#### California Marine Life Protection Act Initiative

# Recommended Options and Sub-options Regarding Marine Protected Areas for the MLPA North Coast Study Region

June 16, 2011

On April 7, 2011, the California Fish and Game Commission (F&GC) directed staff to work with California Department of Fish and Game (DFG) and Marine Life Protection Act (MLPA) Initiative staff to develop options regarding marine protected areas (MPAs) in the MLPA North Coast Study Region for consideration at its June 29-30, 2011 meeting.

A work group was formed with staff from the F&GC, DFG and MLPA Initiative to develop such a document, to which California State Parks staff also contributed. The work group released its document on June 10, 2011 (<a href="http://www.dfg.ca.gov/mlpa/pdfs/northcoastoptions060911.pdf">http://www.dfg.ca.gov/mlpa/pdfs/northcoastoptions060911.pdf</a>). The work group document ("north coast MPA options document") provides information about options currently under consideration by the F&GC, potential changes to incorporate into a preferred alternative, and a list of potential sub-options to consider within a preferred alternative.

MLPA Initiative staff developed this document to provide an assessment of which options and sub-options in the north coast MPA options document best meet the intent of the MLPA Blue Ribbon Task Force (BRTF) as it was developing recommendations for the MLPA North Coast Study Region. In developing these recommendations, staff used previous BRTF guidance, BRTF adopted recommendations, and information gathered subsequent to the final BRTF meeting. MLPA Initiative recommendations in this document are in blue italicized text. MLPA Initiative staff has also provided in several instances suggested clarifying text to what was provided in the north coast MPA options document, which are in underline (new text) and strikeout (deleted text).

#### **Options for Traditional Tribal Gathering in a Preferred Alternative**

In the north coast MPA options document, three options for traditional tribal gathering were identified for F&GC consideration:

- 1. Allow tribal gathering to continue in SMCAs (not SMRs), by specific tribal users, where a factual record can be established that shows ancestral take or tribal gathering practices by a federally-recognized tribe in that specific MPA, and by allowing only those tribes to take specified species with specified gear types.
- 2. Allow tribal gathering to continue throughout all open coast MPAs (except SMRs) by allowing all recreational users to take specified species using specified gear types at all levels of protection (LOPs). This includes all MPAs, except SMRs (RNCP concept).
- 3. Allow tribal gathering in the nearshore component of open coast MPAs (except SMRs) by allowing recreational users to take specified species using specified gear types at all LOPs; would also apply to estuarine areas where recreational uses are identified to accommodate tribes (ECA concept). The offshore component of open coast MPAs would allow all recreational users to take specified species using specified gear types for only those uses assigned a high or moderate-high LOP.

Note that none of these three options would have an impact on proposed regulations for commercial take or recreational take intended for all recreational users; rather, these three options would only apply to recreational uses identified as intended to accommodate tribes.

MLPA Initiative recommendation: Based on the recommendations of the MLPA Blue Ribbon Task Force, allow traditional tribal gathering to continue in SMCAs using a factual record (Option 1). For those SMCAs where a preliminary analysis indicates that sufficient factual information appears to exist, identify this option in the ISOR.

For any SMCA where it does not appear that sufficient factual information currently exists or could be quickly compiled, divide the SMCA into an offshore component and a nearshore component, initially allowing all recreational users to take the identified species (using identified gear types) intended to accommodate tribal uses in the nearshore MPA; those uses intended to accommodate tribes would not be included in the offshore MPA. At some point in the future when sufficient information does exist to establish a factual record, the F&GC can then combine the two SMCAs into one again and only allow tribal gathering for those species and gear types intended to accommodate tribal uses.

# Potential Changes that Could be Included in a Preferred Alternative or as Regulatory Sub-Options

A number of issues, and sub-options for addressing those issues, were highlighted in the north coast MPA options document for the F&GC to consider in developing a preferred alternative. In this section (beginning on the next page) and two corresponding tables, MLPA Initiative recommendations for each of the sub-options are identified in blue italicized text. The MLPA Initiative recommendations are based on one of two assumptions:

- (1) Assumes that the F&GC chooses Option 1 for accommodating traditional tribal gathering. Several sets of sub-options would no longer need to be considered if the F&GC chooses Option 1; these have been identified in the text in the MLPA Initiative recommendation and with strikeout text in Table 1.
- (2) Assumes that the F&GC chooses options 2 or 3 for accommodating traditional tribal gathering.

#### Issue 1: Pyramid Point SMCA Southern Boundary

MLPA Initiative recommendation: (1) Sub-option B. (2) Sub-option C, using the small cluster of rocks just northeast of Hunter Rock as the landmark, and working with Smith River Rancheria to install signage on the beach as an additional landmark.

