change would advance MPA adaptive management or that a change in MPA regulations is warranted.

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

No. CDFW has sufficient management information to proceed with the evaluation of this proposed change.

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. During the Northern Channel Islands MPA planning process, the San Miguel Special Closure replaced the existing San Miguel Island Ecological Reserve, which incorporated the reserve's existing restrictions on boating and access to continue protections for pinnipeds to haul out (CDFG 2002b, Appendix 4). Similarly, the Anacapa Island Special Closure replaced the existing Anacapa Island Ecological Reserve, which also incorporated the existing provision for no net or trap to be used in waters less than 20 feet deep, as well as the brown pelican fledgling area (CDFG 2002b, Appendix 4). This smaller area within the island-wide Anacapa Island Special Closure prohibits public access from January 1 through October 31 to protect nesting birds, nests, and fledglings during brown pelican nesting season. Subsequently, during the MLPA Initiative planning process, and following CFGC guidance, both the San Miguel and Anacapa Island Special Closures were incorporated without modification into South Coast MPAs (CFGC 2002b). Thus, the areas within the affected Special Closures were evaluated and retained through both the Channel Islands and MLPA Initiative planning processes.

> **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.** There is no new information or changed conditions that warrants reevaluating or modifying these special closures. The petitioner points to recovered pinniped populations and that Anacapa Island SMCA and SMR already provide protection for seabirds, making the San Miguel and Anacapa Island special closures unnecessary. Although some populations have increased since the closures were designated, sufficient evidence was not presented to justify removing or modifying the protections currently in place. See the response to Question 8 for more information on original intent identified during the implementation process of the MPAs around the Northern Channel Islands.

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?

No. Reducing or abolishing these special closures would conflict with the intent of their establishment. Special closures serve to buffer and provide additional protection from the impacts of human disturbance for sea birds, marine mammals, and other marine life. San Miguel Island Special Closure protects some of the largest seal and sea lion

rookeries along the west coast of the United States. The Anacapa Island Special Closure protects nesting seabirds year-round, with an additional seasonal brown pelican fledgling area that is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island. This seasonal closure allows protection for brown pelicans during nesting season (from January 1 through October 31), while allowing boat access during less sensitive times of the year.

During the Northern Channel Islands MPA planning process, the California brown pelican and Northern fur seal (*Callorhinus ursinus*) were identified as species of interest for consideration by the Marine Reserves Working Group. Additionally, Steller sea lion and Guadalupe fur seal were identified as having occurred in the Channel Islands National Marine Sanctuary and were listed as threatened under the Endangered Species Act (NMFS 1985, 1990). Currently, the western distinct population segment of Steller sea lion is listed under the ESA as endangered and Guadalupe fur seal is listed under the ESA as threatened (NMFS 1985, 1990). Though the California brown pelican was delisted under the ESA in 2009, they are extremely sensitive to human disturbance. Thus, the protection offered by the San Miguel Island and Anacapa Island special closures is still relevant today.

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 MPA science guidelines only apply to MPAs. The proposals to eliminate, reduce, or remove special closures would not improve the design of the MPA Network or enhance alignment with MLPA Science Guidelines. See Question 9 of Attachment 1 for the MPA Science Guidelines and additional context.

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

Not applicable. CDFW Feasibility Guidelines only apply to MPAs and the proposed change does not apply to an MPA. See Question 9 of Attachment 1 for the MPA Science Guidelines and additional context.

> ### **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?
>
> **Not applicable.** CDFW Feasibility Guidelines only apply to MPAs and the proposed change does not apply to an MPA.

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

2023-18MPA_5&6:

No. The proposed change would not maintain or enhance enforceability, as compliance is not a concern at these two closures.

2023-18MPA_7:

No. The proposed change would not enhance enforceability. Enforcement officer observations indicate that traps at this location are not typically set shallower than 20 feet deep. Traps that are found in shallow depths in this area are reported to be associated with inclement weather.

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

No. The petitioner asserts the guiding rationale for eliminating the special closures at Anacapa and San Miguel islands "simplifies regulatory language"; however, proposed action changes the intent of the regulations. Improved public understanding could instead be achieved through enhanced outreach and education.

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

No. The proposed elimination and/or reduction in size of the Anacapa and San Miguel Island Special Closures decreases protection for marine resources, particularly by reducing nesting and fledgling habitat for the California brown pelican and haul out sites for two pinniped species, Stellar sea lion and Guadalupe fur seal, which are currently listed under the ESA as endangered and threatened, respectively (NMFS 1985, 1990).

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 (i.e. elimination of a special closure and/or changing its boundaries) is expected to increase boating (non-consumptive) and fishing (consumptive) activities in the affected areas. It also has the potential to impact any

existing research and monitoring (non-consumptive) of California brown pelican and pinniped populations at either Anacapa Island Special Closure, San Miguel Island Special Closure, or both.

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 analyses were prepared by CFGC staff. See Question 17 of Attachment 1 for additional context on CFGC's responses.

2023-18MPA_5: Eliminate pinniped Special Closure at San Miguel Island

The proposed change attempts to reduce regulatory complexity, particularly for boat-based fishing participants homeported to the coastal fishing communities of:

- Santa Barbara (~ 55 n mi from area of proposed change), and
- Channel Islands Harbor (Oxnard, ~60 n mi away from area of proposed change).

This proposed change could advance the CFC policy by potentially increasing understanding of regulations.

2023-18MPA_6: Reduce the size of the brown pelican Anacapa Island Special Closure to allow boat access to Frenchy's Cove

The proposed change would increase fishing and safe harbor access, particularly for boat-based fishing participants homeported in the coastal fishing communities of:

- Channel Islands Harbor (Oxnard),
- Ventura Harbor (~10 n mi away from area of proposed change), and/or
- Santa Barbara (~25 n mi area of proposed change).

Frenchy's Cove is a key anchorage on the island's north side that provides some protection from the west wind and swell; the next-nearest protected anchorage is ~10 n mi eastward, at Santa Cruz Island. Opening access for the 10 months currently closed may support safe anchorage for commercial fishing vessels that homeport in Oxnard, Santa Barbara, and/or Ventura.

2023-18MPA_7: Reassess and consider removing the following Special Closure at Anacapa Island: "No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands"

Impacts, if any, would be most relevant for net and trap fishery participants homeported in fishing communities of:

- Channel Islands Harbor (Oxnard),
- Ventura Harbor (~10 nm away from area of proposed change), and/or
- Santa Barbara (~25 nm area of proposed change).

Further input directly from those communities would be needed to clarify potential impacts.

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

Yes. The proposed action 2023-18MPA_6 (Reduce the size of the brown pelican Anacapa Island Special Closure to allow boat access to Frenchy's Cove) would be moot if the closure was abolished as per proposed action 2023-18MPA_7 (Reassess and consider removing the following Special Closure at Anacapa Island: "No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands"). There are also potential contraindications between both of these proposed actions and options stated in petition 2023-27MPA (amend existing Anacapa SMCA, evaluating three options (solutions) and choose the one that best protects the eelgrass meadow while allowing for community access), and 2023-34 (allow commercial take of sea urchins in nine State Marine Conservation Areas, including Anacapa Island SMCA) which could also affect the Anacapa Island Special Closure.

V. SUPPLEMENTAL ANALYSES, DATA AND INFORMATION, AND CITATIONS

Table 1. MPA attributes (area, LOP, depth range, and habitat extent) of the existing Vandenberg SMR, as well as the nearshore and offshore MPAs proposed in 2023-18MPA_1 (A) and 2022-04 (B). A dash (—) indicates that the MPA does not contain the habitat type. Habitat extent may be reported in linear miles or square miles, depending on data availability and Science Advisory Team (SAT) guidance.

Values shown in **bold** indicate that the MPA attribute meets the relevant science guideline established by the SAT during the MLPA Initiative planning process. 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).

	Existing	Offshore SMR (A)	Nearshore SMCA (A)	Offshore SMR (B)	Nearshore SMCA (B)
MPA Area (sq mi)	**32.91**	**31.83**	1.08	**32.88**	0.03
Level of Protection	**Very High**	**Very High**	Moderate-Low	**Very High**	Moderate-Low
Min Depth (m)	0	0	0	0	0
Max Depth (m)	42.0	42.0	8.2	42.0	5.3
Eelgrass (sq mi)	—	—	—	—	—
Kelp (mi)	**1.28**	1.28[a]	—	**1.28**	—
Beach (mi)	**13.19**	—	**13.19**	**12.73**	0.42
Rocky Intertidal (mi)	**9.99**	—	**9.99**	**9.99**	—
Estuaries (sq mi)	1e-3	—	1e-3	1e-3	—
Hard Substrate					
0-30 m (mi)	**2.18**	2.18[a]	—	**2.18**	—
30-100 m (sq mi)	0.04	0.04	—	0.04	—
100-200 m (sq mi)	—	—	—	—	—
>200 m (sq mi)	—	—	—	—	—
Soft Substrate					
0-30 m (mi)	**12.04**	12.04[a]	—	**12.04**	—
30-100 m (sq mi)	**8.85**	**8.85**	—	**8.85**	—
100-200 m (sq mi)	—	—	—	—	—
>200 m (sq mi)	—	—	—	—	—

[a] Would not count towards habitat replication despite meeting the minimum size because the MPA does not encompass the full 0-30 m depth range

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CALIFORNIA
OCEAN
PROTECTION
COUNCIL

July 31, 2026

California Fish and Game Commission
715 P Street, 16th Floor
Sacramento, CA 95814
Transmitted via email: fgc@fgc.ca.gov

Re: OPC Staff Recommendations - Petitions to Adaptively Manage California's Marine Protected Area Network

Dear President Sklar, Vice President Anderson, and Members of the California Fish and Game Commission,

Thank you for your leadership in managing California's Marine Protected Area (MPA) Network – the global gold standard for marine conservation. Building on our public letter transmitted to the California Fish and Game Commission (CFGC) on March 20[1], which outlined the role of the California Ocean Protection Council (OPC) in MPA management and highlighted major OPC policy priorities for MPAs, we are pleased to provide specific input and OPC staff's recommendations on submitted petitions for changes to the MPA Network currently under consideration by CFGC. As noted in our March 20 letter, this input is intended to complement the comprehensive evaluations of MPA petitions conducted by the California Department of Fish and Wildlife (CDFW) under a separate set of questions and criteria established by CFGC.

The first-ever Decadal Management Review of the MPA Network, released in 2023, clearly demonstrated that MPAs are working to improve California's ocean health. However, the Decadal Management Review did not specifically explore opportunities to strengthen the existing MPA Network. As noted in our March 20 letter, OPC believes that evaluating MPA petitions with this question in mind is essential for ensuring the continued success of California's MPAs, especially as a changing climate increasingly threatens coastal and marine

1 https://opc.ca.gov/wp-content/uploads/2026/03/OPC-letter-on-MPA-petitions_3.20.26-508.pdf

ecosystems and ecosystem services. Therefore, this input provided by OPC staff is explicitly focused on whether proposed actions hold promise to strengthen the performance and durability of the MPA Network. This is consistent with OPC's Strategic Plan[2] and key recommendations from the Decadal Management Review[3].

Overall, **OPC's petition recommendations are rooted in a precautionary approach.** The 2026 California Coast and Ocean Report[4], released earlier this year, indicates that climate change is increasingly threatening coastal and marine ecosystems, as well as benefits provided by those ecosystems to coastal communities and California Native American tribes. In the face of warming oceans, sea level rise, the devastation of our state's kelp forests, severe shocks to fishing communities, and other climate-driven impacts, California's MPA Network is one of our most effective conservation tools for safeguarding biodiversity, building climate resilience, and ensuring the continued delivery of important ecosystem services that drive our state's multi-billion dollar ocean economy.

It is through this lens that we assessed petitions. Specifically, we looked for opportunities to bolster the types of MPA benefits anticipated to serve as an "insurance policy" against changing ocean conditions, such as increased population sizes, higher genetic diversity, strengthened ecological connectivity, and intact food webs. In doing so, we acknowledge that the effects of climate change are uncertain and that MPAs are not a panacea for the threats facing our ocean. We strongly support continued research and monitoring to assess the impacts of climate change on coastal and marine ecosystems and how MPAs may mitigate these impacts. In particular, California's robust MPA monitoring program, which is actively tracking the effects of MPAs across key ecosystems and coastal communities statewide, will continue to be a crucial tool in evaluating the overall success of the Network and any adaptive management changes made through the petition process. OPC is committed to continuing our support for the development and application of best available science to adaptively manage the Network into the future.

Given this precautionary approach, **we do not recommend that CFGC approve any petition that would weaken the existing MPA Network** (Petitions 2023-14MPA, 2023-15MPA_AM, 2023-

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2 OPC 2026-2030 Strategic Plan Objective 3.1: Strengthen the performance and durability of California's Marine Protected Area Network.

3 Decadal Management Review recommendations #4 (Apply what is learned from the first Decadal Management Review to support proposed changes to the MPA Network and Management Program); #23 (Expand and target monitoring and research efforts to examine the design attributes of the MPA Network more effectively); #28 (Further integrate influencing factors into ecological and human study designs and interpretations of MPA performance).

4 https://opc.ca.gov/wp-content/uploads/2026/03/California-Coast-and-Ocean-Report-2026.pdf

16MPA, 2023-18MPA[5], and 2023-23MPA_AM[6]**).** These petitions include several proposed actions that would open no-take State Marine Reserves or limited-take State Marine Conservation Areas to certain new types of fishing. OPC appreciates the thoughtfulness of petitioners in developing these proposals; however, we find that any actions that would roll back existing protections pose an unacceptable risk to the integrity of the existing Network. Such actions, while well-intentioned, have the potential to compromise existing conservation benefits and degrade the ability of the Network to meet the goals of the Marine Life Protection Act.

