

San Francisco and Marin Counties (Golden Gate)



Marine Protected Area (MPA) Community Compliance Forum Report

September 30, 2020

With support and funding from:



About

The **MPA Collaborative Network's Compliance Initiative** is supported by the Ocean Protection Council (OPC), and in partnership with the Department of Fish and Wildlife (CDFW), the California District Attorneys Association, and Resources Legacy Fund. It is a multi-year initiative that aims to improve the compliance and enforcement of California's network of MPAs through community compliance forums, allied agency enforcement trainings, prosecutor training, and MPA violation data collection.

The individual **Community Compliance Forums** held for each coastal county provided space for local stakeholders to voice their MPA, ocean, and coastal compliance concerns and brainstorm ideas to address those concerns. The Collaborative Network hosted two in-person forums (pre-pandemic) and 13 virtual forums. Five hundred community members participated, resulting in over 2,200 compliance concerns and solutions mentioned during 40+ hours of engagement.

This report summarizes the input gathered from stakeholders during the San Francisco and Marin Counties (Golden Gate) Forum discussion as well the input provided in the post-Forum evaluation forms, Google surveys, and printed surveys.

Refer to the separate **Statewide Compliance Forum Report** for more information about the universal categories used to group mentioned compliance concerns and solutions. Refer to the **Glossary** at the end of this report for definitions of commonly used acronyms.

Key Takeaways

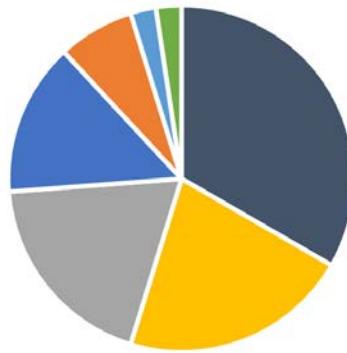
- The top concern was poaching in MPAs/Fish and Game Code (FGC) violations. Participants specifically identified clamping in Estero de Limantour SMR and Drakes Estero SMCA as well as taking of sand dollars and rod and reel fishing in Point Reyes SMR at Drakes Beach.
- Duxbury Reef SMCA is experiencing heavy use and impacts to the tidepools such as visitors using buckets and tools to collect animals (e.g., purple urchins) and exhibiting poor tidepool etiquette.
- The top solution for improving compliance was to increase MPA awareness through the promotion of digital resources (e.g., FishLegal) and increasing and diversifying MPA messaging on social media.
- Participants plan to utilize docents and volunteers for targeted outreach, especially in the Duxbury Reef SMCA, and to increase interagency coordination for a more consistent enforcement presence.

Highlighted Compliance Concerns

- There has been an unprecedented increase in visitors and impacts to tidepools (e.g., trampling, excessive/unlawful take of purple urchin) at Duxbury Reef SMCA.
- Poaching is occurring throughout Point Reyes National Park, including clamping at Drakes Estero SMCA and Estero de Limantour SMR, and rod and reel fishing in Point Reyes SMR.
- Wildlife (birds, harbor seals) disturbance and flushing occurs in Drakes Estero, Estero de Limantour, and in the Special Closures at Double Point.
- Multiple violations can occur on a good weather day at Farallon Islands.

