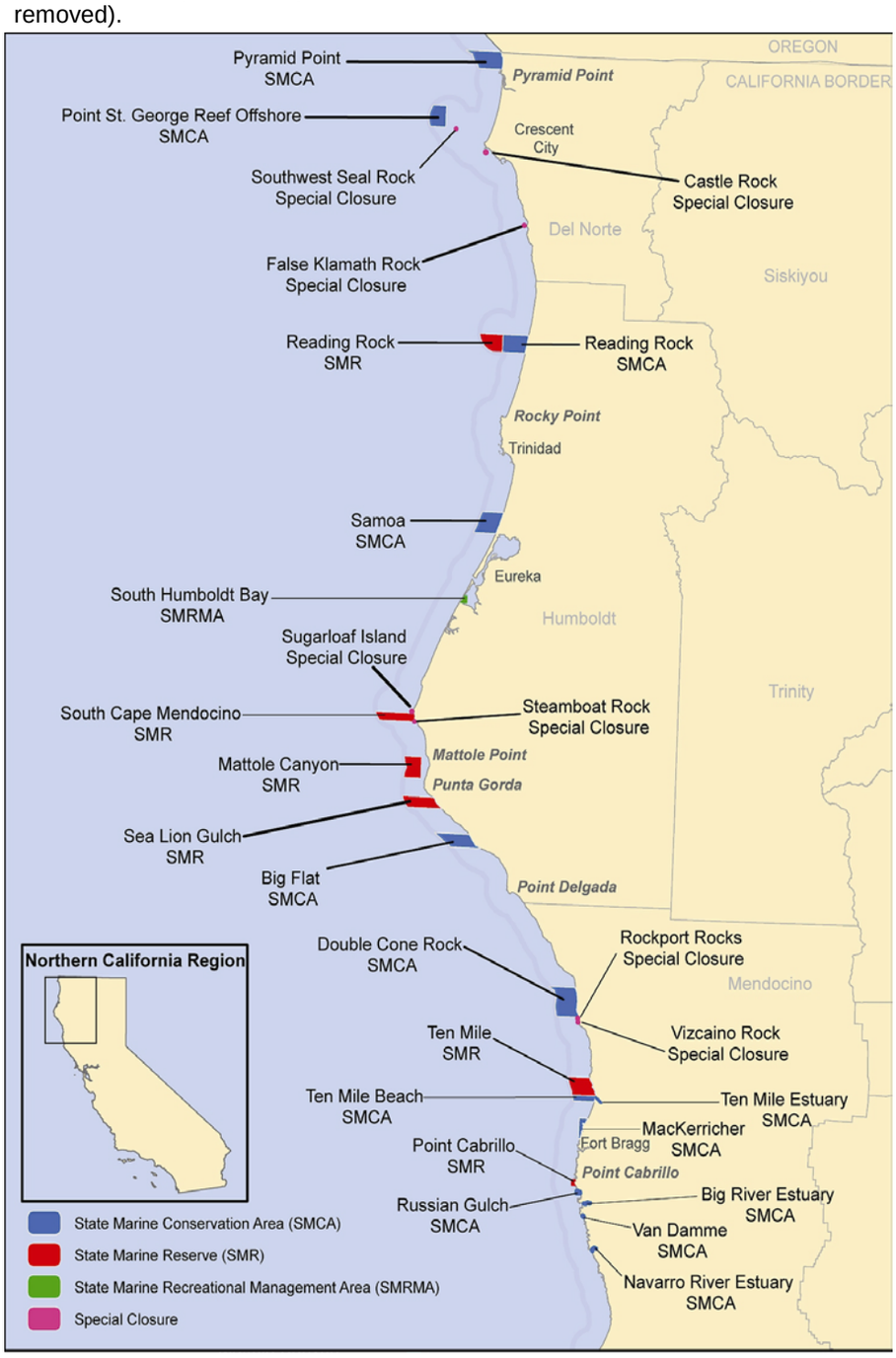
NOTICE TO TRIBES AND TRIBAL COMMUNITIES:

New and Revised Marine Protected Areas in Effect in Northern California

Effective December 19, 2012

New or modified Marine Protected Areas (MPAs), adopted by the Fish and Game Commission in June 2012 as part of Marine Life Protection Act implementation, will go into effect on December 19, 2012 along the northern California coast (north of Point Arena). There are 19 new or modified MPAs, one State Marine Recreational Management Area and seven special closures. Four of the five pre-existing MPAs have been retained in the new network (Punta Gorda State Marine Reserve has been removed).



Federally recognized tribes: Please note that certain MPAs include an exemption from the MPA area and take regulations found in Title 14, Section 632(b) for specified federally recognized tribes. See table on back side of this flyer for list of tribes by MPA.