As a first step in assessing petitions with potential to strengthen the MPA Network (i.e. proposals for new MPAs, expanded MPAs, or stricter regulations), OPC staff first considered **whether petitions would improve MPA Network design**. Importantly, neither the Decadal Management Review nor CDFW's recently released Science Guide to California's MPA Network[7] identify significant design deficiencies in the MPA Network. Indeed, the Network is largely compliant with science guidance from the MPA planning process, with most MPAs meeting minimum size guidelines and all MPAs meeting minimum spacing guidelines. However, from a precautionary standpoint, some petitions have clear potential to improve MPA Network design, for example by reducing large distances between MPAs or increasing the representation of vulnerable habitats within the Network. OPC finds clear Network design benefits for three petitions: Petition 2023-29MPA_AM2, Petition 2023-32MPA, and two actions within Petition 2023-33MPA_AM1.

As a next step, OPC considered **whether petitions would result in meaningful additional biodiversity protection beyond what the current MPA Network already provides**. This could include actions such as: bolstering protections for important geological or biological features; protecting additional sensitive habitat, such as eelgrass, kelp forests, or rocky shores; protecting ecosystems that are important larval sources, sinks, or retention zones; strengthening ecological

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5 Petition 2023-18MPA includes an action that would open Vandenberg State Marine Reserve to certain types of shore fishing. A petition submitted in 2022 by the City of Lompoc (Petition 2022-04) proposes a similar action and will be considered by CFGC alongside the other petitions discussed here. While we recognize that Petition 2022-04 is intended to improve equitable coastal access for local residents, it would weaken protections provided by Vandenberg State Marine Reserve, which serves as a critical backbone MPA in the region. We recommend that CFGC deny Petition 2022-04.

6 One action in 2023-23MPA_AM (Action 20) has potential to strengthen the MPA Network: designation of a new MPA at Tanker's Reef. However, as proposed, this new MPA falls far below the minimum area required to function as a replicate in the MPA Network and is unlikely to provide meaningful additional conservation benefits beyond those already achieved by the existing Network, especially in the highly protected Monterey Bay region.

7 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=246940&inline

connectivity; reducing fishing pressure on populations in decline; promoting improved ecosystem structure and function; or enhancing the resilience of the MPA Network to current or predicted climate impacts. Importantly, in exploring this consideration, OPC gave equal weight to petitions that would address current specific threats to biodiversity, such as the impacts of fishing gear on sensitive habitats, and petitions that would improve the Network's ability to withstand larger-scale and more diffuse impacts, such as marine heat waves. OPC finds compelling biodiversity benefits for several petitions: Petition 2023-21MPA_AM1, Petition 2023-27MPA_AM1, Petition 2023-28MPA_AM1, Petition 2023-29MPA_AM2, Petition 2023-32MPA, and two actions within Petition 2023-33MPA_AM1.

Finally, OPC considered **whether petitions would help support and revitalize tribally-led stewardship**. OPC is highly supportive of MPA adaptive management actions that advance co-governance, co-management, and collaborative stewardship with tribes. Such actions, which include protecting places with high biocultural significance, are essential not only for righting historical wrongs, but also for reconnecting tribes to traditional stewardship practices that can directly benefit biodiversity. Increased support for tribal stewardship is a top priority in both OPC's 2026-2030 Strategic Plan[8] and the California Natural Resources Agency's recently released Tribal Stewardship Policy[9], which aims to expand tribal stewardship of at least 7.5 million acres of California's lands and coastal waters. OPC finds that the following petitions have strong potential to advance tribally-led stewardship: Petition 2023-20MPA_AM1, Petition 2023-21MPA_AM1, Petition 2023-28MPA_AM2, and Petition 2023-29MPA_AM2.

Based on these considerations, OPC recommends approval of the following petitions, with some modifications. In developing these recommendations, OPC staff evaluated the most recent versions of petitions, including any amendments or clarifications received from petitioners after CFGC's March 2025 deadline for petition amendments.

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8 OPC 2026-2030 Strategic Plan Objective 2.1: Strengthen partnerships with California Native American tribes.

9 https://resources.ca.gov/Initiatives/Tribalaffairs/TribalStewardshipPolicyAndToolkit

Table 1. OPC's recommended petitions.

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-20MPA_AM 1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Buchon SMCA and Point Buchon SMR (existing)	Santa Ynez Band of Chumash Indians	Add a tribal take exemption at Point Buchon SMCA, rename Point Buchon SMCA, and adjust northern boundary of Point Buchon SMR	Approve tribal take exemption and renaming; deny proposed boundary change
2023-21MPA_AM1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Pyramid Point SMCA (existing)	Tolowa Dee-ni' Nation	Remove recreational take of true smelt in Pyramid Point SMCA and adjust northern boundary of Pyramid Point SMCA	Approve proposed removal of recreational take of true smelt; deny proposed boundary change
2023-27MPA_AM1 (as clarified at the May 6, 2026 CFGC regional meeting)	Anacapa Island SMCA (existing)	Environmental Defense Center	Modify regulations at Anacapa Island SMCA to protect sensitive eelgrass habitats (with several options proposed)	Modify SMCA regulations to prohibit the deployment of lobster traps shallower than 50 feet
2023-28MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Sal SMCA (new)	Northern Chumash Tribal Council and Natural Resources Defense Council	Add a new MPA near Point Sal	Approve the proposed new Point Sal SMCA

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-29MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Mishopshno SMCA (new)	Santa Ynez Band of Chumash Indians and Natural Resources Defense Council	Add a new MPA near Carpinteria	Approve the proposed new Mishopshno SMCA
2023-32MPA (as clarified at the April 21, 2026 CFGC regional meeting)	Duxbury Reef SMCA (existing)	Environmental Action Committee of West Marin	Expand Duxbury Reef SMCA and modify regulations to strengthen protections for intertidal species	Designate two new SMCAs to protect the northern and southern portions of Duxbury Reef, each with take regulations that protect intertidal seaweed and invertebrates while allowing for continuation of other existing shore- and boat-based fishing
2023-33MPA_AM1	Various existing MPAs and one proposed new MPA	Environment California and Azul	Expand six existing MPAs statewide and add a new MPA in Santa Cruz	Approve proposed expansion of Point Dume SMCA, but deny proposed additional take allowance in Point Dume SMCA. Approve a smaller expansion of Point Conception SMR. Deny proposed expansion of Natural Bridges SMR, Cabrillo SMR, South Point SMR, or Gull Island SMR. Deny proposed designation of a new SMCA at Pleasure Point.

Detailed narratives providing justification for these recommendations are provided in the "Recommendation Narratives" section below, starting on page 10.

We recognize that our recommendations do not include three petitions intended to strengthen the MPA Network: Petition 2023-19MPA, Petition 2023-24MPA and Petition 2023-34MPA.

- Petition 2023-19MPA, submitted by the Santa Ynez Band of Chumash Indians, would designate a new SMCA, to be named Chitqawi in honor of a nearby Chumash coastal

village, offshore and to the north of Morro Bay in San Luis Obispo County. The proposed Chitqawi SMCA would protect waters adjacent to Morro Rock. However, the proposed SMCA would be located immediately adjacent to Morro Bay Harbor, a critical regional port, potentially presenting significant challenges. OPC also recognizes that many California Native American tribes, including non-federally recognized tribes, have significant cultural ties to Morro Rock. Given that the original petition focused on co-management of the area as its main goal, OPC recommends that CFGC work with the Santa Ynez Band of Chumash Indians to identify alternative pathways for strengthening protection of Morro Rock and establishing meaningful co-management agreements here and in the broader region. The petition process may have been an irregular fit for the Tribe's goals with this petition and OPC is committed to working with the Tribe going forward to protect this area through meaningful co-management.

- Petition 2023-24MPA, submitted by the Laguna Bluebelt Coalition, would extend the southern boundary of the Laguna Beach No-Take SMCA into the northern portion of Dana Point SMCA, expanding the No-Take SMCA and aligning its southern boundary with the southern border of the City of Laguna Beach. While this would increase overall protection in the area and potentially benefit fished species (e.g. finfish, lobster, and urchin) within the Dana Point SMCA, OPC notes that the existing boundary of the Laguna Beach No-Take SMCA currently aligns with both a clear latitude line as well as prominent rocky outcroppings, which serve as a helpful landmark for both boat-based and shore-based anglers. Changing this well-established and clear boundary has the potential to result in increased confusion and potential enforcement challenges.

- Petition 2023-34MPA, submitted by Environment California and Azul, would reclassify Point Buchon SMCA to an SMR and strengthen protections in Farnsworth Onshore and Offshore SMCAs by removing all take except for recreational spearfishing. Petitioners argue that these changes are necessary to address issues regarding compliance with MPA regulations; however, neither Point Buchon SMCA nor Farnsworth Onshore or Offshore SMCAs appear to have an unusually high number of MPA-related citations and, in fact, citation data demonstrate an overall trend of improved compliance with MPA regulations at Point Buchon SMCA.

For reference, our recommendations on each of the fifteen MPA petitions currently under consideration by CFGC are summarized in the "Recommendations At-a-Glance" table below, starting on page 28.

In closing, OPC appreciates the robust conversation around MPA petitions to date and recognizes that the many Californians who have engaged in this process hold a diversity of

perspectives, interests, and viewpoints related to these petitions. OPC staff attended all three in-person regional meetings of CFGC held earlier this year, which were intended to provide a venue for public feedback on petitions. At those meetings, we heard tribal members, conservation advocates, and students voice strong and passionate support for a strengthened MPA Network that can help protect our vulnerable coast and ocean in a time of rapid environmental change. However, we were also compelled by the serious concerns of many members of local communities, including commercial and recreational fishermen, whose lives and livelihoods have the potential to be significantly impacted by new or expanded MPAs. We deeply value California's commercial and recreational fishing communities and recognize their critical role in supporting a thriving blue economy. To that end, where possible, we have endeavored to provide creative recommendations on petitions that add conservation value to the existing MPA Network while limiting impacts to commercial and recreational fishing. More broadly, as highlighted in Goal 4 of our 2026-2023 Strategic Plan, OPC is committed to advancing a sustainable blue economy by investing in healthy marine ecosystems and resilient coastal communities that can continue to support fishing livelihoods for generations to come.

Additionally, the regional meetings made it abundantly clear that many communities, especially communities entitled to environmental justice, can face significant systemic barriers to accessing the coast and ocean and to participating in MPA management and decision-making processes. Millions of Californians visit the coast each year to access the ocean in different ways, including to engage in both consumptive and non-consumptive uses. Because of this, assessing benefits related to equitable access for individual petitions is a complex undertaking. Impacts of individual petitions on equitable access[10] and on advancing CFGC's Justice, Equity, Diversity, and Inclusion Policy[11] have been initially assessed via a joint effort between OPC and CDFW [12]; OPC is committed to expanding equitable access to the coast and ocean and supporting improved inclusion in coastal and ocean management, consistent with the goal of OPC's 2026-2030 Strategic Plan to maximize community benefits and stewardship, as well as OPC's Equity Plan[13].

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10 Specifically Question 14 in CDFW's Evaluation Framework: Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?

11 Specifically Question 16 in CDFW's Evaluation Framework: Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy (https://fgc.ca.gov/About/JEDI)?

12 Available here: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=246997&inline

13 https://www.opc.ca.gov/webmaster/_media_library/2022/11/OPC-Equity-Plan-508.pdf

Thank you for considering our recommendations. We look forward to the work ahead and to continued meaningful engagement with California's diverse coastal communities as the petition process unfolds.

Sincerely,

Jenn Eckerle
Deputy Secretary for Oceans and Coastal Policy, California Natural Resources Agency
Executive Director, Ocean Protection Council

Recommendation Narratives

Petition 2023-20MPA_AM1: Add a tribal take exemption at Point Buchon SMCA, rename Point Buchon SMCA, and change northern boundary of Point Buchon SMR

The Santa Ynez Band of Chumash Indians (SYBCI) has proposed several changes to Point Buchon SMCA[14] and Point Buchon SMR[15]. As amended by the tribe at the April 14, 2026 meeting of CFGC's Tribal Committee[16], these proposed changes are: add a tribal take exemption at Point Buchon SMCA for the Santa Ynez Band of Chumash Indians, rename Point Buchon SMCA, and change the northern boundary of Point Buchon SMR. Located approximately eight miles south of Morro Bay in San Luis Obispo County, Point Buchon SMCA and Point Buchon SMR together protect nearly 19 square miles of rocky reefs, sandy seafloor, beaches, kelp forests, rocky intertidal habitat, offshore pinnacles, and some of the shallowest cold-water corals in California (SeaSketch California 2026). Point Buchon SMR spans approximately 2.5 miles of coastline between Coon Creek and Diablo Canyon and protects 6.7 square miles of coastal waters between shore and approximately 200 feet deep (SeaSketch California 2026). Point Buchon SMCA protects more than 12 square miles of coastal waters offshore of the SMR, ranging from approximately 200 to 400 feet deep (SeaSketch California 2026).

