

San Luis Obispo County



Marine Protected Area (MPA) Community Compliance Forum Report November 5, 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 Luis Obispo 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

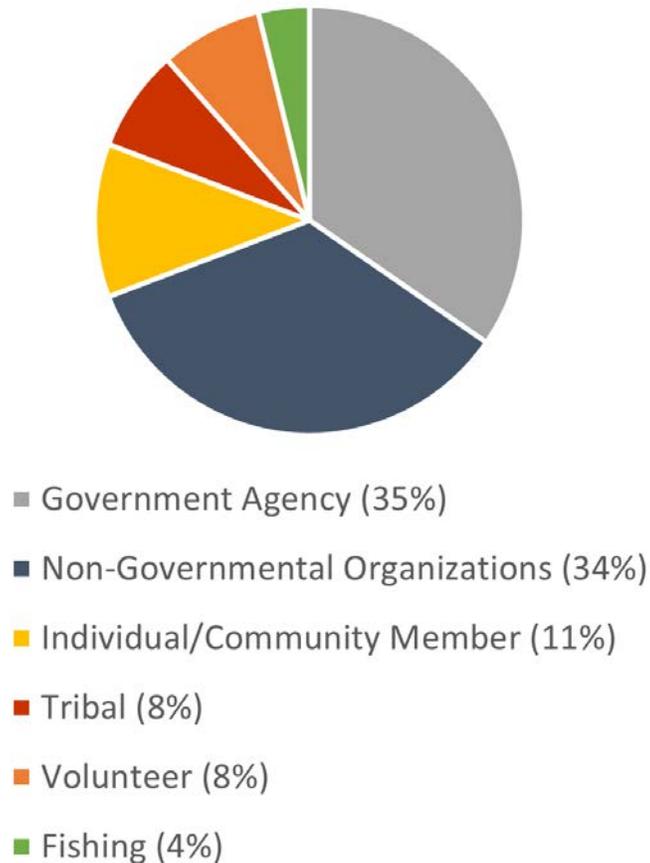
- The top concern was wildlife disturbance by humans and dogs to elephant seals, sea otters, and humpback whales at Piedras Blancas, Morro Bay, and Avila Beach.
- The top solution was targeted education to tourism companies, harbors, and kayakers/paddleboarders to reduce disturbances.
- One priority is to engage junior high and high school students in bilingual ocean stewardship through targeted outreach events and field trips to kayak in Morro Bay with a Spanish speaking docent. Youth involvement could also include creating, supporting, or engaging ocean or environmental student clubs.
- Participants want to address trash, fishing line, and encampments in/near Morro Bay.
- There is a need to revisit installing a camera or radar system to observe poaching at the southern end of Point Buchon SMR.
- Signage could increase compliance by placing or updating signs in strategic locations, especially at confusing MPA boundaries, and to address disturbances (e.g., from dogs off leash) and trash.

Highlighted Compliance Concerns

- Participants are concerned about disturbances to elephant seals, otters, and humpbacks.
- Trash and fishing line is prevalent in and near Morro Bay.
- There is a high level of illegal offshore fishing and squid boats in the Point Buchon MPAs.
- Compliance may be compromised in areas with confusing angles of boundaries relative to the coastline at Piedras Blancas, White Rock/Cambria SMCAs, and Point Buchon.