Participant Breakdown

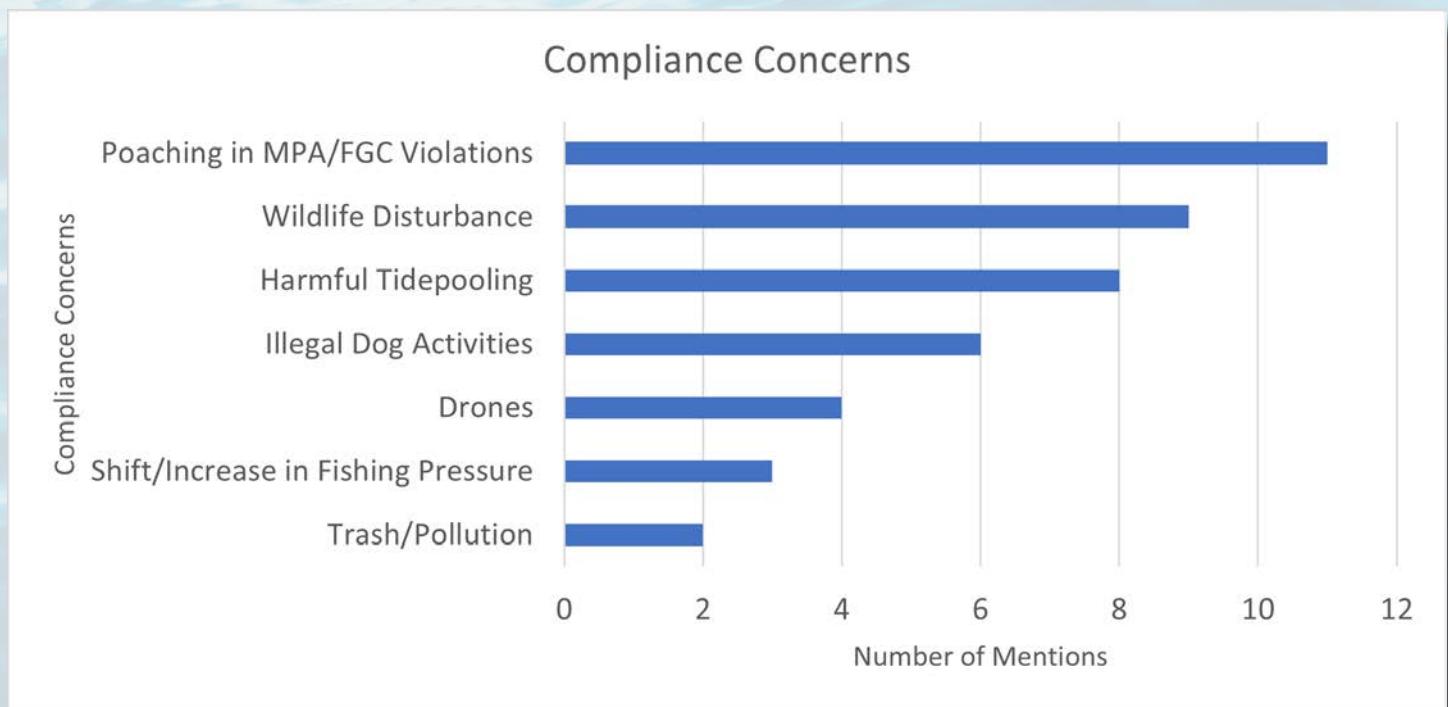
San Francisco and Marin Participant Breakdown



- Non-Governmental Organizations (33%)
- Individual/Community Member (22%)
- Government Agency (19%)
- Science and Academia (14%)
- Volunteer (7%)
- Ocean Business (3%)
- Fishing (2%)

- A total of **40 participants attended** the Community Compliance Forum. The majority of attendees identified as non-governmental organizations, individuals/community members, government agencies, and science and academia. Volunteers, ocean businesses, and fishing representatives also attended.
- A total of **58 people registered** for the Forum and received MPA-related information, educational resources, and additional avenues for sharing input in the Forum follow-up email.
- It is estimated that the Forum resulted in at least **5 new Collaborative sign-ups**.
- In-meeting Zoom poll results indicated that 61% of respondents were “Very Familiar” with MPAs while 39% of respondents were “Somewhat Familiar” with MPAs.

Compliance Concerns



This chart summarizes the number of times each MPA compliance concern was mentioned during the Forum discussions and in the post-Forum evaluation forms, Google surveys, and printed surveys. Concerns are organized into general categories based on the overall input from the community. See the Statewide Compliance Forum Report for more category detail.

Compliance Concerns

Compliance Concerns in Detail

• Poaching in MPA/FGC Violations

- ◊ Duxbury Reef SMCA is experiencing heavy use and impact to the tidepools. Some people use tools and buckets to take black turban snails and purple urchins.
- ◊ Participants mentioned clamming at both Drakes Estero SMCA and Estero de Limantour SMR and hiding of clamming gear in Drakes Estero.
- ◊ People are taking buckets of sand dollars and fossils from the cliff from Point Reyes SMR at Drakes Beach.
- ◊ Rod and reel fishing from vessels has been observed in front of the Point Reyes lighthouse in the Point Reyes SMR.
- ◊ Flushing of seabirds has been observed in the Special Closures, specifically when surfers and fishing boats get too close to the southern point of Double Point.
- ◊ Several fishing violations have been observed at Devil's Slide.