Adding a tribal take exemption to Point Buchon SMCA and renaming Point Buchon SMCA to better reflect Chumash cultural heritage both represent significant opportunities to advance tribal sovereignty, collaborative governance, and tribal stewardship within the Central Coast[17] bioregion of the MPA Network. Similar to other tribal take exemptions currently granted to SYBCI for MPAs in the South Coast bioregion of the MPA Network, such as Kashtayit SMCA, the proposed tribal take exemption for Point Buchon SMCA would exempt SYBCI members from MPA-specific take restrictions and thus allow SYBCI members to harvest living marine resources

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14 SMCA = State Marine Conservation Area. In this type of MPA, certain recreational or commercial fishing activities may be allowed, while other types of take are prohibited. https://wildlife.ca.gov/Conservation/Marine/MPAs/Definitions#mpa

15 SMR = State Marine Reserve. In this type of MPA, all take is prohibited. https://wildlife.ca.gov/Conservation/Marine/MPAs/Definitions#mpa

16 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

17 As defined in the 2018 MPA Monitoring Action Plan (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161748&inline), the bioregions of the MPA Network are: North Coast (California/Oregon border to San Francisco Bay, including the Farallon Islands), Central Coast (San Francisco Bay to Point Conception), and South Coast (Point Conception to U.S./Mexico border, including the Channel Islands).

for cultural, subsistence, and stewardship purposes. Regulations in the adjacent Point Buchon SMR would remain unchanged.

Point Buchon is also culturally significant. The petition identifies Buchon as a historical Chumash village site and describes the area as having special spiritual significance to Chumash maritime peoples. Establishing a tribal take exemption at Point Buchon SMCA and renaming the SMCA would recognize this significance and advance progress toward tribal co-management of this MPA, which the tribe has requested to pursue through a non-regulatory pathway. **OPC recommends that CFGC approve the proposed tribal take exemption and name change for Point Buchon SMCA.**

Petitioners have also requested to adjust Point Buchon SMR's northern boundary further to the north, arguing that doing so would better capture the full marine area offshore of Point Buchon. However, OPC notes that the existing northern boundary aligns with a readily determinable line of latitude (35° 15.250' N) and prominent onshore landmarks; changing the boundary could cause confusion and enforcement challenges and would also result in a misalignment of the northern boundaries of Point Buchon SMR and SMCA. **OPC recommends that CFGC deny the requested boundary adjustment for Point Buchon SMR.**

Petition 2023-21MPA_AM1: Remove recreational take of true smelt in Pyramid Point SMCA and adjust northern boundary of Pyramid Point SMCA

The Tolowa Dee-ni' Nation has proposed two changes to Pyramid Point SMCA, located at Pyramid Point in Del Norte County near the California-Oregon border: removal of the current recreational take allowance for true smelt, and adjustment of the SMCA's northern boundary. Pyramid Point SMCA is the northernmost MPA in California's MPA Network and covers approximately 14 square miles of sandy beaches, offshore rocks, and soft seafloor; currently the only type of take allowed in this MPA is recreational take of surf smelt (*Hypomesus pretiosus*, known as *lhvmsr* in the Tolowa language)[18] by dip net or Hawaiian-type throw net, as well as tribal take of all species, consistent with applicable state fishing regulations, by the Tolowa Dee-ni' Nation through a tribal take exemption. The proposal is intended to protect a culturally and ecologically important forage fish species while maintaining tribal take of that species,

18 Technically, Pyramid Point SMCA allows take of a three-species "true smelt" group: surf smelt, night smelt, and whitebait smelt. To achieve the requested removal of the recreational take allowance for surf smelt, it is necessary to remove the recreational take allowance for the species group. At the April 14, 2026 meeting of CFGC's Tribal Committee, the Tolowa Dee-ni' Nation amended this petition to change its request from removal of the take allowance for surf smelt to removal of the take allowance for true smelt. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

particularly take associated with traditional Tolowa Dee-ni' Nation "fish camps" – annual events where members of the Nation travel to the coast to fish, camp, and traditionally process surf smelt during its spawning months from July to October.

Petitioners argue that removal of the existing recreational take allowance is needed because, according to the Tolowa Dee-ni' Nation's Traditional Knowledges – particularly the observations of traditional surf smelt fishermen – surf smelt populations have declined substantially since the late 1990s. OPC respects and affirms the importance of tribal science and Traditional Knowledges and also notes that this trend has been documented through non-indigenous science. Though no formal stock assessments have been completed for surf smelt, CDFW's 2020 Enhanced Status Report for the species shows that commercial landings statewide (95% of which occur in Humboldt and Del Norte County ports) regularly exceeded 500,000 pounds per year in the mid-1990s but dropped precipitously in 1998-1999 and have not exceeded 250,000 pounds per year in the last twenty years (CDFW 2020). Commercial surf smelt landings declined to record lows of approximately 700-1,000 pounds annually between 2017 and 2019 before showing a modest rebound beginning in 2020, although catches remained well below historical levels (CDFW 2025). California Recreational Fisheries Surveys (CRFS) data summarized in CDFW's Enhanced Status Report that recreational surf smelt landings were negligible from 2005 through 2017, apart from an anomalous spike to approximately 110,000 pounds in 2011; the CRFS program that produced these estimates was discontinued in 2018 (CDFW 2020, CDFW 2025).

The decline of surf smelt populations concerns OPC for several reasons. First, forage fishes such as surf smelt play critical roles in nearshore food webs because they transfer energy from plankton-rich coastal waters to higher trophic levels, supporting fish, seabird, and marine mammal populations (Pikitch et al. 2014, Essington et al. 2015). Surf smelt in particular play a foundational role in Northern California coastal ecosystems by serving as prey for species such as salmon, seabirds, marine mammals, and other predators. As an important forage fish, their abundance can reflect broader ecosystem condition and food web dynamics (Santora et al. 2021, NOAA Fisheries 2022). Second, Native American tribes on California's North Coast have relied on surf smelt since time immemorial for subsistence and cultural heritage. As described in the petition, Tolowa families return to the coast each year for "fish camps" that involve the harvest of surf smelt using traditional A-frame nets, with associated prayers, protocols, and ceremonies. Maintaining access to a healthy surf smelt population is essential to the continuation of tribes' cultural practice, food sovereignty, spiritual relationships, and community well-being (Turner et al. 2008, Charles & Wilson 2009).

Surf smelt are a sensitive species and their population trends can be heavily influenced by a number of factors. This includes not only fishing pressure – heavy fishing can cause surf smelt populations to decline quickly given their short life cycles and the fact that most fishing occurs

during spawning – but also environmental stressors, including warming waters, pollution, and physical impacts to beaches where they spawn (Russell et al. 2022, Tomlin et al. 2021). OPC recognizes that MPAs have limited ability to mitigate these larger-scale threats. However, given the population declines noted above and the ecological and cultural importance of surf smelt, OPC supports stricter MPA regulations to strengthen protections for this vulnerable species. OPC notes that approval of this petition would allow continued tribal harvest of surf smelt, but this traditional take is unlikely to have population-level impacts.

To support the recovery of surf smelt, the integrity of nearshore food webs, and the continuation of tribal stewardship and cultural use of this species into the future, **OPC recommends that CFGC approve removal of the allowance for recreational take of true smelt in Pyramid Point SMCA**. The Tolowa Dee-ni' Nation would retain its existing tribal take exemption for this SMCA.

Petitioners have also requested a boundary adjustment to align the northern boundary of Pyramid Point SMCA with the terrestrial California-Oregon border. California's terrestrial northern boundary was intended to run along the 42° N latitude line, but initial surveys with primitive equipment in 1868 resulted in a zigzag border that deviates up to a half mile north or south of that latitude line. In contrast, the offshore northern boundary is an arc that projects seaward from the 42° N latitude line and connects the outermost headlands of the mainland coast to offshore rocks. For this reason, California's offshore and terrestrial borders are slightly misaligned; the offshore boundary is consistent with California's legally recognized northern border at 42° N latitude and is used in all ocean-based regulations. Changing the northern boundary of Pyramid Point SMCA so that it no longer aligns with this recognized offshore boundary would likely result in regulatory confusion and enforcement challenges. **OPC recommends that CFGC deny the request to modify Pyramid Point SMCA's northern boundary.**

Petition 2023-27MPA_AM1: Modify regulations at Anacapa Island SMCA to protect sensitive eelgrass habitats

Environmental Defense Center has submitted a petition with three options intended to better protect sensitive eelgrass meadows inside the Anacapa Island SMCA from the impacts of lobster traps and other hard-bottomed fishing gear. As clarified by the petitioner at the May 6, 2026 CFGC regional meeting[19], the proposed options are 1) Change regulations to disallow commercial lobster fishing year-round within the Anacapa Island SMCA; 2) Change regulations

19 Video available at https://cal-span.org/meeting/cfg_20260506/. Discussion of Petition 2023-27MPA_AM1 begins at 01:05:13.

to disallow hard bottomed fishing gear (including anchoring if applicable) near eelgrass meadows within the Anacapa Island SMCA, or 3) Change the border of the Anacapa Island Special Closure to prohibit the deployment of lobster traps from 0-50 feet deep, instead of the existing 0-20 feet deep.

Pacific eelgrass (*Zostera pacifica*) is a foundational species that is found along California's open coast and provides vital habitat, food, and shelter for a variety of marine fishes and invertebrates. Eelgrass also supports sediment stabilization and erosion protection, plays an important role in nutrient cycling, and helps mitigate climate change by sequestering carbon (Waycott et al. 2009, Fourqurean et al. 2012, Duarte et al. 2013). Eelgrass beds are inherently dynamic and naturally fluctuate from year to year; eelgrass persistence is influenced by a variety of environmental factors including temperature, currents, sediment dynamics, water quality, and availability of suitable substrate (Grech et al. 2012, Rock & Daru 2021, Zabarte-Maeztu et al. 2021, Herrera et al. 2022). At the same time, numerous studies have demonstrated that hard-bottomed fishing gear, including traps and pots, can negatively impact eelgrass (Stevens 2021, Rees et al. 2021). Traps can crush eelgrass shoots and rhizomes upon impact, and they may smother eelgrass if left in place. The setting and retrieval of traps, dragging of trap lines, and movement of traps while in the water often leaves bare scouring marks or "haloes" of damage in eelgrass meadows (Abadie et al. 2016, Stevens 2021, Rees et al. 2021).

Eelgrass meadows were once abundant along the north sides of all three islets that make up Anacapa Island, generally found from approximately 0-20 feet deep but sometimes extending to 45 feet deep (Altstatt 2021). Although eelgrass virtually disappeared around Anacapa Island during the late 1980s following the 1982-1983 El Niño and subsequent overgrazing by white sea urchins, it has recovered in many places thanks in part to a successful eelgrass restoration effort initiated in 2002 at Frenchy's Cove on the north side of West Anacapa Island (Altstatt et al. 2014).

Frenchy's Cove is situated within both the island-wide nearshore Anacapa Island Special Closure, which prohibits the use of nets and traps from 0-20 feet deep, as well as the much larger Anacapa Island SMCA, which extends to the three nautical mile state water boundary and prohibits most forms of take except for recreational take of lobster and pelagic finfish, as well as commercial take of lobster. Offshore of Frenchy's Cove, a Brown Pelican Fledgling Area – an extension of the Special Closure across approximately 4,000 feet of coastline – prohibits all boating activity and access from 0-120 feet deep from January 1 - October 31. Together, these regulations protect eelgrass meadows located in 0-20 feet of depth year-round, and meadows located deeper than 20 feet for 10 months out of the year.

These existing regulations already provide eelgrass meadows at Frenchy's Cove with substantial protection from fishing gear impacts. However, eelgrass meadows deeper than 20 feet at Frenchy's Cove are still vulnerable to fishing gear impacts for two months out of the year. Subtidal surveys conducted by the Channel Islands monitoring program show that these deeper meadows represent a substantial proportion of the eelgrass inside the Anacapa Island SMCA (SeaSketch California 2026) and, because eelgrass is a delicate ecosystem that can take years to recover from fragmentation or scarring (Altstatt et al., 2014; Reed & Hovel, 2006), damage accrued during the two months that the Brown Pelican Fledgling Area is open is likely to have lasting and outsized impacts on the integrity and function of these eelgrass meadows.

OPC recognizes that some data gaps exist regarding the distribution of eelgrass at Frenchy's Cove and Anacapa Island more broadly, as well as the drivers contributing to its persistence and loss. However, in the context of substantial declines of eelgrass statewide since the 1950s (Waycott et al. 2009, Harris et al. 2026), and the critical importance of eelgrass meadows for marine biodiversity (Kindeberg et al. 2022), OPC finds that regulatory action to protect the full extent of eelgrass meadows inside Anacapa Island SMCA, i.e. providing new protections for meadows that occur from 20-45 feet, is warranted. In assessing the petitioner's proposed options, OPC finds that Option 1 (prohibiting lobster fishing within the entire Anacapa Island SMCA, which extends three nautical miles offshore to a depth of nearly 500 feet) is unnecessary to protect eelgrass meadows, which are a nearshore ecosystem. Further, OPC notes that Option 2 (prohibiting lobster fishing "near eelgrass meadows") would be difficult to enforce given the inherently dynamic nature of these ecosystems. Finally, OPC is concerned that Option 3 (extending the boundary of the Anacapa Island Special Closure from 20 feet deep to 50 feet deep) could be problematic for multiple reasons: first, the specific intent of the Special Closure is to decrease entanglement risk for birds feeding near roosting grounds on the island; second, changing the boundary could add to existing significant regulatory confusion between the Anacapa Island SMCA, SMR, and Special Closure/Brown Pelican Fledgling Area; and third, this option would unnecessarily restrict lobster fishing opportunities outside of the Anacapa Island SMCA. Therefore, **OPC recommends that CFGC modify the regulations at Anacapa Island SMCA to prohibit the deployment of lobster traps shallower than 50 feet**. This simplified alternative pathway would strengthen protections for eelgrass meadows within their full depth range inside the SMCA, while maintaining lobster fishing opportunities outside the SMCA.

