

Mendocino County



Marine Protected Area (MPA) Community Compliance Forum Report October 13, 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 Mendocino County 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

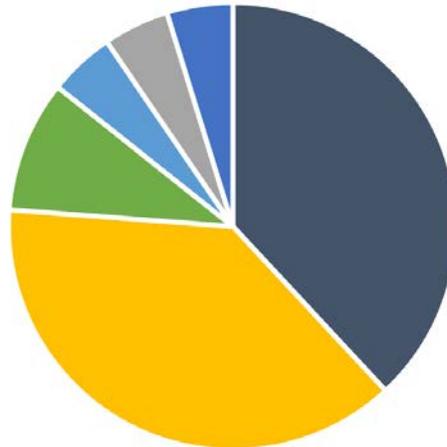
- Poaching in MPAs was reported in Ten Mile Estuary SMCA, MacKerricher SMCA, Van Damme SMCA, Point Cabrillo SMR, Big River Estuary SMCA, and Point Arena SMR.
- A variety of Fish & Game Code (FGC) violations were reported across Mendocino County, especially around Fort Bragg. Violations mentioned include overtake of rockfish, take of undersize fish and prohibited species like abalone, and illegal crabbing.
- The top recommended solution was signage in strategic locations, like MPA boundaries, to improve awareness of MPA regulations and locations, especially among tourists, and to reduce disturbances created by dogs (e.g., flushing birds).
- Participants suggested putting onshore boundary markers at Point Arena SMR and on the hillside at Ten Mile SMR.
- There is a need for more enforcement officers & actions (e.g., citations), particularly at Big River Estuary and Glass Beach in Fort Bragg.
- Docents/volunteers can assist enforcement by educating the public and helping gain compliance in high use areas (e.g., Point Cabrillo, Big River). Uniformed State Parks Interpreters/Aids on-site may also lead to increased compliance.

Highlighted Compliance Concerns

- There has been an increase in visitation and trash/pollution at Big River estuary and Point Cabrillo, and along entire coast.
- Overtake and take of undersize fish (rockfish/lingcod) are occurring at Ten Mile Estuary SMCA, MacKerricher SMCA, Van Damme SMCA, Point Cabrillo SMR, Big River Estuary SMCA, and Point Arena SMR.
- Multiple violations occur daily in MacKerricher SMCA since it is closest to the Fort Bragg city center. Kayakers, motorized watercraft (e.g., jet skis), and dogs disturb seals and birds at Big River Estuary.