• Wildlife Disturbance

- ◊ Seabird flushing by watercraft/watersports (i.e., windsurfing) in Drakes Estero SMCA.
- ◊ Participants mentioned encroachment by recreational fishing vessels in July, August, and September, close enough to flush the birds off the rock in the Special Closures.
- ◊ At the southern point of the Double Point area, fishing boats and surfers have been seen flushing harbor seals (including pups in April/June).
- ◊ Drone disturbance of seabirds was noted for Drakes Estero SMCA.

• Harmful Tidepooling

- ◊ Many participants noted excessive use, take, and overall impact due to the increase in visitors at Duxbury Reef. Visitors are using buckets and small nets to collect animals, moving rocks for viewing, and crushing animals.

• Illegal Dog Activities

- ◊ Off-leash and/or flushing birds at Corte Madero Marsh, Duxbury Reef, and Drakes Beach.

• Drones

- ◊ Drones are disturbing birds at Drakes Estero.

• Shift/Increase in Fishing Pressure

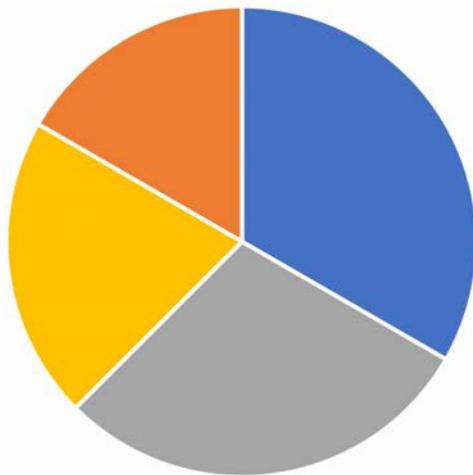
- ◊ Participants noted an increase in fishing pressure at Duxbury Reef.

• Trash/Pollution

- ◊ Trash, litter, stormwater outfall, and clamming equipment was observed at Drakes Estero.

Contributing Factors

Factors Contributing to Noncompliance



- Lack of Awareness
- Shortage of Uniformed Personnel/Enforcement Officers
- Confusion Regarding Regulations, Boundaries, or Jurisdiction
- Increase in Visitation

This chart summarizes the potential factors contributing to noncompliance in or near MPAs mentioned during the Forum discussions and in the post-Forum evaluation forms, Google surveys, and printed surveys. Factors are organized into general categories based on the overall input from the community. See the Statewide Compliance Forum Report for more category detail.

Across all the Forums, participants commonly mentioned an increase in visitation, a lack of awareness, a shortage of both enforcement officers and enforcement action, and confusion regarding regulations, boundaries, or jurisdiction as concerns. Due to their general nature and commonality across the state, these concerns were identified as underlying factors potentially contributing to noncompliance. During 2020, visitation to the coast and MPAs was elevated, especially in the summer months (except during mandated beach closures) in large part due to the COVID-19 pandemic.

Contributing Factors

Potential Factors Contributing to Noncompliance in Detail

- **Lack of Awareness**

- ◊ There is a general lack of awareness of marine protected areas among the public.
- ◊ There is a need for signs positioned correctly at Duxbury and in Spanish, Mandarin and Vietnamese.

- **Shortage of Uniformed Personnel/Enforcement Officers**

- ◊ There is a general lack of enforcement capacity or presence (including boat patrols).
- ◊ There is a need for more enforcement at Duxbury, perhaps from Marin County Open Space Rangers.

- **Confusion Regarding Regulations, Boundaries, or Jurisdiction**

- ◊ At Drakes Estero SMCA, it can be complicated and confusing when some take is allowed, and other take is not allowed.
- ◊ There is confusion when MPAs border each other and where the line is (Point Reyes, Drakes Estero, Estero de Limantour).

