

Sonoma County



Marine Protected Area (MPA) Community Compliance Forum Report November 16, 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 Sonoma 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.

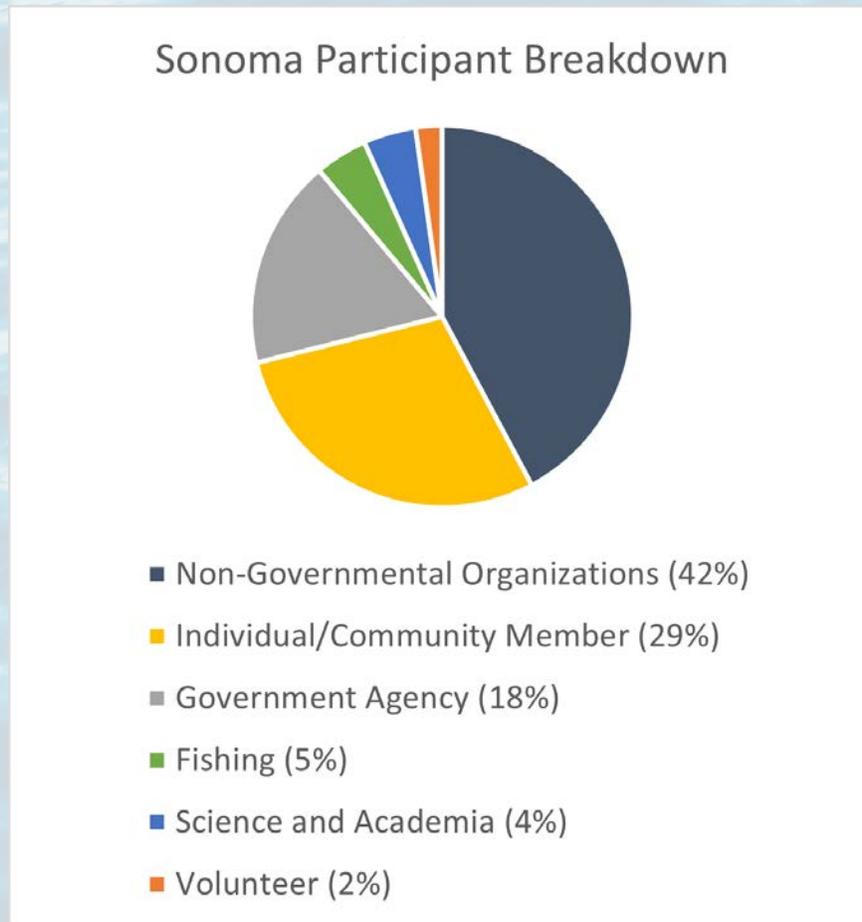
Key Takeaways

- The top concern was wildlife (e.g., seals, birds, gray whales) disturbance including flushing by kayakers, drones, entanglement in crab fishing gear, and animals ingesting plastic. Likewise, participants want to address coastal trash.
- The top solution was signage to improve awareness, inform visitors, and redirect people to potentially reduce crowds. Buoys, boundary markers and portable highway electronic signs were mentioned.
- Excessive and illegal clamming occurs at Bodega Harbor and threatens eelgrass habitat.
- More enforcement officers, fines, and engagement with allied agencies and district attorneys may improve MPA compliance.
- One targeted education/outreach program suggested was a tourism-related social media campaign.