Participant Breakdown

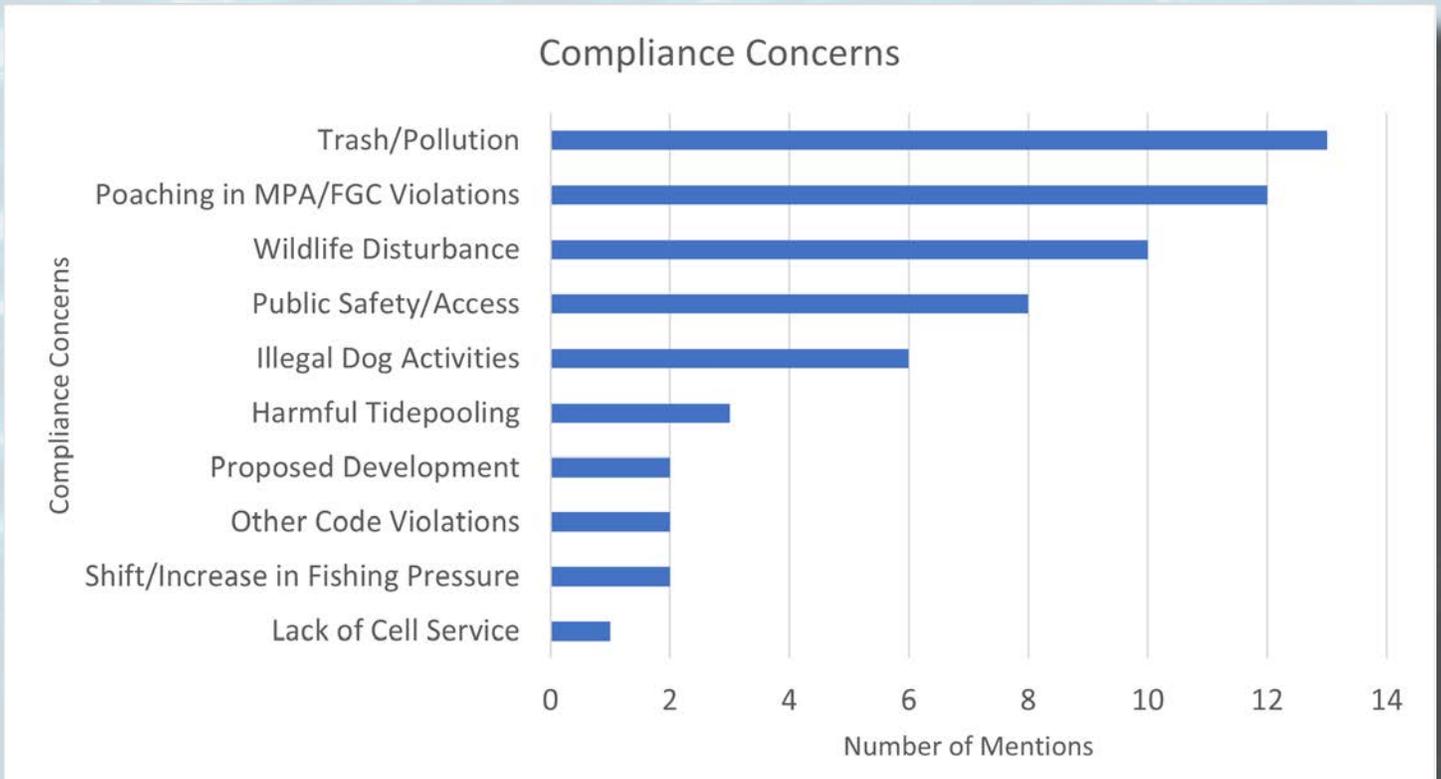
Mendocino Participant Breakdown



- Non-Governmental Organizations (38%)
- Individual/Community Member (38%)
- Fishing (9%)
- Ocean Business (5%)
- Government Agency (5%)
- Science and Academia (5%)

- A total of **23 participants attended** the Community Compliance Forum. The majority of attendees identified as non-governmental organizations and individuals/community members followed by fishing representatives, ocean businesses, government agencies, and science and academia representatives.
- A total of **32 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 46% of respondents were “Very Familiar” with MPAs, 36% were “Somewhat Familiar”, and 18% were “Not Familiar”.

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

• **Trash/Pollution**

- ◇ There has been a lot of trash down at Big River (e.g., litter, plastic bait pieces, hoop nets). Fish heads/carcasses dropped multiple times at the boat ramp at Big River estuary.
- ◇ Trash is an issue at Point Cabrillo SMR; need trash cans.
- ◇ Human waste, toilet paper, and dog waste are found along the entire coast of Mendocino. There is a stretch of RVs illegally camping/parked in Caltrans pullouts leaving waste.
- ◇ There is lost/abandoned fishing gear (e.g., crab floats, hoop nets) in/near MPAs.
- ◇ Pollution (gas from boats and oil slicks) occurs in Big River estuary.

• **Poaching in MPA/FGC Violations**

- ◇ In Ten Mile SMR, recreational fishers going for rockfish and lingcod, and crab pots “walk themselves” inside the MPA (at the southern boundary).
- ◇ At the south side of Ten Mile SMR, the primary concern is shore-based fishing (rod & reel at Seaside Creek Beach).
- ◇ MacKerricher SMCA north boundary (Laguna Point) used to be a hotspot for abalone (and abalone may still be taken illegally), and there are still lots of fishers on the point.
- ◇ At MacKerricher SMCA/Glass Beach there are a lot of people fishing (onshore and offshore) and taking undersize fish. Overtake of rockfish also occurs here (e.g., 15-20 rockfish instead of 10).
- ◇ At Point Cabrillo SMR, people park by Greenling Lane and go to Frolic Cove to fish and take shells (e.g., filleted fish heads were spotted at the road to Frolic Cove).
- ◇ The lighthouse sees lots of boats fishing offshore of Frolic Cove as well, on the northern edge of the Point Cabrillo SMR or all the way inside.
- ◇ Participants reported that there are about 25-50 people illegally crabbing in the Big River Estuary SMCA (out of season, using snares and box traps, etc.).
- ◇ In Van Damme SMCA, participants reported general FGC violations including undersize fish and taking of prohibited species.
- ◇ People illegally breach the sandbar at Navarro River Estuary SMCA.
- ◇ There is a need for shore based boundary markers at Point Arena SMR, according to harbormaster, to increase compliance.
- ◇ Lots of people dive and take at Schooner Gulch, just north of Saunders Reef SMCA.
- ◇ A Warden said that at Hearn Gulch in Saunders Reef SMCA there is a lot of illegal shore fishing going on, but a local judge has thrown out cases due to inadequate signage.