- **Increase in Visitation**

- ◊ Many expressed concerns regarding an increase in visitors at Duxbury Reef SMCA, especially the effects of the increase in tidepooling/trampling/tidepool take.
- ◊ At Drakes Estero, there has been more watercraft/kayaks during COVID.
- ◊ There are usually not many watercrafts/vessels in the Special Closure, but some have seen an increase during COVID.

Recommended Solutions



This chart summarizes the number of times each MPA compliance solution was mentioned during the Forum discussions and in the post-Forum evaluation forms, Google surveys, and printed surveys. Solutions are organized into general categories based on the overall input from the community. See the Statewide Compliance Forum Report for more category detail.

Recommended Solutions

Recommended Compliance Solutions in Detail

• Digital Resources

- ◊ Participants mentioned GPS locator digital resources including the FishLegal app, CDFW mobile website, and chart plotters.
- ◊ There is a need to develop a multilingual app and use QR codes that link to translations of the current CDFW regulations.
- ◊ Participants suggested creating and sharing digital educational resources. Some digital resources mentioned include resources for tidepool regulations/etiquette, and a short YouTube video shared on multiple social media platforms.

• More Docents/Volunteers

- ◊ More volunteer docents are needed to help educate the public about MPAs.
- ◊ Docents can be placed at trailheads to inform the public about MPAs.
- ◊ Participants suggested getting an MPA/elephant seal intern to do outreach.
- ◊ A docent program at Fitzgerald (Montara SMR) in San Mateo County could be replicated at Duxbury.

• Signage

- ◊ There is a general need for more, updated, or new signage, and sign translations (multiple languages, including Spanish, Mandarin, and Vietnamese).
- ◊ Signs need to be highly visible and in strategic locations.
- ◊ Signage suggestions included signs with good tidepooler rules and a sign by the county parking lot at Duxbury Reef.
- ◊ There could be a larger MPA exhibit at NPS Visitor Center at Drakes Beach.
- ◊ There should be signage at Tomales Bay since many boaters launch from there, specifically Miller Point and Marconi Cove.

• More Enforcement Officers

- ◊ More uniformed personnel/enforcement officers are needed to do outreach/enforce at Duxbury Reef.
- ◊ Officers/uniformed personnel need to be trained/participate in the allied agency enforcement training.
- ◊ There needs to be an increased presence from CDFW/Marlin Patrol Vessel (replacement for retired Lt.), especially at the Farallones to respond to reports from Point Blue observers stationed there.

Recommended Solutions

Recommended Compliance Solutions in Detail Continued

- **Call CalTIP**
 - ◊ Participants mentioned the importance of reporting violations to the CalTIP hotline.
- **Targeted Education & Outreach Programs/Events**
 - ◊ Participants mentioned the need for outreach to bait and tackle shops.
 - ◊ Field trips with Point Reyes National Seashore Association (PRNSA) was suggested.
- **Boundary Markers/Buoys**
 - ◊ Buoys would be helpful at the corners of the Farallon Island MPAs.
 - ◊ Participants mentioned the difficulty with maintaining and funding expensive buoys.
 - ◊ Buoys may also get entangled in crab fishing gear, leading to whale entanglements.
- **Printed Materials**
 - ◊ The Golden Gate Collaborative brochure needs to be reprinted.
 - ◊ Participants mentioned using mobile displays/banners.
- **Surveillance Technology**
 - ◊ High resolution surveillance cameras could be/have been used to observe violations at Double Point/Stormy Stack Rock and Point Resistance Rock Special Closures, as well as in Drakes Estero.
 - ◊ Drones could be used by agency personnel (NPS) to monitor more difficult to access locations.
- **Stakeholder Engagement**
 - ◊ More people/local groups involved in the Golden Gate Collaborative, especially the boating and fishing community.