Potential sub-options for the southern boundary of Pyramid Point SMCA:

| Sub-Options   | Boundary Description   | Мар              |
|---|--|------------------|
| ☐ Sub-option A: Maintain the southern boundary as proposed  | North Boundary: 42° 00.00' lat<br>South Boundary: 41° 57.50' lat<br>East Boundary: Mean high tide<br>line<br>West Boundary: The state<br>waters boundary |                  |
| ☐ Sub-option B: Move the southern boundary approximately 1/3 miles south to the northernmost tip of Prince Island   | North Boundary: 42° 00.00' lat<br>South Boundary: 41° 57.13'<br>East Boundary: Mean high tide<br>line<br>West Boundary: The state<br>waters boundary     | Prince Island    |
| ☐ Sub-option C: Maintain the southern boundary as proposed if the Smith River Rancheria enters into an MOU with DFG to install and maintain signage at the southeastern corner of the MPA | See sub-option A   | See sub-option A |

#### Issue 2: Reading Rock SMCA Proposed Take Regulations

MLPA Initiative recommendation: (1) Reading Rock take regulations is no longer an issue and the proposed uses intended to accommodate tribes can be removed from the proposed regulations. (2) Sub-option C, assuming that the simplification does not remove any proposed recreational take to accommodate tribes.

Potential Sub-options for proposed take at Reading Rock SMCA:

| Options Proposed Regulatory Language   |   |
|--|---|
| ☐ Sub-option A: Retain all proposed uses   | No change   |
| Sub-option B: Retain only those proposed uses intended to accommodate tribal uses at moderate-high or high LOP | The take of all living marine resources is prohibited EXCEPT:  1. The commercial take of salmon (TROLL); Dungeness crab (TRAP); and surf and night smelt (DIP NET OR CAST NET).  2. The recreational take of pelagic finfish except salmon (SPEARFISHING); salmon (TROLL); Dungeness crab (TRAP, HOOP NET OR DIVING); and surf and night smelt (DIP NET OR CAST NET).  3. The recreational take, intended to accommodate tribal uses, of:  • Pacific lamprey (HOOK AND LINE OR BOW AND ARROW);  • trout (except steelhead rainbow trout) (HOOK AND LINE);  • pelagic finfish (including anchovy), sardine, mackerel, salmon, and billfishes (6 species)) (TROLL);  • California halibut, other flatfish (7 species), billfishes (6 species) and Pacific lamprey (SPEARFISHING);  • anchovy, sardine, mackerel (2 species) and Pacific lamprey (HAND);  • sharks (7 species), ray and skates (2 species) (SPEAR, HARPOON OR BOW AND ARROW);  • surf smelt, herring and anchovy (DIP NET OR CAST NET);  • eulachon (DIP NET);  • Dungeness crab (TRAP OR HOOP NET); and  • market squid (HOOK AND LINE, DIP NET OR CAST NET). |
| ☐ Sub-option C: Same as sub-option B, but with take regulations simplified                                     | Example(s) for simplified regulations to be provided by DFG   |

### Issue 3: South Humboldt Bay State Marine Recreational Management Area (SMRMA) Boundaries

MLPA Initiative recommendation: (1) and (2) Sub-option C, working with Humboldt Bay Harbor, Recreation and Conservation District to install signage (buoys not really appropriate for this area composed mostly of mudflats).

Potential sub-options for the proposed boundaries of South Humboldt Bay SMRMA:

| Sub-Options  | Boundary Description  | Мар                          |
|--|---|------------------------------|
| Sub-option A: Maintain the boundaries as proposed  | North Boundary: north latitude 40 43.0 West Boundary: Mean high high tide South Boundary: north latitude 40 42.0 East Boundary: west longitude 124 15.00  |                              |
| Sub-option B: Move the northern boundary south to a prominent point, extend the eastern boundary to the east across the bay, and enclose the entire southern portion of the bay.       | Utilize a landmark on a prominent point on the SW edge of Humboldt Bay (north boundary: 40° 42.416'), run due east across the bay at the College of the Redwoods exit ramp off Hwy 101, and extend the boundaries to enclose the entire southern portion of the bay | College of the Redwoods Exit |
| Sub-option C: Maintain the boundaries as proposed if the Humboldt Bay Harbor Recreation and Conservation District enters into an MOU with DFG to install and maintain buoys or signage | See sub-option A  | See sub-option A             |

#### Issue 4: Sea Lion Gulch SMR Northern and Southern Boundaries

MLPA Initiative recommendation: (1) and (2) Sub-option A, recognizing the unique characteristics of this part of the coastline (part of the Lost Coast) and the commitment of local communities to assist with education, outreach and enforcement.