Compliance Concerns

Compliance Concerns in Detail Continued

- **Wildlife Disturbance**

- ◇ Participants noted seal disturbance and jet skis/speeding watercraft at Big River.
- ◇ At the tip of point at MacKerricher SMCA, people and dogs get too close to the harbor seal rookery and disturb bird habitat.

- **Public Safety/Access**

- ◇ Swimmers mixing with motorized boats (exceeding the 5mph speed limit) in Big River Estuary SMCA may lead to accidents.

- **Illegal Dog Activities**

- ◇ Dogs are often off leash in the snowy plover habitat at Ten Mile Estuary SMCA.
- ◇ People have left their dogs tied up at Point Cabrillo.

- **Harmful Tidepooling**

- ◇ The take of shells and glass from Glass Beach was mentioned.

- **Proposed Development**

- ◇ Development through timber operations has been proposed in Big River estuary, which affects the habitat and wildlife.

- **Other Code Violations**

- ◇ Ten Mile Estuary SMCA has illegal dog walking.
- ◇ There is illegal camping at Big River estuary.
- ◇ The county of Mendocino code prohibits jet skis in the coastal estuaries of Mendocino; an enforcement presence would make a difference; Sheriff Deputies and CHP general stay away from this type of enforcement but could be used to assist State Parks and CDFW get a handle on violations.
- ◇ At Navarro River Estuary SMCA, people illegally breach the sandbar and drain the river; they sometimes breach it to save the fish or to relieve flooding upstream.

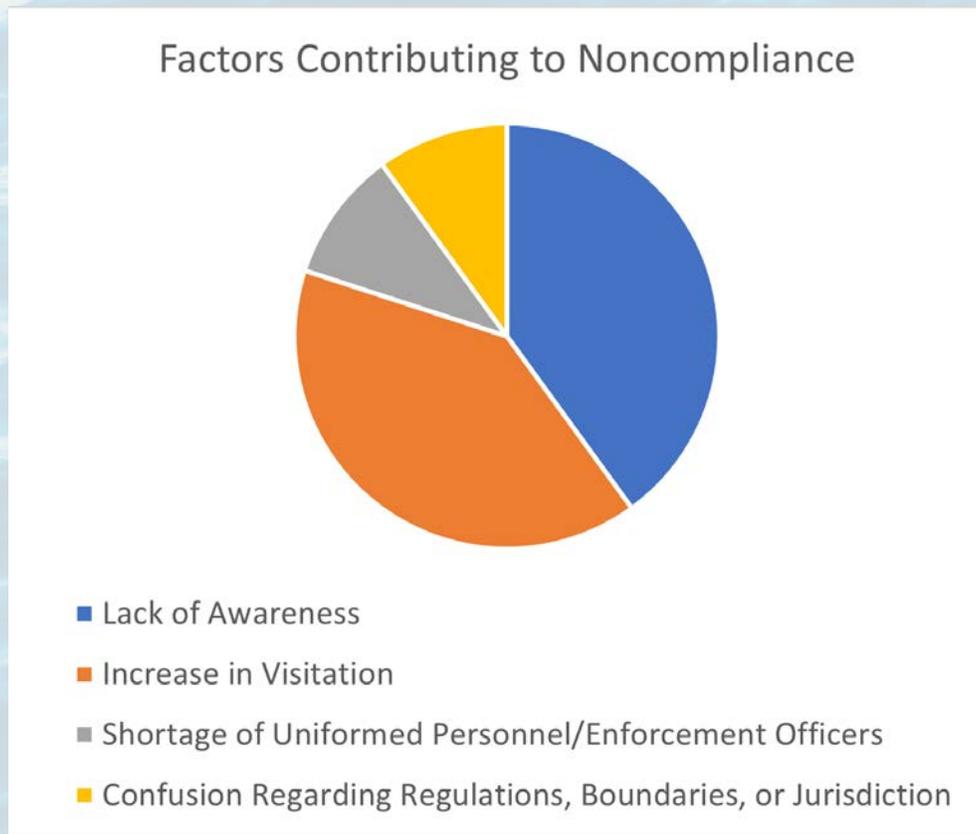
- **Shift/Increase in Fishing Pressure**

- ◇ Crab traps are drifting inside the MPAs, especially at Ten Mile SMR.