OPC also recognizes that non-consumptive activities, such as anchoring, may have similar impacts on eelgrass meadows as lobster trapping. OPC recommends exploration of non-regulatory management solutions, potentially including installation of moorings within the SMCA, to mitigate other activities that can damage the seafloor.

Petition 2023-28MPA_AM2: Add a new MPA near Point Sal (Point Sal SMCA)

The Northern Chumash Tribal Council and the Natural Resources Defense Council have proposed the designation of a new State Marine Conservation Area at Point Sal, California, situated at the northern end of Vandenberg Space Force Base near the City of Guadalupe in northern Santa Barbara County. As amended by petitioners at the April 14, 2026 meeting of CFGC's Tribal Committee[20], the proposed new Point Sal SMCA, which would eventually be given a name in a Chumash language to honor the importance of the area to local Chumash peoples, would span close to 7 miles of coastline and encompass nearly 15 square miles, from shore to a maximum depth of 187 feet (SeaSketch California 2026). It would prohibit all forms of take except for recreational take of finfish from shore using hook and line.

The proposed new Point Sal SMCA is located roughly 50 miles to the north of Point Conception, at the northern end of a major biogeographic transition zone within the California Current Large Marine Ecosystem, where warmer waters from the south meet colder, nutrient-rich waters from the north, supporting exceptionally high biodiversity (Hamilton et al. 2010, Blanchette et al. 2008, Arafeh-Dalmau et al. 2023). The waters offshore of Point Sal in particular are highly productive and nutrient-rich due to seasonal coastal upwelling in the area. This area supports abundant fish and invertebrate populations and serve as critical foraging grounds for seabirds and marine mammals – including multiple iconic California species such as brown pelicans, southern sea otters, and humpback whales (Checkley & Barth 2009).

The proposed new SMCA would protect a large portion of Point Sal's coastline and offshore waters, including sandy beach, rocky shoreline, shallow hard bottom, shallow soft bottom, and deep soft bottom habitats (SeaSketch California 2026). The new SMCA would also include a known krill hotspot that supports feeding blue whales from late spring to early fall (Santora et al. 2011, Savoca et al. 2021). Importantly, as noted by the petitioner, the area inside the proposed SMCA leeward of Point Sal may also function as a larval retention zone. Headlands and coastal promontories like Point Sal can slow or recirculate ocean currents, allowing fish and invertebrate larvae to remain near suitable settlement habitats rather than being transported offshore during upwelling events (Mace & Morgan 2006, Morgan et al. 2011, Harvey et al. 2021, Robinette et al. 2019). Robinette et al. (2019) found that seabird foraging rates, which can be used as an indicator of juvenile fish abundance, are generally higher in the lee of headlands and along south-facing coasts such as Point Sal. This suggests that the proposed new MPA has the

20 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

potential to protect an area of high juvenile fish recruitment, which could potentially add a rich new larval source "node" to the MPA Network.

The proposed Point Sal SMCA would also protect an area of substantial cultural importance to the Chumash people. There are long-standing Chumash connections to Point Sal, including archaeological evidence of occupation near the area dating back nearly 5,000 years. The Northern Chumash Tribal Council has stated that Point Sal is an especially sacred area within the broader Chumash Heritage National Marine Sanctuary, and designation of the proposed new Point Sal SMCA represents a unique opportunity to strengthen biodiversity protections within the Sanctuary.

Importantly, Point Sal is extremely remote. The public access road to Point Sal State Beach was washed out during severe storms during the 1998 El Niño event and was never repaired. Currently, access to Point Sal State Beach requires a round-trip hike of approximately 10 miles. Therefore, although the petitioners' proposed take allowance for hook-and-line fishing from shore would technically result in a moderate-low level of protection for Point Sal based on the science guidelines from the MPA planning process, OPC finds that the proposed new SMCA would likely still provide meaningful and significant biodiversity benefit given the difficulty associated with accessing Point Sal State Beach for shore-based fishing. Should existing conditions change in the future, we would support revisiting the take allowance for shore-based fishing.

Overall, OPC finds that the proposed new Point Sal SMCA represents an important opportunity to protect a pristine and relatively undisturbed biodiversity hotspot, while recognizing the biocultural significance of the area to local Chumash tribes. **OPC recommends that CFGC approve the proposed new Point Sal SMCA.**

Petition 2023-29MPA_AM2: Add a new MPA near Carpinteria (Mishopshno SMCA)

The Santa Ynez Band of Chumash Indians, Natural Resources Defense Council, and Environmental Defense Center have proposed the designation of a new SMCA near Carpinteria, California, located approximately twelve miles southeast of Santa Barbara. The proposed new MPA, to be named Mishopshno in honor of a nearby Chumash coastal village, would protect key nearshore ecosystems in the Santa Barbara Channel, including a large portion of Carpinteria Reef. As amended by petitioners at the April 14, 2026 meeting of CFGC's Tribal Committee[21], the proposed new Mishopshno SMCA would span nearly 4 miles of shoreline and encompass

21 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245526&inline

approximately 9 square miles, from shore to a maximum depth of 141 feet (SeaSketch California 2026). It would prohibit all forms of take except for recreational take of finfish from shore using hook and line, with a tribal take exemption for the Santa Ynez Band of Chumash Indians.

The Santa Barbara Channel is part of a major biogeographic transition zone near Point Conception, separating cold waters to the north of Point Conception from warmer waters to the south (Dever et al. 2004, Johnson & Hartwell 2018). The proposed new Mishopshno SMCA would protect a number of important coastal and marine habitats within the Santa Barbara Channel, including sandy beach, coastal marsh, estuary, and kelp forest habitats (SeaSketch California 2026). Importantly, a new Mishopshno SMCA would provide new protection for Carpinteria Reef, a shallow kelp forest and rocky reef ecosystem that is home to a diversity of marine fishes and invertebrates such as Lingcod, California Sheephead, Kelp Bass, and both red and purple sea urchins (Levenbach 2008, Carr et al. 2017). This reef supports a large kelp patch that, according to Landsat data from 1984-2023 (Bell et al. 2024), has continued to persist despite the recent 2014-2016 marine heat wave and overall declines in the region, making it one of the most stable kelp forests in the Santa Barbara Channel (Fig. 2). The petitioners also note that Carpinteria Reef may serve as an aggregation site for juvenile Great White Sharks, though such aggregations are often highly dynamic and may shift locations from year to year.

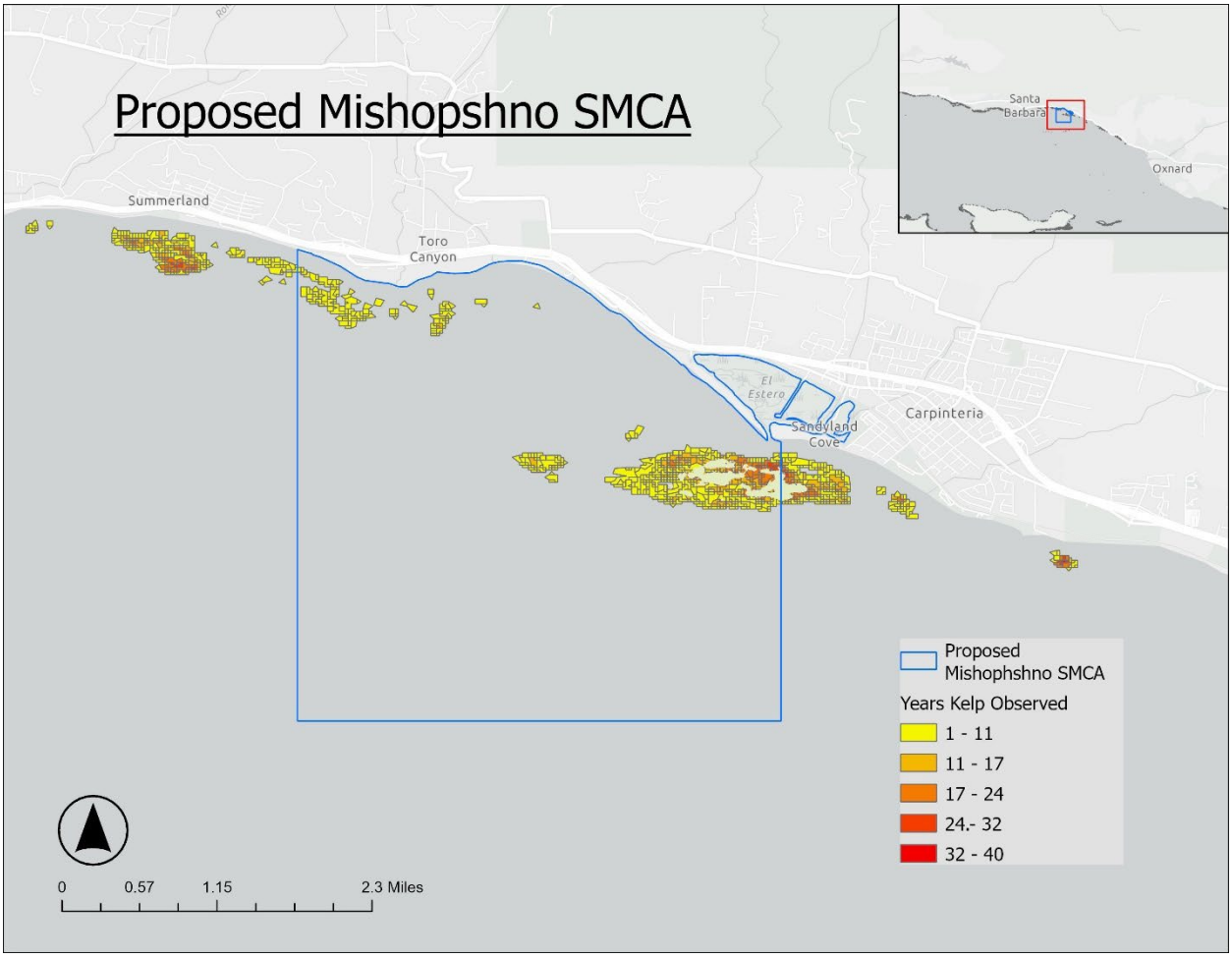

Figure 1. The proposed new Mishopshno SMCA. Satellite monitoring of kelp canopy cover via Landsat from 1984-2023 shows a persistent kelp forest at Carpinteria Reef near the proposed eastern boundary of the SMCA.

In addition to protecting an area of high biodiversity in an ecologically important region of the state, the most significant way in which the proposed Mishopshno SMCA could improve the ecological performance of California's MPA Network is by strengthening connectivity between Campus Point No-Take SMCA to the west and Point Dume SMCA to the southeast. Ensuring that larvae, eggs, spores, or juveniles of marine species are able to move into, out of, or between MPAs is fundamental to the success of California's MPAs as an ecologically connected network. For this reason, science guidance from the MPA planning process included explicit spacing guidelines for MPAs. According to this guidance, in order for MPAs to be within dispersal range for most ecologically and economically important groundfish and invertebrate species, they should be spaced 31-62 miles apart. Currently, the distance between the eastern boundary of Campus Point SMCA and the western boundary of Point Dume SMCA is approximately 60 miles (SeaSketch California 2026). This is very near the upper limit of the spacing guidelines and the largest distance between MPAs in the entire Network.

This distance concerns OPC for multiple reasons. First, while there are several MPAs nearby at the Northern Channel Islands, recent studies suggest the islands may not be as reliably or consistently ecologically connected to the mainland as previously thought due to the presence of small-scale eddies and coastal currents that can impact cross-channel exchange during some oceanographic conditions, while enhancing local retention and alongshore connectivity under others (Dauhajre et al. 2019, Robinette et al. 2012, Harvey et al. 2021). Second, both Campus Point No-Take SMCA and Point Dume SMCA contain kelp forests. Potentially weak connectivity between these habitats could pose risks to kelp resilience in the broader region. Finally, ecological connectivity has the potential to be highly disrupted by the impacts of climate change, which have already been well documented in the Southern California Bight (Magris et al. 2014, Schiff et al. 2019, Wilson et al. 2020, Kekuewa et al. 2022, Frieder et al. 2024). Climate-driven changes in temperature, ocean circulation, and upwelling can dramatically affect larval development, settlement, and survival, with important implications for connectivity (O'Connor et al. 2007, Kendall et al. 2016, Pecl et al. 2017, Pinsky et al. 2019, Wilson et al. 2020). Additionally, in some cases, climate impacts can eliminate important larval source populations entirely, such as when kelp forests are converted to urchin barrens (Rogers-Bennett & Catton 2019, Starko et al. 2024) – potentially making the effective ecological distance between intact protected habitats much greater than the geographic distance between MPA boundaries (Wilson et al. 2020).

The proposed Mishopshno SMCA, which would be located 14.6 miles from Campus Point No-Take SMCA and 44.1 miles from the Point Dume SMR/SMCA cluster (SeaSketch California 2026), would fill the existing large distance between these two MPAs and potentially act as a key "stepping stone" in the Santa Barbara Channel. This has the potential to improve ecological connectivity between Campus Point No-Take SMCA and Point Dume SMCA, especially between the kelp habitats protected by these MPAs, buffer against future climate impacts on connectivity, and strengthen overall resilience in the Santa Barbara Channel. OPC recognizes that the petitioners' proposed allowance for hook-and-line fishing from shore would result in a moderate-low level of protection per science guidance from the MPA planning process, with potential impacts on connectivity; however, continued shore-based fishing access to this area has significant potential to benefit local communities and non-federally recognized tribes.