Highlighted Compliance Concerns

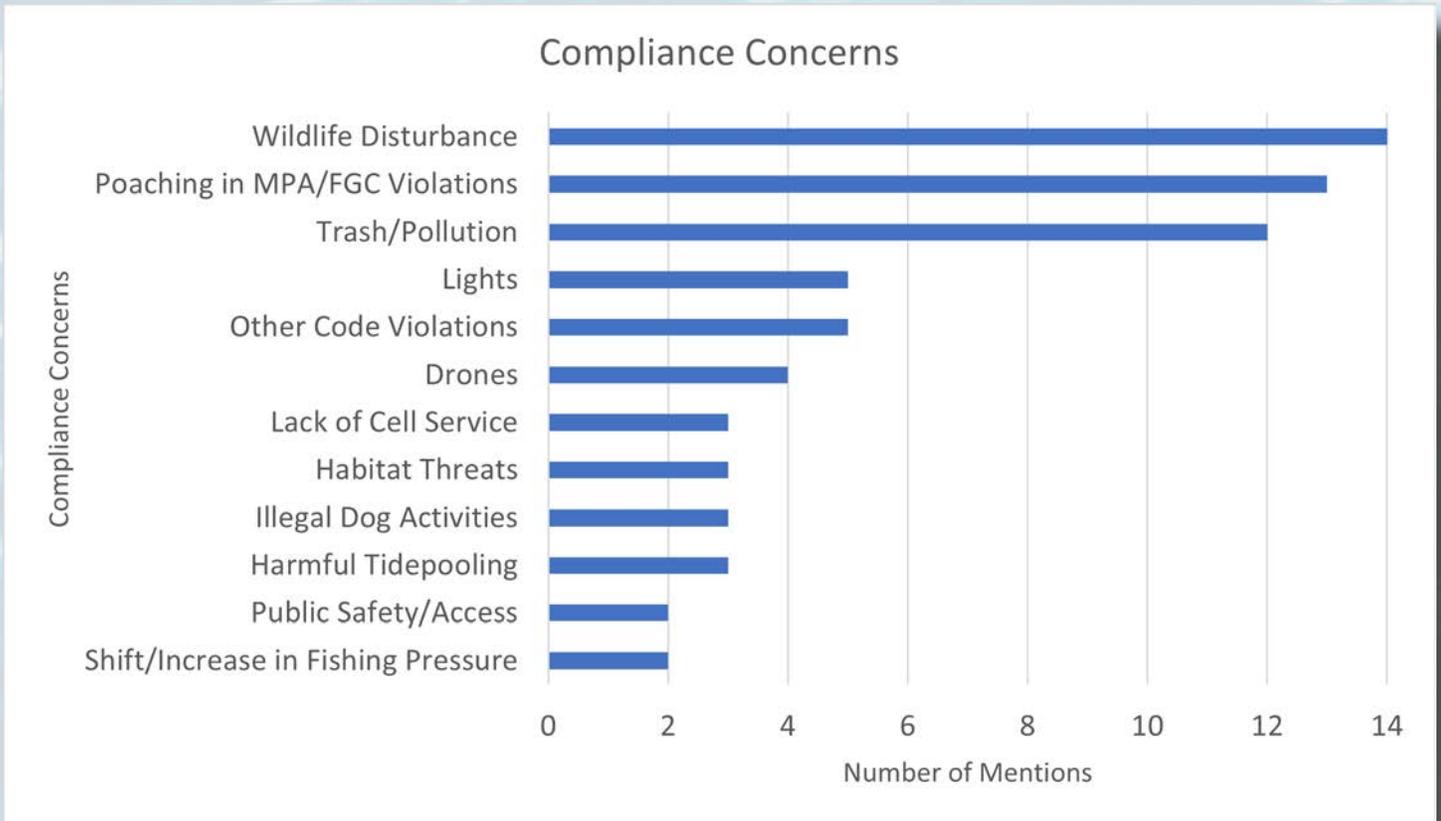
- Participants are concerned about disturbances to seals, birds, and gray whales.
- There is illegal onshore and offshore fishing at Russian River SMCA and Bodega Head SMR and far offshore fishing in Stewarts Point SMR.
- There is excessive intertidal take in Bodega Bay (clamming), Gerstle Cove, and Salt Point.
- Crowds are making impacts to the habitat by trampling in the tidepools and eelgrass beds and setting up chairs in salt marshes and mudflats.
- More trash, human/dog waste, cigarettes, and illegal camping/fires is occurring along the entire Sonoma coast.