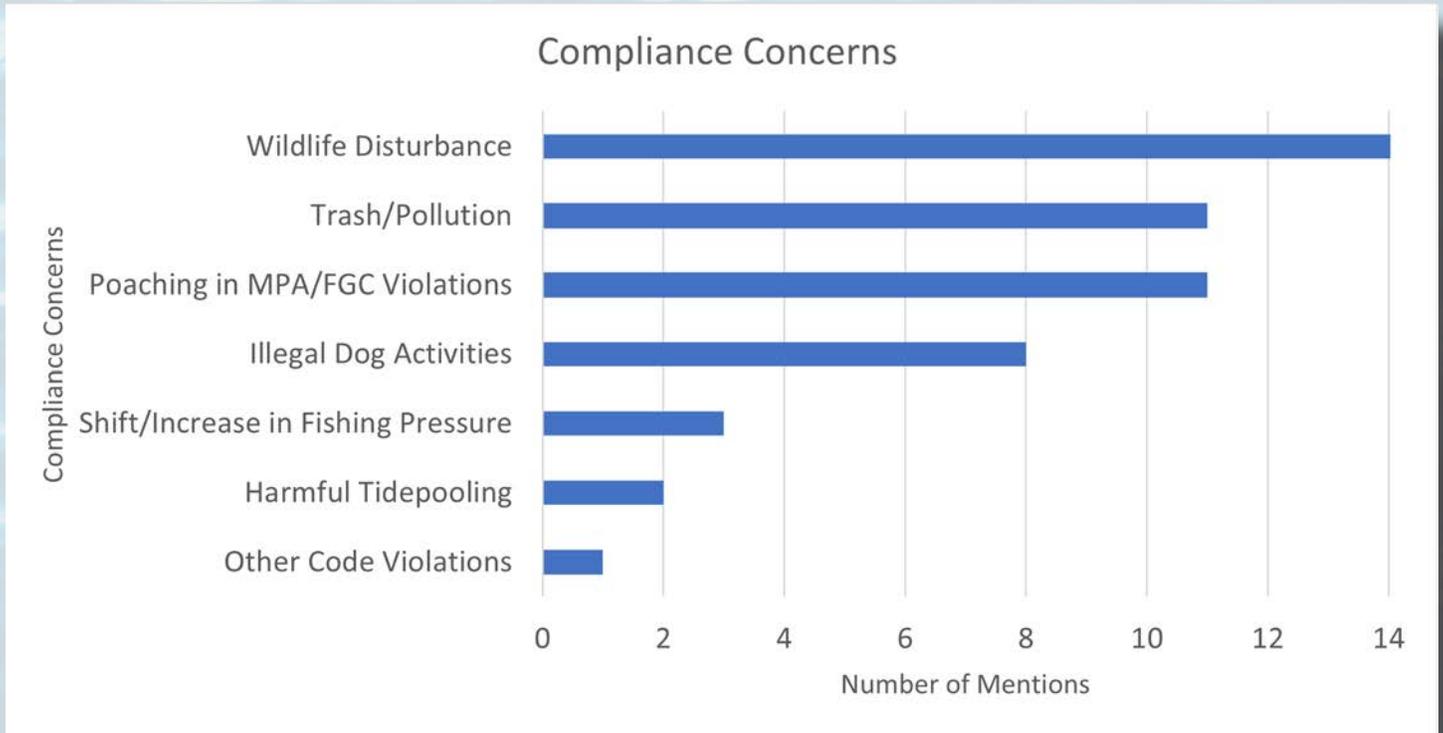
Participant Breakdown

San Luis Obispo Participant Breakdown



- A total of **26 participants attended** the Community Compliance Forum. The majority of attendees identified as government agencies, non-governmental organizations, and individuals/community members with some participation from Tribal and fishing representatives as well as volunteers.
- A total of **36 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 **2 new Collaborative sign-ups**.
- In-meeting Zoom poll results indicated that 62% of respondents were “Very Familiar” with MPAs, 38% were “Somewhat Familiar”, and 71% identified as current Collaborative members.

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

• **Wildlife Disturbance**

- ◇ Visitors disturb harbor seals near the boardwalk at Moonstone Beach in Cambria.
- ◇ Boats and kayakers disturb sea otters frequently in Morro Bay.
- ◇ Bird/marine mammal (e.g., otter) fishing line entanglement occurs in Morro Bay SMR.
- ◇ Humpback whale disturbance occurred recently in Avila Bay; a kayak was engulfed; jet skis were seen near a calf-cow pair.
- ◇ Sea lion disturbance is common in Avila Bay.
- ◇ Dogs disturb elephant seals and flush birds at Piedras Blancas SMR, at William Hearst Memorial Park, and in the Morro Bay State Marine Recreational Management Area (SMRMA) sandspit.

• **Trash/Pollution**

- ◇ Excessive trash (e.g., littered aluminum cans), fishing debris, and encampments have been found in Morro Bay.

• **Poaching in MPA/FGC Violations**

- ◇ One of the most common poaching spots, according to CDFW Law Enforcement, is in the Point Buchon SMR and SMCA, including by squid boats in Point Buchon SMCA. Some boats tuck in close to the coast to fish in the SMR where they feel like they will not be observed and at Disney Point.
- ◇ People come down from Ragged Point to fish in Piedras Blancas SMR.
- ◇ Participants mentioned locals kayak fishing at line between Cambria and White Rock SMCA's.
- ◇ Fishing from shore occurs at Target Rock and T-piers.
- ◇ Take of sea stars are regular occurrence at the jetty in the Morro Bay SMRMA.
- ◇ Take of ghost shrimp and other intertidal animals occurs at Windy Cove below museum in Morro Bay SMRMA.