Potential Sub-Options for the northern and southern boundaries of Sea Lion Gulch SMR:

| Options  | <b>Boundary Description</b>  | Мар                                   |
|--|--|---------------------------------------|
| ☐ Sub-option A: Maintain the southern and northern boundaries as proposed  | North Boundary: 40 14.4 N<br>West Boundary: The state<br>waters boundary<br>South Boundary: 40 12.8 N<br>East Boundary: Mean high<br>tide line     |                                       |
| □ Sub-option B: Move the northern boundary north about one mile to Punta Gorda Lighthouse (aligns with an offshore buoy) and move the southern boundary north about one-half mile to Cooskie Creek | North Boundary: : 40° 14.965<br>West Boundary: The state<br>waters boundary<br>South Boundary: 40° 13.15'<br>East Boundary: Mean high<br>tide line | Punta Gorda Lighthouse  Cooskie Creek |

#### Issue 5: Name for Vizcaino SMCA

MLPA Initiative recommendation: (1) and (2) Sub-option B.

Potential Sub-Options for the name of Vizcaino SMCA:

| Sub-Options   | Proposed Regulatory Language   |
|---|--|
| ☐ Sub-option A: Retain the existing proposed name                     | No change  |
| ☐ Sub-option B: Change the proposed MPA name to Double Cone Rock SMCA | Remove from the proposed regulations the name Vizcaino SMCA and replace with Double Cone Rock SMCA |

#### Issue 6: Recreational Take at Vizcaino SMCA

MLPA Initiative recommendation: (1) None of the sub-options can be recommended. Recreational take to accommodate the tribes at Vizcaino SMCA is no longer an issue with traditional tribal gathering accommodated with Option 1, and such uses can be removed from the proposed regulations. However, in this MPA the BRTF only included salmon (troll) and Dungeness crab (trap, hoop net or diving) in its recommendation for recreational take intended for all recreational users, which does not address the concern expressed during public comment about private, shore-based activities currently taking place. (2) Sub-option B.

Potential Sub-Options for the proposed recreational take regulations in Vizcaino SMCA:

| Sub-Options  | Proposed Regulatory Language  |
|--|---|
| ☐ Sub-option A: Retain the existing proposed regulations throughout the entire MPA (including recreational uses intended to accommodate tribes)  | No change   |
| Sub-option B: Divide into two SMCAs: (1) a nearshore SMCA (to approximately 1000 feet seaward) and (2) an offshore SMCA. In the nearshore SMCA all proposed recreational take would be allowed; in the offshore SMCA, only thosefor recreational uses intended to accommodate tribal gathering only those species and gear types at moderate-high or high LOP would be allowed (this does not impact the proposed commercial or non-tribal recreational uses).  Note the text changes are to clarify that the limitation only affects recreational take intended to accommodate tribal uses, not commercial take or recreational take intended for all recreational users. | Nearshore SMCA: No change to species and gear types; add "shore-based" to any recreational take.  Offshore SMCA: Remove from proposed recreational take intended to accommodate tribes any species and gear types at moderate, moderate-low or low LOP. Section 3 of the proposed regulations would read: The recreational take, intended to accommodate tribal uses, of:  • Pacific lamprey (HOOK AND LINE, SPEARFISHING OR BOW AND ARROW);  • trout (except steelhead rainbow trout) (HOOK AND LINE);  • salmon (TROLL);  • surf smelt, herring and anchovy (DIP NET OR CAST NET);  • eulachon (DIP NET);  • anchovy, sardine and mackerel (2 species) (HAND);  • market squid (DIP NET OR CAST NET); and  • Dungeness crab (TRAP OR HOOP NET). |
| Sub-option C: LimitAdd current, shore-based recreational uses to recreational take regulations for all recreational users to only current, shore based uses  Note that this sub-option was worded incorrectly in the north coast MPA options document; these uses were intended to be IN ADDITION to the take regulations proposed for all recreational users.   | Replace proposed regulations with: 2. The recreational take of pelagic finfish except salmon (SPEARFISHING); salmon (TROLL); Dungeness crab (TRAP, HOOP NET OR DIVING); Cabezon and rockfish (SHORE-BASED HOOK AND LINE), abalone (SHORE-BASED HAND), surfperch (SHORE-BASED HOOK AND LINE, SHORE-BASED DIP NET, or SHORE-BASED CAST NET) and surf smelt (SHORE-BASED DIP NET, or SHORE-BASED CAST NET).  |

#### Issue 7: Ten Mile Beach SMCA Southern Boundary

#### MLPA Initiative recommendation: (1) and (2) Sub-option A.

Potential Sub-Options for the southern boundary of Ten Mile Beach SMCA:

| Options   | <b>Boundary Description</b>  | Мар             |
|---|--|-----------------|
| ☐ Sub-option A: Maintain the southern boundary as proposed  | North Boundary: 39 33.3<br>South Boundary: 39 32.5<br>East Boundary: Mean high tide<br>line<br>West Boundary: State waters<br>boundary   |                 |
| ☐ Sub-option B: Move the southern boundary approximately ¾ mile south to the mouth of Inglenook Creek | North Boundary: 39 33.3<br>South Boundary: 39 31.80'<br>East Boundary: Mean high tide<br>line<br>West Boundary: State waters<br>boundary | Inglenook Creek |

#### Issue 8: Surf Perch by Hook and Line at Big River Estuary

MLPA Initiative recommendation: (1) and (2) Sub-option C.

