

California Marine Life Protection Act North Coast Project
North Coast Special Closures Recommendation

October 26, 2010

Special closures are designated by the California Fish and Game Commission in the marine environment to provide geographically specific protection of resources from human activities. In some instances special closures may offer protection, such as to breeding seabird and marine mammal populations, from geographically-specific threats that are not necessarily addressed by marine protected areas (MPAs), including disturbance.

The MLPA Blue Ribbon Task Force (BRTF) indicated that the MLPA North Coast Regional Stakeholder Group (NCRSSG) may elect to include recommendations for special closures so long as it does not detract from completing the primary task of developing alternative MPA proposals. Therefore, the NCRSSG developed a special closures recommendation separately from the Round 3 NCRSSG MPA Proposal. At its October 25-26, 2010 meeting, the BRTF adopted a motion to forward the NCRSSG's special closures recommendation to the California Fish and Game Commission for consideration.

The special closures described in this document are intended to link to the Revised Round 3 NCRSSG MPA Proposal and the North Coast Enhanced Compliance Alternative MPA Proposal, but are separate from those MPA proposals. Refer to the Revised Round 3 NCRSSG MPA Proposal and the North Coast Enhanced Compliance Alternative MPA Proposal overview maps and the specific special closure maps to view the locations and boundaries for each of the special closures listed in this document. The full suite of seven BRTF motions with recommendations to the California secretary for natural resources, California Fish and Game Commission, California Department of Fish and Game (DFG), and California Department of Parks and Recreation are available at http://www.dfg.ca.gov/mlpa/mpaproposals_nc.asp.

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Proposed Special Closure Name	Bioregion	Proposed Boundaries	Proposed Closure Time	NCRSG Intention ¹	Site Specific Rationale	Other Considerations
Southwest Seal Rock Special Closure	Northern	No entry zone 300 feet around Southwest Seal Rock, except as permitted by federal law or emergency caused by hazardous weather	Year round	Intention is to allow access for traditional, non-commercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities.	Protects an important Steller sea lion (<i>Eumetopias jubatus</i>) breeding and haul-out site from vessel disturbances. Steller sea lions are listed as "threatened" under the Federal Endangered Species Act and are a California "species of special concern" and are known to breed on Año Nuevo, San Miguel and Farallon Islands, Southwest Seal Rock and Sugarloaf Island.	Closure results in impacts to commercial and recreational fishers and recreational divers, and potential conflicts with tribal uses of Southwest Seal Rock. Steller sea lion use of Southwest Seal Rock is monitored by the National Marine Fisheries Service and others. The proposed 300 foot closure distance gives an acceptable level of protection and helps to enforce other laws that prohibit disrupting marine mammals by helping people visualize distance needed to prevent disturbance. The NCRSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed.

¹ Acknowledging that California state agencies have indicated that they do not currently have the authority to grant exclusive use rights in regulations, NCRSG members wanted their intention regarding tribal access in special closures to be noted for future reference should California law change.

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Proposed Special Closure Name	Bioregion	Proposed Boundaries	Proposed Closure Time	NCRSG Intention ¹	Site Specific Rationale	Other Considerations
Castle Rock Special Closure	Northern	No entry zone 300 feet around Castle Rock, except as permitted by federal law or emergency caused by hazardous weather	Year round	Intention is to allow access for traditional, non-commercial, gathering, subsistence, harvesting, ceremonial and stewardship activities.	Protects bird colonies and pinnipeds inhabiting the largest and most structurally diverse nearshore island in California (Jacques, 2007). Eleven species of birds breed on the 14-acre Castle Rock National Wildlife Refuge (NWR), including 3 "special status" species, and the island is a primary staging area for the fully recovered Aleutian Canada Goose. Two (2) of the 4 pinniped species known to regularly inhabit Castle Rock NWR also breed on the island. This area was identified by the Science Advisory Team as a hot spot bird breeding location.	Currently the U.S. Fish and Wildlife Service (USFWS) prohibits non-permitted or public access to the 14-acre island. The USFWS recommended that, if additional closure of waters surrounding the NWR were to occur, the closure distance should be 300 feet on the western edge and 500 or 1000 feet on the eastern edge of the NWR. Any closure distance impacts sport and commercial fishers, divers, kelp harvesters and kayakers. Closures beyond 500 feet infringe on popular surfing breaks and boat travel lanes. Very few human disturbance events have been documented on Castle Rock NWR (Jacques, 2007). Approximately 120,000 birds breed here, about 40% of study region total. Breeding birds are Black Oystercatcher, Brandt's and Pelagic Cormorants, Cassin's Auklet*, Common Murre, Fork-tailed Storm-petrel*, Leach's Storm-petrel, Pigeon Guillemot, Rhinoceros Auklet, Tufted Puffin*, Western Gull. (An * indicates special status species.) The NCRSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed.