• **Illegal Dog Activities**

- ◇ Dogs off leash at William Hearst State Beach, disturbing new elephant seal colony.
- ◇ Off-leash dogs have been seen in the Morro Bay SMRMA sandspit, sometimes causing bird disturbance.
- ◇ Participants believe it is mostly locals with their dogs.

Compliance Concerns

Compliance Concerns in Detail Continued

- **Shift/Increase in Fishing Pressure**

- ◇ Kayakers fish the line at White Rock SMCA and angle of line can be confusing leading to unintended violations.
- ◇ There is a potential shift in fishing pressure when party boats fish at Von Helm Rock, offshore of the White Rock SMCA.
- ◇ Fishing the line occurs at Point Buchon SMCA.

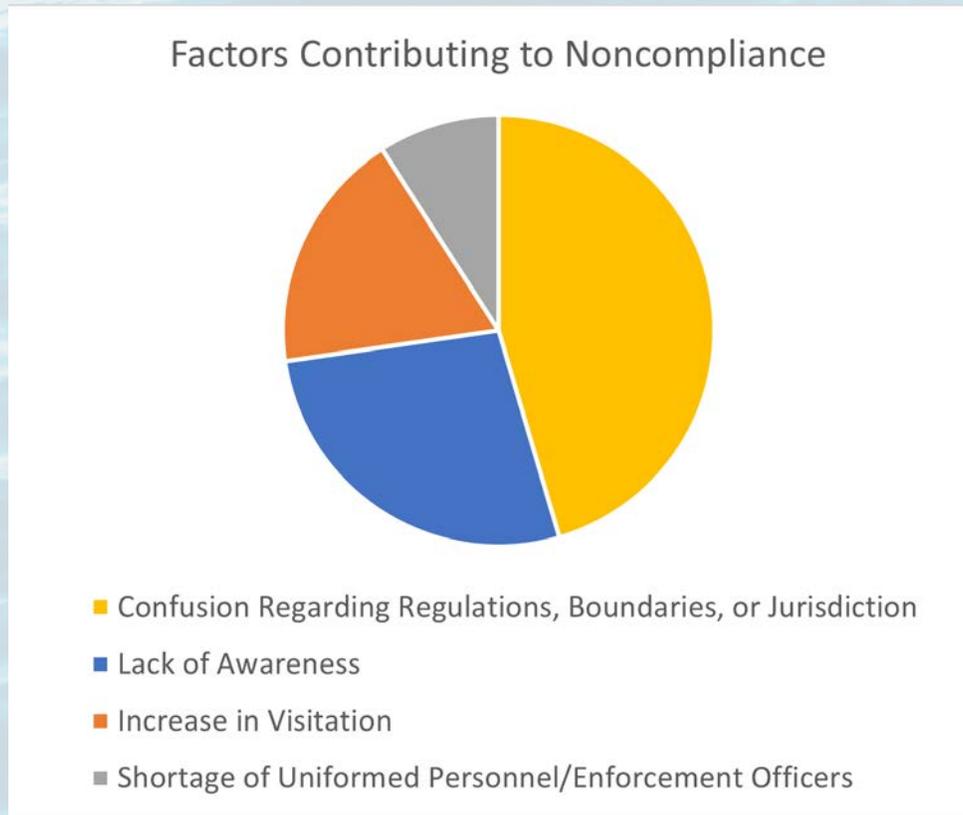
- **Harmful Tidepooling**

- ◇ Sea star take has occurred at Target Rock in the Morro Bay SMRMA and on the jetty.
- ◇ People fish for ghost shrimp in the mudflats in Morro Bay near Windy Cove.
- ◇ Tidepooling occurs along Moonstone Beach Drive in Cambria SMCA.

- **Other Code Violations**

- ◇ Kayakers and paddleboarders have been seen in the canals of the Morro Bay SMRMA.
- ◇ State Parks reporting need for cameras for trespassing and illegal camping.

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

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

- ◇ The angle or placement of the boundary relative to the coastline is confusing at several SLO MPAs, including
 - Piedras Blancas SMR (southern boundary),
 - the border between Cambria SMCA and White Rock SMCA,
 - Point Buchon SMCA and SMR, and
 - between the Morro Bay SMRMA and Morro Bay SMR in the middle of the bay.