The new regulations also define general rules for **Tribal Take**, as follows: "Tribal Take. For purposes of this regulation, "federally recognized tribe" means any tribe on the *List of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs,* published annually in the Federal Register. Any member of a federally recognized tribe authorized to take living marine resources from an area with area-specific take restrictions in subsection 632(b), when engaging in take within an authorized area shall possess on his person, in his immediate possession, or where otherwise specifically required by law to be kept, any valid license, report card, tag, stamp, validation, permit, or any other entitlement that is required in the Fish and Game Code, or required by other state, federal, or local entities, in order to take living marine resources. Members shall possess a valid photo identification card issued by a federally recognized tribe that contains expiration date, tribal name, tribal member number, name, signature, date of birth, height, color of eyes, color of hair, weight, and sex; and display any of the items listed above upon demand to any peace officer. Members taking living marine resources under this provision are subject to current seasonal, bag, possession, gear and size limits in existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b). No member, while taking living marine resources pursuant to this section, may be assisted by any person who does not possess a valid tribal identification card and is not properly licensed to take living marine resources. Nothing in the regulation is intended to conflict with, or supersede, any state or federal law regarding the take of protected, threatened or endangered species" (California Code of Regulations, Title 14 Section 632(a)(11)).

For printable MPA-specific maps, regulations, boundaries, coordinates and uses, please visit: *www.dfg.ca.gov/mlpa*.
In addition, a mobile phone-friendly MPA website can be viewed on any smart phone at *www.dfg.ca.gov/m/MPA.*

If you have other questions about these MPAs or the Marine Life Protection Act, please visit: *www.dfg.ca.gov/mlpa.* Or contact us:

By E-mail: MLPAComments@dfg.ca.gov
By Mail: MPA Project, c/o Department of Fish and Game, 1812 Ninth Street, Sacramento, CA 95811
Or visit a local DFG office:

♦ Eureka: 619 2nd Street; ♦ Fort Bragg: 32330 N. Harbor Drive; ♦ Santa Rosa: 5355 Skylane Blvd., Ste B

The following definitions and notes apply to the table on reverse page (Note that listed "sections" and "subsection" are found in California Code of Regulations, Title 14, Section 632):

- **SMR**: State Marine Reserve, an MPA classification defined in Section 632(a)(1)(A).
- **SMCA**: State Marine Conservation Area, an MPA classification defined in Section 632(a)(1)(C).
- **SMRMA**: State Marine Recreational Management Area, a marine managed area classification defined in Section 632(a)(1)(D).
- Note that **General Rules and Regulations** exist and apply to all MPAs. The general rules and regulations are not listed in this table, but can be found in Section 632(a) regarding: *Access, Introduction of Species, Feeding of Fish and Wildlife, Anchoring, Transit or Drifting, Water Quality Monitoring, Public Safety, Shore Fishing,* and *Tribal Take* (see above). See Section 632(a) or visit *www.dfg.ca.gov/mlpa* for details.
- This document does not replace the official regulatory language found in California Code of Regulations, Title 14, Section 632.