- **Lack of Cell Service**

- ◇ There is a lack of cell coverage at Point Arena SMR, making use of cell-based apps difficult.

Contributing Factors



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 public.
- ◇ Concerns included knowing which species are permitted to take and knowing the MPA boundaries/regulations.

- **Increase in Visitation**

- ◇ Big River estuary has seen a huge increase in visitors during the pandemic.
- ◇ It might be valuable to count the number of visitors (currently speed bump counters are used) at Big River estuary.
- ◇ About 1,000 visitors on a weekend day were reported at Point Cabrillo.
- ◇ Glass Beach (MacKerricher SMCA) has had a large increase in the number of visitors.

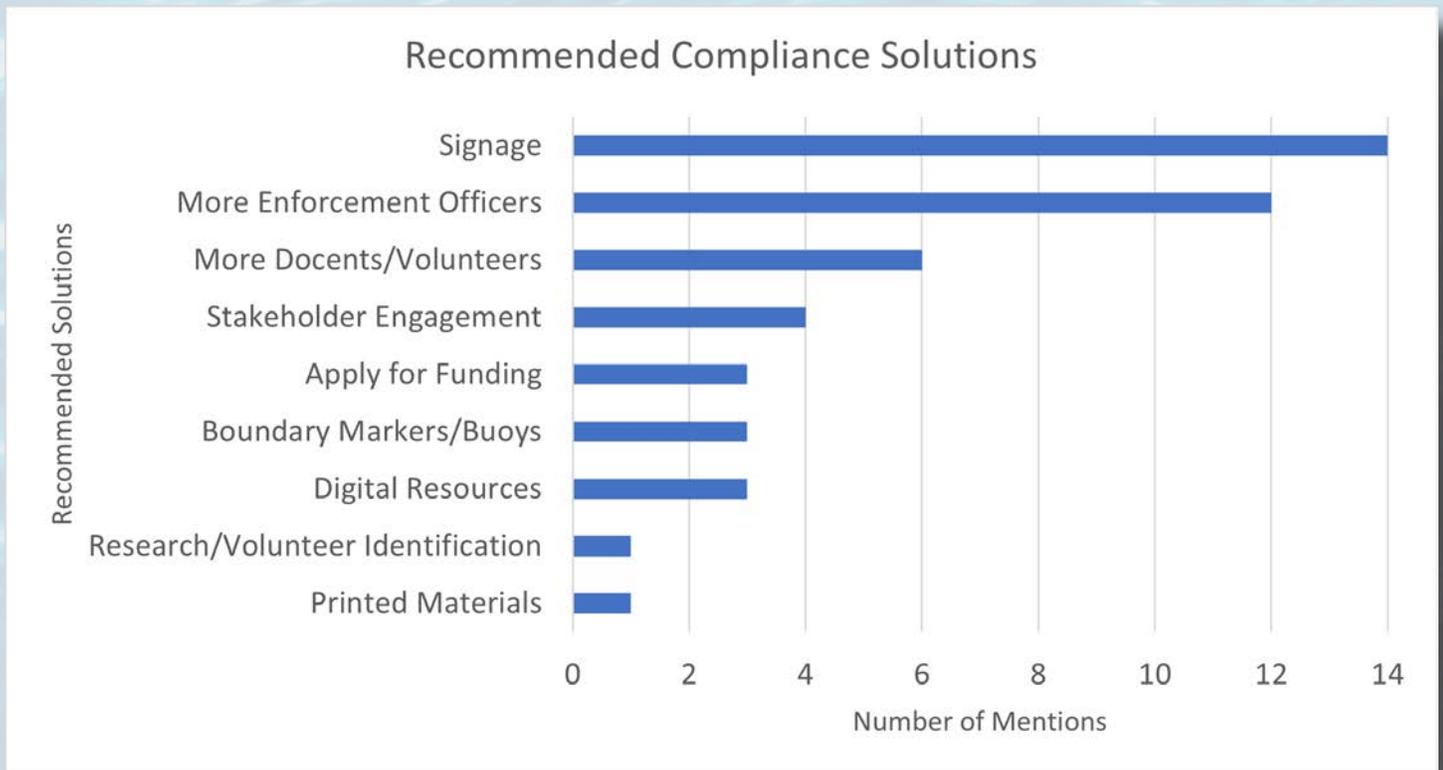
- **Shortage of Uniformed Personnel/Enforcement Officers**

- ◇ Participants are concerned about a lack of enforcement at Big River Estuary.
- ◇ There is a lack of enforcement across the Mendocino coast in general.
- ◇ Highway Patrol has jurisdiction on the Highway and could help enforce the illegal camping of RVs that line this stretch of coast.