OPC also recognizes the cultural significance of this area to local Chumash peoples. Members of the Santa Ynez Band of Chumash Indians have described ecosystems within the proposed Mishopshno SMCA as "living homelands and cultural landscapes" where gathering, teaching, ceremony, and other cultural practices have occurred for millennia. The area is also central to Chumash peoples' creation stories and canoe-building traditions. Designation of the proposed Mishopshno SMCA would represent a significant opportunity to protect the biocultural significance of the area and advance co-management with the Santa Ynez Band of Chumash

Indians, supporting the continued stewardship and care of this area's unique coastal and marine biodiversity by its original guardians.

Overall, OPC finds that the proposed new Mishopshno SMCA represents an important opportunity to improve MPA Network design, strengthen ecological connectivity, and recognize the biocultural significance of the area to local Chumash tribes. **OPC recommends that CFGC approve the proposed new Mishopshno SMCA.**

Petition 2023-32MPA: Expand Duxbury Reef SMCA and modify regulations to strengthen protections for intertidal species

The Environmental Action Committee of West Marin has proposed several actions intended to strengthen protections at Duxbury Reef SMCA. As clarified by the petitioner at the April 21, 2026 CFGC regional meeting[22], those actions are: expand the northern and southern boundaries of Duxbury Reef SMCA to protect the majority of Duxbury Reef's contiguous rocky intertidal habitat and modify regulations in Duxbury Reef SMCA to remove the current allowance for shore-based take of finfish by methods other than hook-and-line.

Duxbury Reef SMCA, located at the southern tip of the Point Reyes Peninsula in Marin County approximately one mile west of Bolinas, was designed specifically to protect Duxbury Reef, one of the largest shale reefs in North America and a unique geological feature found nowhere else in California (U.S. Geological Survey 2005). Duxbury Reef is very large and shallow; its broad, low-relief, gently sloping shale platform hosts an extensive network of cracks and crevices that are exposed at low tide and support exceptionally high biodiversity, including iconic intertidal species such as anemones, sea stars, and nudibranchs. It is one of the most accessible and frequently visited coastal sites in the region for tidepooling, and the reef serves as one of California's premier locations for environmental education and tidepool interpretation. Duxbury Reef SMCA was intentionally designed as a narrow, nearshore MPA that extends from the mean high tide line out to 1,000 feet seaward of mean lower low water, protecting intertidal habitat while allowing for commercial and recreational fishing further offshore, as well as recreational take of abalone (when allowed) and finfish from shore.

Currently, Duxbury Reef SMCA does not encompass the full extent of the reef's rocky intertidal habitat. This means that the northernmost and southernmost portions of Duxbury Reef currently receive no MPA protection, despite functioning as part of the same unique and biodiverse ecosystem as the portion of the reef within the existing SMCA. Expanding protections

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22 Video available at https://cal-span.org/meeting/cfg_20260421/. Discussion of Petition 2023-32MPA begins at 03:11:24.

northward to Double Point/Stormy Stack Rock Special Closure and southward to the southernmost fringe of the reef, as proposed by petitioners, would capture the vast majority of Duxbury Reef, nearly doubling the amount of rocky shoreline protected by this MPA from 3.26 linear miles to 6.83 linear miles (SeaSketch California 2026) and improving representation of intertidal habitats, one of the rarest and most vulnerable coastal habitats in California, in the North Coast bioregion of the MPA Network (U.S. Geological Survey 2005).

OPC finds that these additional protections have the potential to increase biomass of currently harvested intertidal species, such as seaweed and shellfish, in the expansion areas, bolster overall species richness and diversity at Duxbury Reef, and improve ecological connectivity across the full reef ecosystem. Additional protection could also strengthen the reef's resilience to future climate change impacts, as protected rocky intertidal ecosystems have been found to exhibit greater resistance to, and recovery from, climate-driven disturbances such as marine heat waves compared to unprotected areas, helping to maintain community structure and ecological function during periods of extreme heating (CDFW 2023, Smith et al. 2023). However, OPC also notes that simply expanding the northern and southern boundaries of the existing SMCA could unnecessarily restrict existing boat-based commercial and recreational fishing activities in the proposed expansion areas, such as an important local commercial hook-and-line halibut fishery, that are not currently impacting intertidal biodiversity.

OPC recommends adding new protections for the intertidal in a way that does not change the existing Duxbury Reef SMCA and does not restrict existing commercial or recreational take, beyond new protections for intertidal seaweed and invertebrates, in the expansion areas. To accomplish this, **OPC recommends that CFGC designate two new SMCAs to protect the northern and southern portions of the contiguous rocky intertidal habitat of Duxbury Reef, with take regulations that protect intertidal seaweed and invertebrates (except abalone when allowed) while allowing for existing shore- and boat-based fishing**. We defer to CDFW to recommend final boundaries for these two new SMCAs based on feasibility and enforceability.

Petition 2023-33MPA_AM1: Expand six MPAs statewide and add a new MPA in Santa Cruz

Environment California and Azul have proposed a suite of actions – six proposed MPA expansions and one proposed new MPA – aimed at strengthening protections for kelp forest habitats across the state. Specifically, this petition proposes to expand Cabrillo SMR (southern San Diego), South Point and Gull Island SMRs (Northern Channel Islands), Point Dume SMCA (north of Los Angeles near the Los Angeles County/Ventura County border), Point Conception SMR (north of Santa Barbara), and Natural Bridges SMR (Santa Cruz). It also proposes the designation of a new SMCA at Pleasure Point (Santa Cruz). The proposed expansions and new MPA are aimed at protecting persistent, healthy kelp patches currently unprotected by the MPA

Network. Petitioners argue that protecting these new locations will help improve the resilience of kelp forest ecosystems across the state in the face of anticipated future marine heat waves and other climate stressors.

Kelp forests in California provide a variety of critical ecological functions and ecosystem services. Kelp serves as habitat and an important food source for a rich diversity of invertebrates, fishes, marine mammals, and birds, including ecologically and economically important species such as abalone, rockfishes, and sea otters (Hamilton et al. 2022, Bell et al. 2020). Kelp forests are critical to the well-being of California's coastal residents and the state's multi-billion-dollar ocean economy, providing valuable recreational opportunities such as scuba diving and wildlife viewing (Schiel & Foster 2015, NOAA Office of National Marine Sanctuaries 2025, Monterey Bay National Marine Sanctuary 2025), and kelp forest ecosystems also hold tremendous cultural significance for California Native American tribes. Unfortunately, recent climate-driven changes have resulted in severe and concerning kelp loss in California. A prolonged marine heat wave beginning in 2014 triggered unprecedented declines in California's kelp forests (Rogers-Bennett & Catton 2019, McPherson et al. 2021). Along the North Coast, more than 95% of bull kelp canopy was lost from 2014-2019 and has shown little recovery since then (McPherson et al. 2021), while statewide more than 75% of kelp forests remain below their long-term average in 2024 (Harris et al. 2026). As marine heat waves are expected to become more frequent and more severe as climate change accelerates, supporting the protection and restoration of these vulnerable ecosystems is a top priority for OPC.

Though MPAs cannot directly mitigate climate stressors such as warming ocean waters, petitioners argue that MPAs can support kelp resilience by promoting intact food webs. Specifically, petitioners note that healthy, abundant populations of predatory organisms, such as California Sheephead and California spiny lobster, can keep populations of kelp grazers like sea urchins in check, preventing urchins from overgrazing kelp (Hamilton et al. 2010, Caselle et al., 2015). While this is an active area of research and scientific evidence for the kelp resilience benefits of MPAs is mixed (Cavanaugh et al. 2019), several recent studies in California have demonstrated support for this "trophic cascade" hypothesis.

Eisaguirre et al. (2020) analyzed decades of subtidal monitoring data from the Northern Channel Islands and found that giant kelp density was significantly higher, and purple sea urchin density significantly lower, inside MPAs compared to adjacent fished areas. Kumagai et al. (2024) combined subtidal monitoring data with remotely sensed kelp canopy data to evaluate the statewide response of kelp forests to the 2014-2016 heat wave and found that fully protected MPAs appeared to enhance kelp forests' resistance to, and recovery from, marine heat waves in Southern California. Ortiz-Villa et al. (2025) used four decades of remote sensing data to examine the effects of 54 MPAs on kelp canopy coverage statewide and found that

implementation of MPAs resulted in an 8.5% increase in kelp canopy coverage compared to unprotected areas, with kelp forests in MPAs showing faster and more significant recovery following the 2014-2015 marine heat wave. Finally, results from the first Decadal Management Review of California's MPA Network showed that kelp canopy was more stable and resilient in MPAs, particularly in the South Coast (CDFW 2023).

Importantly, these documented benefits have largely been limited to Southern California, where lobster and Sheephead are abundant. In central California, where these predators are absent or uncommon and the main predator of sea urchins is the southern sea otter, most studies here have found little to no significant differences in urchin or kelp densities between MPAs and unprotected areas (Hamilton et al. 2010, Eisaguirre et al. 2020).

To identify specific areas to target for additional MPA protection, petitioners focused on areas of overlap between highly persistent kelp patches, as identified by Arafeh-Dalmau et al. (2021) using satellite data, and "medium-priority kelp restoration sites" as identified by Giraldo-Ospina et al. (2025) – defined as historically stable kelp beds that resisted the effects of the 2014-2015 marine heat wave and currently have a high proportion of kelp compared to their historical mean. This classification was intended by the authors of this study for use in a kelp restoration context; however, satellite imagery of kelp forest canopy, specifically Landsat data from 1984-2023 (Bell et al. 2024), does show that the areas identified by petitioners appear to be largely persistent over time (Fig. 2, Fig. 3). Given the anticipated impacts of climate change on kelp statewide, especially in the context of a historic new marine heat wave currently forming along the California coast and a predicted "Super El Niño" this year, OPC finds that, from a precautionary standpoint, protecting additional persistent kelp within the MPA Network is worth exploring at a limited scale.

Of the actions proposed in the petition, OPC recommends that CFGC deny the proposed expansion of Natural Bridges SMR and deny the proposed designation of a new SMCA at Pleasure Point. Both of these areas are located in Santa Cruz, at the northern end of the Monterey Bay. As described above, empirical support for the hypothesized "trophic cascade" benefits of MPAs for kelp has not been found in central California. Additionally, the proposed new MPA at Pleasure Point would not meet minimum guidelines for MPA size or level of protection, making it unlikely to accomplish biodiversity conservation objectives.

The remaining proposed actions are all focused on Southern California, where MPAs may promote improved kelp resilience by promoting trophic cascades. Of these actions, **OPC recommends that CFGC deny the proposed expansion of Cabrillo SMR.** Per the U.S. Navy, this proposed expansion has the potential to impact military readiness in the area. **OPC recommends that CFGC deny the proposed expansions of South Point SMR and Gull Island**

SMR; these proposed expansions would compromise the decades-long, deeply institutionalized state-federal partnership to co-manage the existing Channel Islands MPAs, which currently protect 20% of state waters around the Northern Channel Islands in no-take marine reserves. The proposed expansion of South Point SMR in particular would result in a misalignment with the boundaries of the neighboring Federal Marine Reserve.

OPC recommends approval, with modifications, of the remaining two proposed actions in Southern California (expansion of Point Dume SMCA and Point Conception SMR).

Point Dume SMCA. Located just offshore of Malibu in Los Angeles County, the existing Point Dume SMCA currently protects nearly 16 square miles of sandy beach, rocky shoreline, and kelp forest, as well as portions of a submarine canyon extending more than 2,000 feet deep. Petitioners propose expanding the existing Point Dume SMCA to the west by 4.6 square miles, approximately a 29% expansion, to protect a portion of a large, persistent kelp bed immediately adjacent to the SMCA. This expansion would increase the amount of kelp protected by the SMCA from 1.2 linear miles to 2.9 linear miles (SeaSketch California 2026, Fig. 3). **OPC recommends that CFGC approve the proposed expansion of Point Dume SMCA**. Petitioners have also proposed an adjustment to the take allowance at Point Dume SMCA to allow additional recreational take, including a new take allowance for recreational shore-based hook-and-line fishing. **OPC recommends that CFGC deny the proposed additional take allowance at Point Dume SMCA**, as this would drop the SMCA's Level of Protection from high to moderate-low such that it would no longer serve as a replicate MPA for kelp, beach, rocky intertidal, and soft bottom habitats.