- **Lack of Awareness**

- ◇ There is a need for more MPA education and outreach, signage, translation of signs/materials into different languages for visitors.
- ◇ The lack of awareness regarding wildlife disturbance was greatest in Morro Bay.

- **Increase in Visitation**

- ◇ There has been a general increase in visitors and the associated impact to the area.
- ◇ The Marina Boardwalk Trail in Morro Bay is busy.
- ◇ Outreach is needed for the increase in kayakers and standup paddleboarders, and the associated impact to wildlife (e.g., otters).

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

- ◇ There is a general lack of enforcement capacity or presence (including boat patrols), an inability to respond, or a diversion of marine enforcement resources to other priorities.
- ◇ NOAA Office of Law Enforcement (OLE) officers were mentioned as an enforcement presence that would be beneficial for wildlife disturbance but is limited.

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

• Targeted Education & Outreach Programs/Events

- ◇ Outreach programs to recreation/tourism companies could be used to educate and train employees and renters at kayak/dive shops. This outreach could also include a secret shopper program. The primary goal is to reduce wildlife disturbance.
- ◇ Engaging junior high and high school students in bilingual ocean stewardship through targeted outreach events and field trips to kayak in Morro Bay with a Spanish speaking docent. Youth involvement could also include creating, supporting, or engaging ocean or environmental student clubs or visiting existing youth groups.
- ◇ Educate the public to be responsible ocean stewards and protect marine life, particularly when it comes to sea otters and elephant seals.

• Signage

- ◇ There is a general need for more, updated, or new signage and sign translations.
- ◇ A “You Are Here” sign is needed at the end of Harvey St. (Cambria and White Rock SMCA boundary).
- ◇ There needs to be signage to address fishing line debris and sea otter disturbance.
- ◇ There is an outdated, inappropriately located “You’re Leaving the Morro Bay SMRMA” sign in the estuary that should be removed.
- ◇ There is an outdated steelhead angler collection box and sign at Piedras Blancas SMR (Arroyo de la Cruz) that is misleading.
- ◇ Signage is needed at the Lone Tree/Pine pullout, near Piedras Blancas SMR southern boundary.
- ◇ Need improved signage at launch points, especially Port San Luis.

• More Docents/Volunteers

- ◇ More volunteer docents are needed to help educate the public, especially kayakers, about MPAs and to reduce wildlife disturbance.
- ◇ Participants mentioned building on examples of local docent programs, such as Friends of the Elephant Seal, Sea Otter Savvy, SeaLife Stewards, and MPA Watch (currently inactive in SLO).

• Surveillance Technology

- ◇ Surveillance is needed to monitor for illegal fishing activity at Point Buchon. Either M2 radar or a surveillance camera is needed at Flag Point at the northern boundary of Point Buchon SMR.
- ◇ Participants mentioned the need to install a trail cam in Morro Bay and a trail cam to monitor the haul out site at William Hearst Memorial Park.
- ◇ Cameras can also be used for community science projects by looking at live feeds of elephant seals.

Recommended Solutions

Recommended Compliance Solutions in Detail Continued

- **Call CalTIP**

- ◇ Participants discussed the value of recording violations using CalTIP, even when they have a direct line to a local warden.

- **Digital Resources**

- ◇ GPS locator apps like FishLegal and the CDFW mobile website are helpful for fishers on the water.

- **Prosecution/MPA DA Task Force/Human Use Data**

- ◇ Improved prosecution of MPA related violations, especially for wildlife disturbances, is needed and may be addressed through a MPA Task Force of District Attorneys.
- ◇ Having an online portal to access human use data, such as from MPA Watch surveys, would help inform the need to enforce and prosecute.

- **More Enforcement Officers**

- ◇ More uniformed personnel/enforcement officers are needed on the water to do outreach and to address egregious/repeat offenses/offenders.
- ◇ County Parks need to be involved since many violations are occurring on their property.

- **Research/Volunteer Identification**

- ◇ Researcher should be easily identifiable when working in MPAs and the use of research banners on boats, signs, and brightly colored vests should be standardized.
- ◇ A notification system should exist, so researchers are not reported as violators, such as research boats in the Point Buchon MPAs.