New and Revised Northern California MPA Regulations

SMR	Take of All Living Marine Resources is Prohibited:
Reading Rock, Mattole Canyon, Sea Lion Gulch, South Cape Mendocino, Ten Mile, Point Cabrillo SMRs	• Prohibits take of all living marine resources.
SMCA	**Take of All Living Marine Resources is Prohibited, EXCEPT:**
Pyramid Point SMCA	• Allows recreational take of surf smelt by dip net or Hawaiian type throw net. • Exempts the following federally recognized tribe from area and take regulations for this MPA[1]: ***Smith River Rancheria***
Point St. George Reef Offshore SMCA	• Allows recreational and commercial take of salmon by trolling or troll fishing gear; and Dungeness crab by trap. • Exempts the following federally recognized tribes (listed alphabetically) from area and take regulations for this MPA[1]**:** ***Elk Valley Rancheria; Smith River Rancheria***
Reading Rock SMCA	• Allows recreational take of salmon by trolling; surf smelt by dip net or Hawaiian type throw net; and Dungeness crab by trap, hoop net or hand. • Allows commercial take of salmon with troll fishing gear; surf smelt by dip net; and Dungeness crab by trap. • Exempts the following federally recognized tribe from area and take regulations for this MPA[1]: ***Yurok Tribe of the Yurok Reservation***
Samoa SMCA	• Allows recreational take of salmon by trolling; surf smelt by dip net or Hawaiian type throw net; and Dungeness crab by trap, hoop net or hand. • Allows commercial take of salmon with troll fishing gear; surf smelt by dip net; and Dungeness crab by trap. • Exempts the following federally recognized tribe from area and take regulations for this MPA[1]: ***Wiyot Tribe***
Big Flat SMCA	• Allows recreational take of salmon by trolling and Dungeness crab by trap, hoop net or hand. • Allows commercial take of salmon with troll fishing gear and Dungeness crab by trap. • Exempts the following federally recognized tribes (listed alphabetically) from area and take regulations for this MPA[1]: ***Bear River Band of the Rohnerville Rancheria; Big Valley Band of Pomo Indians of the Big Valley Rancheria; Cahto Indian Tribe of the Laytonville Rancheria; Coyote Valley Band of Pomo Indians; Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria; Guidiville Rancheria; Habematolel Pomo of Upper Lake; Hopland Band of Pomo Indians of the Hopland Rancheria; Lower Lake Rancheria; Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria; Middletown Rancheria of Pomo Indians; Pinoleville Pomo Nation; Potter Valley Tribe; Redwood Valley Rancheria of Pomo Indians; Robinson Rancheria of Pomo Indians; Round Valley Indian Tribes of the Round Valley Reservation; Scotts Valley Band of Pomo Indians; Sherwood Valley Rancheria of Pomo Indians***
Double Cone Rock SMCA	• Allows recreational take of salmon by trolling and Dungeness crab by trap, hoop net or hand. • Allows commercial take of salmon with troll fishing gear and Dungeness crab by trap. • Exempts the following federally recognized tribes (listed alphabetically) from area and take regulations for this MPA[1]: ***Big Valley Band of Pomo Indians of the Big Valley Rancheria; Cahto Indian Tribe of the Laytonville Rancheria; Coyote Valley Band of Pomo Indians; Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria; Guidiville Rancheria; Habematolel Pomo of Upper Lake; Hopland Band of Pomo Indians of the Hopland Rancheria; Lower Lake Rancheria; Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria; Middletown Rancheria of Pomo Indians; Pinoleville Pomo Nation; Potter Valley Tribe; Redwood Valley Rancheria of Pomo Indians; Robinson Rancheria of Pomo Indians; Round Valley Indian Tribes of the Round Valley Reservation; Scotts Valley Band of Pomo Indians; Sherwood Valley Rancheria of Pomo Indians***
Ten Mile Beach SMCA	• Allows recreational take of Dungeness crab by trap, hoop net or hand. • Allows commercial take of Dungeness crab by trap. • Exempts the following federally recognized tribes from area and take regulations for this MPA[1]: ***Same tribes as listed for Double Cone Rock SMCA (above).***
Ten Mile Estuary SMCA	• Allows take of waterfowl in accordance with the general waterfowl regulations. • Allows take associated with operation and maintenance of artificial structures inside the conservation area pursuant to any required federal, state and local permits, or as otherwise authorized by the department. • Exempts the following federally recognized tribes from area and take regulations for this MPA[1]: ***Same tribes as listed for Double Cone Rock SMCA (above).***
MacKerricher SMCA	• Prohibits commercial take of bull kelp and giant kelp; allows all other commercial and recreational take in accordance with current regulations.
Russian Gulch SMCA	• Prohibits commercial take of bull kelp and giant kelp; allows all other commercial and recreational take in accordance with current regulations.
Big River Estuary SMCA	• Allows recreational take of surfperch by hook-and-line from shore only and Dungeness crab by hoop net or hand. • Allows take of waterfowl in accordance with the general waterfowl regulations. • Allows take associated with operation and maintenance of artificial structures inside the conservation area pursuant to any required federal, state and local permits, or as otherwise authorized by the department. • Exempts the following federally recognized tribes from area and take regulations for this MPA[1]: ***Same tribes as listed for Double Cone Rock SMCA (above).***
Van Damme SMCA	• Prohibits commercial take of bull kelp and giant kelp; allows all other commercial and recreational take in accordance with current regulations.
Navarro River Estuary SMCA	• Allows recreational take of salmonids by hook and line consistent with salmonid regulations. • Allows take of waterfowl in accordance with the general waterfowl regulations. • Exempts the following federally recognized tribes from area and take regulations for this MPA[1]: ***Same tribes as listed for Double Cone Rock SMCA (above).***
SMRMA	**Take of All Living Marine Resources is Prohibited, EXCEPT:**
South Humboldt Bay SMRMA	• Exempts the following federally recognized tribe from area and take regulations for this MPA[1]: ***Wiyot Tribe*** • Allows take of waterfowl in accordance with the general waterfowl regulations.
Special Closure	**Special Closure Regulations:**
Year-Round: Southwest Seal Rock, Castle Rock, Sugarloaf Island ***March 1 through August 31 ONLY:*** False Klamath Rock, Steamboat Rock, Rockport Rocks, Vizcaino Rock	• Except as permitted by federal law or emergency caused by hazardous weather, **no vessel shall be operated or anchored at any time** from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of the special closure area. • No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area.

[1] Federally recognized tribes exempted from MPA area and take regulations shall comply with all other existing regulations and statutes, and adhere to general rules and regulations regarding tribal take as defined in California Code of Regulations, Title 14, Section 632(a)(11).