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Proposed Special Closure Name	Bioregion	Proposed Boundaries	Proposed Closure Time	NCRSG Intention¹	Site Specific Rationale	Other Considerations
False Klamath Rock Seasonal Special Closure	Northern	No entry zone 300 feet around False Klamath Rock, except as permitted by federal law or emergency caused by hazardous weather	March 1 to August 31	Intention is to allow access for traditional, non-commercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities.	This special closure protects approximately 45,000 breeding and roosting seabirds from vessel disturbances and disturbance by humans during low tides. This rock is part of a larger colony that is of global importance. Breeding species known to utilize False Klamath Rock include Black Oystercatcher, Brandt's Cormorant, Common Murre, Double-crested Cormorant, Pelagic Cormorant, Pigeon Guillemot, Tufted Puffin (species of special concern), Western Gull. This area was identified by the Science Advisory Team as a hot spot marine bird breeding location.	The Redwood National and State Parks' jurisdiction overlaps this area so there is potential for co-management or at least co-enforcement. The area is one of the most easily accessed beaches and the Yurok Tribe is concerned about conflict with tribal activities. There is also potential for co-management with the Yurok Tribe. Commercial and recreational fishers, as well as commercial kayak guides, use waters close to False Klamath Rock. Closeness to shore means potential disturbance from human users. Approximately 45,000 breeding seabirds use this rock. NCRSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed. Recommend that DFG explore co-management opportunities with the Yurok Tribe and Redwood National and State Parks.

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Proposed Special Closure Name	Bioregion	Proposed Boundaries	Proposed Closure Time	NCRSSG Intention ¹	Site Specific Rationale	Other Considerations
Sugarloaf Island Special Closure	Northern	No entry zone 300 feet around Sugarloaf Island, except as permitted by federal law or emergency caused by hazardous weather	Year round	Intention is to allow access for traditional, non-commercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities.	Protects an important Steller sea lion (<i>Eumetopias jubatus</i>) breeding and haul-out site from vessel disturbances. Steller sea lions are listed as "threatened" under the Federal Endangered Species Act and are a California "species of special concern" and are known to breed on Año Nuevo, San Miguel and Farrallon Islands, Southwest Seal Rock and Sugarloaf Island. This island also supports eight species of breeding seabirds, including Tufted Puffin, a species of special concern. This area was identified by the Science Advisory Team as a hot spot for marine mammals because of the Steller sea lion rookery.	One of only two breeding locations for Steller sea lions in the study region. The area of coast is remote though rock is accessible by land at extremely low tides. There is overlap with tribal activities. The NCRSSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed.
Steamboat Rock Seasonal Special Closure	Northern	No entry zone 300 feet around Steamboat Rock, except as permitted by federal law or emergency caused by hazardous weather	March 1 to August 31	Intention is to allow access for traditional, non-commercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities.	This special closure will protect breeding seabirds, including: Brandt's Cormorant, Common Murre, Pigeon Guillemot and Western Gull. The island supports approximately 10,000 breeding seabirds. This area was identified by the Science Advisory Team as a hot spot marine bird breeding location.	Potential impacts to fishing. Overlaps with tribal activities. Rock has less access than Sugarloaf to the north, though there are signs of disturbance each summer (flag on rock). The rock has no vegetation, and is not much used by seabirds in the winter. The NCRSSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed.

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Proposed Special Closure Name	Bioregion	Proposed Boundaries	Proposed Closure Time	NCRSSG Intention¹	Site Specific Rationale	Other Considerations
Rockport Rocks Seasonal Special Closure	Southern	No entry zone 300 feet around Rockport Rocks, except as permitted by federal law or emergency caused by hazardous weather	March 1 to August 31	Intention is to allow access for traditional, non-commercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities.	This special closure will protect breeding seabirds, including Black Oystercatcher, Brandt's Cormorant, Common Murre, Pelagic Cormorant, Pigeon Guillemot, Rhinoceros Auklet and Western Gull. Works as a complex with Vizcaino Rock, with approximately 11,500 breeding seabirds in the complex. These small islands support more than 2,500 nesting seabirds. This area was identified by the Science Advisory Team as a hot spot marine bird breeding location.	Private beach here, so potentially minimal public use. Potential impacts to fishing and recreational abalone divers. There is overlap with tribal activities. Bird colonies move between Rockport Rocks and Vizcaino Rock. The NCRSSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed.

Proposed Special Closure Name	Bioregion	Proposed Boundaries	Proposed Closure Time	NCRSG Intention ¹	Site Specific Rationale	Other Considerations
Vizcaino Rock Seasonal Special Closure	Southern	No entry zone 300 feet around Vizcaino Rock to the seaward side, except as permitted by federal law or emergency caused by hazardous weather	March 1 to August 31	Intention is to allow access for traditional, non-commercial, tribal gathering, subsistence, harvesting, ceremonial and stewardship activities.	This special closure protects breeding seabirds, including: Black Oystercatcher, Brandt's Cormorant, Common Murre, Pelagic Cormorant, Pigeon Guillemot, Rhinoceros Auklet and Western Gull. This special closure supports approximately 8,800 breeding seabirds. Works as a complex with Rockport Rocks, with approximately 11,500 breeding seabirds in the complex. This area was identified by the Scientific Advisory Team as a hot spot bird breeding location.	Vizcaino Rock is surrounded by smaller, lesser rocks and has a very uneven bottom so is not much visited by commercial fisherman (including crab fishermen). It is very near the shore. It is an exposed point and difficult to access from land. The rock is likely not accessible by foot, even at a low, low tide. It is fairly close to Rockport Bay, but the bay is not used much by the public because the beach is owned by a lumber company that does not give out many use permits. This area overlaps with tribal activities. Proposed seasonal closure reduces impact to urchin fishery. NCRSG noted that gear retrieval of lost fishing gear (especially crab traps) following DFG protocol should be allowed.

References

Jacques, D.L. 2007. Castle Rock National Wildlife Refuge Information Synthesis. Unpublished Report to the U.S. Fish and Wildlife Service, Humboldt Bay National Wildlife Refuge. 65 pp.