Participant Breakdown



- A total of **39 participants attended** the Community Compliance Forum. The majority of attendees identified as non-governmental organizations, individuals/community members, and government agencies. Fishing representatives, science and academia representatives, and volunteers also attended.
- A total of **55 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 **3 new Collaborative sign-ups**.
- In-meeting Zoom poll results indicated that 60% of respondents were “Very Familiar” with MPAs, 40% were “Somewhat Familiar” with MPAs, and 40% were 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**

- ◇ Kayakers disturb seals at haul out sites in Jenner.
- ◇ People like to take “seal selfies” near Goat Rock/Russian River.
- ◇ Birds and marine mammals have been observed eating plastic.
- ◇ Gray whale entanglement in crab gear was seen near Del Mar Landing.
- ◇ Low flying drones over (seal) hauled out sites are causing disturbance in Russian River.

• **Poaching in MPA/FGC Violations**

- ◇ Fishing onshore occurs at Russian River SMCA, mostly surfcasters at Goat Rock Beach.
- ◇ Take of shellfish is common at Windermere in Salt Point SMCA.
- ◇ When the salmon are running, boats fish inside Bodega Head SMR, especially at “the wall”.
- ◇ State Parks makes a few contacts per week for fishing on the rocks just north of the parking lot and off the beach north of Mussel Point at Bodega Head SMR.
- ◇ Hook and line fishing (e.g., onshore and offshore take of rockfish) occurs at Bodega Head SMCA.
- ◇ Lots of violations occur offshore at the 3-mile line in the Stewarts Point SMR because it is remote, and poachers take advantage of CDFW’s delayed response time.
- ◇ Fishing has been observed by Beach Watch volunteers at north end of Del Mar Landing SMR.
- ◇ There is a need for district attorneys to have consistent prosecution and severity of punishments for MPA poaching/FGC violations. In Sonoma County, the punishment is only a fine of \$75 and mandated service hours (i.e., highway cleanup). However, in Marin County, the fine is several thousand dollars.
- ◇ Illegal clamming is a consistent problem in Bodega Harbor.

• **Trash/Pollution**

- ◇ There has been an increase of trash, fireworks debris, cigarettes, dog poop bags, human waste and toilet paper, and a lack of trash cans.
- ◇ Hot spot trash areas include Tomales Bay, along Highway 1, Bodega Head SMR, and Russian River SMCA.

• **Lights**

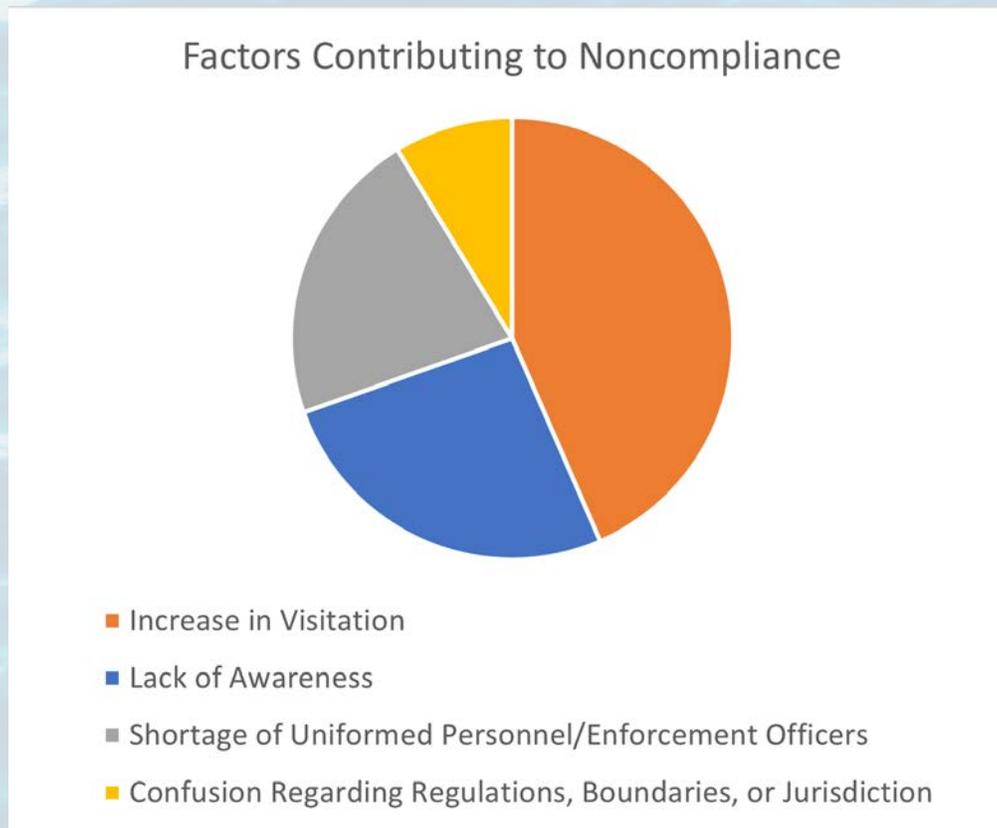
- ◇ Lights at night from the wine bar in Jenner could be causing light pollution in the Russian River estuary.
- ◇ Participants clarified that the light was not coming from commercial fishing boats who need lights for safety reasons.