Wrap-Up Discussion

1. What are our high priority needs?

- Address wildlife disturbance (e.g., flushing birds, harbor seals)
- Address poaching in MPAs and Fish and Game Code (FGC) violations happening in the Marin MPAs (Duxbury and Point Reyes) and off the Farallon Islands

2. What programs or projects could be used to increase compliance?

- Digital resources - georeferenced mobile apps (e.g., FishLegal) and more online outreach (e.g., social media, educational video)
- More Docents/Volunteers – MPA Watch volunteers conducting outreach and interns for targeted education are needed to address the lack of awareness. A docent program at Duxbury is needed.
- Signs/display at NPS sites, such as visitor center at Drakes Beach

3. What key partners need to be at the table to assist with law enforcement?

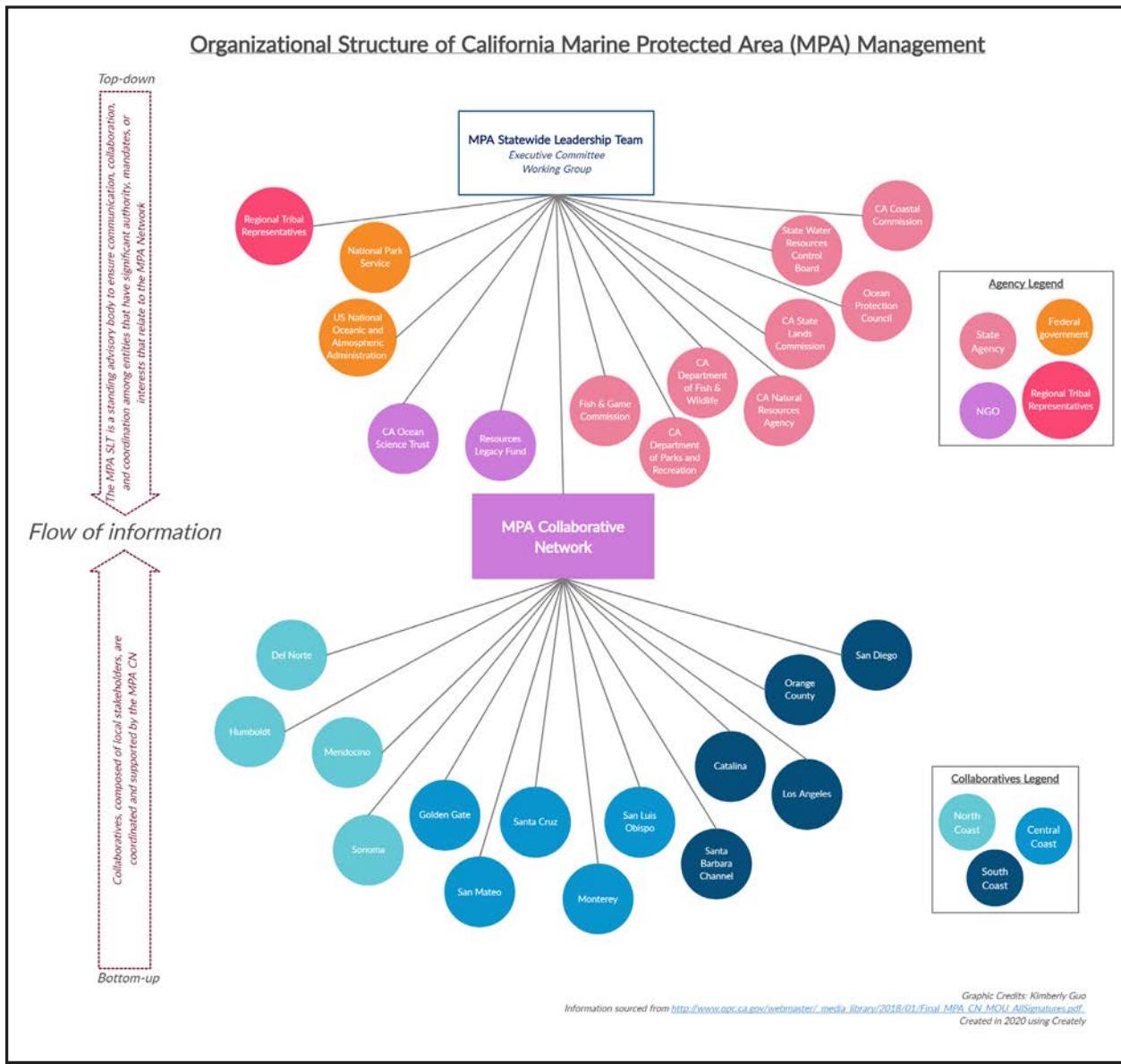
- California Department of Fish & Wildlife (CDFW)
- National Park Service
- Marin County Parks
- California State Parks
- USCG Living Marine Resources
- Other allied agencies (uniformed personnel)

Issues for Elevation

As a member of the [MPA Statewide Leadership Team](#) (MSLT), the MPA Collaborative Network can elevate issues, concerns, and ideas shared by stakeholders at the local level to the State managing agencies that have jurisdiction over MPAs in California.