- **MPA Boundary Photos**

- ◇ The photos of surveyed MPA boundaries could be useful in enforcement manuals and outreach materials.

- **Stakeholder Engagement**

- ◇ More people/local groups should be involved in the San Luis Obispo Collaborative.
- ◇ Tourism/kayak companies could help design outreach programs/materials for their clients.
- ◇ High school students, especially from Latinx and disconnected communities, should be engaged as ocean stewards.

- **More Trash Cans/Receptacles**

- ◇ Canisters for monofilament fishing line are needed in Morro Bay.

Wrap-Up Discussion

1. What are our high priority needs?

- Address wildlife disturbance, especially at Piedras Blancas, Morro Bay, and Avila Beach
- Address trash, fishing line, entanglements, and encampments in Morro Bay

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

- Targeted outreach programs should be implemented to educate tourism companies (some are resistant to limiting disturbances), harbor management, and kayakers/standup paddle boarders in Morro Bay and Avila Beach to address disturbances to sea otters and humpback whales, respectively.
- Targeted education programs/events with high school students, including Latinx and underrepresented and disconnected communities, may reduce marine debris and promote ocean stewardship.
- More docents/volunteers are needed to address elephant seal disturbances at Piedras Blancas.
- Signage could increase compliance by placing or updating signs in strategic locations, especially at confusing MPA boundaries, and to address wildlife disturbance (e.g., from dogs off leash) and trash.
- Revisit installing a camera or radar to observe the southern end of Point Buchon SMR.

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

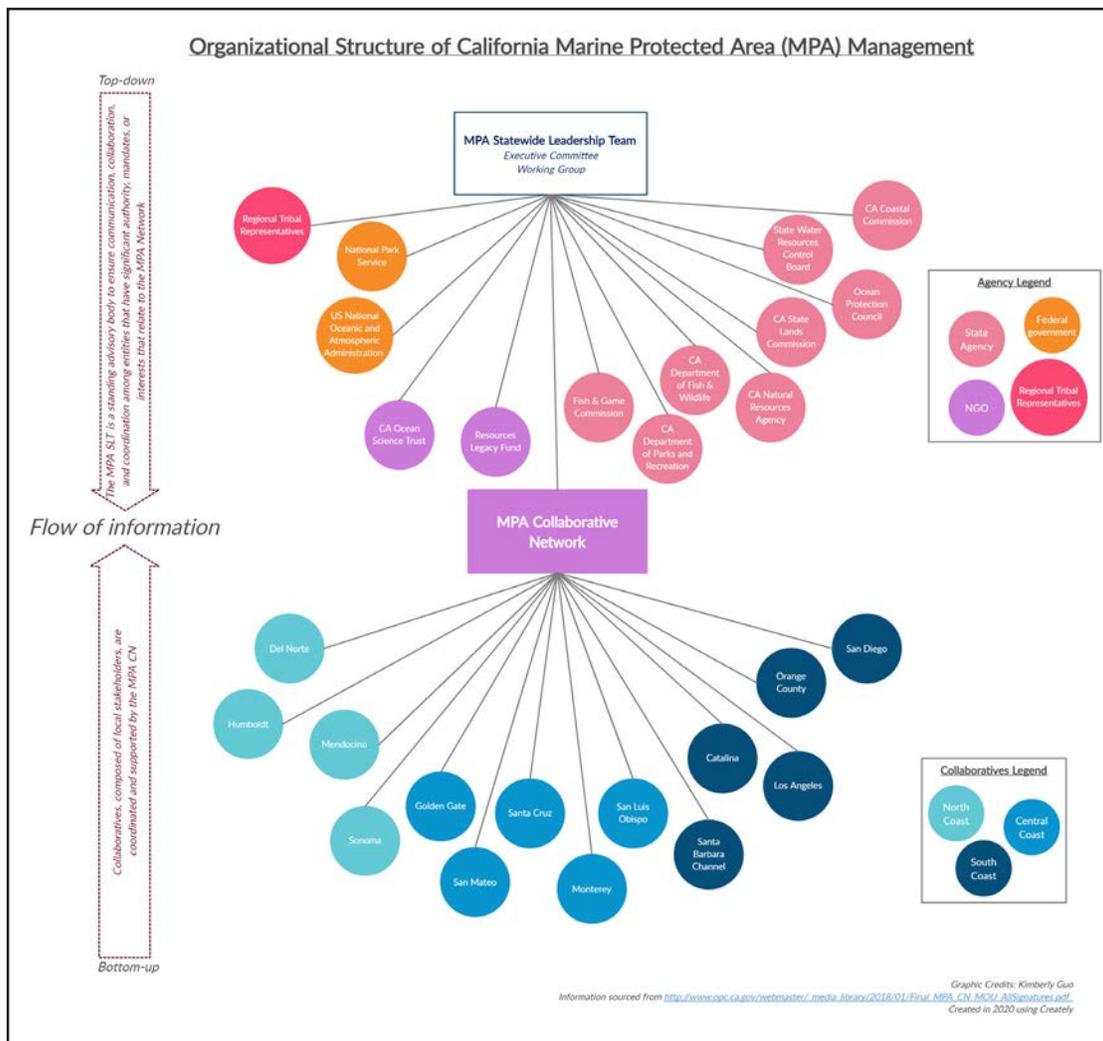
- California Department of Fish & Wildlife (CDFW)
- California State Parks
- San Luis Obispo County Parks (i.e., in Cambria)
- San Luis Obispo County Sheriffs
- Port San Luis Harbormaster
- Morro Bay Harbormaster
- NOAA Office of Law Enforcement (OLE)
- Allied agencies (uniformed personnel)
- District 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.