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

- ◇ At the northern boundary of Ten Mile SMR, it would be helpful to have a shore-based marking system on Caltrans property.
- ◇ There is a need for boundary markers off of Point Arena.

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

• Signage

- ◇ There is a general need for more, updated, or new signage, and sign translations.
- ◇ The southern boundary of Point Cabrillo SMR could be a good location for a directional sign (in or out of SMR); it is hard to install signs on a cliff face.
- ◇ There needs to be a sign to enforce the 5 MPH speed limit in Big River SMCA.
- ◇ There needs to be a large sign to address tourists at the Glass Beach access points.
- ◇ There needs to be sign that address disturbances by dogs at Glass beach. Mendocino could partner with Orange County MPA Council's to create a "dog disturbance" sign.
- ◇ There is a need for better signage at Hearn Gulch in Saunders Reef SMCA (a local judge throws out cases due to inadequate signage in this area).

• More Enforcement Officers

- ◇ There is a general need for more officers and enforcement actions, especially in high use areas, along the highway (CHP) and in State Parks.
- ◇ Enforcement is needed at Point Cabrillo including a combination of seasonal outreach vs. enforcement (at State Parks). Tickets and uniforms/radios may assist officers in gaining compliance.
- ◇ More officers (e.g., CDFW, Sheriffs, Highway Patrol) are needed to help enforce the no jet ski rule in estuaries.

• More Docents/Volunteers

- ◇ There is a general need for more volunteer docents to educate and to support enforcement efforts to gain compliance.
- ◇ A docent program in conjunction with State Parks Peace Officers or CDFW wardens was recommended to inform the public of the rules and attempt to gain compliance when there is a lack of law enforcement personnel.
- ◇ It would be helpful to set up an information booth in Big River during high season staffed with someone to share rules and educate visitors coming into park.
- ◇ A (uniformed) State Parks aid/interpreter/educator could be hired specifically for MPA outreach (especially for Big River) and could be the first line of contact with the public. If they continue to break rules, then a sheriff or warden comes down to issue a citation.
- ◇ Glass Beach really needs a patrol during summer and on weekends.

Recommended Solutions

Recommended Compliance Solutions in Detail Continued

- **Stakeholder Engagement**

- ◇ More people/local groups need to be involved in the Mendocino Collaborative.
- ◇ Tribes that were initially involved need to be reached back out to.

- **Apply for Funding**

- ◇ Apply for Department of Boating and Waterways grant to elevate the enforcement capacity of a docent program.
- ◇ A local Big River parking pass to help support stepped up enforcement was suggested.

- **Boundary Markers/Buoys**

- ◇ A participant requested adding a marker on the hillside at the Ten Mile SMR boundary.
- ◇ Shore-based markings are needed for Point Arena SMR.
- ◇ There is a need to do a county-based assessment of shore-based markers.

- **Digital Resources**

- ◇ Apps (e.g., FishLegal), QR codes, boat navigation systems (e.g., Navionics), are beneficial tools for boundary identification.
- ◇ Outreach can be conducted through the Department of Parks & Recreation webpage.

- **Identifiable Research/Volunteer**

- ◇ People want to be notified of when there is research planned so they do not call in researchers as poachers.

- **Printed Materials**

- ◇ Printed materials/resources, like the Mendocino MPA brochure, are useful, especially when distributed/replenished regularly.

Wrap-Up Discussion

1. What are our high priority needs?

- Trash (e.g., fishing debris) and pollution need to be addressed at Big River and Point Cabrillo.
- Addressing poaching in MPAs/Fish and Game Code (FGC) violations occurring at Ten Mile Estuary SMCA, MacKerricher SMCA, Van Damme SMCA, Point Cabrillo SMR, and Big River Estuary SMCA is a top priority.
- Awareness around wildlife disturbance and MPAs/regulations may improve with strategic signage and shore-based boundary markers.

