Proposed Motion on Tribal Gathering

Consistent with the tribal gathering general concepts described in Option 1 of the Staff Report dated June 16, 2011, the Commission hereby directs staff to include, as part of the proposed project for CEQA review and development of the Initial Statement of Reasons, a preferred alternative that includes the following:

Traditional, non-commercial tribal uses shall be allowed to continue unimpeded within the proposed SMCAs and SMRMAs in the MLPA's North Coast Study Region for all federally recognized tribes that can establish that they have practiced such uses within a specific SMCA or SMRMA. Such uses shall be addressed pursuant to a Memorandum of Understanding between a tribe and Department of Fish and Game, the terms of which shall include but not be limited to outlining the tribal programs that shall be adopted, the mechanism for identifying tribal members eligible to participate, and the categorical listing of living marine resources (e.g. finfish, marine invertebrates and marine plants, etc.) that may be harvested, consistent with the goals of the Marine Life Protection Act, and recognized in such regulations as necessary.