Compliance Concerns

Compliance Concerns in Detail Continued

- **Other Code Violations**
 - ◇ Kayakers camping and illegal fires have been seen in Estero Americano at the river mouth. There is some confusion regarding jurisdiction at the beach between the estuary and ocean.
 - ◇ Trespassing occurs at Gaffney Point at Bodega Head SMR.
- **Drones**
 - ◇ Drones have been seen at Russian River (near the visitor's center) and over roads at Bodega Head.
- **Lack of Cell Service**
 - ◇ There is little to no cell service at Goat Rock to report violations.
- **Habitat Threats**
 - ◇ People are "posting up" in mudflats and salt marshes in Bodega Bay.
 - ◇ There is human driven dune erosion and invasive Pampas grass.
 - ◇ Participants shared that clammers in Bodega Harbor are damaging eelgrass beds (e.g., just south of Spud Point parking lot, Gaffney Point, and at Campbell Cove, and from the end of Doran across the channel from Campbell Cove). Clammers prefer to dig in bare areas, but they tend to walk all over it on their way to and from.
- **Illegal Dog Activities**
 - ◇ Dogs have been seen at the northern end of Goat Rock beach.
 - ◇ Participants believe it is mostly locals with their dogs.
- **Harmful Tidepooling**
 - ◇ Tidepool take has occurred at Gerstle Cove SMR.
 - ◇ People clamming excessively/illegally at Bodega Harbor and in eelgrass beds.
 - ◇ Shellfish take occurs at Salt Point SMCA.
- **Public Safety/Access**
 - ◇ People are trespassing and going off trail near Bodega Head.
- **Increase/Shift in Fishing Pressure**
 - ◇ Fishing the line has been observed at Stewarts Point SMR (offshore boundary and northern boundary) and Bodega Head SMR.

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

• **Increase in Visitation**

- ◇ An increase in visitors to the coast has spilled over into estuaries/mudflats.
- ◇ Kayakers have caused potential habitat threats through trespassing and illegal camping.
- ◇ The number of boats in Russian River estuary has increased.
- ◇ Parking lots at Bodega Head have been overcrowded during the pandemic.

• **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 of MPAs is high at Bodega Head.
- ◇ Clammers appear to be unaware of the impact of the damage caused by clamming.
- ◇ Some people are unaware that cigarette filters are made of plastic and do not decompose.
- ◇ Participants suggested improving awareness around the significance and why something is discouraged or prohibited.

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

- ◇ There is a lack of enforcement capacity or presence (including boat patrols) in general.
- ◇ A lack of enforcement in more remote or difficult areas to access (e.g., Stewarts Point) was mentioned.

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

- ◇ Participants were unsure who has jurisdiction in Estero Americano, specifically at the river mouth. The State Lands Commission, Greater Farallones NMS, and Sonoma Land Trust were mentioned as partners who may help manage that area.
- ◇ There was also dialogue around who shared jurisdiction of the Russian River, including Sonoma Water and State Lands Commission.
- ◇ State Parks recently painted a big yellow square to indicate the boundary at Gerstle Cove SMR.
- ◇ There has been confusion from Sea Ranch residents over Stewarts Point SMR and SMCA boundary line adjustments.