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

- Docent programs are needed at Glass Beach and Big River estuary. The docent programs could work in conjunction with enforcement to educate and improve compliance.
- Improved enforcement was suggested through specific actions including funding for more officers, implementing targeted patrols, writing more citations, and prioritizing allied agency enforcement trainings.

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

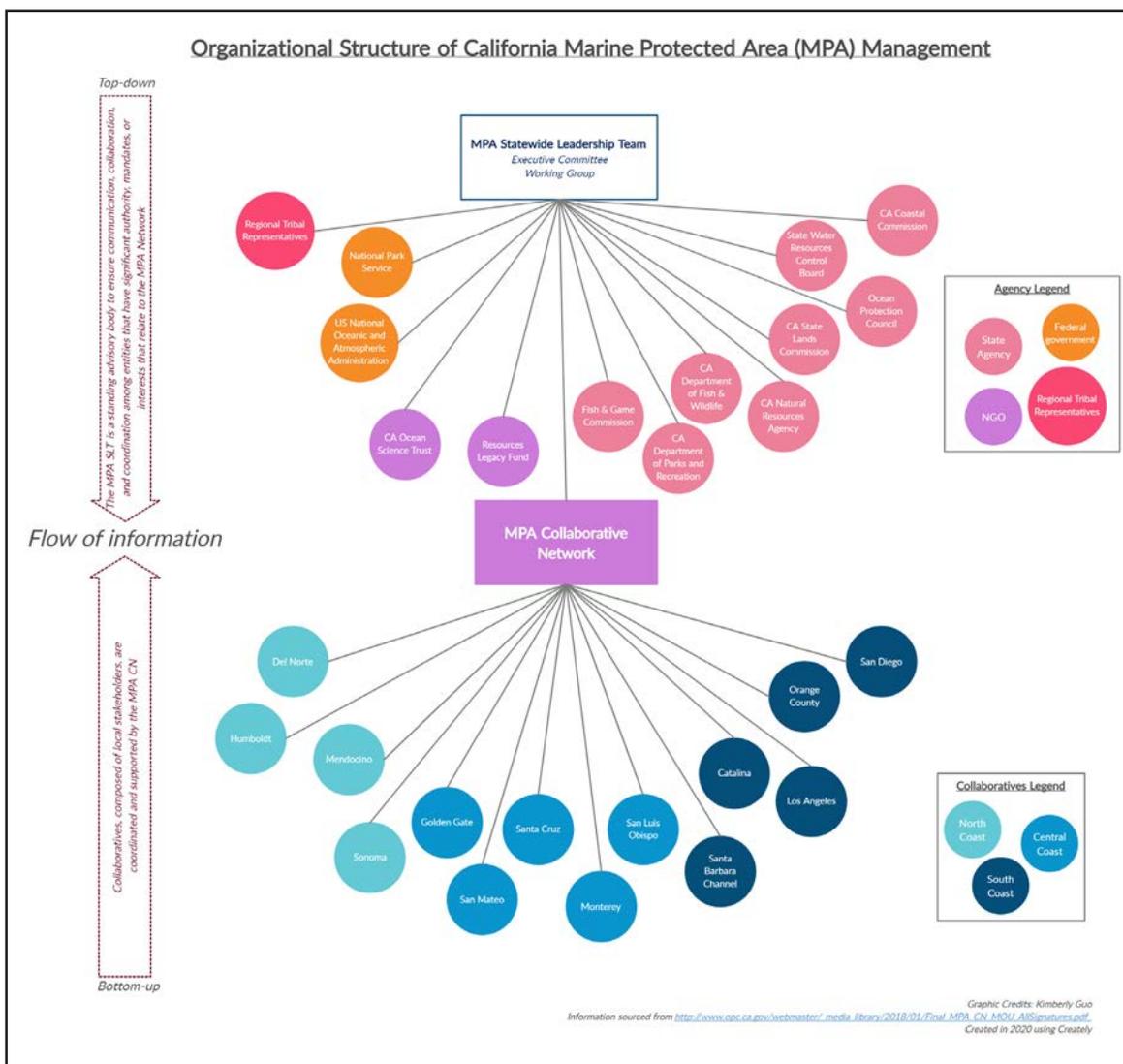
- California Department of Fish & Wildlife (CDFW)
- California State Parks
- County Sheriffs
- Highway patrol (CHP)
- Other allied agencies (uniformed personnel)
- District attorneys

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.

