

## **Final Evaluation Framework for 2023 Marine Protected Area Bin 2 Petitions Approved August 14, 2025**

The following evaluation framework (Framework) was developed for the 15 [Bin 2 Petitions](#) that propose changes to the Marine Protected Area (MPA) Network that were received by the California Fish and Game Commission (CFGC) and referred to the California Department of Fish and Wildlife (CDFW) in 2023. CDFW developed the Framework, with support from staff at the CFGC and Ocean Protection Council (OPC), 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, MPA objectives, and design considerations as the primary basis for 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 will consider 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 Draft 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
- VI. Summary of Other Considerations

CDFW will use the Framework to present the information used to evaluate petitions and develop recommendations to CFGC for the 2023 MPA Bin 2 petitions. 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 will be more appropriate to evaluate whole Bin 2 petitions and in other cases, it will be more appropriate to evaluate the individual proposed actions within a petition. Not all evaluation components in Section IV will apply to every proposed action or petition. CDFW will apply the evaluation components as appropriate, and the level of detail when evaluating each component may vary based on factors such as applicability or information available.

I. Petition Summary

<b>CFGC Tracking Number</b>	
<b>Petition Contact/Affiliation</b>	
<b>Number of Proposed Actions</b>	
<b>Affected MPAs</b>	
<b>Petition Summary</b>	
<b>Link to StoryMap page</b>	
<b>Petitioner's stated rationale and brief justification for proposed actions</b>	

**II. CDFW Draft Recommendations and Brief Justification**

*Note: If a change to the MPA regulations is not needed to address the proposed change, CDFW will not evaluate the proposed change using the framework. However, CDFW may recommend an alternative pathway to achieving the desired outcome of the proposed change.*

<b>Petition Action ID</b>	<b>Petition Proposed Action</b>	<b>Petitioner's stated rationale and brief justification for proposed actions</b>	<b>CDFW Draft Recommendation</b>	<b>Brief Justification</b>

**III. Bin 2 Petition Grouping: Identify Tribally-led Petitions**

The purpose of this section is to identify petitions submitted by a California Native American tribe<sup>1</sup> (tribe), or representative designated by a tribe, or the petition has a tribal co-sponsor, and sort the petitions into “Tribally-led Petitions” and “Other Petitions.” A “yes” to the first question below will result in the petition being sorted into the Tribally-led Petitions and the subsequent questions will identify if the petition includes proposed actions explicitly related to tribes (e.g., tribal exemption, tribal take only MPA). For Tribally-led petitions, CDFW will send offers for consultation to the affiliated tribe and reach out to meet with the petitioners. CDFW will continue to provide periodic updates on the 2023 MPA petitions to all tribes through physical letters and electronic newsletters. At any point in the process tribes may request consultation with CDFW.

All Bin 2 petitions, including Tribally-led Petitions, will be evaluated with the CDFW 2023 MPA Bin 2 Petition Evaluation Framework in Section IV.

Tribal Components Questions	Answer and Explanation
<p>Was the petition submitted by a tribe, a representative designated by a tribe, or have a tribal co-sponsor? If yes,</p> <ul style="list-style-type: none"> <li>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?</li> <li>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).</li> </ul>	

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<sup>1</sup> 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.

## CDFW 2023 MPA Bin 2 Petition Narrative and Evaluation

The Framework is based on the [MPA Regulation Change Petition Framework](#) approved by the 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. CDFW has organized the evaluation questions to reflect the structure of the 2023 framework to ensure the petition evaluations align with considerations proposed by CFGC to help guide petition development and evaluation. Additionally, CDFW will identify information and governance gaps and other key considerations, such as competing regulations, effects on other agencies that have overlapping jurisdictions, and interactions between 2023 petitions, that will be critical for CFGC to consider in their decision-making.

Not all evaluation components will apply to every proposed petition action. CDFW will apply the evaluation components as appropriate, and the level of detail when evaluating each component may vary based on factors such as applicability or information available.

**Evaluation Narrative:** *[This section will include a summary narrative of the CDFW evaluation and recommendations.]*

Evaluation Question	2023_XMPA_1 <sup>2</sup> Answer and Explanation	2023_XMPA_2 Answer and Explanation	2023_XMPA_3 Answer and Explanation
<b>Question 1:</b> 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?			
<p><b>Question 2a:</b> Does the proposed change advance adaptive management recommendations in the Decadal Management Review?</p> <p><b>Question 2b:</b> If not, does the proposed change address a current or emerging MPA management challenge?</p>			
<b>Question 3:</b> 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)?			
<b>Question 4:</b> Does the proposed change have the potential to affect existing regulations, permits, leases, or management activities of any other agency or entity?			

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<sup>2</sup> If it is more appropriate to evaluate the whole petition there will be one column for the answer and explanation. If it is more appropriate to evaluate the individual proposed actions within a petition, there will be a column for each action denoted as 2023\_XMPA\_1, where X is the petition number followed by the action number.

Evaluation Question	2023_XMPA_1 <sup>2</sup> Answer and Explanation	2023_XMPA_2 Answer and Explanation	2023_XMPA_3 Answer and Explanation
<b>Question 5:</b> Are there significant information gaps that need to be filled to inform the evaluation of the proposed change?			
<b>Question 6:</b> Are there significant management gaps that need to be filled to inform the evaluation of the proposed change?			
<p><b>Question 7a:</b> Was the proposed change considered during the MLPA Initiative planning process or the implementation process of MPAs around the Northern Channel Islands?</p> <p><b>Question 7b:</b> Is there new information available, changing conditions since the implementation phase, and/or information presented in the DMR that warrants reevaluation of the proposed change?</p>			
<b>Question 8:</b> 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?			
<b>Question 9:</b> Does the proposed change improve individual MPA or MPA Network design so that it better aligns with or meets the MPA science guidelines?			

Evaluation Question	2023_XMPA_1 <sup>2</sup> Answer and Explanation	2023_XMPA_2 Answer and Explanation	2023_XMPA_3 Answer and Explanation
<p><b>Question 10a:</b> Does the proposed change align with CDFW Feasibility Guidelines?</p> <p><b>Question 10b:</b> 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?</p>			
<p><b>Question 11:</b> Does the proposed change maintain or improve enforceability of MPA regulations?</p>			
<p><b>Question 12:</b> Does the proposed change simplify regulatory language or enhance public understanding without changing the intent of the MPA?</p>			
<p><b>Question 13:</b> Does the proposed change maintain or enhance protection of marine resources?</p>			
<p><b>Question 14:</b> Does the proposed change provide more equitable access opportunities (e.g., fishing, educational, and/or other recreational opportunities) for traditionally underserved or marginalized communities?</p>			
<p><b>Question 15:</b> Does the proposed change have the potential to affect consumptive and/or non-consumptive activities? If so, how?</p>			
<p><b>Question 16:</b> Is the proposed change consistent with the CFGC Justice, Equity, Diversity and Inclusion Policy?</p>			

Evaluation Question	2023_XMPA_1 <sup>2</sup> Answer and Explanation	2023_XMPA_2 Answer and Explanation	2023_XMPA_3 Answer and Explanation
<b>Question 17:</b> Is the proposed change consistent with the CFGC Coastal Fishing Communities Policy?			
<b>Question 18:</b> Does the proposed change interact with or have the potential to affect proposed changes in other 2023 MPA petitions?			

**IV. Supplemental Analyses, Data and Information, and Citations**

*This section will include any supplemental analyses, supporting data or information, and citations used to inform CDFW’s recommendation.*

**V. Summary of Other Considerations**

*This section will summarize other factors, if any, that the Commission should be aware of related to the petition.*