Issues identified during the Forum that have a potential for elevation and discussion with the MSLT include:

- ◊ Golden Gate Collaborative members have reported the increase in visitors and intertidal impact at Duxbury Reef to the Fish and Game Commission.



Interactive Map Results

Areas of MPA compliance concern were anonymously identified by Forum participants on interactive maps using the virtual collaboration platform Poll Everywhere. A total of 17 participants put pins on the map with 79 total responses (pins). Green pin shapes indicate the location of a virtual push pin placed by a participant. The pinned areas corresponded with the MPA compliance discussions.

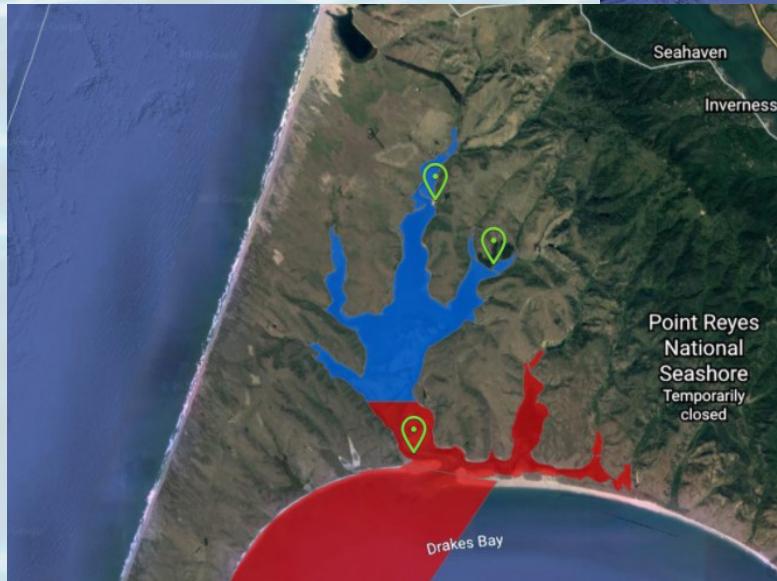
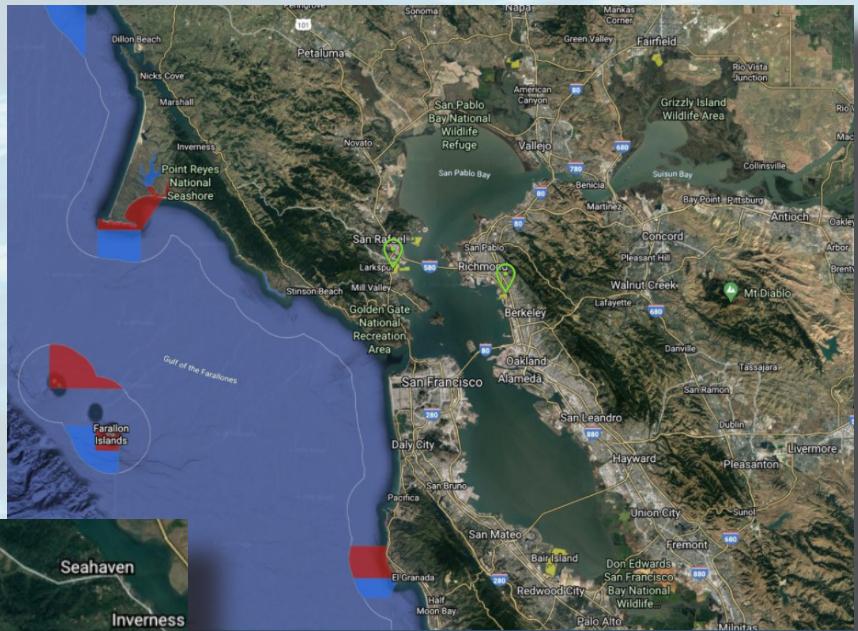


Identified areas of concern in and near all San Francisco and Marin County MPAs.