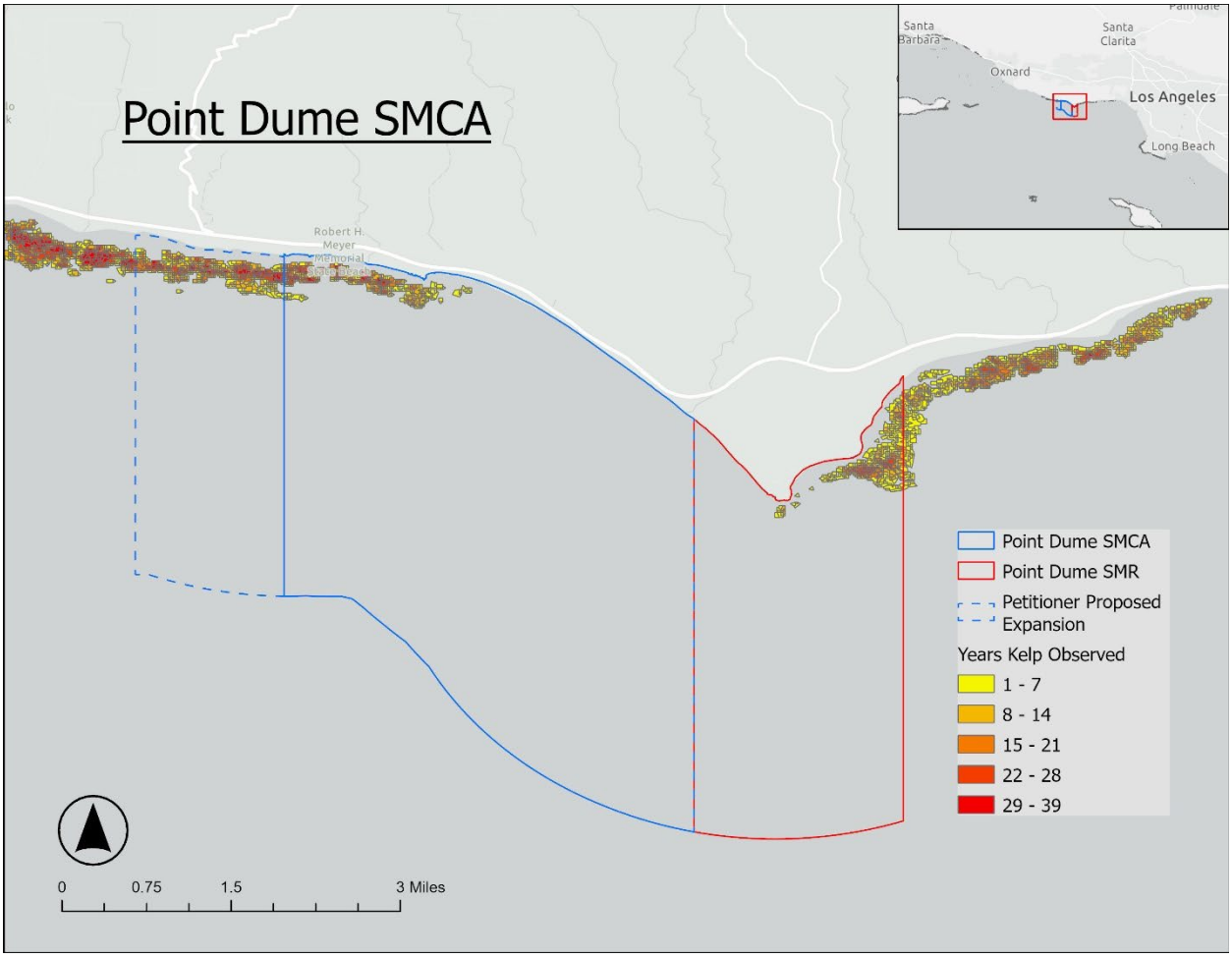

Figure 2. Point Dume SMCA and SMR, with petitioners' proposed expansion of Point Dume SMCA shown.

Point Conception SMR. Located at a major biogeographic transition zone, Point Conception SMR currently protects more than 22 square miles of rocky reefs, surfgrass beds, and kelp forests. Petitioners propose expanding the existing Point Conception SMR to the east by 14.6 square miles, which would include a very large patch of persistent kelp (Fig. 3). However, given the existing large size of this MPA, OPC finds that a smaller expansion, similar to the scale of expansion proposed for Point Dume SMCA, is more appropriate and would capture a significant portion of persistent kelp while maintaining some continued fishing access in this area. **OPC recommends that CFGC expand Point Conception SMR by shifting the eastern boundary of the SMR from the current 120° 25.000' W longitude line eastward to the 120° 23.000' W longitude line** (Fig. 3). This would expand the SMR by 7.65 square miles, approximately a 35% expansion, and increase the amount of kelp protected by the SMR from 2.27 linear miles to 4.44 linear miles (SeaSketch California 2026).

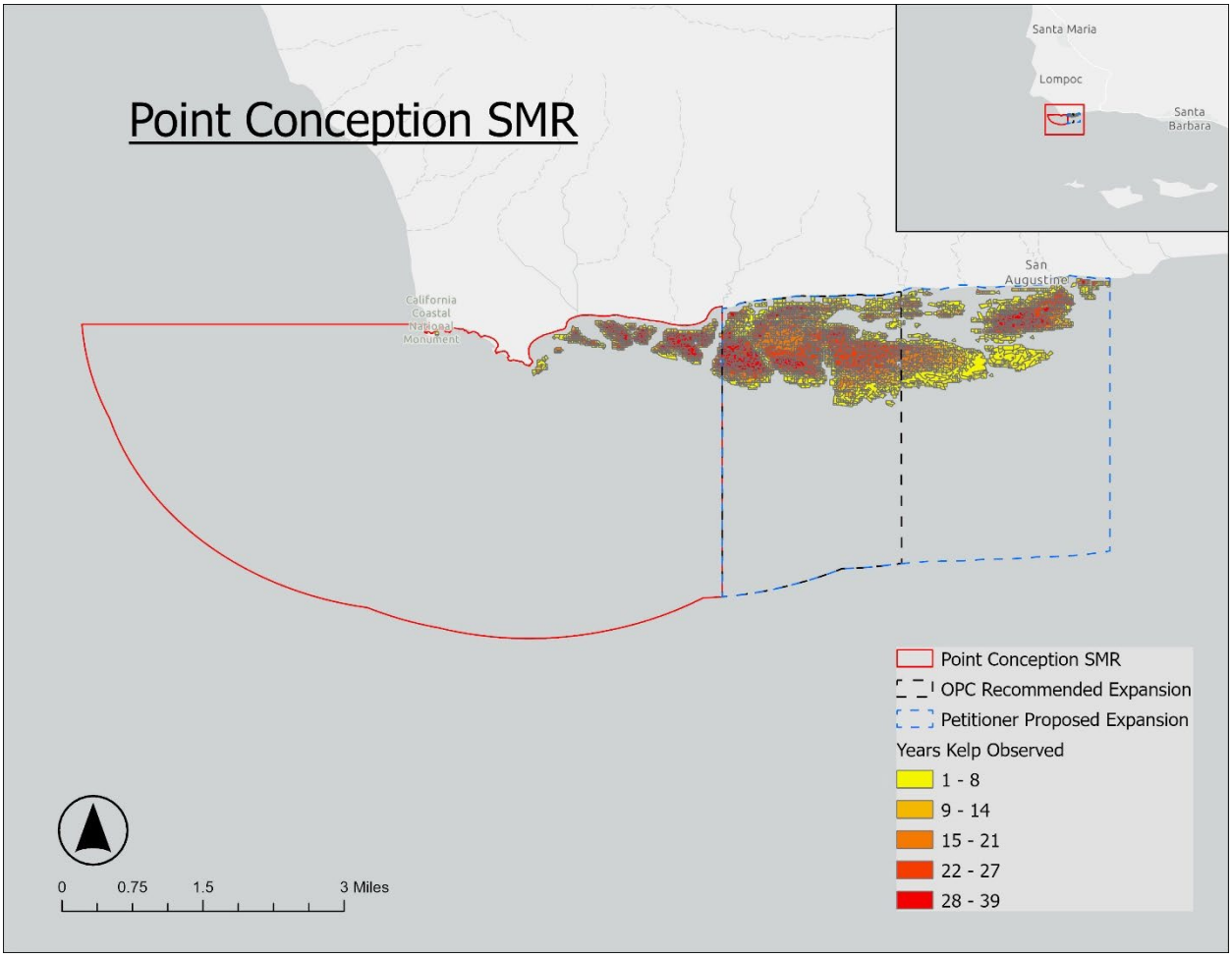

Figure 3. Point Conception SMR with petitioners' proposed expansion (blue dotted line) and OPC's recommended expansion (black dotted line) shown. OPC's recommended expansion encompasses much of the persistent kelp immediately adjacent to Point Conception SMR.

Recommendations At-a-Glance

Table 2. OPC's recommendations on all MPA petitions currently under consideration by CFGC.

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-14MPA	Nine SMCAs statewide (existing)	California Sea Urchin Commission	Allow commercial take of sea urchin in various MPAs	Deny
2023-15MPA_AM	Footprint SMR, Gull Island SMR, and Santa Barbara Island SMR (existing)	Blake Hermann	Reclassify SMRs to SMCAs to allow limited take of highly migratory species and possession of coastal pelagic species, or the take of pelagic finfish	Deny
2023-16MPA	Stewarts Point SMR and Bodega Head SMR (existing)	Bodega Bay Fisherman's Marketing Association	Reclassify SMRs to SMCAs to allow commercial take of salmon by trolling	Deny
2023-18MPA	Vandenberg SMR, Kashtayit SMCA, and San Miguel and Anacapa Island Special Closures (existing)	Ocean Conservancy	Multiple actions to modify allowed uses at several Santa Barbara Channel MPAs	Deny

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-19MPA	Chitqawi SMCA (new)	Santa Ynez Band of Chumash Indians	Add a new MPA near Morro Bay	Deny
2023-20MPA_AM1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Buchon SMCA and Point Buchon SMR (existing)	Santa Ynez Band of Chumash Indians	Add a tribal take exemption at Point Buchon SMCA, rename Point Buchon SMCA, and adjust northern boundary of Point Buchon SMR	Approve tribal take exemption and renaming; deny proposed boundary change
2023-21MPA_AM1 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Pyramid Point SMCA (existing)	Tolowa Dee-ni' Nation	Remove recreational take of true smelt in Pyramid Point SMCA and adjust northern boundary of Pyramid Point SMCA	Approve proposed removal of recreational take of true smelt; deny proposed boundary change
2023-23MPA_AM1	Various MPAs in Monterey County (existing)	Giant Giant Kelp Restoration Project	Modify several regulations related to kelp restoration, including allowing urchin culling in Monterey MPAs; establish a new SMR at Tankers' Reef	Deny

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-24MPA_AM1	Laguna Beach No-Take SMCA and Dana Point SMCA (existing)	Laguna Bluebelt Coalition	Extend the southern boundary of the Laguna Beach No-Take SMCA to the southern border of Laguna Beach	Deny
2023-27MPA_AM1 (as clarified at the May 6, 2026 CFGC regional meeting)	Anacapa Island SMCA (existing)	Environmental Defense Center	Modify regulations at Anacapa Island SMCA to protect sensitive eelgrass habitats (with several options proposed)	Modify SMCA regulations to prohibit the deployment of lobster traps shallower than 50 feet
2023-28MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Point Sal SMCA (new)	Northern Chumash Tribal Council and Natural Resources Defense Council	Add a new MPA near Point Sal	Approve the proposed new Point Sal SMCA
2023-29MPA_AM2 (as amended at the April 14, 2026 CFGC Tribal Committee meeting)	Mishopshno SMCA (new)	Santa Ynez Band of Chumash Indians and Natural Resources Defense Council	Add a new MPA near Carpinteria	Approve the proposed new Mishopshno SMCA

Petition Number	MPA(s) Affected	Petitioner	Proposed Action	OPC Recommendation
2023-32MPA (as clarified at the April 21, 2026 CFGC regional meeting)	Duxbury Reef SMCA (existing)	Environmental Action Committee of West Marin	Expand Duxbury Reef SMCA and modify regulations to strengthen protections for intertidal species	Designate two new SMCAs to protect the northern and southern portions of Duxbury Reef, each with take regulations that protect intertidal seaweed and invertebrates while allowing for continuation of other existing shore- and boat-based fishing
2023-33MPA_AM1	Various existing MPAs and one proposed new MPA	Environment California and Azul	Expand six existing MPAs statewide and add a new MPA in Santa Cruz	Approve proposed expansion of Point Dume SMCA, but deny proposed additional take allowance in Point Dume SMCA. Approve a smaller expansion of Point Conception SMR. Deny proposed expansion of Natural Bridges SMR, Cabrillo SMR, South Point SMR, or Gull Island SMR. Deny proposed designation of a new SMCA at Pleasure Point.
2023-34MPA	Point Buchon SMCA, Farnsworth Onshore and Offshore SMCAs (existing)	Environment California and Azul	Reclassify Point Buchon SMCA to an SMR to prohibit take; Remove all take except for recreational spearfishing in Farnsworth Onshore and Offshore SMCAs	Deny

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Outlook

MPA Petitions

From Eric Praske [redacted]
Date Thu 09/24/2026 12:40 PM
To FGC <FGC@fgc.ca.gov>

I am submitting the attached comment letter for the October 13-16, 2026 FGC meeting. Thank you.

September 24, 2026

RE: MPA Petitions 2023-15MPA-AM, 2023-16MPA, and 2023-18MPA

Dear California Fish and Game Commissioners,

I am writing to urge the Fish and Game Commission (FGC) to deny Petitions 2023-15MPA-AM, 2023-16MPA, and 2023-18MPA. These petitions seek to reduce protections in State Marine Reserves (SMRs) thereby threatening the integrity of California's MPA network. Based on the robust stakeholder feedback and testimony provided during the regional MPA petition meetings, I ask the Commission to deny the petitions for the following reasons:

1. Uphold the Department's Recommendation to Deny

The starting point for evaluating these petitions should be the expert assessment of the California Department of Fish and Wildlife (DFW). DFW has rigorously evaluated these petitions and formally recommended their denial. In addition, the Ocean Protection Council (OPC) has separately determined that granting any of these petitions would "pose an unacceptable risk to the integrity of the existing Network."[1] I strongly urge the Commission to uphold the OPC and DFW's recommendations and trust the scientific and management expertise that guides their conclusions.

2. SMRs are the Backbone of the MPA Network

As emphasized by numerous stakeholders during the regional meetings, fully protected SMRs are the unequivocal backbone of California's MPA network. The protections afforded to these areas were hard-won through a rigorous, science-based planning process. Weakening these protections now would directly contradict the original intent of these MPAs. Furthermore, granting any of these petitions would decrease the overall level of protection across the state and endanger ecological connectivity across MPAs.