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, large, clear, updated, or new signage, and sign translations.
- ◇ Participants suggested using digital signs that update regularly when the parking lot is full, and the coast is overcrowded. These portable electronic signs (like Caltrans uses) can be moved around or put on roads to the coast to notify visitors that there are MPAs and regulations apply.
- ◇ There needs to be more permanent signage to address seal disturbance in the Russian River, including at both sides of the river mouth to prevent kayaks from approaching seals.
- ◇ A sign should be posted at Bodega Head about dune restoration.
- ◇ Educational signs are needed about trash (e.g., cigarettes, litter), disturbances by dogs, and no overnight camping.
- ◇ Signs about clamming regulations are needed for Bodega Bay. Specifically, signage is needed at the four or five primary points of entry for clammers in Bodega Harbor. Campbell Cove is the best site for signage; the clammers walk through or dig in the beds there. There is a small and ineffective sign (asking people to stay out due to research) at Gaffney Point across from Bodega Marine Laboratory, but people still go in and clam.
- ◇ Signs/information kiosks should be at all launch ramps with regulatory information and “where to go.”

- **More Enforcement Officers**

- ◇ More uniformed personnel (e.g., Lifeguards) and enforcement officers (Wardens and Park Rangers) are needed to do outreach and gain compliance.
- ◇ Citing regularly, increasing fines, and prosecuting egregious/repeat offenses/offenders could act as deterrents.
- ◇ Working with the MPA Task Force of District Attorneys may help with successful prosecution

- **Targeted Education & Outreach Programs/Events**

- ◇ Outreach programs to recreation/tourism companies (e.g., Sonoma County Tourism) could be used to educate the public about MPAs and regulations.
- ◇ A social media campaign could improve MPA awareness.
- ◇ Participants suggested utilizing the Adopt-A-Highway program.

Recommended Solutions

Recommended Compliance Solutions in Detail Continued

- **Boundary Markers/Buoys**

- ◇ Buoys with a sign were recommended for the Russian River estuary and in the river mouth by Goat Rock.
- ◇ The Department of Boating and Waterways and the State Lands Commission will need to be engaged to implement these buoys in the Russian River.
- ◇ A red triangle type of marker would be helpful at Bodega Head SMR northern boundary.

- **Stakeholder Engagement**

- ◇ More people/local groups should be involved in the Sonoma Collaborative.
- ◇ Engaging with the fishing community is a priority.

- **Monitoring/Restoration**

- ◇ Restoration of the sand dunes and removal of invasive Pampas grass is needed at Bodega Head.

- **MPA Boundary Photos**

- ◇ The surveyed MPA boundary photos would be useful for enforcement manuals and outreach products.

- **More Trash Cans/Receptacles**

- ◇ There is a need for more trash cans at the access points to the Russian River.

- **Access Fees/Safety/Emergency Phone**

- ◇ An emergency phone was proposed to address the lack of cell service near Goat Rock.
- ◇ Safety is of concern because of lots of boats transiting near SCUBA divers at Gerstle Cove SMR.

- **Call CalTIP**

- ◇ People should call the CalTIP hotline to report violations.

- **More Docents/Volunteers**

- ◇ More volunteer docents are needed to help educate the public about MPAs and why they are needed/how they work.
- ◇ Stewards of the Coast and Redwoods will also be looking at ways to incorporate more MPA education into all their coastal docent programs.

Recommended Solutions

Recommended Compliance Solutions in Detail Continued

- **Digital Resources**

- ◇ GPS locator apps like FishLegal and the CDFW mobile website are helpful.
- ◇ QR codes for translations were a suggested compliance solution.
- ◇ Participants suggested using tourism websites to direct people the best places to go (e.g., tidepooling) and to include a staff role to monitor social media and educate the public.

- **Printed Materials**

- ◇ Printed materials/resources including MPA manuals and literature/handouts are helpful.
- ◇ The Sea Ranch maps need to be redone and printed.
- ◇ Participants mentioned informational cards/pamphlets to reduce seal disturbances.

- **Research/Volunteer Identification**

- ◇ Researchers 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.