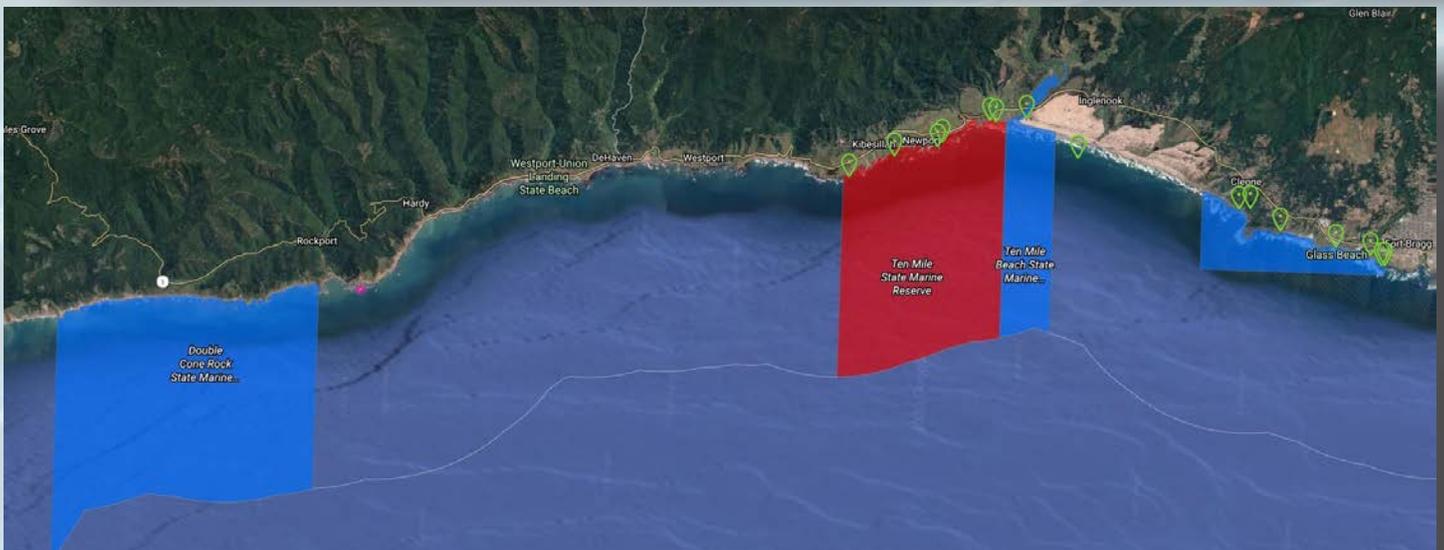
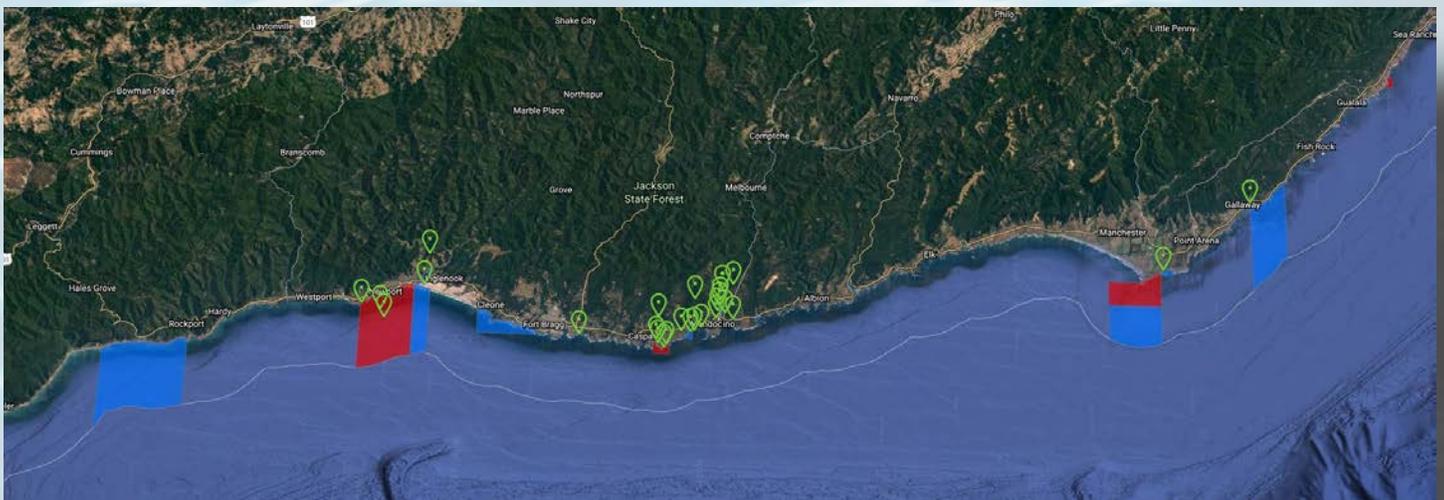
Issues identified during the Forum that have a potential for elevation and discussion with the MSLT include:

