

External Array Proposal for the North Coast MLPA Study Region
Submitted on behalf of the California Fisheries Coalition

Primary Contact:

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Narrative and Rationale

The California Fisheries Coalition is a statewide group of fishing associations, businesses, and ports and harbors that have been working together on the MLPA in each region. Association members in the CFC include the Recreational Fishing Alliance, Humboldt Fishermen's Marketing Association, Humboldt Area Saltwater Anglers, Salmon Troller's Marketing Association, Sonoma County Abalone Network, North Coast Fishing Association. Our members participated in the local county working groups and support the Tri County Working Group Array and the Mendocino Ocean Community Alliance, which are identical. Based on guidance we received from the Science Advisory Team, we submit an additional array for consideration. The SAT told us they wanted to see more than one array, contrary to the wide local interest in developing a single, community-based proposal. This array has three variations from the MOCA/TCWG array:

Eliminated the Point Cabrillo SCMA, in order to evaluate the importance or necessity to do side-by-side studies on urchins, kelp and abalone.

Eliminated the Navarro Estuary SMR, to learn whether additional protection beyond the Ten Mile SMR is necessary.

Changed the shape of the Pyramid Point SMR to avoid impacting nearshore access for the Smith River Rancheria.

We feel that analysis of these variations can provide important guidance for stakeholders throughout the MLPA process on the north coast.

We support the statement from the tribes:

Tribal Indigenous Peoples have inhabited the Pacific North Coast since time immemorial and continue to rely on the coast and the ocean for a variety of customary uses, including but not limited to subsistence harvesting and gathering of marine life; and spiritual, ceremonial and other traditional cultural activities. These uses and activities are undertaken pursuant to aboriginal rights founded in federal law, which the State of California is obligated to respect and protect. As an intrinsic part of the ecosystem, Indigenous Peoples have been and continue to be responsible stewards of the

environment. Traditional ecological and cultural knowledge forms the basis of sustainable management by Indigenous Tribal peoples of the North Coast Region. Due to the nature, methods, and amounts harvested, the take of marine species by Indigenous Peoples is minimal.

Each of the North Coast Tribes is a distinct sovereign nation and each has identified certain areas in the North Coast Region where traditional customary uses and cultural activities are carried out. Furthermore, each federally-recognized Tribal Nation retains a government-to-government relationship with the Federal government. In implementing the MLPA, the Initiative should likewise engage in government-to-government consultations to address Tribal concerns. There are also federal trust responsibilities that are based on the unique legal relationship between the United States and recognized Indian Tribes. In the spirit of these responsibilities, the State of California should ensure that the preferred alternative for MPAs in the North Coast Region contains provisions recognizing and protecting traditional customary and cultural uses of Indigenous Peoples in the areas identified as such by the Tribes. Sustainable harvesting and gathering is a key principle in cultural and ecological preservation, and it is fully consistent with the goals and purposes of the Marine Life Protection Act. Moreover, as Tribes in California have never ceded their aboriginal rights to continue to harvest and gather from the marine environment, the State should recognize those uses and ensure that the regulations adopted as part of the MLPA process do not infringe upon them in any manner, unless expressly authorized by the affected Tribe.

Very truly yours,

A handwritten signature in black ink that reads "Jim Martin". The signature is written in a cursive, flowing style.

Jim Martin