Potential Sub-Options for proposed recreational take of surf perch by hook and line at Big River Estuary SMP:

| Sub-Options  | Proposed Regulatory Language   |
|--|--|
| ☐ Sub-option A: Retain the existing proposed regulations for surf perch                                      | No change  |
| ☐ Sub-option B: Remove surf perch by hook and line from the proposed take regulations                        | Remove from the proposed regulations: The recreational take of surfperch (HOOK AND LINE FROM SHORE). |
| ☐ Sub-option C: Retain the existing proposed regulations and adjust the MPA goals and objectives accordingly | No change  |

#### Issue 9: Eastern Boundary at Big River Estuary

MLPA Initiative recommendation: (1) and (2) Sub-option A.

Potential Sub-Options for proposed eastern boundary at Big River Estuary SMP:

| Sub-Options  | Proposed Regulatory Language   |
|--|--|
| Sub-option A: Retain the proposed boundary, with the California State Parks commitment to install and maintain signage | No change  |
| Sub-option B: Move the proposed eastern boundary eastward to the nearest whole minute to simplify the coordinates      | Seaward boundary is the east side of the Highway 1 bridge and the eastern boundary extends inland to 123° 46.00" west. |

#### Issue 10: Salmonids by Hook and Line at Navarro River Estuary SMRMA

MLPA Initiative recommendation: (1) and (2) Sub-option C.

Potential Sub-Options for proposed recreational take of salmon by hook and line at Navarro River Estuary SMRMA:

| Options   | Proposed Regulatory Language  |
|---|---|
| ☐ Sub-option A: Retain the existing proposed regulations  | No change   |
| ☐ Sub-option B: Remove recreational take of salmon by hook and line from the proposed regulations                                     | Remove from the proposed regulations: The recreational take of salmonids (HOOK AND LINE).   |
| ☐ Sub-option C: Retain the existing proposed regulations with clarifying language and adjust the MPA goals and objectives accordingly | Add to the proposed regulations: The recreational take of salmon (HOOK AND LINE) is allowed consistent with salmon regulations in section 7.50. |

#### Issue 11: Waterfowl Hunting in Estuaries

MLPA Initiative recommendation: (1) and (2) Sub-option B.

Potential Sub-Options for waterfowl hunting:

| Options   | Proposed Regulatory Language  |
|---|---|
| ☐ Sub-option A: Retain the existing classifications as proposed in the RNCP, except Big River Estuary SMP | No change, with the exception of Big River Estuary SMP, which would be changed to an SMRMA.   |
| ☐ Sub-option B: Change four estuarine MPAs to SMCAs that do not prohibit waterfowl hunting                | Change the classifications of South Humboldt Bay, Ten Mile Estuary, Big River and Navarro River to SMCAs with additional proposed regulatory language: Waterfowl may be taken in accordance with general waterfowl regulations (sections 502, 550, 551, and 552). |

#### Issue 12: Pelagic Finfish by Spearfishing

MLPA Initiative recommendation: (1) and (2) Sub-option A.

Potential Sub-Options for recreational take of pelagic finfish by spearfishing:

| Options   | Proposed Regulatory Language  |
|---|---|
| ☐ Sub-option A: Retain the proposed regulations   | No change   |
| ☐ Sub-option B: Add recreational take of pelagic finfish (SPEARFISHING) to all open coast SMCAs | Add to the proposed regulations: The recreational take of pelagic finfish (SPEARFISHING). |

#### Issue 13: Proposed Uses Intended to Accommodate Tribes – Higher LOP Uses

MLPA Initiative recommendation: (1) Proposed uses intended to accommodate tribes is no longer an issue and the proposed uses intended to accommodate tribes can be removed from the regulations. (2) Sub-option A.

Potential sub-options for proposed recreational uses intended to accommodate tribes at nine MPAs (Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, South Humboldt Bay SMRMA, Big Flat SMCA, Vizcaino SMCA, Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA):

| Sub-Options  | Proposed Regulatory Language                                |
|--|---|
| ☐ Sub-option A: Retain all proposed uses intended to accommodate tribes  | No change   |
| ☐ Sub-option B: Retain only those legal proposed uses intended to accommodate tribes with moderate-high or high LOPs and simplify regulations to the extent possible | Example(s) for simplified regulations to be provided by DFG |

#### Issue 14: Proposed Uses Intended to Accommodate Tribes - Nearshore Areas

MLPA Initiative recommendation: (1) Proposed uses intended to accommodate tribes is no longer an issue and the proposed uses intended to accommodate tribes can be removed from the regulations. (2) Sub-option B.