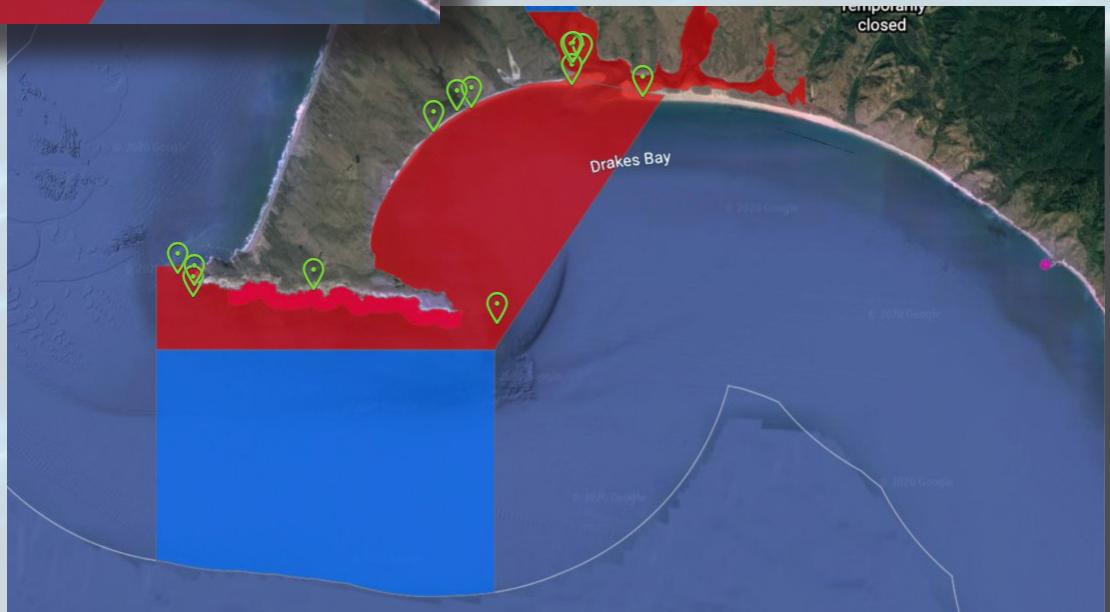
Interactive Map Results

Identified areas of concern in and near San Francisco Bay (right).

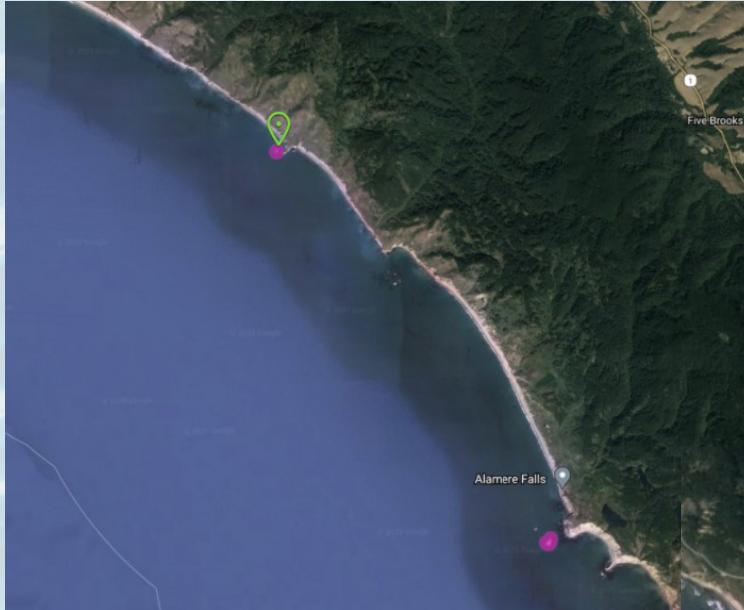
Identified areas of concern in and near Drakes Estero SMCA and Estero de Limantour SMR (below).