- ◇ According to one Warden, there is frequent illegal shore fishing at Hearn Gulch in Saunders Reef SMCA, but a local judge throws cases out due to inadequate signage.
- ◇ Proposed development and timber operations in Big River Estuary SMCA, including what is laid out in the Timber Harvesting Plan, is a compliance concern in need of interagency collaboration.



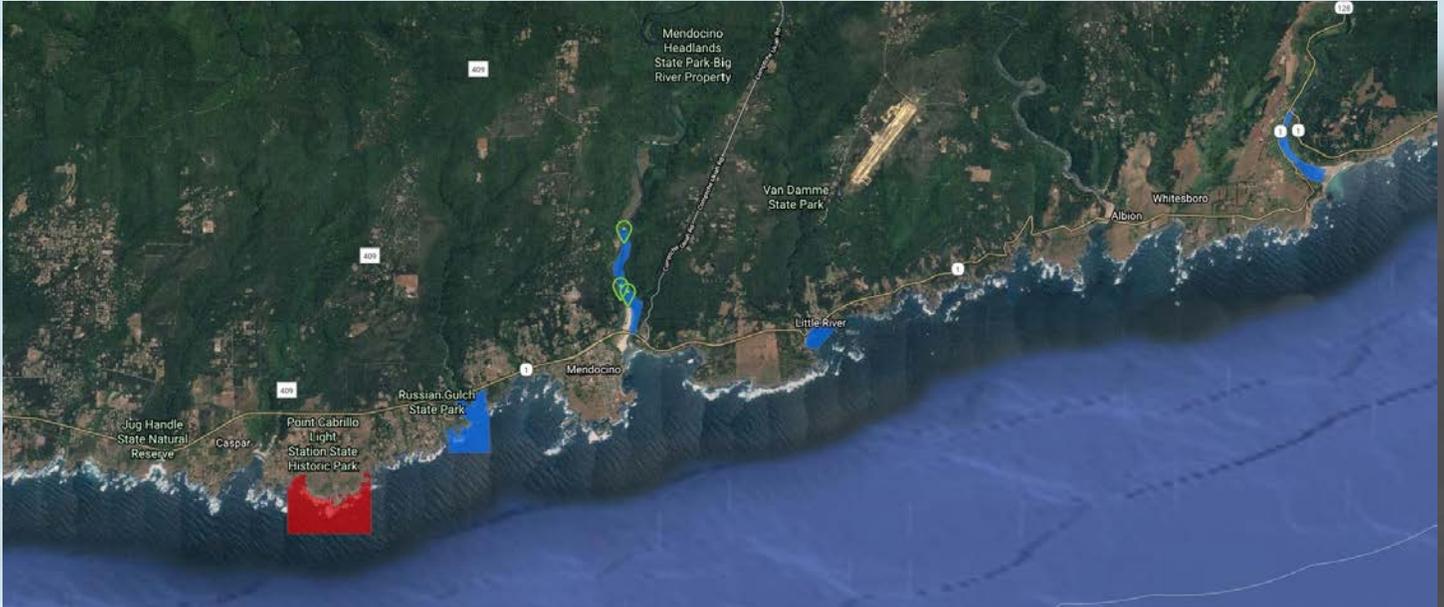
Interactive Map Results

Areas of MPA compliance concern were anonymously identified by Forum participants on interactive maps using the virtual collaboration platform Poll Everywhere. A total of 15 participants put pins on the map with 47 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 Mendocino County MPAs (top) and Double Cone Rock SMCA to MacKerricher SMCA (bottom).

Interactive Map Results



Identified areas of concern in and near Point Cabrillo SMR to Navarro River Estuary SMCA (top) and Point Arena SMR to Saunders Reef SMCA (bottom).

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.
- **CaITIP:** 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.



**OCEAN
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**