Potential sub-options for take and number of MPAs at Pyramid Point, Samoa, Big Flat and Vizcaino SMCAs:

| Sub-Options  | Proposed Regulatory Language  |
|--|---|
| ☐ Sub-option A: Maintain four proposed SMCAs as a single MPA   | No change   |
| Sub-option B: Divide four SMCAs into two MPAs: (1) a nearshore SMCA (to approximately 1000 feet seaward) and (2) an offshore SMCA. In the nearshore SMCA all proposed recreational take would be allowed (as is currently in the RNCP); in the offshore SMCA, only thosefor recreational uses intended to accommodate tribal gathering only those at moderate-high or high LOP would be allowed (this does not impact the proposed commercial take or recreational take for all recreational users).  Note the text changes are to clarify that the limitation only affects recreational take intended to accommodate tribal uses, not commercial take or recreational take intended for all recreational users. | Nearshore SMCAs: No change  Offshore SMCAs: Remove from proposed recreational take intended to accommodate tribes any species and gear types at moderate, moderate-low or low LOP.  |
| ☐ Sub-option C: Same as sub-option B, but proposed uses in the nearshore SMCAs are allowed from shore only.  | Nearshore SMCAs: No change to species and gear types; add "shore-based" or "from shore only" to any proposed recreational take.  Offshore SMCAs: Remove from proposed recreational take intended to accommodate tribes any species and gear types at moderate, moderate-low or low LOP. |

#### Issue 15: Recreational Take of Pacific Lamprey and Eulachon

MLPA Initiative recommendation: (1) Proposed uses intended to accommodate tribes is no longer an issue and can be removed from consideration. (2) Sub-option B.

Potential sub-options for recreational take of Pacific lamprey and Eulachon:

| Sub-Options  | Proposed Regulatory Language  |
|--|---|
| ☐ Sub-option A: Do not add recreational take of Pacific lamprey and eulachon to three estuarine MPAs | No change; however, the administrative record for these three estuarine MPAs should reflect the desire to add Pacific lamprey and eulachon in the future.   |
| ☐ Sub-option B: Add recreational take of Pacific lamprey and eulachon to three estuarine MPAs        | Add to the proposed regulations for South Humboldt Bay, Big<br>River Estuary and Navarro River Estuary: The recreational take,<br>intended to accommodate tribes, of Pacific lamprey (HOOK AND<br>LINE, HAND, and BOW AND ARROW) and eulachon (DIP NET) |

## Issue 16: Three Existing SMCAs Adjacent to State Park System Units (MacKerricher, Russian Gulch and Van Damme SMCAs)

MLPA Initiative recommendation: (1) and (2) Sub-option C.

Potential Sub-Options for considering retaining three existing MPAs at MacKerricher, Russian Gulch, and Van Damme SMCAs:

| Sub-Options   | Proposed Regulatory Language   |
|---|--|
| ☐ Sub-option A: Do not retain existing MPAs at MacKerricher, Russian Gulch and Van Damme  | N/A – The existing regulatory language for these three MPAs would be removed.  |
| ☐ Sub-option B: Retain existing MPAs with boundaries modified per California State Parks and DFG; add recreational take of marine plants to accommodate tribal gathering. | See Attachment 2 for proposed boundaries and regulations.  |
| ☐ Sub-option C: Retain existing MPAs per sub-option B; and simplify take regulations.   | See Attachment 2 for proposed boundaries.  Commercial take of giant kelp and bull kelp is prohibited; all other take is allowed. |

Note: The modifications to recreational take allowances to accommodate tribes will not be necessary if the F&GC pursues an exemption to MPA regulations for traditional tribal gathering.

Table 1: Summary of Recommended Sub-options Related to Developing an Alternative MPA Proposal for the MLPA North Coast Study Region, *if the California Fish and Game Commission Selects Option 1 for Traditional Tribal Gathering* 

|               | -   | •  |   |   |
|---------------|---|--|---|---|
|               |   |  | Include with the<br>Preferred Alternative   |   |
|               | Question to Be Answered (source of question)  | RNCP, as Proposed<br>(Sub-option A)        | DFG or BRTF<br>Recommendation<br>(Sub-option B)   | New Sub-option<br>(Sub-option C)  |
| 1.            | Do you want sub-options for moving the proposed southern boundary of Pyramid Point SMCA? (DFG feasibility)  | Maintain the southern boundary as proposed | Move the southern<br>boundary<br>approximately 1/3 mile<br>south to the<br>northernmost tip of<br>Prince Island   | Maintain the boundary<br>as proposed if the<br>Smith River Rancheria<br>enters into an MOU<br>with DFG to install<br>and maintain signage<br>at the southeastern<br>corner of the MPA |
| <del>2.</del> | Do you want sub-options for proposed allowed uses at Reading Rock SMCA? (BRTF recommendation)   | Retain all proposed uses                   | Retain only those proposed uses with moderate-high or high LOP  | Same as sub-option B,<br>but with take<br>regulations simplified  |
| 3.            | Do you want sub-options for<br>the proposed northern, eastern<br>and southern boundaries of the<br>South Humboldt Bay SMRMA?<br>(DFG feasibility) | Maintain the boundaries as proposed        | Move the northern boundary south to a prominent point, extend the eastern boundary across the bay to the east, and enclose the entire southern portion of the bay       | Maintain the boundaries as proposed if the Humboldt Bay Harbor Recreation and Conservation District enters into an MOU with DFG to install and maintain signage                       |
| 4.            | Do you want sub-options for<br>the proposed northern and<br>southern boundaries of Sea<br>Lion Gulch SMR? (DFG<br>feasibility)                    | Maintain the boundaries as proposed        | Move the northern boundary north one mile to Punta Gorda Lighthouse (aligns with an offshore buoy) and move the southern boundary north about 1/2 mile to Cooskie Creek |   |
| 5.            | Do you want sub-options for<br>the name of Vizcaino SMCA?<br>(Public comment)   | Retain the existing proposed name          | Change the proposed MPA name to Double Cone Rock SMCA   |   |