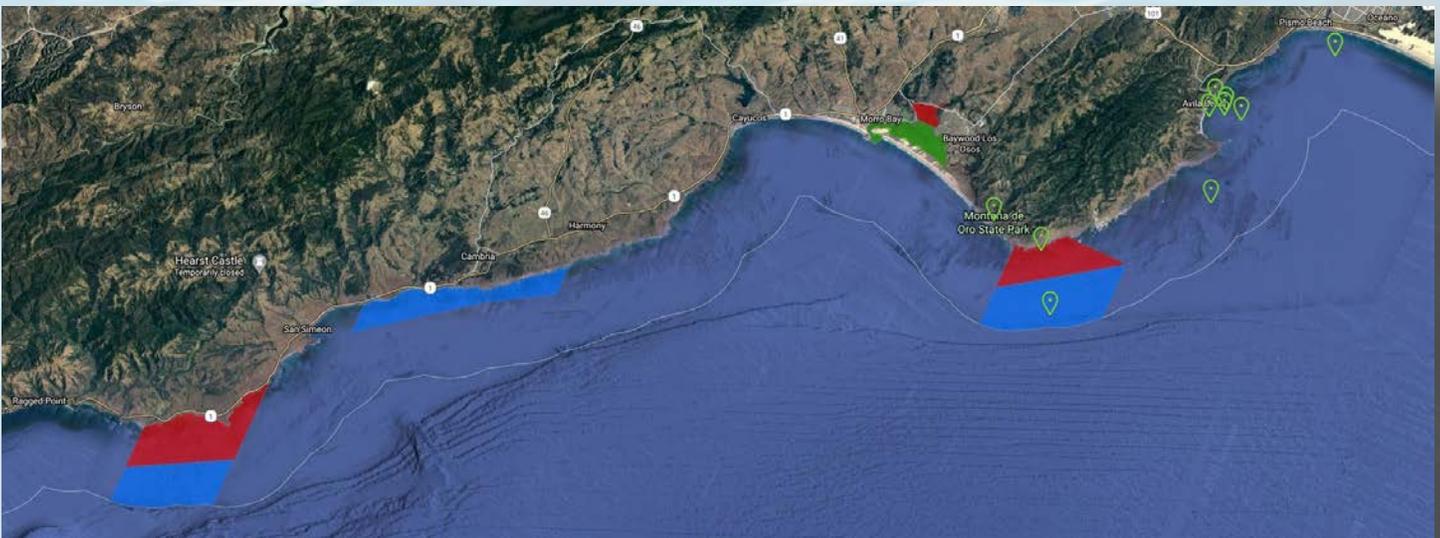
Issues identified during the Forum that have a potential for elevation and discussion with the MSLT include:

- ◇ Participants proposed revisiting the camera looking south at Point Buchon, installed near the flagpole. Installing a camera or the M2 radar system could inform enforcement and help address offshore poaching. Approval by PG&E is needed through a request from a government agency.
- ◇ Need to address the confusing boundaries due to the angle of the boundary relative to the coastline at Piedras Blancas SMR (southern boundary), the border between Cambria SMCA and White Rock SMCA, and Point Buchon SMCA and SMR.