3. Opening SMRs to Fishing Sets a Perilous Precedent

Allowing take in MPAs that were previously fully closed will undoubtedly create an array of unintended consequences. Regardless of the petitioners' stated intent, allowing consumptive activities in these SMRs establishes a dangerous precedent that will be weaponized to guide FGC action on future petitions. For example, if the Commission approves a petition allowing salmon trolling in a Northern California MPA, a fisherman in San Diego could use that decision to argue for equitable rights to troll for pelagic species in the South La Jolla SMR. The Commission must protect the network from this slippery slope.

[1] https://opc.ca.gov/wp-content/uploads/2026/07/OPC-Recommendations-on-MPA-Petitions-July-2026-508.pdf?utm_medium=email&utm_source=govdelivery

4. Partial-Take Introduces Enforcement Challenges

If approved, these petitions would drastically complicate enforcement for Wildlife Officers. During the May 19, 2026 FGC meeting, Assistant Chief Eric Kord stated that no-take MPAs are inherently easier to enforce than partial-take MPAs. AC Kord highlighted the risk of the "sea gull effect"—a phenomenon where individuals observe a vessel or individual participating in one consumptive activity and mistakenly assume that other forms of take (e.g., boat fishing, shore fishing, or spearfishing for non-permitted species) are now permitted in a previously closed area.

Beyond burdening Wildlife Officers, these petitions would also severely undermine the CalTIP program, the success of which relies heavily on public observation. If partial-take is allowed, concerned citizens observing activities from afar will struggle to distinguish whether fishermen are targeting permitted or prohibited species, making them hesitant to report legitimate violations.

5. Petitioners Fail to Demonstrate a Need for Fishing in SMRs

No-take MPAs collectively comprise less than 10% of state waters. Highly mobile pelagic species frequently traverse MPA boundaries and are statistically more likely to inhabit the remaining 90% of state waters that allow take. Moreover, many of these species are more likely to inhabit federal waters, where the coverage of no-take MPAs is significantly lower compared to state waters. There are ample opportunities to fish for pelagic species in both federal and state waters without compromising protections in existing no-take MPAs. The petitioners therefore fail to present a compelling reason to warrant jeopardizing the integrity of SMRs.

Conclusion

California's MPA network is globally recognized by the International Union for Conservation of Nature (IUCN) in part because we have maintained the integrity of our MPAs. Granting any of these petitions could compel IUCN to remove our MPA network from the Green List of Protected and Conserved Areas. I respectfully urge the Commission to concur with DFW's recommendations, heed the warnings raised during the regional meetings—by law enforcement, conservationists, and other stakeholders alike—and deny Petitions 2023-18MPA, 2023-15MPA-AM, and 2023-16MPA.

Thank you for your time and your continued commitment to protecting our coastal resources for future generations.

Sincerely,

Eric Praske

Outlook

RE OCTOBER 15 item number 35. Petition 2023-18MPA

From VENTURA COUNTY COMMERCIAL FISHERMEN'S ASSOCIATION [redacted]
Date Wed 09/30/2026 09:29 AM
To FGC <FGC@fgc.ca.gov>

RE OCTOBER 15 item number 35. Petition 2023-18MPA and Petition 2022-04 (A) Petition 2023-18MPA (Vandenberg SMR and Kashtayit SMCA) Request to change the classification of a portion of Vandenberg SMR by creating a narrow, nearshore "ribbon" SMCA, along the entire SMR shoreline, to allow recreational take of finfish by hook and line from shore; make non-regulatory changes at two MPAs; and simplify take regulations at Kashtayit SMCA.

This is a letter VCCFA would like submitted to the record and evaluated prior to the meeting.

Thank you

Dave Colker,
Executive Director
Ventura County Commercial Fishermen's Association
[redacted]

Ventura County Commercial Fishermen's Association
1237 S. Victoria Ave #284
Oxnard, CA 93035
[redacted]
[redacted]com

September 30, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

RE: Support for Petition 2023-18MPA – Vandenberg SMR and Kashtayit SMCA

Dear President Sklar and Commissioners:

The Ventura County Commercial Fishermen's Association (VCCFA) previously submitted written support for Petition 2023-18MPA. Following review of the petition and the California Department of Fish and Wildlife's subsequent technical evaluation, VCCFA continues to support the petition.

Petition 2023-18MPA differs fundamentally from many of the other MPA petitions presently before the Commission. Rather than expanding fishing closures or removing existing fishing access, the petition includes targeted changes intended to restore or improve access, simplify regulations, and improve the practical administration of existing MPAs.

The principal regulatory proposal would create a narrow nearshore State Marine Conservation Area (SMCA) along the shoreline of Vandenberg State Marine Reserve (SMR), allowing recreational take of finfish by hook and line from shore while retaining the offshore protections of the existing reserve. CDFW confirms that the proposal would increase recreational fishing access, particularly for residents of the nearby Lompoc community.

VCCFA supports this type of carefully considered adaptive management.

California's MPA Network should not be treated as permanently fixed where experience demonstrates that targeted modifications can improve access without undermining the broader conservation objectives of the Network. Adaptive management should be capable of working in both directions—strengthening protections where demonstrated necessary and restoring reasonable access where the available information supports doing so.

VCCFA believes the proposed Vandenberg modification represents an important example of that principle.

The petition would not eliminate the Vandenberg SMR or broadly reopen it to fishing. Instead, it proposes a limited nearshore accommodation for shore-based recreational fishing while maintaining the larger offshore reserve. The change would therefore provide a tangible public-access benefit while preserving the substantial marine protections already established at Vandenberg.

This is particularly meaningful because shore-based fishing can provide access to marine resources for people who do not own vessels or have the financial ability to participate in boat-based fishing. CDFW specifically recognizes that the proposed change would increase fishing access for the recreational fishing community, particularly Lompoc residents located near the area.

Petition 2023-18MPA also proposes simplifying the take regulations at Kashtayit SMCA. The proposed regulation would allow recreational take of finfish, invertebrates other than rock scallops and mussels, and giant kelp by hand harvest.

VCCFA supports reasonable regulatory simplification where it improves public understanding and compliance while maintaining the conservation purpose of the MPA.

The remaining petition components include non-regulatory changes associated with monitoring and public understanding of existing MPAs. CDFW's presentation to the Commission identifies these components separately from the regulatory fishing-access changes.

VCCFA's April 21, 2026 comment supported the petition because the proposed changes did not reduce commercial fishing access, introduce new commercial fishing restrictions, displace commercial fishing effort, or increase pressure upon remaining open commercial fishing grounds. Position_Letter_Approve_2023-18... Those considerations continue to distinguish this petition from proposals seeking additional closures.

VCCFA has consistently raised concerns throughout the current MPA petition process regarding socioeconomic impacts and displacement of fishing effort when access to productive fishing grounds is removed. Petition 2023-18MPA presents the opposite circumstance: a targeted proposal to provide additional fishing opportunity while retaining the broader protections of the existing MPA Network.

That distinction matters.

Adaptive management should not operate solely as a mechanism for increasing restrictions. It should also provide a meaningful process for evaluating existing regulations and modifying them when reasonable access can be restored without compromising the objectives of the MPA Network.

For these reasons, VCCFA **supports Petition 2023-18MPA** and respectfully requests that the Commission approve the proposed modifications to Vandenberg SMR, the proposed simplification of take regulations at Kashtayit SMCA, and the associated non-regulatory changes.

VCCFA believes these targeted modifications demonstrate how adaptive management can improve public access, regulatory clarity, and practical management while maintaining the integrity of California's MPA Network.

Respectfully submitted,

Dave Colker

Executive Director
Ventura County Commercial Fishermen's Association (VCCFA)

WILDCOAST COSTASALVAJE

Marine Conservation Institute

environmental DEFENSE CENTER

NRDC

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CALIFORNIA COASTKEEPER ALLIANCE

ESCONDIDO NEIGHBORS UNITED

Friends of Harbors, Beaches and Parks

Clean Earth 4 Kids.org

TURTLE ISLAND RESTORATION NETWORK
FIGHTING FOR A BLUE-GREEN PLANET

Friends of Famosa Slough

Friends of the DUNES

EHL

ALTA PEAK CHAPTER
California Native Plant Society

Friends of Rose Creek
"Connecting Our Communities"

ECO SAN DIEGO

September 29, 2026

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Submitted electronically to fgc@fgc.ca.gov

RE: **Agenda Items 26, 36, and 37** - Opposition to Petitions 2023-14, 2023-15, 2023-16, and 2023-18 which would weaken the California MPA Network

Dear President Sklar, Vice President Anderson, and Honorable Commissioners:

The undersigned organizations - representing public interest, marine science, environmental conservation, and coastal communities - strongly oppose Petitions 2023-14, 2023-15, 2023-16, and 2023-18 and agree with California's Department of Fish and Wildlife (CDFW)'s and the Ocean Protection Council (OPC)'s recommendations to deny them.

These proposals would significantly weaken California's Marine Protected Area (MPA) Network and undermine the ecological integrity that the Marine Life Protection Act (MLPA) was created to protect. In total, the petitions would reduce protections across eighteen MPAs, including six State Marine Reserves (SMRs), two no-take State Marine Conservation Areas (SMCAs), eight SMCAs, and two Special Closure Areas.

We urge the Fish and Game Commission (FGC) to deny petitions that fail to meet the Decadal Management Review (DMR)'s definition of adaptive management: "Guided by the principles of adaptive management, [the first ten-year management review] is an opportunity to evaluate progress to date, celebrate accomplishments, provide lessons learned, and identify recommendations to strengthen the MPA Network and Management Program going forward."[1]

We oppose these petitions because they:

- **Weaken MPA Network Integrity**
  California's MPA network was intentionally designed using science-based guidelines developed by CDFW and expert scientists to ensure larval connectivity, habitat representation, trophic structure, and ecosystem resilience. Because the network functions as an interconnected system, weakening individual MPAs compromises the entire network and conflicts with the goals of the MLPA. The International Union for Conservation of Nature (IUCN) recognized the network's effectiveness by adding it to the Green List of Protected and Conserved Areas after a seven-year evaluation. Rolling back protections or increasing extractive activities threatens the network's ability to sustain biodiversity and ecological connectivity.

- **Fail to Adhere to Science-Based Guidelines and MLPA Goals**
  The MLPA requires that any modifications to MPAs support its six statutory goals and align with established scientific guidelines[2]. The petitions fail to meet these standards. The network's design was grounded in peer-reviewed research on fish movement, larval dispersal, and population persistence, including spatial population models demonstrating that minimum size and spacing criteria are essential for ecological connectivity.

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[1]California Department of Fish and Wildlife. California's Marine Protected Area Network Decadal Management Review. 2022, nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=209209.

[2]California Legislature. California Fish and Game Code, div. 3, ch. 10.5, Marine Life Protection Act, https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=FGC&division=3.&title=&part=&chapter=10.5.&article=

Reducing protections in ways that violate these criteria lacks scientific justification and risks degrading network performance.

Scientific literature is also clear that adaptive management is intended to strengthen MPAs based on monitoring data, not weaken them[3]. As California enters a critical phase of long-term monitoring and adaptive management, peer-reviewed guidance emphasizes that adaptability means refining protections using new evidence, not making ad hoc reductions. A 2023 global synthesis of 307 MPA design recommendations across 56 publications established "permanence and adaptability" as foundational principles, defining the latter specifically as evidence-based enhancement rather than diminished protection[4].

- **Do Not Align with the Decadal Management Review (DMR)**
  The state has invested heavily in monitoring and data synthesis, including more than $60 million from OPC since 2017. Findings from the DMR highlight the need to maintain and enhance resilience in the face of climate change, which is a goal fundamentally incompatible with weakening existing protections.

Deny Petition 2023-14MPA: Opening Sea Urchin Harvest to Commercial Fishing Within Existing MPAs

The undersigned organizations urge the FGC to reject Petition 2023-14MPA. The proposed changes fail to address the underlying drivers of kelp decline, contradicts the core mandates of the MLPA, and would weaken the integrity of the broader MPA network. We support CDFW's and OPC's recommendations to deny the petition, including its conclusion that the proposal conflicts with the original objectives of the affected MPAs and does not align with adaptive management guidance from the DMR.

The Proposed Action Would Not Address Kelp Loss

The petition seeks to open nine SMCAs to commercial urchin harvest to support kelp restoration. However, purple urchins - the species responsible for kelp barrens - represent only 0.26% of commercial landings and have almost no market value. Red urchins make up 99.73% of landings but are not driving kelp decline[5]. Opening MPAs would therefore incentivize removal of red urchins, not the ecologically harmful purple urchins, and would not meaningfully reduce

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[3] Van Diggelen, Amanda D., et al. "California's Lessons Learned and Recommendations for Effective Marine Protected Area Network Management." *Marine Policy*, vol. 137, Mar. 2022, p. 104928, https://doi.org/10.1016/j.marpol.2021.104928. 7 January 2022.
[4] Burns, E. S., et al. "Finding harmony in Marine Protected Area design guidelines." *Conservation Science and Practice*. Vol. 5, Issue 6. https://doi.org/10.1111/csp2.12946. 24 April 2023.
[5] California Department of Fish and Wildlife. Marine Fisheries Data Explorer; Landings by Value and Participation. https://mfde.wildlife.ca.gov/visualize/LandingsSummary. Accessed 27 Feb. 2026.

urchin pressure on kelp forests. Current research instead supports targeted, science-based purple urchin removals using trained divers to minimize ecosystem impacts[6], [7].