|     |   | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternat                    |  |  |
|-----|---|---|--|--|
|     | Question to Be Answered (source of question)  | RNCP, as Proposed (Sub-option A)  | DFG or BRTF<br>Recommendation<br>(Sub-option B)  | New Sub-option<br>(Sub-option C)   |
| 6.  | Do you want sub-options for the proposed recreational take regulations in Vizcaino SMCA? (Public comment)  No recommendation                        | Retain the existing proposed regulations throughout the entire MPA (including recreational uses intended to accommodate tribes) | Divide into two SMCAs: (1) a nearshore SMCA (to approximately 1000 feet seaward) and (2) an offshore SMCA. In the nearshore SMCA all proposed recreational take would be allowed; in the offshore SMCA, only those for recreational uses intended to accommodate tribal gathering only those uses at moderate-high or high LOP would be allowed. | LimitAdd current, shore-based recreational uses to recreational take regulations for all recreational userste only current, shore- based uses  |
| 7.  | Do you want sub-options for<br>the proposed southern<br>boundary of the Ten Mile<br>Beach SMCA? (DFG<br>feasibility)                                | Maintain the boundaries as proposed   | Move the southern<br>boundary<br>approximately 3/4 mile<br>south to the mouth of<br>Inglenook Creek  |  |
| 8.  | Do you want sub-options for<br>the proposed recreational take<br>of surf perch by hook and line<br>for Big River Estuary SMP?<br>(DFG feasibility)  | Retain the existing proposed regulations  | Remove surf perch by hook and line from the proposed take regulations  | Retain the existing proposed regulations and adjust the MPA goals and objectives accordingly   |
| 9.  | Do you want sub-options for<br>the eastern boundary at Big<br>River Estuary SMP? (DFG<br>feasibility)   | Retain the proposed<br>boundary, with the<br>California State<br>Parks commitment<br>to install and<br>maintain signage         | Move the proposed eastern boundary eastward to the nearest whole minute to simplify the coordinates  |  |
| 10. | Do you want sub-options for<br>the proposed recreational take<br>of salmon by hook and line at<br>Navarro River Estuary<br>SMRMA? (DFG feasibility) | Retain the existing proposed regulations  | Remove recreational take of salmon by hook and line from the proposed regulations  | Retain the existing proposed regulations with clarifying language and adjust the MPA goals and objectives accordingly [The recreational take of salmon (HOOK AND LINE) is allowed in accordance with section 7.50."] |

|                |  | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternative |   |   |
|----------------|--|---|---|---|
|                | Question to Be Answered (source of question)   | RNCP, as Proposed (Sub-option A)  | DFG or BRTF<br>Recommendation<br>(Sub-option B)   | New Sub-option<br>(Sub-option C)  |
| 11.            | Do you want sub-options for waterfowl hunting in estuaries? (BRTF recommendation and public comment)   | Retain the existing classifications as proposed in the RNCP, except Big River Estuary SMP                       | Change four<br>estuarine MPAs to<br>SMCAs that do not<br>prohibit waterfowl<br>hunting  |   |
| 12.            | Do you want sub-options for<br>the recreational take of pelagic<br>finfish by spearfishing? (BRTF<br>recommendation)   | Retain the existing regulations as proposed in the RNCP   | Add recreational take<br>of pelagic finfish<br>(SPEARFISHING) to<br>all open coast SMCAs  |   |
| <del>13.</del> | Do you want sub-options for proposed recreational uses intended to accommodate tribes at Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, South Humboldt Bay SMRMA, Big Flat SMCA, Vizcaino SMCA, Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA? (DFG feasibility) | Retain all proposed recreational uses intended to accommodate tribes  | Retain only those proposed recreational uses intended to accommodate tribes with moderate high or high LOPs and simplify regulations to the extent possible   |   |
| 14.            | Do you want sub-options for dividing Pyramid Point, Samoa, Big Flat and Vizcaino SMCAs into two components? (BRTF recommendation)  | Maintain four proposed SMCAs as a single MPA  | Divide four SMCAs into two MPAs: (1) a nearshore SMCA (to approximately 1000 feet seaward) and (2) an offshore SMCA. In the nearshore SMCA all proposed recreational take would be allowed (as is currently in the RNCP); in the offshore SMCA, only those recreational uses intended to accommodate tribal gathering at moderatehigh or high LOP would be allowed. | Same as sub-option B, but proposed uses in the nearshore SMCAs are allowed from shore only. |
| <del>15.</del> | Do you want sub-options for<br>the recreational take of Pacific<br>lamprey and eulachon? (BRTF<br>recommendation)  | Do not add<br>recreational take of<br>Pacific lamprey and<br>eulachon to three<br>estuarine MPAs                | Add recreational take of Pacific lamprey and eulachon to three estuarine MPAs   |   |