Wrap-Up Discussion

1. What are our high priority needs?

- Address wildlife disturbance including kayakers flushing/encroaching on seals at haul out sites and whale entanglement.
- Address an increase in visitation and related impacts (e.g., trash, illegal camping/fires).
- Improve compliance with MPA regulations in identified areas of concern including Bodega Head and Stewarts Point SMRs.

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

- Signage, digital signs for crowd control at parking lots, and buoys/markers at strategic locations could improve awareness and increase compliance regarding wildlife disturbance and trash.
- More uniformed personnel/enforcement officers (e.g., at Goat Rock, Stewarts Point), fines, and prosecution of egregious violations are needed.
- There is a need for interpretative/outreach programs to target tourists, including through a social media campaign.

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

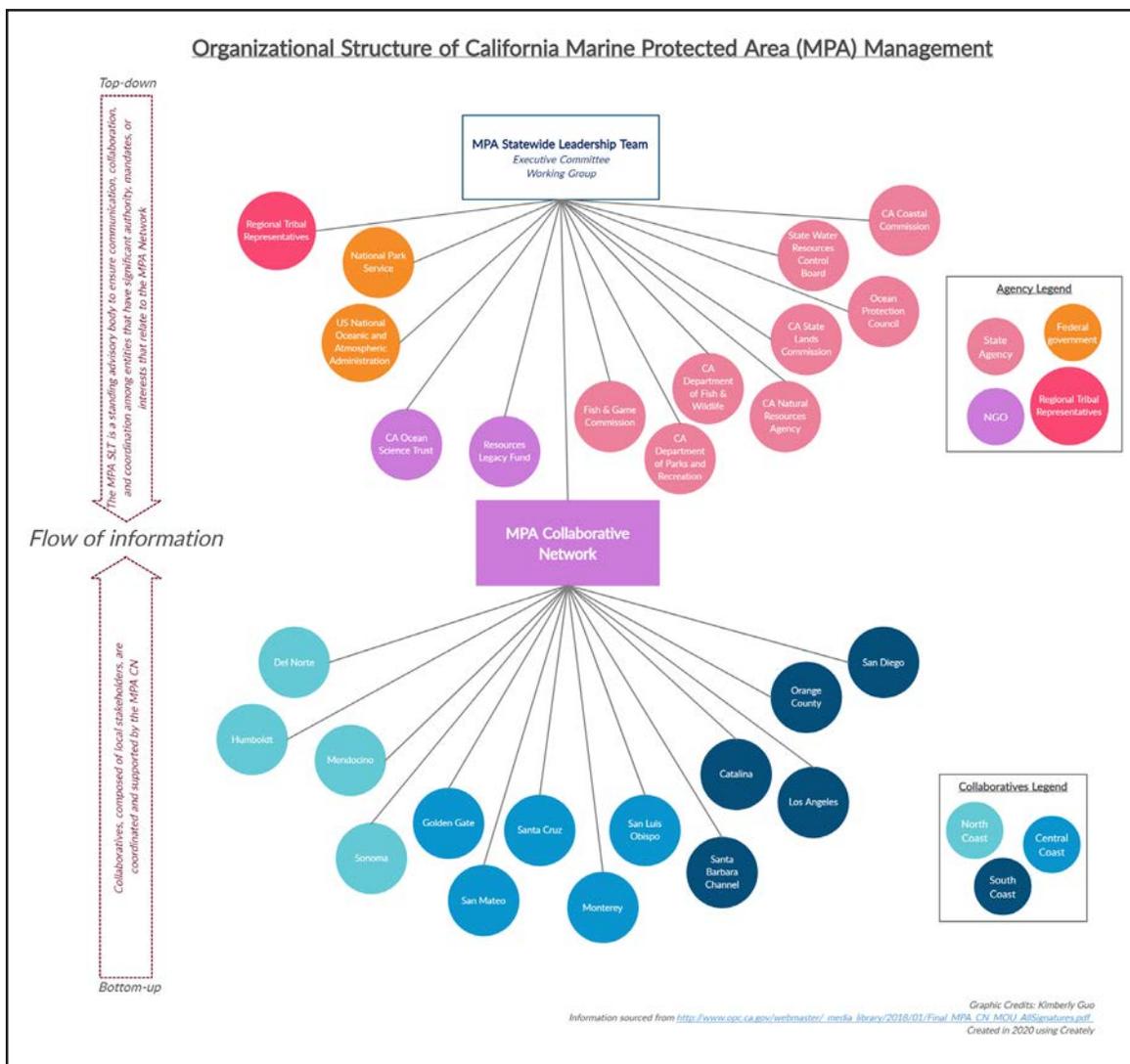
- California Department of Fish & Wildlife (CDFW)
- California State Parks
- Lifeguards
- State Lands Commission
- Greater Farallones NMS
- District Attorneys
- Allied agencies (uniformed personnel)