The Petition Conflicts With MLPA Goals

The proposal undermines four MLPA goals (1, 2, 5, and 6) by exposing protected species to increased risk, weakening trophic dynamics, and creating enforcement challenges[8]. Allowing commercial take within MPAs increases confusion and accidental take, contradicting the MLPA's requirement for clear, enforceable protections[9]. Multiple gear types can be used to take urchins[10], and vessels can carry or switch gear, making it difficult for wardens to verify compliance within SMCAs[11]. Increasing allowable take in MPAs with already complex rules runs counter to MLPA Goal 5 and to the DMR's emphasis on improving,not weakening, management effectiveness.

In Southern California MPAs, intact trophic cascades have been shown to support kelp resilience during marine heatwaves[12],[13]. In these systems, predators such as lobsters and sheephead naturally regulate urchin populations [14],[15]. Opening these MPAs to commercial urchin harvest would erode these predator-prey relationships.
On the North Coast, where sheephead and otters are absent, commercial harvest would still primarily remove red urchins rather than the purple urchins driving kelp loss[16],[17]. Scientific Collecting Permits offer a more appropriate tool for targeted purple urchin removal while maintaining network protections and supporting long-term commercial viability of red urchins.

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[6] Bennet and Caton,2019. Marine heat wave and multiple stressors tip bull kelp forest to sea urchin barrens.https://www.nature.com/articles/s41598-019-51114-y
[7] Eisaguirre et al. 2020. Trophic redundancy and predator size class structure drive differences in kelp forest ecosystem dynamics.
[8] California Legislature. California Fish and Game Code, div. 3, ch. 10.5, Marine Life Protection Act, https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=FGC&division=3.&title=&part=&chapter=10.5.&article=
[9] Turnbull et. al. "Evaluating the social and ecological effectiveness of partially protected marine areas." *Conservation Biology*, Vol. 35, Issue 3. https://doi.org/10.1111/cobi.13677. 14 January 2021.
[10] California Department of Fish and Wildlife. Marine Fisheries Data Explorer; Landings by Value and Participation. https://mfde.wildlife.ca.gov/visualize/LandingsSummary. Accessed 25 Mar. 2026.
[11] California Department of Fish and Wildlife. California's Marine Protected Area Network Decadal Management Review. 2022, https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=209209&inline.
[12] Kumagai et al. 2024. Marine Protected Areas that preserve trophic cascades that promote resilience of kelp forests to heat waves.
[13] Hamilton and Caselle 2015. Exploitation and recovery of a sea urchin predator has implications for the resilience of southern California kelp forests.
[14]Kumagai et al. 2024. Marine Protected Areas that preserve trophic cascades that promote resilience of kelp forests to heat waves.
[15] Hamilton and Caselle 2015. Exploitation and recovery of a sea urchin predator has implications for the resilience of southern California kelp forests.

[16] Marine Mammal Commission. "Southern Sea Otter - Marine Mammal Commission." Marine Mammal Commission, Marine Mammal Commission, 2015, www.mmc.gov/priority-topics/species-of-concern/southern-sea-otter/. Accessed 25 Mar. 2026.
[17] California Department of Fish and Wildlife. Marine Fisheries Data Explorer; Landings by Value and Participation. https://mfde.wildlife.ca.gov/visualize/LandingsSummary. Accessed 27 Feb. 2026.

The Petition Would Weaken the MPA Network

SeaSketch analysis shows the petition would reduce habitat connectivity and significantly downgrade the level of protection (LOP) in several MPAs. Point Dume, Swami's, and Point Vicente (currently functioning as a no-take SMR) would fall to "moderate-low" protection levels, undermining spacing and habitat representation guidelines essential to network design[18],[19],[20]. These changes would diminish long-term ecological benefits without evidence that commercial urchin harvest would improve kelp health.

Deny Petition 2023-15MPA: Opening Channel Island MPAs to Allow Take of Highly Migratory Species

The undersigned organizations urge the FGC to reject Petition 2023-15MPA because it conflicts with the goals of the Marine Reserves Working Group (MRWG) that supported the Channel Islands MPA designation process in 2003[21], as well as the goals of the MLPA. The petition also undermines ecosystem protections for highly migratory species (HMS), and creates enforcement challenges. We support CDFW's and OPC's recommendations to deny the petition.

The proposal would open three no-take SMRs in the Channel Islands (Footprint, Gull Island, and Santa Barbara Island) to commercial fishing for pelagic and HMS species. These Channel Islands MPAs are among the largest, oldest, and most effective in the nation and serve as the "crown jewels" of California's MPA network. Reclassifying them as SMCAs contradicts the original planning goals for the region and the statewide MLPA framework.

Inconsistent With MRWG and MLPA Goals

The Channel Islands MPAs were established to protect representative habitats, ecological processes, and ecosystem-level biodiversity, not individual species. The MRWG explicitly designed these reserves to safeguard whole ecosystems, a principle reinforced by past FGC decisions rejecting petitions focused on single species (e.g., the 2020–21 white shark MPA proposal)[22]. Opening MPAs to target HMS contradicts this ecosystem-based mandate.

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[18]SeaSketch California. 14_7 Point Dune SMCA (Take) Discussion Forum. https://www.seasketch.org/california/app/forums/280/524. Accessed 27 Feb. 2026.
[19] SeaSketch California. 14_9 Swami's SMCA (Take) Discussion Forum. https://www.seasketch.org/california/app/forums/280/526. Accessed 27 Feb. 2026.
[20] SeaSketch California. 14_8 Point Vicente SMCA (no-take) (Take/Designation) Discussion Forum. https://www.seasketch.org/california/app/forums/280/525. Accessed 27 Feb. 2026.
[21] History of the Community-Based Process on Marine Reserves at the Channel Islands National Marine Sanctuary 1999-2001. March 2002. https://nmschannelislands.blob.core.windows.net/channelislands-prod/media/docs/2001-marine-reserves-sac-history.pdf Accessed 25 Mar. 2026.
[22] California Department of Fish and Wildlife. California's Marine Protected Area Network Decadal Management Review. 2022. Appendix G Supplemental Tables.

The petition also conflicts with MLPA Goals 1 and 2, which require protecting marine life abundance and ecosystem integrity. Contrary to the petitioner's claims, HMS are not merely transient visitors, they are apex predators that provide critical top-down structural influence on the marine community. Although wide-ranging, they aggregate at predictable hotspots such as seamounts and fronts, and studies show increases in tuna size and reduced fishing pressure following MPA establishment[23],[24]. By foraging on resident MPA species, HMS gain access to high quality prey without the risk of capture from fishing. Allowing HMS take would remove these benefits and introduce new disturbances such as boat traffic, noise, pollution, and derelict gear that harm non-migratory species the MPAs were designed to protect.

Ecological Importance of Protecting HMS and Pelagics

HMS and pelagic species provide essential ecosystem services[25]. They transport nutrients across ocean regions and act as apex predators that regulate mid-trophic species[26],[27]. Removing them can trigger destabilizing food-web shifts, such as mesopredator booms. In Southern California, declines in sharks and billfish have been linked to increases in Humboldt squid, which then prey heavily on hake, herring, and crustaceans[28]. Allowing HMS fishing in MPAs risks amplifying these cascading effects. Generally, HMS fisheries also frequently catch non-target species, including threatened turtles and seabirds, although hook-and-line, spear, harpoon, and deep set buoy gear is highly selective and generally avoids surface-dwelling species. Introducing take into no-take MPAs would expose protected habitats and species to new risks, undermining the core purpose of the reserves.

Deny Petition 2023-16: Reclassify Stewart's Point and Bodega Head SMRs as SMCAs to Allow Commercial Salmon Trolling

The undersigned organizations urge the FGC to reject Petition 2023-16MPA because it conflicts with key goals of the MLPA, raises significant scientific concerns, and, according to CDFW, does not align with adaptive management guidance from the DMR. CDFW also notes that the petition contradicts the original purpose of the two SMRs, could create enforcement challenges, and may unintentionally increase pressure on groundfish species. We agree with both recommendations from CDFW and OPC to deny this petition.

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[23] McDonald, Gavin, et al. "Global Expansion of Marine Protected Areas and the Redistribution of Fishing Effort." *Proceedings of the National Academy of Sciences*, vol. 121, no. 29, 9 July 2024, https://doi.org/10.1073/pnas.2400592121.

[24] Curnick, David J, et al. "Interactions between a Large Marine Protected Area, Pelagic Tuna and Associated Fisheries." Vol. 7, 14 May 2020, https://doi.org/10.3389/fmars.2020.00318

[25] Heithas et al. 2008. Predicting ecological consequences of marine top predator declines.

[26] Bauer, S., and B. J. Hoye. "Migratory Animals Couple Biodiversity and Ecosystem Functioning Worldwide." *Science*, vol. 344, no. 6179, 4 Apr. 2014, https://doi.org/10.1126/science.1242552

[27] Reynolds, Heather L, and Keith Clay. "Migratory species and ecological processes." *Environmental Law*, vol. 41, no. 2, 2011, pp. 371–391. JSTOR, www.jstor.org/stable/43267495, https://doi.org/10.2307/43267495.

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Conflicts With MLPA Goals

Petition 2023-16 is inconsistent with MLPA Goals 1, 2, and 6. It proposes reducing protections in two SMRs to allow commercial salmon trolling at a time when salmon populations are at historic lows[29], [30]. The commercial salmon fishery has been closed for three consecutive years (2023–2025) due to extremely low abundance driven by multi-year drought, warming waters, harmful algal blooms, and wildfire-related impacts on watersheds. Introducing new fishing pressure in SMRs would add stress to a species already in crisis, directly contradicting MLPA Goal 1, which requires protecting and maintaining species abundance.

The petition also conflicts with MLPA Goal 2, which prioritizes sustaining and rebuilding depleted, economically valuable species. Salmon clearly meet both criteria: they are economically important and severely depleted. Reclassifying SMRs as SMCAs to increase commercial harvest opportunities during a period of population collapse runs counter to the MLPA's conservation mandate. Finally, weakening protections in Stewart's Point and Bodega Head SMRs would undermine the integrity of the statewide MPA network, violating MLPA Goal 6. SMRs serve as the backbone of the network, and reducing their protection level diminishes the connectivity and ecological function the MLPA requires.

Scientific Concerns

While the petition correctly notes that climate change threatens salmon, its proposed action does nothing to address the root causes of salmon decline. Research shows that warming water temperatures and reduced streamflow have harmed salmon throughout their life cycle, contributing to long-term reductions in abundance[31]. Allowing take in SMRs would not mitigate these climate-driven stressors and would remove safeguards that currently allow salmon to recover and safely hunt for prey within those MPAs.

Recent scientific studies underscore the importance of maintaining strong protections. A 2023 study by Hamilton, Kennedy, and colleagues found that MPAs, despite facing climate stressors, can function as climate refugia that buffer species from the worst impacts of warming[32]. Similarly, Smith et al. (2025) examined ecological communities in Central Coast MPAs before, during, and after the 2014–2016 marine heatwaves[33]. While MPAs did not prevent all climate-driven changes, some communities inside MPAs experienced less disruption than reference sites, and MPAs continued to support higher fish biomass, abundance, and diversity even during extreme heat events.

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These findings suggest that maintaining the integrity of the existing MPA network is more likely to support the resilience of salmon and HMS under climate change than weakening SMRs to expand commercial fishing allowances. Strong, fully protected areas provide ecological stability that can help species, including salmon, better withstand climate-related pressures.

Deny Three Actions with Petition 2023-18: Modifications to allowed uses at several Santa Barbara Channel MPAs

The undersigned organizations urge the FGC to reject Petition 2023-18MPA because it is inconsistent with the goals of the MRWG and the MLPA and lacks scientific justification for removing protections for seabirds and pinnipeds. We support CDFW's and OPC's recommendations to deny actions 2023-18MPA_5, 2023-18MPA_6, and 2023-18MPA_7, which would reduce protections for seabird and pinniped populations and weaken ecological protections. We also support CDFW's recommendation to support action 2023-18MPA_2 to continue support for the Marine Monitor (M2) radar at Point Conception SMR, because it aligns with the goals of the MLPA and the DMR recommendations regarding improving MPA enforcement.

Inconsistent With MRWG and MLPA Goals

Actions 2023-18MPA_5, 2023-18MPA_6, and 2023-18MPA_7 propose removing the Special Closures on San Miguel Island and Anacapa Island which were established prior to the creation of the MPA network to protect seabird and pinniped populations from human disturbance.[34] San Miguel Island is home to one of the largest pinniped rookeries and haul-out areas in the country and pinnipeds are highly sensitive to disturbance, especially during pupping and breeding, when disturbance can lead to reduced reproductive success or pup abandonment.[35] Similarly, Anacapa Island is home to the largest breeding colony of California brown pelicans in the world[36],[37].

Brown pelicans are extremely sensitive to noise and human disturbance, particularly during nesting when disturbance can cause nest abandonment[38]. Removing protections threatens these sensitive populations and conflicts with MRWG Goal 1 and MLPA Goals 1 and 2 which aim to protect populations of interest and the natural diversity and abundance of marine life.

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[37] California Department of Fish and Wildlife. Anacapa Island Special Closure. Version 2, September 2022. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=104293.
[38] Anderson 1998. Dose-response relationships between human disturbance and brown pelican breeding success.

Conclusion

We urge the FGC to reject Petitions 2023-14, 2023-15, 2023-16, and 2023-18 to ensure that California's marine ecosystems remain resilient, healthy, and protected for future generations.

Thank you for your leadership and for considering these comments.

Sincerely,

46 Organizations[39]

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