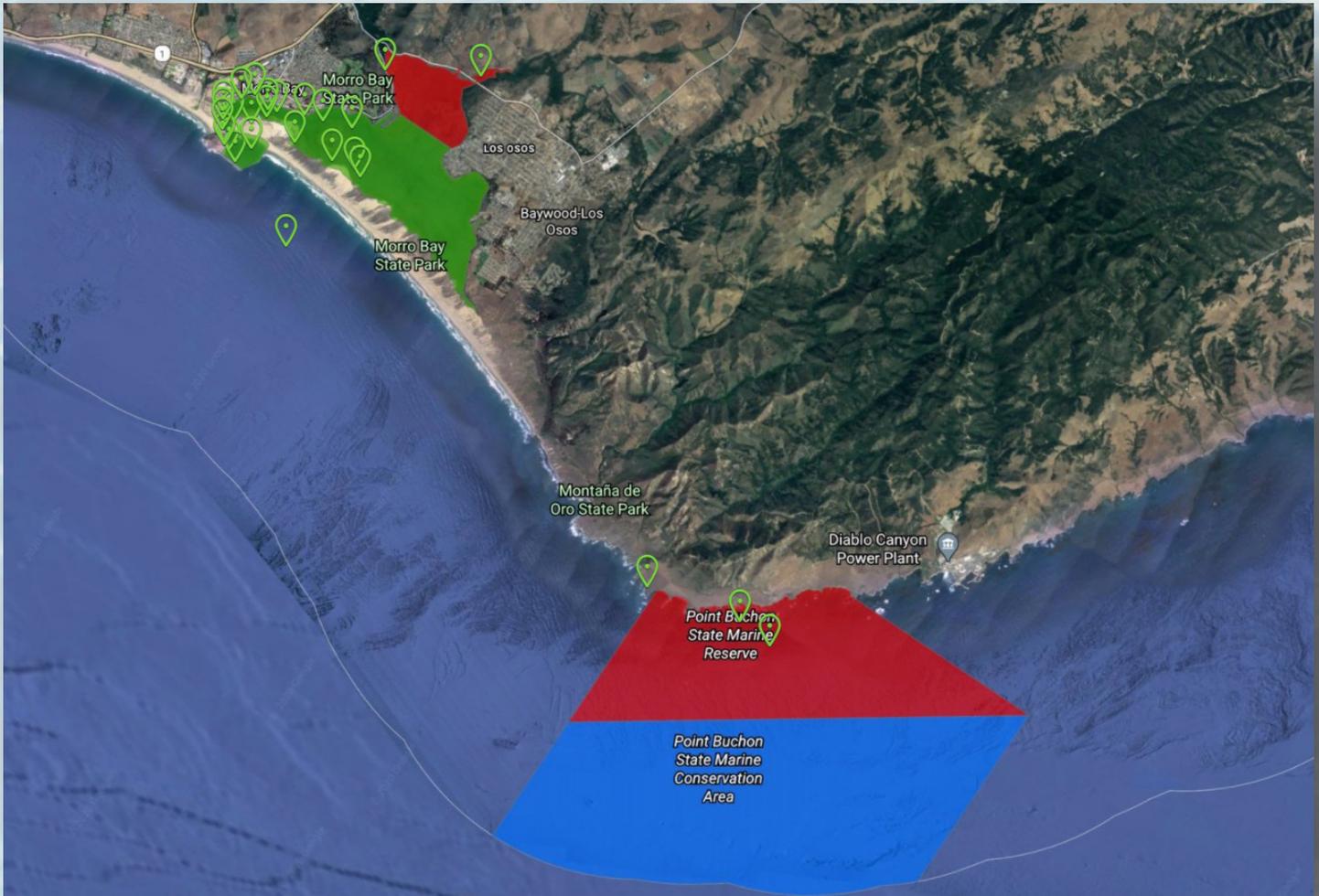
Interactive Map Results

Areas of MPA compliance concern were anonymously identified by Forum participants on interactive maps using the virtual collaboration platform Poll Everywhere. A total of 13 participants put pins on the map with 49 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 Luis Obispo County MPAs (top) and zoomed into northern San Luis Obispo County MPAs (bottom).

Interactive Map Results



Identified areas of concern in and near southern San Luis Obispo County MPAs.

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.



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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**