|     |  | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternative |   |  |
|-----|--|---|---|--|
|     | Question to Be Answered (source of question)   | RNCP, as Proposed<br>(Sub-option A)   | DFG or BRTF<br>Recommendation<br>(Sub-option B)   | New Sub-option<br>(Sub-option C)                                     |
| 16. | Do you want sub-options for retaining the three existing MPAs at MacKerricher, Russian Gulch and Van Damme SMCAs)? (BRTF recommendation) | Do not retain existing<br>MPAs at<br>MacKerricher,<br>Russian Gulch and<br>Van Damme                            | Retain existing MPAs with boundaries modified per California State Parks and DFG; add recreational take of marine plants to accommodate tribal gathering. | Retain existing MPAs per sub-option 2; and simplify take regulations |

Note that sub-options with strikeout do not need to be addressed if the F&GC chooses Option 1 for traditional tribal gathering.

Table 2: Summary of Recommended Sub-options Related to Developing an Alternative MPA Proposal for the MLPA North Coast Study Region, *if the California Fish and Game Commission Selects Options 2 or 3 for Traditional Tribal Gathering* 

|    |   | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternative |   |   |
|----|---|---|---|---|
|    | Question to Be Answered (source of question)  | RNCP, as Proposed (Sub-option A)  | DFG or BRTF<br>Recommendation<br>(Sub-option B)   | New Sub-option<br>(Sub-option C)  |
| 1. | Do you want sub-options for moving the proposed southern boundary of Pyramid Point SMCA? (DFG feasibility)  | Maintain the southern boundary as proposed  | Move the southern<br>boundary<br>approximately 1/3 mile<br>south to the<br>northernmost tip of<br>Prince Island   | Maintain the boundary<br>as proposed if the<br>Smith River Rancheria<br>enters into an MOU<br>with DFG to install<br>and maintain signage<br>at the southeastern<br>corner of the MPA |
| 2. | Do you want sub-options for proposed allowed uses at Reading Rock SMCA? (BRTF recommendation)   | Retain all proposed uses  | Retain only those proposed uses intended to accommodate tribal uses with moderate-high or high LOP  | Same as sub-option B,<br>but with take<br>regulations simplified  |
| 3. | Do you want sub-options for<br>the proposed northern, eastern<br>and southern boundaries of the<br>South Humboldt Bay SMRMA?<br>(DFG feasibility) | Maintain the boundaries as proposed   | Move the northern boundary south to a prominent point, extend the eastern boundary across the bay to the east, and enclose the entire southern portion of the bay                               | Maintain the boundaries as proposed if the Humboldt Bay Harbor Recreation and Conservation District enters into an MOU with DFG to install and maintain signage                       |
| 4. | Do you want sub-options for<br>the proposed northern and<br>southern boundaries of Sea<br>Lion Gulch SMR? (DFG<br>feasibility)                    | Maintain the boundaries as proposed   | Move the northern<br>boundary north one<br>mile to Punta Gorda<br>Lighthouse (aligns<br>with an offshore buoy)<br>and move the<br>southern boundary<br>north about 1/2 mile to<br>Cooskie Creek |   |
| 5. | Do you want sub-options for<br>the name of Vizcaino SMCA?<br>(Public comment)   | Retain the existing proposed name   | Change the proposed MPA name to Double Cone Rock SMCA   |   |