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:

- ◇ The Estero Americano State Marine Recreational Management Area (SMRMA) riverine estuary is split down the middle by Marin and Sonoma Counties and there is confusion regarding who has jurisdiction at the beach by the river mouth to enforce illegal camping.
- ◇ Leadership should revisit buoys and boundary markers, particularly buoys in the estuaries that may need less maintenance.

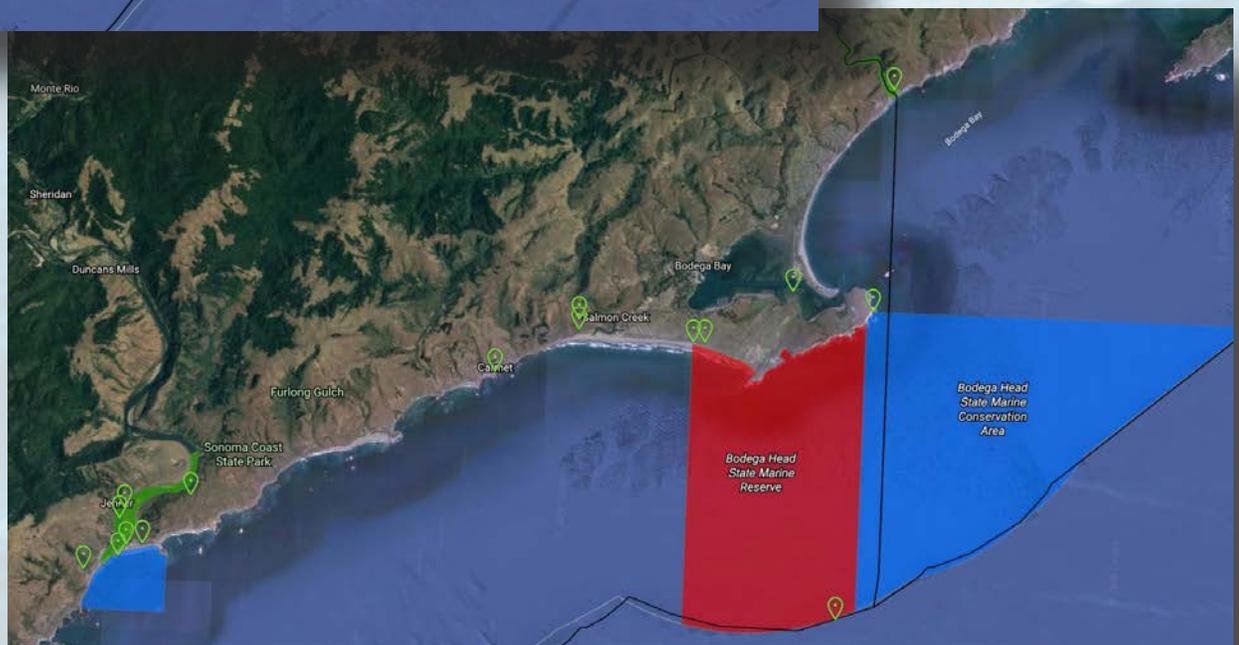


Interactive Map Results

Areas of MPA compliance concern were anonymously identified by Forum participants on interactive maps using the virtual collaboration platform Poll Everywhere. A total of 9 participants put pins on the map with 25 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 northern Sonoma County MPAs (left) and southern Sonoma County 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.
- **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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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**