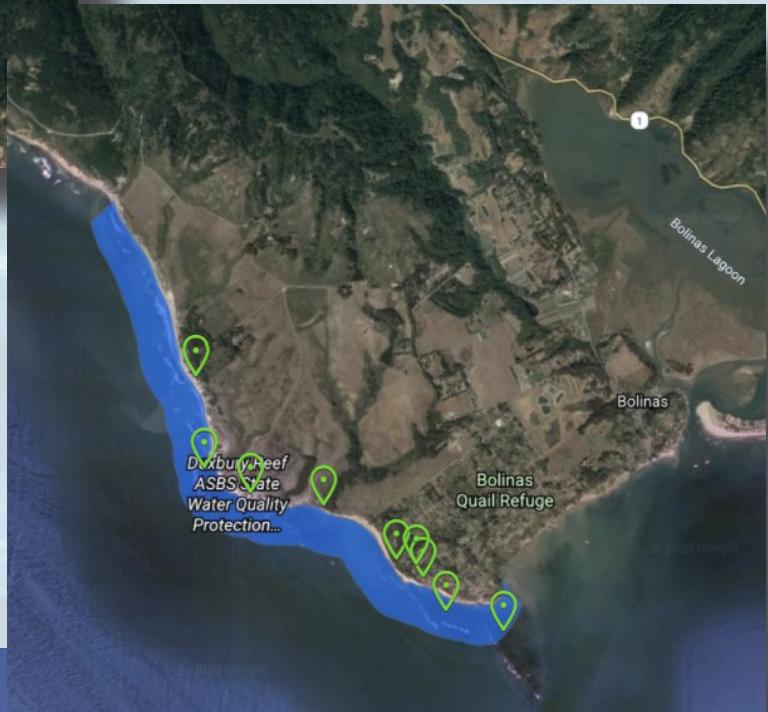
Identified areas of concern in and near Point Reyes SMR and SMCA, and Point Reyes Headlands Special Closure (below).



Interactive Map Results



Identified areas of concern in and near Point Resistance and Double Point/Stormy Stack Rock Special Closures (left).



Identified areas of concern in and near Duxbury Reef SMCA (right).

Identified areas of concern in and near the Farallon Islands MPAs (below).



Glossary

The Glossary defines the acronyms used in any or all the Compliance Forum Reports.

- **ADA:** American Disabilities Act.
- **ASBS:** Area of Special Biological Significance.
- **BIPOC:** Black, Indigenous, and people of color.
- **CalTIP:** Californian's Turn in Poachers and Polluters.
- **CDFW:** California Department of Fish and Wildlife.
- **CHP:** California Highway Patrol.
- **COVID-19:** Coronavirus Disease 2019 (also referred to as COVID and the pandemic).
- **CPFV:** Commercial Passenger Fishing Vessel (also referred to as a party boat).
- **DA:** District Attorney.
- **FGC:** Fish and Game Code.
- **GPS:** Global Positioning System.
- **HOA:** Homeowner's Association.
- **M2:** Marine Monitor (M2) Radar System.
- **MPA:** Marine Protected Area.
- **MSLT:** MPA Statewide Leadership Team.
- **NMS:** National Marine Sanctuary.
- **NOAA:** National Oceanographic and Atmospheric Administration.
- **NPS:** National Park Service.
- **OLE:** Office of Law Enforcement (within NOAA).
- **QR:** Quick Response [code].
- **SCP:** Scientific Collecting Permit.
- **SCUBA:** Self-contained Underwater Breathing Apparatus.
- **SMCA:** State Marine Conservation Area.
- **SMR:** State Marine Reserve.
- **SMRMA:** State Marine Recreational Management Area.
- **SUP:** Stand Up Paddle Board.
- **ROV:** Remotely Operated Vehicle.
- **UC:** University of California.
- **USFWS:** United States Fish and Wildlife Service.
- **USCG:** United States Coast Guard.



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PROTECTION
COUNCIL

These materials and MPA Community Compliance Forums made possible by a grant from the California Ocean Protection Council's Once-Through Cooling (OTC) Interim Mitigation Fund.

Learn more about the MPA Collaborative Network at
www.mpacollaborative.org

Join your local MPA Collaborative to get involved in bottom-up resource management.

Visit the California MPA website at
www.wildlife.ca.gov/MPAs