|     |   | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternative                 |  |  |
|-----|---|---|--|--|
|     | Question to Be Answered (source of question)  | RNCP, as Proposed (Sub-option A)  | DFG or BRTF<br>Recommendation<br>(Sub-option B)  | New Sub-option<br>(Sub-option C)   |
| 6.  | Do you want sub-options for<br>the proposed recreational take<br>regulations in Vizcaino SMCA?<br>(Public comment)                                  | Retain the existing proposed regulations throughout the entire MPA (including recreational uses intended to accommodate tribes) | Divide into two SMCAs: (1) a nearshore SMCA (to approximately 1000 feet seaward) and (2) an offshore SMCA. In the nearshore SMCA all proposed recreational take would be allowed; in the offshore SMCA, only thosefor recreational uses intended to accommodate tribal gathering only those uses at moderatehigh or high LOP would be allowed. | LimitAdd current, shore-based recreational uses to recreational take regulations for all recreational users-to only current, shore-based uses  |
| 7.  | Do you want sub-options for<br>the proposed southern<br>boundary of the Ten Mile<br>Beach SMCA? (DFG<br>feasibility)                                | Maintain the boundaries as proposed   | Move the southern<br>boundary<br>approximately 3/4 mile<br>south to the mouth of<br>Inglenook Creek  |  |
| 8.  | Do you want sub-options for<br>the proposed recreational take<br>of surf perch by hook and line<br>for Big River Estuary SMP?<br>(DFG feasibility)  | Retain the existing proposed regulations  | Remove surf perch by hook and line from the proposed take regulations  | Retain the existing proposed regulations and adjust the MPA goals and objectives accordingly   |
| 9.  | Do you want sub-options for<br>the eastern boundary at Big<br>River Estuary SMP? (DFG<br>feasibility)   | Retain the proposed<br>boundary, with the<br>California State<br>Parks commitment<br>to install and<br>maintain signage         | Move the proposed eastern boundary eastward to the nearest whole minute to simplify the coordinates  |  |
| 10. | Do you want sub-options for<br>the proposed recreational take<br>of salmon by hook and line at<br>Navarro River Estuary<br>SMRMA? (DFG feasibility) | Retain the existing proposed regulations  | Remove recreational<br>take of salmon by<br>hook and line from the<br>proposed regulations   | Retain the existing proposed regulations with clarifying language and adjust the MPA goals and objectives accordingly [The recreational take of salmon (HOOK AND LINE) is allowed in accordance with section 7.50."] |

|     |  | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternativ |  |   |
|-----|--|--|--|---|
|     | Question to Be Answered (source of question)   | RNCP, as Proposed (Sub-option A)   | DFG or BRTF<br>Recommendation<br>(Sub-option B)  | New Sub-option<br>(Sub-option C)  |
| 11. | Do you want sub-options for waterfowl hunting in estuaries? (BRTF recommendation and public comment)   | Retain the existing classifications as proposed in the RNCP, except Big River Estuary SMP                      | Change four<br>estuarine MPAs to<br>SMCAs that do not<br>prohibit waterfowl<br>hunting   |   |
| 12. | Do you want sub-options for<br>the recreational take of pelagic<br>finfish by spearfishing? (BRTF<br>recommendation)   | Retain the existing regulations as proposed in the RNCP  | Add recreational take<br>of pelagic finfish<br>(SPEARFISHING) to<br>all open coast SMCAs   |   |
| 13. | Do you want sub-options for proposed recreational uses intended to accommodate tribes at Pyramid Point SMCA, Reading Rock SMCA, Samoa SMCA, South Humboldt Bay SMRMA, Big Flat SMCA, Vizcaino SMCA, Ten Mile Beach SMCA, Big River Estuary SMP, and Navarro River Estuary SMRMA? (DFG feasibility) | Retain all proposed<br>recreational uses<br>intended to<br>accommodate<br>tribes                               | Retain only those proposed recreational uses intended to accommodate tribes with moderate-high or high LOPs and simplify regulations to the extent possible  |   |
| 14. | Do you want sub-options for dividing Pyramid Point, Samoa, Big Flat and Vizcaino SMCAs into two components? (BRTF recommendation)  | Maintain four proposed SMCAs as a single MPA   | Divide four SMCAs into two MPAs: (1) a nearshore SMCA (to approximately 1000 feet seaward) and (2) an offshore SMCA. In the nearshore SMCA all proposed recreational take would be allowed (as is currently in the RNCP); in the offshore SMCA, onlyfor those recreational uses intended to accommodate tribal gathering only those uses at moderatehigh or high LOP would be allowed. | Same as sub-option B, but proposed uses in the nearshore SMCAs are allowed from shore only. |
| 15. | Do you want sub-options for<br>the recreational take of Pacific<br>lamprey and eulachon? (BRTF<br>recommendation)  | Do not add recreational take of Pacific lamprey and eulachon to three estuarine MPAs                           | Add recreational<br>take of Pacific<br>lamprey and<br>eulachon to three<br>estuarine MPAs  |   |

|     |  | If Yes, Sub-options to Potentially Include with the California Fish and Game Commission's Preferred Alternative |   |  |
|-----|--|---|---|--|
|     | Question to Be Answered (source of question)   | RNCP, as Proposed (Sub-option A)  | DFG or BRTF<br>Recommendation<br>(Sub-option B)   | New Sub-option<br>(Sub-option C)                                     |
| 16. | Do you want sub-options for retaining the three existing MPAs at MacKerricher, Russian Gulch and Van Damme SMCAs)? (BRTF recommendation) | Do not retain existing<br>MPAs at<br>MacKerricher,<br>Russian Gulch and<br>Van Damme                            | Retain existing MPAs with boundaries modified per California State Parks and DFG; add recreational take of marine plants to accommodate tribal gathering. | Retain existing MPAs per sub-option 2; and simplify take regulations |